

**Village of Pittsford
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – August 30, 2010 at 7:00 PM**

PRESENT:

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

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

Zoning Board

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; Charles Russell, Harris Beach PLLC

Discussion: Mr. Russell submitted a memorandum in further support of St. Louis Church's applications to the PZBA for site plan approval and extension of the existing special exception use for property located at 21 Rand Place. He stated that the project involves the redesign of 8,670 square feet of the approximately 5.0 acre church parcel and ceding 2,146 square feet of the 21 Rand Place parcel to the church parcel. As part of the project, existing pavement and site elements, including a brick wall and stockade fencing, will be removed, and a new six-foot-wide concrete sidewalk will be constructed to separate the pedestrian traffic from vehicular traffic. The project is designed to address the public safety concerns that currently exist at the entrance to the church parcel off of Rand Place. To accommodate the new walkway, the northern property line of the 21 Rand Place parcel will be shifted southward 16 to 17 feet and added to the church parcel, which requires both site plan approval and modification of the Special Exception Use Permit. The memorandum addresses the specific sections of the Village Code involved in this project.

Chairperson Mitchell questioned the applicant as to the frequency of church events or services when there are pedestrians that are impacted by these safety concerns. Ms. Schrecker stated that in addition to regular church services, there are a number of events both on the weekends and during the week when pedestrians are entering and exiting the church.

Member Wallace questioned the applicants as to whether the safety concerns could be remedied within the current configuration, rather than proposing to change the property lines. The applicants stated that the proposal seeks to bring the preexisting nonconforming church parcel closer to compliance with several provisions of the Village Code, including

those regarding setbacks, sidewalks, driveway line-of-sight, and snow storage. They further pointed out that if the church were required to construct the sidewalk within the church parcel, without a lot line adjustment, these code sections would not be satisfied, and the church parcel would be less compliant with the zoning ordinance than it is currently.

In response to a question by Chairperson Mitchell, the applicants' engineer, Mr Bystrack, described a modification of the applicants' proposal that could place the sidewalk within the current special use property, thus satisfying the applicants' safety concern without the need to expand the footprint of the current special use permit. This architectural modification accomplished the church's safety concern without a further encroachment into the residential district.

Chairperson Mitchell suggested reducing the length of the brick wall so as not to impair visibility. She also stated that installing a 6-foot-wide sidewalk seems excessive and unnecessary for the benefit of only 40-60 people. Ms. Schrecker stated that reducing the length of the brick wall would eliminate the screening benefit. She also noted that there are numerous services and events at the church each year.

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

- **John Payne, 17 Old Forge Lane**, stated that installing a sidewalk at the site would be safer for children.
- **Mike Moore, 40 Wood Hill Lane**, stated that the loss of parking spaces would be detrimental to the site.
- **John Hartzell, 66 South Main Street**, stated that he supports the revised application.
- **Jack Cargill, 8 Boughton Avenue**, stated that the proposal will improve the unsafe situation at the church, and will be more aesthetically appealing than the existing conditions.
- **Robert Seidel, 38 Rand Place**, stated that safety should be a concern for everyone, and people should drive more carefully. He also stated that the proposed lot line adjustment will permanently change the character of the street.
- **Janet Reynolds, 35 Church Street**, stated that if the church is concerned with safety, they should eliminate some of the parking. The proposal will erode the residential area of the Village.
- **Collette Yon, 27 Rand Place**, stated that the proposal is not about safety, it is about adding more parking for the church. She also stated that this will irrevocably alter the character of the Village.
- **Susan Judson, 25 Washington Avenue**, stated that the proposal has been modified in response to the neighbors' concerns. She further noted that there is currently a problem with safety entering and exiting the church during busy times. She stated her opinion that these improvements will benefit the neighborhood.
- **Jim Huffman, 5 Elmbrook Drive**, stated that the safety issues can be remedied within the existing property lines.
- **Melanie Eriksson, 27 Rand Place**, stated that many of the elements of the proposal are not necessary, and the changes should be made within the existing property lines. She suggested that either volunteers or a crossing guard could assist with the safety concerns.
- **Elizabeth Jackson-Renner, 3 Elmbrook Drive**, suggested that the church utilize empty parking lots in the Village and arrange for a shuttle service to the church.
- **Mary Menzie, Mendon Center Road**, stated that the Village defines Pittsford, and it is important to retain property values on Village houses. She stated that she is

concerned that this proposal will set a precedent, and concluded that there is no compelling reason for these changes.

