



Proceedings of a Meeting of the Board of Trustees  
May 13, 2014

- The Board was informed that the flower baskets were on schedule.
- There was discussion on the location of the garbage cans along the canal; Mayor Corby discussed meeting with the Superintendent and discussing the location.
- Mayor Corby requested that Superintendent Yaeger email a weekly report on his department and their activities.

**PUBLIC HEARING FOR SAHA MED GRILL, 14 SOUTH MAIN STREET, FOR A SPECIAL PERMIT FOR A RESTAURANT**

Proof of the legal notice below having been published, **Motion Mayor Corby, seconded by Trustee Boehlert**, to open the public hearing on the special permit for a restaurant.

Mr. Sami Mina, owner of the Saha Med Grill, discussed with the Board his intentions for the property and also the concerns of the neighbors on Church Street. Mr. Mina informed the Board that the dumpster on the property would be fenced in. He further stated that he would be updating and replacing all the landscaping to provide proper screening of the property. The existing air-conditioning units on the buildings will be replaced, and he will also be providing fencing around the outdoor seating area. Mr. Mina stated that he will also be posting directional signage to avoid additional traffic on Church Street. He informed the Board that he will use his commissary for most of the deliveries to the restaurant. Mayor Corby questioned whether he would be using the existing smoke stack on the top of the Building. Mr. Mina informed the Board that he would be using the smoke stack, but would be repairing or replacing as necessary. He is also proposing to keep the signage for the restaurant very simple, with no window or neon signage. Mayor Corby discussed with the applicant how the customers would enter the restaurant and be waited on. Mr. Mina informed the Board it would be an assembly line to receive food, but there would be wait staff to clean up the tables. The Board asked the applicant about the planned seating for the restaurant and was informed that he was projecting 80 seats inside the restaurant and 40 seats outside.

Janet Reynolds, 35 Church Street, stated that she was very concerned that the landscaping would not be tall enough to block the view of the parking lot from neighbors in the surrounding area. She stated that she was also very concerned with the amount of traffic the fast-food concept would generate. Ms. Reynolds also discussed the issue with the additional garage company, snow removal issues, and large deliver trucks that would affect Church Street residents. Ms. Reynolds stated that she was also very concerned with additional traffic and parking issues that would be a concern for Church Street as well. She stated that a restaurant in this location would have too many negatives for the neighborhood.

Majed El Rayes, 32 Church Street, was pleased with the improved environment that would be created by the renovations of the property, but was very concerned about the parking. He questioned if the owner would be needing variances for the parking, since the existing lot would not provide enough parking. Mr. El Rayes also expressed concern for the traffic situation on the street, and indicated the Board should consider reducing the speed limit on the street. He also expressed concern for the condition of the street and the weight of the additional delivery trucks. Mr. El Rayes also was concerned that the applicant would make all the promises but would not follow through.

Mr. Mina stated that he could arrange trash pickup at a reasonable time. He also stated he could assure that the delivery trucks would not turn down Church Street. He did not feel that everyone who patronizes the restaurant would be arriving in a vehicle and that parking would be an issue. Mr. Mina stated that he would be bringing an empty building to life.

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Mike Reynolds, 35 Church Street, indicated to the Board that they should use the parking table in the code to reduce the number of seats. In his calculation, seating would be reduced to 48 seats.

Paul Harris stated that eliminating the vacancies on Main Street is important to the Village, and that there will always be parking issues. He further stated that the Village should be welcoming new business, and that this is a good project with an outstanding business owner.

Marian Carp reviewed with the Board other local establishments and the limited parking they have to offer. She stated this restaurant is offering healthy food that Pittsford wants and will be hiring local employees.

Justin Vliestra, 19 Boughton Avenue, expressed concern with the concept of the customers waiting in lines and the traffic that quick turnover in the restaurant would produce. He stated that the seating requested is high and he was not sure the hours were appropriate.

Trustee Galusha questioned the number of employees expected. The owner indicated there would be about 6-8. Mayor Corby questioned the ventilation. The applicant indicated that ventilation would be done with fans, within a closure. The Board and Mr. Mina held additional discussion on the fencing to be used and the type of pavers for the patio that were available. Mayor Corby suggested that the applicant plant two trees to help mitigate the noise. Trustee Lanphear stated that she was concerned with the number of outdoor seats requested. Trustee Galli discussed with the Board the code requirements for the special permits.

The Board assigned Trustee Lanphear to work with the applicant, and tabled the proposal until the May 20, 2014 meeting, to further review the concerns of the residents and Board members.

**NON-MUNICIPAL USE PERMIT FOR JEMBETAT GALLERY INC.**

The owner of Jembetat Gallery informed the Board that he had painted all the benches to match. He indicated he has arranged the benches so that they are grouped together. The benches do not impede traffic and are public friendly. He also stated the benches assist his business as well as other local merchants.

