

**Village of Pittsford
PLANNING and ZONING BOARD OF APPEALS
Regular Meeting – August 27, 2007 at 7:00 P.M.**

PRESENT:

Chairperson:	Remegia Mitchell
Members:	Sally Chamberlin Tom Dannhauser Lili Lanphear Ted Weniger
Attorney:	John Osborn
Building Inspector:	Edward Bailey (absent)
Recording Secretary:	Linda Habeeb

Chairperson Mitchell called the meeting to order at 7:00 P.M.

Planning Board

1. Jay Birnbaum & Co. 16 S. Main Street ~ Site Plan

Present: Dennis Meitz

The Secretary read the legal notice that was published in the August 15, 2007 edition of the Brighton Pittsford Post: *“Please take notice that a Public Hearing will be held before the Village of Pittsford Planning Board at the Village Hall, 21 North Main Street, Pittsford, New York on Monday, August 27, 2007 at 7:00 p.m. to consider an application made by Dennis Mietz for property located at 16 S. Main Street, for minor site plan approval.”*

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.5(c) #15.

Discussion: The applicant is proposing converting the existing deteriorating concrete sidewalk area on the north side of the property into a permanent landscaped bed. He presented landscape plans from Pittsford Tree and Landscape showing the proposed plan, which includes installation of pavers to match the existing pavers, and an interlocking wall. He further stated that they are proposing installing seasonal planters on Main Street, which will be removed in the winter and will not interfere with Village snow plowing. Board members pointed out that if the applicant relocates the current signage after completion of the proposed plan, he will need to return to the Planning Board. Member Lanphear questioned the applicant as to whether the proposed plan would result in the creation of a second entrance to the building, and he stated that it would not. Board members commented that the proposed landscaping plan will create a visual buffer for the fire escape.

Public Hearing Opened: The legal notice having been read, Chairperson Mitchell opened the Public Hearing, and the following person spoke:

Dennis Peters, 10 Washington Avenue, stated that the tree and shrubs on the proposed plan were good, but questioned whether evergreen varieties could be substituted for some of the deciduous landscaping selections. The applicant responded that the varieties were selected to withstand wind.

Public Hearing Closed: Chairperson Mitchell closed the public hearing at this time.

Motion: Member Weniger made a motion, seconded by Chairperson Mitchell, to approve the application for a minor site plan, with the understanding that: (1) the applicant will re-review the landscape selection with Pittsford Tree and Landscape, and (2) the applicant will return to the Planning Board with any changes in the lighting or signage.

Vote: Dannhauser – yes; Chamberlin – yes; Mitchell – yes; Lanphear – yes; Weniger - yes.
Motion carried. The decision was filed in the Office of the Village Clerk on August 27, 2007.

2. Philip Nothnagle, 33 S. Main Street ~ Site Plan
Present: Mark Beebe

The Secretary read the legal notice that was published in the August 15, 2007 edition of the Brighton Pittsford Post: *“Please take notice that a Public Hearing will be held before the Village of Pittsford Planning Board at the Village Hall, 21 North Main Street, Pittsford, New York on Monday, August 27, 2007 at 7:00 p.m. to consider an application made by Philip Nothnagle for property located at 33 S. Main Street, for minor site plan approval.”*

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.5(c) #6 & 15.

Discussion: The applicant is proposing installing a dog-eared fence on the south edge of the parking lot at 33 South Main Street to replace dying vegetative screening in the area. He stated that the Village requires that he screen the parking lot, but the vegetation is not surviving because of a lack of water and sunlight in the area. He is proposing installing 6-foot-high sections of fence along the area between the mature trees, in place of the vegetation. Member Weniger stated that a 6-foot high fence creates a visual barrier that removes the depth perspective, and that a 3 or 4-foot fence would be preferable to a 6-foot fence. After referring to the Code, it was determined that the minimum height required to screen a parking lot is 4 feet. It was noted that the proposed fence would be only 50 feet from Lincoln Avenue; therefore, a 6-foot fence would negatively alter the viewshed from Lincoln Avenue. Chairperson Mitchell asked the applicant the reason for not extending the fence to the chain-link fence at the property line. The applicant stated that the existing bush in that area would have to be removed in order to extend the fence to the chain-link fence. The applicant stated that it would be possible to extend the length of the fence to the west property line and reduce the height to 4 feet.

