

TOWN OF PITTSFORD
PLANNING BOARD
June 11, 2018

Minutes of the Planning Board meeting held in the Pittsford Town Hall, 11 S Main Street, Pittsford, NY, June 11, 2018.

PRESENT: Jeffrey Donlon, Paula Liebschutz, Shannon Dupra, Kevin Morabito, David Jefferson, John Halldow

ABSENT: John Limbeck

ALSO PRESENT: Robert Koegel, Town Attorney, Douglas DeRue, Director of Planning, Zoning & Development, & Renee McQuillen, Planning Board Secretary

ATTENDANCE: 21 members of the public were present.

Vice Chairman Donlon made a motion to call the meeting to order seconded by Board Member Dupra. Following a unanimous voice vote the meeting opened at 7:34 P.M.

Vice Chairman Donlon announced the Carters Port Concept Subdivision had been tabled to the next meeting.

DECISION PENDING:

Imburgia/High St Re-subdivision

Mr. Fromberger with MRB Group, representing the application, asked if the Board members had any questions. Being none:

Vice Chairman Donlon indicated that the Board reviewed the Final Resolution and then read it. Vice Chairman Donlon made a motion to accept the resolution as read. Board Member Halldow seconded the motion and it was voted on by members of the Planning Board as follows: Ayes: Jefferson, Donlon, Halldow, Morabito, Dupra, and Liebschutz; Nays: none; Absent: Limbeck. The Resolution was declared carried with the following Conditions of Approval:

CONDITIONS OF APPROVAL

1. Subject to compliance with and review of the modifications expressed in the DRC response dated December 8, 2017 from the MRB Group, unless otherwise specified herein.
2. Subject to compliance with and review of the Preliminary approval dated February 12, 2018 unless otherwise specified herein.
3. Subject to the availability of sewer connections for new homes prior to Planning Board signature.
4. Parks & Recreation Trust Fund Fees are applicable to this subdivision, the applicable fee, currently \$850.00, will be collected when building permits are issued.
5. Any remaining engineering reimbursement fees are due prior to Final Planning Board signature.
6. Subject to applicable regulatory approvals including but not limited to, Pittsford Sewer Dept., Town Engineer, Monroe County Health Department and the Department of Public Works.

CONTINUED HEARINGS:

Bridleridge Farms, Preliminary Subdivision Section 1 (formerly Young Matthews)

Board Member Liebschutz recused herself from this application.

Mr. Spall addressed the Board indicating that he believed all information that had been requested by the Planning Board was provided and asked what would be the timeline for moving forward.

Vice Chairman Donlon responded that the Board did not meet in May and this was the first time the Planning Board and the Town staff had met to review together the new information provided. Upon review, there are still details that need to be worked through. Both the Planning Board and the Town staff want to ensure these details are given the attention they need.

Mr. Spall questioned what those pending issues were.

Mr. DeRue replied there are questions regarding the dedication of property, farm leases, the timing of the demolition, what the Town of Pittsford is getting with the Red Barn, the release of easement for the existing home and transfer of those easements. Mr. DeRue indicated the Town has no intent to slow down the project and they are working hard to keep moving forward.

Vice Chairman Donlon then asked if there were any questions from the Board. Hearing none, he opened the hearing to the public.

Deb Rosati, 3634 Clover Street, asked will Monroe County Water Authority (MCWA) be addressing water issues. Vice Chairman Donlon deferred to Mr. DeRue on this topic. Mr. DeRue indicated that there have been questions regarding water pressure in the area. The Planning Board and the Town of Pittsford do not have much control over water issues. It is a known issue about the water pressure.

Mr. Vars of BME Associates added that MCWA is planning upgrades that may help existing residents.

Andy Desmond, 455 Reeves Road, asked what the next steps for sewer route options are. How will drainage be addressed? Can there be more/better communication, seems like there was more in the beginning of project.

Vice Chairman Donlon responded that sewer routes are one of the conditions of the concept approval granted. Mr. Spall is looking into options and finalizing the sewers is not needed for a preliminary decision, only the final.

Mr. Desmond also commented that the drainage ditch installed by the Town has not been well maintained, and it attracts mosquitos.