Trustee Lanphear was concerned with the use of the benches on public property. She suggested arranging a seating area in the plaza area.. Trustee Galusha indicated that if the language for the insurance is acceptable, the benches are acceptable.

**Motion Trustee Galli, and seconded by Trustee Boehlert,** to waive the 45-day notice and approve the non-municipal use permit for Jembetat Gallery for the 2014 season with all the requirements of the non-municipal use permit.

**Vote:** Corby – yes, Galli – yes, Lanphear– yes, Boehlert – yes, Galusha – yes. **Motion carried.**

**NON-MUNICIPAL USE PERMIT FOR FRIENDS OF PITTSFORD VILLAGE FARMERS MARKET SIGNAGE**

Justin Vliestra, representing Friends of Pittsford Village Farmers Market, presented to the Board a picture of the banner for approval. Mr. Vliestra informed the Board that the banners would be 5' tall and 24" wide, the same size as the Town's banners that have been used. Trustee Boehlert questioned how long the banners would be displayed. Mr. Vliestra informed her they intended the Banners would be up from June through October. Building Inspector, John Limbeck, discussed with the Board his concerns

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regarding the current signage law related to the use of banners. Trustee Galusha questioned the applicant as to the group's purpose. Mr. Vliestra stated the group considers themselves a general civic group, bringing cultural events and community service. Village Attorney, Jeff Turner, stated the Board needed to make a decision as to whether this would be a municipal purpose. Mayor Corby stated the banners would be advertising a village event, which will be a benefit to the residents and local merchants. Trustee Boehlert was concerned that the Board was not being consistent in allowing other groups the privilege of putting up a banner. Mayor Corby further expressed that the Village is co-sponsoring with Friends of Pittsford Village to bring the market to the residents and should be considered a municipal use. Trustee Boehlert expressed concern for the length of time the banners would be displayed. Trustee Galusha stated that the group was supporting the community by conducting the event. Mayor Corby stated that this purpose was exactly what the Board had in mind for banners to be displayed; it is an event being held in the Village that supports the community and is being co-sponsored by the village. Trustee Boehlert expressed concern with co-sponsoring an event with a party that the village is involved in a legal matter with. Mayor Corby commented that the legal matter and this event our two different issues. He indicated that it is not uncommon for a community group and the board to have a different opinion on an issue facing the village. Mayor Corby also stated that the Board and the civic group should be able to have a successful collaboration that supports the village. Trustee Lanphear commented that the banners would say Village of Pittsford Farmers Market not Friends of Pittsford Farmers Market. Mike Reynolds suggested the Village pass a resolution making them co-sponsors in support of the Market. Mayor Corby commented that the Board should endorse the Farmers Market. There was further discussion about the importance of supporting the Market and concerns related to the amount of time the banners would be displayed. Mayor Corby thought it was appropriate for the Village to support the Market and allow the banners to be displayed for 5-6 month time period requested.

**Motion by Mayor Corby and seconded by Trustee Lanphear** to modify the non-municipal use permit and waive the 45-day notice requirement to allow six banners for the Farmers Market to be placed on village poles by the Village DPW at the direction of Trustee Lanphear.

**Vote:** Corby – yes, Galli – yes, Lanphear– yes, Boehlert – no, Galusha– yes. **Motion carried.**

**SPECIAL USE PERMIT, 45 SHOEN PLACE, RESTAURANT, / PUB – INFORMATION ONLY**

The applicants discussed with the Board that they were interested in opening a restaurant / pub. The location provided 2,000 square feet and would be one level. There would be two doors in the front and one on the side. They would be using the attic space for storage and the covered deck and patio for outdoor seating. Mayor Corby questioned how many employees would be working the establishment. He was informed that there would be four employees. The applicant stated that there would be a total of 52 seats, which included 16 at the bar. Mayor Corby informed the applicant of the current issues with the property they were proposing to rent. The owner currently was in need of a new site plan, and the applicants would not be able to move forward with getting the necessary approvals until the property owner completed the new site plan. The Board also informed the applicant about the neighborhood and noise concerns related to trash and people on the patio. The Board further informed the applicant that when they return; they will have to address issues with the Board such as trash, noise, patio, and parking. The applicant thanked the Board, and stated that they would be speaking to the owner of the property due to time concerns, since they were planning to open this summer.

