

VILLAGE OF PITTSFORD
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – March 20, 2017 at 7:00 PM

PRESENT:

Chairperson: Justin Vlietstra
Members: Jo Anne Shannon
Jeffrey Bove
Susan Lhota
Heather Erwin

Recording Sec: Linda Habeeb
PZBA Attorney: Mindy L. Zoghlin, Esq.

Motion: Chairperson Vlietstra made a motion, seconded by Member Lhota, to call the meeting to order at 7:00 pm.

Vote: Shannon – yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes; *Motion carried.*

Conflict of Interest Disclosure:

Chairperson Vlietstra asked the Board members if anyone had a conflict of interest with any of the agenda items. Member Shannon disclosed that she is a member of the Board of Directors of Historic Pittsford, but stated that this would not affect any decisions regarding the 44 Sutherland Street application.

Chairperson Vlietstra stated that there is an open hearing for an application for parking lot and façade restoration at 31 State Street, Chase Bank. He stated that there is no representative for this application in attendance. He asked if anyone wanted to comment on the application, and no in the audience had a comment on this topic.

Motion: Chairperson Vlietstra made a motion, seconded by Member Bove, to keep the public hearing open to be continued at the April 17, 2017 PZBA meeting.

Vote: Shannon - yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes. *Motion carried.*

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**David & Tina Mattia, 44 Sutherland Street ~ Site Plan**

**Present:** Jon Schick, Architect; David & Tina Mattia, Homeowners

**Discussion:** Chairperson Vlietstra stated that this is an application for site plan review for demolition of an existing house and construction of a new house at 44 Sutherland Street. Mr. Vlietstra explained that the Planning Board will be reviewing the impact that the demolition and new construction will have on the community and other adjacent properties.

Mr. Schick stated that since the Board had inquired about the materials that will be used for the new construction, he asked Matt Wagner, a product representative for one of the proposed materials, poly-ash Borel TruExterior siding, to address the board. Mr. Wagner explained that the material is a byproduct of coal, made of fly ash and polymers, and contains no carcinogens. He stated that the product was developed in 2006, and has been on the market since 2010. The product is pre-primed and paintable, and is durable

and sustainable. He stated that it cycles no moisture through the product so it doesn't expand and contract with humidity changes and is very stable.

Board members asked about paint chipping, and Mr. Wagner stated that it has been used on coastal properties, such as in Cape Cod and Nantucket, and stands up well to moisture and strong winds. Mr. Schick stated they intend to insulate with spray foam, which acts as a vapor barrier that eliminates the condensation problem in the wall cavity. They will use a mesh material from Obdyke to provide a small gap between the siding and the sheathing so that moisture cannot get trapped between the two impermeable surfaces. Mr. Schick stated that the Boral siding is dimensionally the same as wood, with the same profile and is architecturally correct. This is the first product he has seen that architecturally measures up to wood.

Mr. Vlietstra asked about the product to be used for the trim, Azek CPVC trim and molding. Mr. Schick said that they will probably use wood or borel for the trim. He stated that the existing windows on the house are wood casement windows that are in disrepair. They are proposing aluminum-clad wood windows, Marvin or Anderson E-series for the new house.

Chairperson Vlietstra stated that the Village Engineer, Scott Harter, has reviewed the proposed site plan and has expressed concerns with the drainage on the site. He requested to review a larger area of the site to assess the impacts on the adjacent properties. Mr. Schick explained that there is a change of grade on the site because the garage has been relocated on the site from the front to the rear, as requested by the APRB. There is a retaining wall along the side of the driveway, and they will be making minimal changes to the existing grade.

Mr. Vlietstra explained that the Village Engineer, Scott Harter has determined that a Storm Water Pollution Prevention Plan (SWPPP) will not be required because only one-third acre is being disturbed by the project and one acre of disturbance is required to trigger a SWPPP. He also indicated that Mr. Harter ran the quick EAF mapper utility on the DEC website to see if it flagged any concerns. A few items were reported by the tool: the property is in a historic district, it is in or near a brownfield site, and archeological resources were flagged. Mr. Schick stated there is a brownfield site along the canal but that is well away from their property and is not a concern. He is not aware of any archeological resources on the property.