Vice Chair Donlon indicated that the Planning Board would pass this information along to the correct department. Vice Chair Donlon asked if there were any more comments from the public, hearing none, he indicated that the hearing would stay open and that the Town, the Planning Board, and Mr. Spall work together over the next couple weeks to work through some of the issues pending.

NEW PUBLIC HEARINGS:

Bent Creek Resub (509 Allens Creek Road)

Mr. Vars of BME Associates, agent for the Estate of Ann S. Garrett indicated they were coming before the Planning Board requesting to subdivide 509 Allens Creek Road into 2 building lots. 509 Allens Creek Road is part of 3 lot subdivision created in 1999. The property is surrounded by single family homes and Allendale Columbia School. The school is conveying .10 acre of their property to the estate for a total proposed lot size to be subdivided of 2.14 acres. The existing home would be on 1.2 acres and the proposed building lot would be .94 acres. BME feels that this proposed size is in line with the average lot size the adjacent properties which is .93 acres. Mr. Vars further indicated that side setbacks would be needed and that an Area Variance was granted by the Zoning Board on May 21, 2018 for 20' side setbacks. He also commented that the property will be serviced by the private drive entrance from Allens Creek Road with a driveway off of it. There are no plans yet for the custom home that will be built on the property.

Vice Chairman Donlon asked if the applicant was aware of DRC comments 5 & 6. Mr. Vars stated that the applicant agreed.

Mr. Vars further acknowledged the receipt of the DRC report, commenting that most of the comments are technical in nature and they are confident they can meet them. Vice Chairman Donlon asked when they could expect the written response to the comments, Mr. Vars stated this week.

Vice Chairman Donlon made a motion to open the hearing for public comment, Board Member Liebschutz seconded the motion and following a unanimous voice vote the hearing was open for public comment.

Vice Chairman Donlon read from a packet of letters from neighbors of the property including Allendale Columbia School, Bruce Bates, Phillip and Sarah Wehrheim, Jonathan Pincus and Eleanor Clapp stating they had reviewed the application and had no objections to the proposal.

Vice Chairman Donlon then asked for public comment. Mr. DeRue asked of the applicant if there were any issues in the DRC report that they felt needed to be addressed prior to moving forward.

Vice Chair Donlon asked if there were any further public comments, hearing none he made a motion to close the public hearing. Board Member Dupra seconded it and following a unanimous voice vote, the hearing was closed.

Vice Chair Donlon acknowledged the Board had reviewed the SEQRA Resolution and the Preliminary/ Final Subdivision Resolution then read the SEQRA Resolution in full. Board Member Dupra made a motion to grant approval of a negative declaration pursuant to SEQRA, Board Member Halldow seconded the motion and the Board voted as follows: Ayes: Jefferson, Donlon, Halldow, Morabito, Dupra, Liebschutz Nays: none; Absent: Limbeck. The resolution was declared carried.

Vice Chair Donlon presented and read the Preliminary/Final Subdivision Resolution, including the opening comments, Findings of Fact, and Conditions of Approval. He noted that the word "verbal" should precede the word "response" in reference to the DRC report. Vice Chairman Donlon made a motion to accept the resolution as read. Board Member Halldow seconded the motion and their roll call votes were: Ayes; Jefferson, Donlon, Halldow, Morabito, Dupra, and Liebschutz; Nays: None Absent: Limbeck. The Resolution was declared carried with the following Conditions of Approval:

CONDITIONS OF APPROVAL

1. The issuance of a Building Permit is subject to compliance with or resolution to the DRC report dated June 8, 2018 and the applicant's verbal response dated June 11, 2018.
2. A note regarding "Blasting" must be added to all pages of the final plans: "Blasting must be performed in conformance with Town policy, as well as County and State of New York regulations."
3. Subject to the conveyance of 4,667 square feet of land as shown on the plans from 439 Allens Creek Road to the proposed new lot.
4. Any remaining engineering reimbursement fees are due prior to Final Planning Board signature.
5. Sewer entrance fees and connection fees will be required prior to the issuance of a Building Permit.
6. The Town of Pittsford will assign the new house number for the new lot.
7. Issuance of a Building Permit for a new home is subject to review and approval, including, but not limited to the following items.
 - Lot grading
 - Utility connections
 - Driveway configuration
 - Design Review Board approval
 - Granting of possible area variances
8. Parks & Recreation Trust Fund Fees are applicable to this subdivision, applicable fee, currently \$ 850.00, will be collected when a building permit is issued.
9. Subject to applicable regulatory approvals including but not limited to, Pittsford Sewer Department, Town Review Engineer and the Department of Public Works.

