

Village of Pittsford
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – June 27, 2011 at 7:00 PM

PRESENT:

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

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

PLANNING BOARD

ESL Federal Credit Union, 11 State Street ~ Modification of approved application

Present: Peter Woods, ESL; Joseph Burkart, NPV Inc.

Discussion: This is an open application requesting a modification to the approved hours of operation of the ESL Federal Credit Union, located at 11 State Street, to allow the bank to remain open one hour later on Mondays and Thursdays, and a half hour later on Saturdays. Chairperson Mitchell noted that at previous meetings, a number of concerns regarding traffic violations at the bank were raised by neighbors from the surrounding area.

Mr. Burkart reviewed the results of a traffic study conducted by SRF & Associates traffic consultants. He stated that the study indicated that the volume of two-way traffic on Church Street, east of the Church Street driveway, has decreased since the opening of the ESL branch in 2006. The data also indicates that the traffic using the Church Street egress-only drive increased significantly since the 2008 traffic study, due in large part to the conversion of the State Street driveway access to an ingress-only drive. The percentage of motorists making illegal maneuvers at the Church Street driveway has remained fairly constant over the past three years. The number of illegal turning maneuvers has increased since 2008, but it should be noted that the number of illegal maneuvers correlates with the increase in total trips entering and exiting 11 State Street.

The applicants also submitted the hours of operation of other banks within in the Village: Chase bank and Canandaigua National Bank are currently open longer hours than ESL.

Public Hearing Continued: Chairperson Mitchell continued the public hearing at this time, and the following person spoke:

Janet Reynolds, 35 Church Street, stated that this study was conducted prior to the opening of Guys Pizza, which has significantly increased the traffic in the area. She stated that

Church Street traffic has lessened since the former Great Northern Pizza shop closed, but that when this restaurant use is resumed, traffic will increase once again.

She also noted that the other banks in the Village are located on commercial streets, not residential streets. She stated that there has been a dramatic increase in the number of cars turning onto Church Street.

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

SEQR: The applicant previously completed Part 1 of the long form SEQR. It was mailed to interested and involved agencies on January 25, 2011, along with the request from the Board to act as lead agency for this process. The 30-day comment period has expired. No objections were received.

Motion: Chairperson Mitchell made a motion, seconded by Member Lanphear, declaring the Planning Board as lead agency for SEQR review.

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 June 27, 2011.

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

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

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 June 27, 2011.

Motion: Chairperson Mitchell made a motion, seconded by Member Chamberlin, to approve the extension of hours for ESL Federal Credit Union, as stated in the application submitted on 12/17/10.

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 June 27, 2011.

Findings of Fact:

1. Hours of operation requested are equal to, or less than, those of other banks in the Village. Chase Bank is also on a residential street.
2. The traffic study, conducted by SRF Associates, does not indicate a significant increase in overall traffic since the ESL Bank opened.
3. There are no undesirable changes that will be produced in the character of the neighborhood by granting this request for a modification of the approved hours of operation.
4. The request will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
5. The requested modification is not substantial.

ZONING BOARD

St Louis Church, 21 Rand Place ~ Extension of Special Exception Use Permit, Site Plan; and Change of Lot Line

Present: Sally Schrecker, Operations Manager; Brendan Bystrack, LaBella Associates; John Mancuso, Harris Beach

Discussion: This is an open application for site plan approval and extension of the existing special exception use on to the 21 Rand Place parcel and the Church parcel. The applicants presented a snow storage and removal plan for the property. They indicated a number of areas designated for snow storage. During heavy snows, the snow is moved to the field behind the schoolyard. After polling the Board, Chairperson Mitchell stated that Board members will require further information regarding the plan prior to making a decision. They will request that the Village Engineer review the plan and report his findings by the July meeting.

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

Mike Moore, 40 Woodhill Road, stated that he is a member of St. Louis Church, and he advised the Board to disregard the negative comments regarding the Church, and approve the proposal, as submitted.

Hendrina Schindler, Rand Place, stated that St. Louis Church continues to request changes to the lot line, which will impact the residential character of the neighborhood.

Jack Cargill, 8 Boughton Avenue, stated that this proposal is an improvement over the original proposal, and he recommended that the Board approve the plan.

Lisa Cove, 44 South Main Street, stated that she supports having the church in the Village, but there is too much time and money being spent discussing this proposal.

Mike Drew stated that he is a member of St. Louis Church, and the proposal is a modest plan to improve the safety of the parishioners.

Collette Yon, 27 Rand Place, stated that it is important to maintain the village character, and not add more parking areas. She also stated that the safety concerns can be addressed within the existing property.

Cindy Wallace, 3 Rand Place, stated that it is important to maintain the character of the village.

Tom Cummings, 99 South Main Street, stated that the plan balances the needs of the Church and the Village.

Susan Paine, St Louis employee, stated that the main consideration should be the safety concerns.

Frank Galusha, 24 Boughton Avenue, stated that he supports the proposal because

there is a safety issue, changing the property line does not violate Village Code, and the proposal will not change the character of the Village.

Pastor Kevin Murphy stated that this is the first time that snow removal has been discussed, and he asked the Board to make a determination at this meeting.

Chairperson Mitchell stated that snow storage and removal has been an issue that has been considered as part of the site plan review of the property, and that the application requests 8-10 feet of the residential property to address this specific need.

A letter from Sarah Koopus, stating her opposition to the proposal, was read aloud and entered into the record.

Mr. Mancuso reviewed the past submissions and modifications to the original proposal, and stated that the request is not a change in the use of the property, but is for an extension of a permitted use. He further stated that the parcel is within the square footage requirement of the Village Code, and is compliant with the Village's Comprehensive Plan. He requested that the Board not hold the application open, but vote on the proposal at this meeting.

Motion: Chairperson Mitchell made a motion, seconded by Member Lanphear, to enter executive session to discuss a matter of attorney/client communications.

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

Motion carried.

Motion: Chairperson Mitchell made a motion, seconded by Member Lanphear, to leave executive session and reenter the regular portion of the meeting.

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

Motion carried.

Discussion: Chairperson Mitchell indicated that the Board had requested that the applicant reduce its request so as to eliminate its new snow storage area, and further indicated that this was not acceptable to the applicant. Chairperson Mitchell stated that the Board does not have adequate information to render a decision at this time, and requested that the applicants submit the snow storage plan for further review by the Village's Engineer. She stated that the applicants will be responsible for any charges incurred for this review, and that a deposit of \$600 should be made to the Village to be held in escrow. The public hearing will be continued at the July 25th meeting.

INFORMATION ONLY:

Discussion: Rabbi Yitzi Hein stated that he is seeking information regarding the permitted uses for the property located at 21 Lincoln Avenue. He stated that he is associated with Chabad, a Jewish organization that participates in positive community programs for the local Jewish community. He stated that he would occupy the upper portion of the house, and hold classes, youth clubs, and other community activities in the lower portion.

Chairperson Mitchell stated that Rabbi Hein will need to submit an application to the Zoning Board, along with a description of his proposal, which should include specific details regarding: the proposed hours of operation, number of participants in the classes, number of parking spaces required, frequency of classes, noise, etc.

Minutes:

Motion: Chairperson Mitchell made a motion, seconded by Member Chamberlin, to approve the 4/25/11 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 5/2/11 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 4/25/11 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 9:45 pm.

Linda Habeeb, Recording Secretary