Board members questioned Mr. Schick regarding the process for creating the design of the proposed house. He stated that it is a multi-faceted process. He explained that input from the APRB caused the relocation of the garage. The garage also buffers their rear patio from the neighbor's yard to the north. He stated that the roof extends down over the front porch, which is a style commonly found in the Village and creates a useful negative space on the front façade. The materials, such as board and batten and clapboard, are also commonly found in the surrounding community. The mass and scale of the house, and the gable roof pitch are nearly identical to the existing house. He noted that they used the Village of Pittsford Design Guidelines as a guide in the design of the structure. The style is a hybrid of different styles that are found in the area. He submitted a comparison of the measurements of the existing house with the proposed house for the board to review. The new house is similar in size to the existing house and they are in approximately the same location on the property.

Board members inquired about whether the mold in the house will be removed prior to demolition. Member Vlietstra commented that the house is across from a school. The homeowner explained that mold is organic and will not travel to surrounding properties. There is mold already in the air everywhere. If there is asbestos, it will need to be remediated prior to demolition.

Member Vlietstra noted that the engineer questioned whether they will be able to tie into the storm drain. Mr. Schick stated that he had received confirmation from the DPW Superintendent that there will be no problem with tying into the storm sewer. Mr. Vlietstra also stated that the electric will be underground, and he questioned whether there will be a transformer in the front yard. The homeowner stated that she has spoken with RG&E, and there will be no transformer in the front yard.

Mr. Schick stated that the proposed retaining wall has been moved 1.5 feet closer to the house so it will be a little farther away from the southern neighbor's trees. Their arborist thought that there would be enough space between the wall and the tree for the tree to survive even if some roots need to be cut to install the wall. He explained that the grade needed to be lowered at the front southwest corner of the house. Member Vlietstra asked the applicants if they have a plan to protect trees from damage during construction. Mr. Vlietstra said he believes this matter should be reviewed by a landscape architect to come up with an appropriate plan to ensure that trees are not harmed by construction activities. The trees are only a couple feet from the property line and construction equipment often accidentally damages trees.

Chairperson Vlietstra stated the public hearing is open and asked if anyone in the audience would like to make any comments. The following people spoke:

- **Ken Morrow, 48 Sutherland Street**, stated that he has not had a problem with water pooling on his property, as surface water moves northward.
- **Anthony Daniele, Monroe Avenue**, stated his opinion that the style of the proposed new construction is in keeping with the general style of homes in the Village. He requested that the Board act in a clear and concise manner in making a decision. He also questioned what the Board's charge is in this matter.

Ms. Zoghlin explained that the Board is charged with determining whether the site plan conforms to Village Code, as well as whether the proposal will have any adverse impacts on the environment or the community. She also stated that there have been no variance requests with this application.

Member Vlietstra stated that the board will need to hear further comments from the Village Engineer and a certified landscape architect prior to making a decision on this application. Ms. Zoghlin explained that she sent a letter to the applicants' attorney informing them that an escrow payment will be required to cover the \$1200 expense for the engineer's review, and a \$500 cost for a landscape architect's services.

**Motion:** Member Vlietstra made a motion, seconded by Member Lhota, to leave the public hearing open, and to hold a special meeting at 6:00 pm on Tuesday April 4, 2017, to continue review of this application. The purpose of the meeting will be to hear input from the consultants. The Landscape architect is unable to meetings on Monday's so this special meeting will work with their schedule and help move this project along.

**Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.**

**Motion:** Member Vlietstra made a motion, seconded by Member Lhota, to approve the February 27, 2017 minutes, as revised.

**Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.**

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Bove, to adjourn the meeting at 9:00 pm.

**Vote:** Shannon - yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes. *Motion carried.*

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Linda Habeeb, Recording Secretary