Alpine Ridge, Concept Subdivision (651 Mendon Rd.)

Jeff and Scott Morrell, with Morrell Builders, presented before the board their concept for offering single level townhomes at the \$350-\$450K price point. The project site is located on the west side of Mendon Road (NYS Route 64) between Van Voorhis Road and Bromsgrove Hill, bordered to the east by West Bloomfield Road. The project site is comprised of 2 parcels totaling 38.4 acres zoned as Rural Residential (RRAA). They are purposing 22 2 unit structures for a total of 44 houses on 8 of the 38 acre parcel utilizing a single road configuration, entering from the north, ending in a cul-de-sac. To meet NYS Fire Code they are proposing a second private gated access road at the south end. All homes will be in the Arts and Crafts style, with deep toned color schemes. Per comments on previous projects the front doors will be more prominent and 45% of the homes will have side load garages. They are planning on a permanent conservation easement for the entire 26.3 acre eastern parcel.

Vice Chairman Donlon asked the Planning Board if they had any comments or questions. Board Member Dupra commented that the design did look similar to what was presented during the informal discussion with Morrell Builders a few weeks prior.

Board Member Morabito made a motion to open the public hearing and Board Member Liebschutz seconded it. Following a unanimous voice vote the hearing was declared open.

Vice Chairman Donlon read emails received by the Planning Department from Anna Stewart, dated 6/11/18 noting concerns about the density proposed, noise and light pollution, Dale Waldt & Stephen Smeulders dated 5/29/18 with concerns for increase in traffic on Mendon Road and another letter from Mr. Smeulders dated 6/1/18 proposing a new road design.

Vice Chairman Donlon then opened the hearing to the public.

Dale Waldt, 684 Mendon Road, stated that he appreciates the opportunity to speak to the Planning Board regarding this proposed subdivision. He has lived on Mendon Road for 18 years and seen at least 6 accidents where cars ended up in his front yard. Would turning lanes help? He appreciates the developer's attention to maintaining the view.

Vice Chairman Donlon stated that concerns involving the increase in traffic come up time and time again. Since Mendon Road is a state road those issues would have to be taken up with the NYS DOT. The Planning Board will do their best to work on line of sight and will document concerns put forth to the State DOT.

Steven Stewart, 670 Mendon Road, asked what the purpose of the private gated access was. Mr. Morrell replied that it would be used solely for emergency vehicles. Mr. Stewart then commented that he had concerns for the light and noise that would be created by adding more residents to the area. Mr. J. Morrell replied that they were not putting in street lights and their overall lighting design is dark sky compliant. Mr. Stewart asked if it would be possible to put in a berm. Mr. J. Morrell replied that given the topography of the site there is enough of a fade in elevation that the houses would be out of homeowner's line of sight. Mr. Stewart also questioned what the plan was for the existing home. Mr. J. Morrell replied that they would own the home and were planning to renovate it and then sell it as a private residence and ensured it would not be used as a recreational club house for the planned development. Mr. Stewart then questioned if sewers were planned to be a part of the project. Mr. J. Morrell indicated that there would be but that connecting to it from the east side might be troublesome due to the elevations.

Vice Chairman Donlon then stated that the applicant had received the DRC report and sanitary sewers are part of the project. Mr. Stewart commented he would like the option to connect in and commented on his concern regarding water pressure.

Anna Stewart, 670 Mendon Road, commented that she and her husband work from home and have concerns regarding the noise and dust pollution that will come from this type of development. This will cause a change in their lifestyle and wonder how long it will take to complete construction. Mr. J. Morrell replied that the average is around 20 homes built per year, so they anticipate a 2 year construction cycle. They will be building the project in two phases with the first phase starting at the midpoint and building out to the SE. He also commented that

second phase would not begin until the first phase was 80% complete. Noise and dust pollution would be within normal perimeters Mr. J. Morrell commented.