- **Alison Huffman, 5 Elmbrook Drive**, stated that the changes can be done within the existing property, and she is concerned with preserving the neighborhood.
- **Elayna Bittner, 16 Eastview Terrace**, stated that increasing the parking lot decreases the property values of houses in the Village.
- **Samantha Brody, 29 Rand Place**, thanked Board members for their service and dedication to the Village.

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

Mr. Russell stated that the proposal will not widen the driveway at Rand Place and will not change the zoning, as they are requesting an extension of the special exception permit.

Board members expressed concerns as to whether the only solution to the safety issue is to make a permanent lot line change at the property. They stated that there are other safety devices, such as speed humps and signage, which could be utilized to address the safety concerns.

Chairperson Mitchell stated that the applicants can either revise the current proposal to address these concerns, and return to the next Board meeting, or the Board will vote on the application at this meeting. The applicants revised the plan to request a five-foot-wide sidewalk instead of the six-foot-wide sidewalk proposed on the residential parcel, as shown on the current plan.

Motion: Chairperson Mitchell made a motion, seconded by Member Chamberlin, to deny the application, as submitted

Vote: Chamberlin – yes, Mitchell – yes, Rubiano – yes; Wallace - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on August 30, 2010.

Pittsford Canalside Properties, LLC, 75 Monroe Avenue, Application for Special Permits for Multiple Dwelling Buildings and Restaurant

Present: Mark IV: Anthony and Chris DiMarzo, Bryan Powers, Engineer; Steve Ferranti, SRF Associates; Paula Benway, Stantec

Discussion: Mr. Ferranti, of SRF Associates, stated that he has reviewed both the Traffic Impact Study prepared by Stantec, and the updated Traffic Impact Study revised in July 2010. In general, the report was prepared in accordance with the scope outline, nationally recommended standards, and local Department of Transportation guidelines. He presented comments summarizing his review of the materials provided.

The study area includes the three signalized intersections of Monroe Avenue with French Road, 3750 Monroe Avenue driveway, and Main Street, in addition to the unsignalized intersection of Sutherland Street. The peak periods for study include the morning commuter peak, between 7:30 and 8:30 am, as well as the evening commuter peak, between 4:45 and 5:45 pm. Turning movement count data at the study intersections were collected by SRF and provided to the applicant for use in this study. The speed limit is 30 mph in the Village adjacent to the site and 40 mph west of the site in the Town of Pittsford. Monroe Avenue

carries an average annual daily traffic (AADT) of approximately 19,200 vehicles per day according to 2010 traffic count data.

The applicant provided several types of traffic analyses as required in the scope. These include: capacity analyses at the study intersections and site driveway, gap analysis at the site driveway, sight distance investigation at the site driveway, westbound left turn evaluation at the site driveway, assessment of the driveway location, and a review of pedestrian and bicycle amenities. SRF has reviewed and evaluated these items, as well as additional areas of concern.

Capacity Analyses at the Study Intersections and Site Driveway: The capacity analyses indicate that the proposed development will not have a significant impact on the capacity of operations at the study intersections.

Gap Analysis at the Site Driveway: The gap analysis indicates that there are sufficient gaps in the Monroe Avenue traffic to accommodate the projected traffic volumes entering and exiting the site during the peak hours.

Sight Distance Investigation at the Site Driveway: Stopping sight distance (SSD) is the length of roadway ahead that is visible to the driver. Intersection sight distance (ISD) is the sight distance that is provided at intersections for motorists to perceive the presence of potentially conflicting motorists. Minimum SSD is met at the proposed driveway location, but ISD is not met at speeds greater than 28 mph (calculated based on available sight distance).

Traffic Impacts Along Monroe Avenue West of the Site Driveway: Traffic exiting the roadways and driveways between French Road and the site driveway currently experience long delays during peak hours. The proposed development will add minimally to the traffic on Monroe Avenue and will not have a significant adverse impact on the operations at these roadways and driveways.

Traffic Calming Considerations: The applicant has considered several options for calming traffic (i.e. reducing speeds) along Monroe Avenue. The applicant has evaluated the potential for installing various gateway features, median treatments, and the impact of narrowing the travel lanes to reduce the speeds on Monroe Avenue. A detailed Access and Traffic Calming Plan that includes the recommendations should be prepared and submitted by the applicant for review and approval by each review agency. These will be evaluated by the Department of Transportation.

Board members questioned Mr. Ferranti as to whether the proposed restaurant and its impact were considered in the study, and he stated that it was part of the evaluation. It was noted that a 100-seat restaurant will have an impact on speed, safety, traffic, and noise. Chairperson Mitchell asked the applicants about the impact of boat usage on the traffic. The applicants stated that there will be public docking, but no launch.

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

Linda Habeeb, Recording Secretary