

Village of Pittsford
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – July 20, 2009 at 7:00 PM

PRESENT:

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| Chairperson: | Remegia Mitchell |
| Members: | Sally Chamberlin |
| | Lili Lanphear |
| | Meg Rubiano |
| Attorney: | John Osborn |
| Building Inspector: | Edward Bailey |
| Recording Secretary: | Linda Habeeb |

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

Zoning Board

Judith Peace, 70 North Main Street ~ Area variance

Present: Judith Peace, Homeowner

SEQR: Chairperson Mitchell stated this is a Type II Action under 617.5 (c). No further review is necessary.

Legal Notice: The Secretary read the legal notice below which was published on July 8, 2009 in the Brighton-Pittsford Post: *“Please take notice that a Public Hearing will be held before the Village of Pittsford Zoning Board of Appeals, on Monday, July 20, 2009 at 7:00 pm at the Village Hall, 21 North Main Street, Pittsford, NY, to consider an application made by Judith Peace, owner of property located at 70 North Main Street, for an area variance to expand a pre-existing, non-conforming structure on a pre-existing, non-conforming lot, said lot having an area of 7,920 square feet, where an area of 10,500 square feet is required, a lot depth of 99 feet, where 150 feet is required, and said structure having a rear setback of 21.9 feet, where 30 feet is required, all pursuant to Chapter 210-6 of the Code of the Village of Pittsford: Nonconforming buildings, structures, lots, or uses.”*

Discussion: The applicant stated that she is proposing installing a solarium over the patio on the southeast corner of her house. Board members noted that the side and rear setbacks will not be changing, and that there will be no impact on the overall use of the land.

Public Hearing Opened: Chairperson Mitchell opened the public hearing.

Public Hearing Closed: There being no one wishing to speak for or against this application, Chairperson Mitchell closed the public hearing.

Motion: A motion was made by Chairperson Mitchell, seconded by Member Chamberlin, to approve the application for an area variance for construction of an addition, as submitted.

Vote: Chamberlin – yes; Mitchell – yes; Lanphear – yes; Rubiano – yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on July 20, 2009.

Findings of Fact:

- ◆ There are no undesirable changes that will be produced in the character of the neighborhood by granting this variance.
- ◆ The benefit sought by the applicant cannot be achieved by some feasible method other than a variance.
- ◆ The requested variance is not substantial.
- ◆ The proposal will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.

Buffalo Bills, Inc. ~ Temporary Permit

Present: Michael Schiavone, Lipsitz Green Scime Cambria LLP

Legal Notice: The Secretary read the legal notice below which was published on July 8, 2009 in the Brighton-Pittsford Post: *“Please take notice that a Public Hearing will be held before the Village of Pittsford Zoning Board of Appeals, on Monday, July 20, 2009 at 7:00 pm at the Village Hall, 21 North Main Street, Pittsford, NY, to consider an application made by Matthew Morey, representative of the Buffalo Bills, Inc., for a temporary permit to use the Sutherland High School parking lot for vehicle parking for attendees of the Buffalo Bills training camp during the 2009 season, which will be July 25 through August 19, 2009; the attendees will be transported by 3-4 shuttle buses.”*

Discussion: Mr. Schiavone explained that, in the past, in order to provide parking for spectators, the Bills have received permission from the Pittsford and East Rochester Districts to use parking lots located in those districts, one of which is Sutherland High School. Last year, the Village advised the Bills that in order to use the Sutherland parking lot for the 2009 training camp, the Bills must apply to the Village for a Temporary Permit, which is issued upon the approval of the Village’s Planning Board. He stated that this year’s training camp opens on July 25th and ends on August 19th. He also expressed the organization’s desire to minimize any adverse impact on the Village and the Town.

Board members noted that the four shuttle buses are school buses, which will leave the parking lot every 15 minutes. It was also noted that this will occur for 19 days during the period. Board members expressed concern with the impact that the buses will create on the traffic in this

residential area of the Village. After discussing various alternatives, it was decided that while it would not be feasible to change the route of the buses to St. John Fisher College, it would be possible to change the route of the return trips from the college to Sutherland High School in such a way as to reduce the impact on the Sutherland Street traffic by half. Board members also questioned the applicant regarding portable toilets, and it was decided that these would be located on the westernmost portion of the parking lot, farthest from the street. The applicant also pointed out that there will be full-time parking attendants, with radio communication, to assist with traffic at the school.

Public Hearing Opened: Chairperson Mitchell opened the public hearing. One letter from a resident of Sutherland Street opposing the application was entered into the public record.

Public Hearing Closed: There being no one further wishing to speak for or against this application, Chairperson Mitchell closed the public hearing.

Motion: A motion was made by Chairperson Mitchell, seconded by Member Lanphear, to approve the application for a temporary permit, with the following conditions:

1. The return route of the buses will follow Main Street to Jefferson Road to Sutherland Street, as discussed at the meeting.
2. The public toilets will be located on the westernmost portion of the parking lot, farthest from the street.
3. The applicant will provide additional information regarding proposed signage. The applicant will make an effort to modify the website and printed materials to direct traffic away from the residential area of Sutherland Street.

Vote: Chamberlin – yes; Mitchell – yes; Lanphear – yes; Rubiano – yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on July 20, 2009.

Information only: Preliminary concept plan for 75 Monroe Avenue

Present: Don Riley & Anthony Di Marzo, Mark IV Enterprises

Discussion: Mr. Riley presented a preliminary concept plan for development of the former Monoco Oil site, located at 75 Monroe Avenue, a portion of which was annexed from the Town of Pittsford to the Village. Chairperson Mitchell pointed out that this is for information only, as there has been no formal application submitted to the Planning Board at this time. Mr. Riley stated that the intention of the project is for it to be the gateway to the Village from Monroe Avenue. He stated that the canal is currently inaccessible from either water or land, and the proposal will make the canal accessible from both water and land, with sidewalks and boat moorings. They will be

applying for two permits from the Village: one for a multiple dwelling in an R-5 District, and one for operation of a restaurant on the site. Some of the elements being considered are: a traffic rotary, residential luxury apartments, a clubhouse, and boat docks. He also stated that 70% of the parking will be located underground on the site.

Board members expressed concerns with the potential for increased traffic in an area that already has excessive traffic. Mr. Riley stated that they intend to hire a traffic consultant to study the impact of the project on traffic in the area. Board members also stated concerns that this development will be separate from, and not integrated with, the Village. Board members also noted the importance of considering the scale and density of the project in relation to a small residential village.

Member Items:

Board members discussed whether applicants should be required to attend the meeting in order for the Board to vote on their application. It was decided that applicants will be encouraged to attend, but that if they give written permission, the Board will vote on the application in their absence.

Motion: Chairperson Mitchell made a motion, seconded by Member Rubiano, to approve the June 22, 2009 minutes.

Vote: Chamberlin – yes; Mitchell – yes; Lanphear – yes; Rubiano – yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on July 20, 2009.

Adjournment: There being no further business, Chairperson Mitchell adjourned the meeting at 8:45 pm.

Linda Habeeb, Recording Secretary