

**Village of Pittsford  
PLANNING AND ZONING BOARD OF APPEALS  
Regular Meeting – July 27, 2010 at 7:00 PM**

**PRESENT:**

Chairperson:	Remegia Mitchell
Members:	Sally Chamberlin Meg Rubiano George Wallace Lili Lanphear
Attorney:	Jeff Turner
Building Inspector:	Edward Bailey (absent)
Recording Secretary:	Linda Habeeb

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

**Zoning Board**

**Charles Clottin, 10 North Main Street ~ Modification of Temporary Zoning Permit**

**Discussion:** Mr. Clottin stated that at the May 24<sup>th</sup> PZBA meeting, the Board approved his request for a temporary zoning permit for operation of a vending cart from May 25 to August 31 2010. He stated that he is requesting an extension of the permit to operate the vending cart in the same location through September 30<sup>th</sup> of this year. He submitted documentation indicating that he has received permission from the Town of Pittsford to operate his business on the lot. He stated that he will continue with the same hours as were approved by the Board in May. The Building Inspector has indicated that there have been no issues or problems with the business.

**Motion:** Member Lanphear made a motion, seconded by Member Wallace, to approve the modification of the temporary zoning permit through September 30, 2010, with the same conditions that were stated at the May 24, 2010 PZBA meeting.

**Vote:** Chamberlin – yes, Mitchell – yes, Lanphear – yes, Rubiano – yes; Wallace - yes.  
**Motion carried.** The decision was filed in the Office of the Village Clerk on July 27, 2010.

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**Buffalo Bills, Inc., Sutherland High School, Temporary Zoning Permit**

**Present:** Matthew Morey, Lipsitz Green Scime Cambria LLP

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

**The Secretary read the legal notice that was published in the July 16, 2010 edition of the Brighton Pittsford Post:** *Please take notice that a Public Hearing will be held before the Village of Pittsford Zoning Board of Appeals, on Tuesday July 27, 2010 at 7:00 pm at the Village Hall, 21 North Main Street, Pittsford, NY, to consider an application made by Buffalo Bills, Inc., for a temporary zoning permit to use the Sutherland High School parking lot for vehicle parking for attendees of the Buffalo Bills*

*training camp during the 2010 season, which will be July 29 through August 24, 2010; the attendees will be transported by 3-4 shuttle buses.”*

**Discussion:** Mr. Morey explained that the Buffalo Bills are proposing to utilize the Sutherland High School parking lot in the same manner that was approved by the Zoning Board in 2009. He stated that the Bills will provide shuttle buses to transport patrons to and from the satellite parking lots and training camp. They anticipate that the Sutherland High School parking lot will be serviced by three or four shuttle buses, with each bus running at staggered times, about fifteen minutes apart. There will be at least one parking attendant at the Sutherland High School parking lot during each day of the lot’s use. In addition, during each night practice, there will be an additional parking attendant working to help with the expected increase in attendance. The parking attendants will help direct traffic and ensure that the parking process goes smoothly. The Bills also provide public toilets at the Sutherland High School parking lot, which are emptied and cleaned on a daily basis by a company hired by the Bills.

The Building Inspector has indicated that there were no problems or issues last year.

**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:** Chairperson Mitchell made a motion, seconded by Member Chamberlin, 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.
2. The public toilets will be located on the westernmost portion of the parking lot, farthest from the street.
3. The applicant will make an effort to modify the website and printed materials to direct traffic away from the residential area of Sutherland Street.
4. The applicant will provide signage to direct traffic to exit onto Jefferson Road.
5. The applicant will instruct the parking attendants to direct patrons to exit on Jefferson Road.

**Vote:** Chamberlin – yes; Mitchell – yes; Lanphear – yes; Wallace – yes; Rubiano – yes.

**Motion carried.** The decision was filed in the Office of the Village Clerk on July 27, 2010.

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**St Louis Church, 21 Rand Place ~ Modification of special exception use permit for a religious building, site plan approval, and lot line change**

**Present:** Sally Schrecker, Operations Manager; Brendan Bystrack, LaBella Associates

**Discussion:** The applicants stated that they were submitting revised plans, as a result of feedback from the site visit.

Mr. Bystrack presented plans indicating the proposed modifications:

1. Extension of the sidewalk through the access on Rand Place;

2. Extension of the concrete sidewalk linking the sidewalk north of Reddington Hall to the proposed sidewalk along the southern limits of the property line adjustment;
3. Restriping the parking area and shortening seven aisles for a net decrease of 1-2 parking spaces.

Mr. Bystrack stated that there will be a 75 square feet net increase in asphalt. He stated that they are currently resurfacing the lot, and have applied to the APRB for removal of the brick wall and fence, and installation of a new wood fence. They are also proposing installation of five, low-level lights. Ms. Schrecker stated that there are currently 173 parking spaces. Village Code requires a parking space for every three people, and they are currently operating under a variance that allows fewer spaces.

Board members stated concerns with a six-foot-wide sidewalk since most village public sidewalks are only 5 feet wide. Ms. Schrecker stated that the Presbyterian Church currently has a six-foot sidewalk, and she noted that this proposal calls for screening of the sidewalk with hemlock trees and fencing. She said that 40-60 persons will enter the property on this sidewalk, and therefore a 6' wide sidewalk is better.

**Public Hearing Opened:** Chairperson Mitchell opened the public hearing at this time, and the following people spoke:

- **Mary Menzie, Mendon Center Road**, stated that Historic Pittsford is concerned that this proposal will change the residential character of the neighborhood. She stated that most Village sidewalks are 5 feet wide, and she is concerned with installation of a 6-foot-wide sidewalk. She also stated her concern with the height of the landscaping along the driveway. She asked whether there has been an increase or decrease in attendance at church services over the past years. She also asked whether there have been any accidents at the church, which would warrant these changes for safety reasons.