**BUILDING INSPECTOR'S REPORT**

**Residential**

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- Mr. Limbeck stated that he had received a complaint regarding scraping of paint at 24 Locust Street. Mr. Limbeck worked with the homeowner and had the paint lead tested before the working continued.
- Mr. Limbeck discussed an ongoing problem at the duplex at 2 Greenhill Lane. The property has a small lot with no garage or storage shed. He further explained he is receiving complaints regarding the property on a weekly basis. He has been working with the owner regarding either putting up storage sheds or an addition, but there are concerns because of the lot size. Mr. Limbeck wanted to apprise the Board on the issues regarding the property in case they received any comments.
- Mr. Limbeck commented that after the last meeting, he was concerned that the residents on Church Street were not reaching out to speak to him regarding issues on the street. He met with two of the families and is now receiving notification of problems. He currently is working on an issue on Church Street regarding trash being picked up at 3:15 am. Mr. Limbeck expressed to the Board that he would be happy to take the same approach with other residents in the Village if needed. Mayor Corby indicated that the Village should put an article together for the newsletter informing residents to contact the Building Inspector regarding issues.

### **Commercial**

- Mr. Limbeck reported that the Chase Bank project to reconfigure the parking lot and fix the drainage has been deferred until 2015. Mr. Limbeck spoke to the Branch Manager and informed him that they needed to plant six trees. He gave them the summer to have the trees planted. He will be working with them to get them planted.
- Mr. Limbeck stopped by the gas station at 58 Monroe Avenue; the code allows the owner to have cars on the lot for 60 days. After 60 days, Mr. Limbeck can request the work order, and if no valid work order is in place, he can make him remove them from the lot.
- Mr. Limbeck reviewed with the Board the current state of the dumpsters in the Weiss parking lot. He expressed concerns with the condition and the lack of enclosures. Mr. Limbeck requested that when the Board negotiates with the owner regarding the parking, they also request an enclosure.
- Mr. and Mrs. Powers appeared in front of the APRB and presented their five-year plan for repairs. Mr. Turner further reviewed with the Board that they would need to approve the plan and it would need to be filed with the County Clerk's office. Mr. Limbeck reviewed with the Board an additional request by the owner to put up a 6ft chain link fence on the property.
- AT &T is still requesting the cell location and has been very aggressive. Jeff Turner, Village Attorney, has sent correspondence to them, including the requested items from the Building Inspector, and they have not heard back from them as of this date.
- Mr. Limbeck discussed with the Board the open flags and the enforcement. Mayor Corby and the Board stated that the enforcement should be consistent. Mayor Corby reviewed with Mr. Limbeck that there is also the concern with the flags projecting into the public space for walking.
- Mr. Limbeck stated that he would be providing the Board with a pond report from a tour that was recently conducted with Scott Harter, Doug Yaeger, and Trustee Galusha.
- Mr. Limbeck discussed with the Board garage sale signs. He also reviewed an issue he had with an owner regarding the sign. Mr. Limbeck issued a violation notice to the owner. He also stated that he was working with Village Attorney, Jeff Turner, for changes to the code for garage sales.
- Trustee Lanphear discussed the Goodwill store and their intention to take donations, and they had expressed that they would not be selling merchandise. Mr. Limbeck discussed with the Board the placement of the donation box and the handling of the box. Mr. Limbeck will be contacting them and making sure that they will also be selling merchandise.

### **Member Items**

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Trustee Galli spoke with Village Attorney, Jeff Turner, regarding the outstanding invoice for consultant fees from Mark IV, which have not been paid. Mr. Turner informed him that currently the only way to receive the funds is by sending a demand letter or filing a lawsuit.

**Motion Trustee Galli, and seconded Mayor Corby,** to pay the outstanding consultants bills.

**Vote:** Corby – yes, Galli – yes, Lanphear– yes, Boehlert – yes, Galusha – yes. **Motion carried.**

Trustee Boehlert discussed with the Village Board the crossing flags located at Sutherland Street and the problems with the flags. The Board decided to relocate the flags from that location to another location.

### **Minutes**

**Motion Mayor Corby, and seconded by Trust Boehlert,** to approve the minutes of April 8, 2014 as amended.

**Vote:** Corby – yes, Galli – yes, Lanphear– yes, Boehlert – yes, Galusha– yes. **Motion carried.**

**Motion Mayor Corby, and seconded by Trust Galusha,** to approve the minutes of April 25, 2014.

**Vote:** Corby – yes, Galli – yes, Lanphear– yes, Boehlert – yes, Galusha– yes. **Motion carried.**

**Motion Trustee Galli, and seconded by Mayor Corby,** to approve the minutes of May 1, 2014 as amended.

**Vote:** Corby – yes, Galli – yes, Lanphear– yes, Boehlert – yes, Galusha– yes. **Motion carried.**

### **ADJOURNMENT**

**Motion Mayor Corby, and seconded by Trust Boehlert,** to adjourn the meeting at 10:56 PM.

**Vote:** Corby – yes, Galli – yes, Lanphear– yes, Boehlert – yes, Galusha– yes. **Motion carried.**

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Dorothea M. Ciccarelli, Recording Secretary