

Village of Pittsford
PLANNING and ZONING BOARD OF APPEALS
Regular Meeting – June 23, 2008 at 7:00 P.M.

PRESENT:

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

Member Lanphear called the meeting to order at 7:00 P.M. She began the meeting by welcoming a new member, John Limbeck, to the Board.

Zoning Board

Newcomb Oil Company, 57 North Main Street ~ Area variance for lighting

Present: Michael Newcomb, Jr.

Discussion: The applicant is requesting an area variance for approval of the lighting plan for the proposed gas station at 57 North Main Street. Mr. Newcomb has been granted site plan approval from the Planning Board, with the exclusion of the lighting elements of the plan. The Board had questioned the intensity of the lights on the site, stating that the maximum intensity should not exceed 6 foot-candles, per Village Code. He submitted a report from a lighting expert from Q-Tech Engineering, Michael Quagliata. The report indicated that the requirement of a maximum of 6 foot-candles is impossible to design using the site luminaires mounted at 17 feet to the bottom of the luminaire, and with a maximum wattage of 250 watts. The Village's proposed Code will likely allow a maximum 2 foot-candles' average for the entire site. Generally, high usage areas should be an average of 2 foot-candles. Mr. Quagliata's report said that the Board should consider the safety and security needs for the gas station, and that according to his research, this application meets the standards of the soon-to-be revised Code, with the exception of the canopy area, which will be 20 foot-candles. This information, including recommended foot-candles and Code requirements, is supported by the Illumination Society, a national organization.

Member Lanphear noted that due to a clerical error, the public hearing for this variance application will have to be published and the hearing opened for public comment. The Board will hold a special meeting in the next couple of weeks for the public hearing.

Motion: A motion was made by Member Chamberlin, seconded by Member Lanphear, to approve the application for an area variance for lighting, conditional upon the successful completion of the public hearing. The Board reserves the right to address further issues as raised at the hearing.

Vote: Dannhauser – yes, Lanphear – yes, Chamberlin – yes, Limbeck - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on June 23, 2008.

SEQR: Board Members completed Part 2 of the SEQR Environmental Assessment Form.

Motion: Member Lanphear made a motion, seconded by Member Dannhauser, declaring that the project will not result in any large and important impacts and, therefore, is one which will not have a significant impact on the environment; therefore, a negative declaration is made.

Vote: Dannhauser – yes, Lanphear – yes, Chamberlin – yes, Limbeck - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on June 23, 2008.



2. Eric Geoca, Rand Place (Private drive), Site Plan

Present: Eric Geoca, Geoca Homes

Laurence Heininger, P.E., PMP

Discussion: This is a continuation of an open public hearing for site plan approval for new construction of a house on the private drive on Rand Place. At the May meeting, the Board and neighbors in the area expressed some concerns with the proposed plan for drainage on the site. The applicant stated that his engineer would work with the neighbors to develop a revised plan that addresses their concerns. The Board informed the applicant that the Village engineer would also review the plan, with any expense incurred for his services to be charged back to the applicant.

Mr. Geoca submitted a revised drainage plan, and addressed each of the issues raised by the Village Engineer's memorandum. The neighbors in attendance stated that they were satisfied with the new plan, and indicated that an easement will be signed by the parties involved.

Motion: Member Dannhauser made a motion, seconded by Member Lanphear, to approve the application for a site plan for construction of a single-family house on the private drive of Rand Place, conditional on the following:

1. The applicant will submit a written copy of the agreement between the applicant and the neighbors regarding the drainage to the Village Office;
2. The applicant will submit a copy of the waiver for the sewer connection to the Village Office;
3. The applicant will satisfy all outstanding engineering fees prior to issuance of a Building Permit.

Vote: Dannhauser – yes, Lanphear – yes, Chamberlin – yes, Limbeck - yes. **Motion carried.**
The decision was filed in the Office of the Village Clerk on June 23, 2008



- **Mrs. Donahue, 24 Church Street,** stated that the length of the fence between her property and the ESL property is not sufficient to protect her landscaping and her privacy. She requested that the Board consider requesting modification of the approved fence to extend it further to protect her plants and property. Mr. Bailey

stated that he would contact ESL to request that the fence be extended further to protect Mrs. Donahue's property.

➤ **Building Inspector's Report:**

- Mr. Bailey reported that the Town of Pittsford has approved the annexation of the Monaco property to the Village. Since the property is not zoned, it is necessary for the Village to establish a moratorium on development on the site, until such time as the zoning is enacted. The Development Review Committee will meet to discuss the project.

Minutes

Motion: Member Chamberlin made a motion, seconded by Member Lanphear, to approve the 5/28/08 minutes, as amended.

Vote: Dannhauser – yes; Lanphear -yes; ; Chamberlin – yes; Limbeck - abstain. *Motion carried.*
The decision was filed in the Office of the Village Clerk on June 23, 2008.

Adjournment: Member Lanphear adjourned the meeting at 8:15 pm.

Linda Habeeb, Recording Secretary