Ms. Schrecker responded that church attendance has decreased by 10% over the past 5 years. She also stated her opinion that a 6-foot-wide sidewalk is appropriate for a church. As to accidents, she stated that they have experienced "near collisions," but no accidents.

- **Cindy Wallace, 30 Rand Place**, stated that she is opposed to the proposal, because it will create more noise and light, and she is concerned with maintaining property values in the Village. She questioned whether the stated goals could be achieved without the change of property line.
- **Robert Seidel, 38 Rand Place**, stated that there is no compelling reason for this application, that all features of safety can be accomplished within the existing property. The proposed changes are not insignificant and will be permanent. He further stated that a lot line change affects the neighborhood everyday whereas the church benefits from the additional property only during services and primarily one day each week.
- **Melanie Eriksson, 27 Rand Place**, stated that she has grown up in the Village of Pittsford, and she suggested that the church utilize the existing property. She also stated that this will set a precedent for churches purchasing and converting residential property.
- **Collette Yon, 27 Rand Place**, stated that the house should remain as a residential home, and she does not support this proposal.

The Board discussed the proposal, and Member Rubiano questioned whether the objectives of the proposal could be accomplished within the existing property.

Chairperson Mitchell stated that the public hearing will remain open, and the Board will review the revised site plan. She requested that the Village attorney prepare a summary of the history of the changes that have occurred on the property over the past years. She summarized the items proposed in the application:

1. Lot line change 16-17 feet;
2. Reduction in the number of parking spaces on the total lot;
3. Variance for installation of a fence;
4. Site plan approval;
5. Landscaping to screen parking from eastern side;
6. Realignment of interior parking lot;
7. Modification of special permit.

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**John & Ann Limbeck, 62 State Street ~ Site plan**

**Present:** Ann Limbeck, homeowner

**Discussion:** The applicant stated that they are proposing constructing a one-story, 1½-car detached garage in the rear of the property located at 62 State Street. She submitted documentation indicating the location for the proposed garage.

**Public Hearing Opened:** Chairperson Mitchell opened the public hearing at this time, and the following person spoke:

- **Claudia Groenevelt, 64 State Street**, stated that two trees will be destroyed if the applicants build the garage on the proposed location. She presented an arborist's report and estimates to replace the trees.

Ms. Limbeck responded that in the past, the tree has damaged her property, and the proposal follows Village Code requirements.

Mr. Turner stated that this is a private property issue between the neighbors, and is not within the charge of the PZBA to hear or decide this matter.

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

**Motion:** Chairperson Mitchell made a motion, seconded by Member Lanphear, to approve the application for site plan approval for construction of a garage, as submitted, with the condition that the garage be located no closer than three feet to the side and rear setbacks of the lot, as required by Village Code.

**Vote:** Chamberlin – yes, Mitchell – yes, Lanphear – yes, Rubiano – yes; Wallace - yes.

**Motion carried.** The decision was filed in the Office of the Village Clerk on July 27, 2010.

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**Brian Ward, 25 Locust Street ~ Site plan**

**Present:** Brian Ward

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

**The Secretary read the legal notice that was published in the July 16, 2010 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 Tuesday, July 27, 2010 at 7:00 pm, to consider an application made by Brian Ward, owner of property located at 25 Locust Street, for site plan approval for the construction of a residential detached garage where the total floor area exceeds 400 square feet or the structure exceeds one story pursuant to Village Code § 210-83B (16).”*

**Discussion:** The applicant stated that he is proposing constructing a garage at the end of the driveway on the southwest corner of the lot at 25 Locust Street. The proposed garage is a two-stall garage with an upper level for storage. He presented an instrument survey map indicating the location for the garage. The size and location of the garage is similar to the barn that was on this property many years ago.

**Public Hearing Opened:** Chairperson Mitchell opened the public hearing at this time.

**Public Hearing Closed:** Chairperson Mitchell closed the public hearing at this time, as there was no one wishing to speak for or against this application.

**Motion:** Chairperson Mitchell made a motion, seconded by Member Wallace, to approve the application for site plan approval for construction of a garage, as revised on 7/27/10, with the condition that the garage be as close to the rear and side setbacks as allowed by Code, given the terrain of the property. .

**Vote:** Chamberlin – yes, Mitchell – yes, Lanphear – yes, Rubiano – yes; Wallace - yes.  
**Motion carried.** The decision was filed in the Office of the Village Clerk on July 27, 2010.

**Member Items:**

**Minutes:**

**Motion:** Chairperson Mitchell made a motion, seconded by Member Rubiano, to approve the 6/16/10 special meeting minutes, as drafted.

**Vote:** Chamberlin – yes, Mitchell – yes, Lanphear – yes, Rubiano – yes; Wallace - yes.  
Motion carried.

**Motion:** Chairperson Mitchell made a motion, seconded by Member Chamberlin, to approve the 6/28/10 regular meeting minutes, as drafted.

**Vote:** Chamberlin – yes, Mitchell – yes, Lanphear – yes, Rubiano – yes; Wallace - yes.  
Motion carried.

**Motion:** Chairperson Mitchell made a motion, seconded by Member Rubiano, to approve the 7/13/10 special meeting minutes, as drafted.

**Vote:** Chamberlin – yes, Mitchell – yes, Lanphear – yes, Rubiano – yes; Wallace - yes.  
Motion carried.

**Adjournment:** There being no further business, Chairperson Mitchell adjourned the meeting at 9:20 pm.

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Linda Habeeb, Recording Secretary