Public Hearing Opened: The legal notice having been read, Chairperson Mitchell opened the Public Hearing and the following person spoke:

Michael Newcomb questioned whether Village Code requires a fence to screen the residential houses on Lincoln Avenue from the commercial property. He indicated that he wants the fence to extend to the east behind his two residential structures at 6-8 and 10 Lincoln Avenue. Chairperson Mitchell stated that she will consult with the Building Inspector regarding this issue.

Blake Held stated that it is visually beneficial to extend the fence to the west property line chain-link fence, because the more continuous a fence is, the more “fence-like” it is.

Chairperson Mitchell stated that the public hearing will remain *open*, pending resolution of Code questions and further information as to previously approved site plans for the property.

Information Only:

➤ **10 Lincoln Avenue ~ Blake Held, Doug Brown**

Discussion: Mr. Held stated that Mr. Brown is interested in purchasing the house at 10 Lincoln Avenue. He further stated that the house will be relocated to another area of the lot, but that it is in severe disrepair and would be difficult to move in its current condition. Mr. Held and Mr. Brown discussed various alternative plans for the house. One proposal presented to the Board involved demolition of the house with the intention of rebuilding it with the same or similar characteristics. Board members stated that APRB approval is required prior to demolition. Mr. Held stated that he is seeking input from the Zoning Board as to required variances for the replacement house, should the APRB approve the demolition.

Board members suggested that a reduced front setback for the structure and a detached garage would be appropriate proposals.

✦ **57 N. Main Street ~ Michael Newcomb**

Discussion: Mr. Newcomb presented plans for renovations to the property located at 57 North Main Street. He stated that the property will continue to be used as a gas station and convenience store, with some modifications. The proposed plan involves removing the two gas canopies in the front of the store and replacing them with one flat, metal canopy. He pointed out that in 1989, the Planning Board approved a similar, larger canopy, which was never built. He stated that because of the equipment required by the Fire Code, it is necessary for the proposed canopy to be larger than the existing canopies. The plan also calls for the addition of one gas pump, for a total of three. He stated that there is currently adequate parking in the front and rear of the property. He also is proposing building a one-story addition in the rear of the building for storage. There will be a covered dumpster in the rear of the property for trash disposal. Board members expressed some concern with the presence of the canopy with a large fascia located in close proximity to the street.

Chairperson Mitchell stated that some of the site plan issues to be addressed are:

- Landscaping details from a landscape architect
- Lighting plan with photometrics
- Code requirements with regard to the canopy
- Handicap parking space
- Signage
- Ingress/egress markings, if any are proposed

✦ **SEQR – Open Space Overlay District**

Discussion: The Board reviewed the SEQR form provided by the Board of Trustees regarding the Open Space Overlay District. Mr. Osborn explained that the Open Space Overlay District will

create another layer of review, so that when the Planning Board is considering an application under this article, it will not be bound by district regulations applicable to the property. He further explained that under the Open Space Overlay District, after the Planning Board reviews and renders a decision on a project, the issue then goes to the Board of Trustees for the final determination.

Motion: Chairperson Mitchell made a motion, seconded by Member Weniger, to respond to the Board of Trustees' request for SEQR feedback by requesting that the Board of Trustees clarify the phrase "not applicable" as it applies to such items as contaminated areas and wetlands.

Vote: Dannhauser – yes; Chamberlin – yes; Mitchell – yes; Lanphear – yes; Weniger - yes.

Motion carried. The decision was filed in the Office of the Village Clerk on August 27, 2007.

✦ **Process Committee Report**

Discussion: Member Weniger reported that the Process Committee has revised the Zoning Board application to include the criteria for area and use variances. Chairperson Mitchell also asked for a volunteer to fill his place on the committee.

✦ **Member Items:**

- Member Weniger's resignation: Member Weniger announced that he is moving from the Village and resigning from the PZBA. Having been appointed to the Board in May of 1987, Member Weniger has served on Village Boards for over 20 years. He has made valuable contributions to the Board, and his knowledge and insight will be missed.
- It was reported to the Building Inspector that trees are being taken down at 18 Boughton Avenue.
- There is a dumpster in the parking lot at ESL.

Minutes: Chairperson Mitchell made a motion, seconded by Member Chamberlin, to approve the June 25, 2007 minutes, as drafted.

Vote: Dannhauser – yes; Chamberlin – yes; Mitchell – yes; Lanphear – yes; Weniger - yes.

Motion carried.

Adjournment: There being no further business, Chairperson Mitchell adjourned the meeting at 10:30 pm.

Linda Habeeb, Recording Secretary