Pat Miller, 682 Mendon Road, spoke regarding her opposition to the project. While she likes the esthetic of the homes, she also feels there are too many units proposed. She will be moving if the project proceeds.

Andrew Stotz, 733 Mendon Road, wanted to know why the Town is allowing this project to be built since he was not allowed to build the way he wanted when constructing his home. Mr. Stotz also commented that he believes there will be accidents between construction vehicles and cars coming off of Van Voorhis Road. He also noted concerns that wildlife will be driven from the area and that developing this piece of property takes away from the green spaces that make Pittsford what it is.

Vice Chairman Donlon commented that the applicant has gone above and beyond with this project to maintain green space indicating that close to 80% of the total acreage is being reserved for green space. Vice Chairman Donlon also acknowledged the board is aware of the traffic and line of sight issues.

Mr. Stotz then commented that he feels Pittsford is kicking farmers out. Mr. DeRue replied that the Town of Pittsford cannot tell owners how to use their property. The Town requires that 50% of land to be preserved for green space and this project is well over that percentage. He understands concerns about change in design, but there is a unique benefit of using less space and allows to keep sight lines more open. Mr. Stotz commented that people come to Pittsford for space, not to be crunched in together, project should be designed more like Mandalay and Turtle Creek subdivisions.

Chris Peets, 625 Mendon Road, lives in old schoolhouse that would sit right at the edge of proposed entrance to new subdivision. Has concerns about the proximity of the first lot to his lot. Mr. J. Morrell replied that from corner to corner the distance is 85 ft. Mr. Peets also commented that there is a lot of wildlife in the area and that he spoke with Scott Morrell regarding water diversion concerns. In closing he commented that he had general concerns for safety of himself, his family, and those traveling on Mendon Road especially during the peak construction times.

Vice Chairman Donlon commented that the Planning Board would expect to visit the site to see the entryway and to ensure the issue is addressed properly.

Christine Wilcox-Peets, 625 Mendon Road, commented that they enjoy the scenery, but that the development isn't unexpected. She further commented that pulling out of their driveway is often unsafe, cars pass on the hill, and in the summer months there are a lot of motorcycles and boat trailers. She wonders if a signal light or something could be installed at the proposed access point and believes a traffic study should be completed on the location proposed for the entrance.

Vice Chairman Donlon asked the applicant if any other design with different entry points was entertained.

Mr. J. Morrell replied that the entryway exceeds the sight distance mandated by NYS DOT and its placement was there to maintain other views. He further emphasized that they were very deliberate in planning the subdivision to conserve agricultural operations and green space. They tried hard to best utilize the area despite design constraints. Ms. Wilcox-Peets commented that she appreciated the Morrell's working with them.

Mr. J. Morrell noted that the state DOT requires them to study the impacts of the project at length.

Mr. S. Morrell noted that he had spoken with Charles Gardner, at 707 Mendon Road, who indicated that he had concerns with ensuring the project had proper screening, fresh pond stormwater concerns, would like to see the project have fiber networks that he could connect to and would like to see a reduction in the speed limit. He also did indicate he was ok with the project and awaited the Planning Boards comments.

Kelly Waldt, 684 Mendon Road, commented that Mendon Road can be a terrifying road and wondered why the entry to the subdivision could not be on West Bloomfield Road.

Kevin Ryan, 619 Mendon Road, expressed his concerns regarding traffic and the stormwater retention ponds. Would the ponds be allowed to dry out? Would there be fountains installed to keep the water moving? Are there plans for walking trails?

Mr. DeRue commented that it would be hard to be definite at this point about what will be there in terms of Storm Water Protection. Mr. J. Morrell commented that the subdivision will have sidewalks on one side.

Vice Chairman Donlon asked if there were any other members of the public who wished to speak, hearing none he thanked all who came for their time and their feedback, stating they had given the Planning Board more to consider.

Mr. DeRue offered a few comments about the topics of concern. He stated that traffic is always a concern and asked for the public's patience as the NYSDOT will be the controlling force, and they won't come into the plan until the next plan stage. The second access road: NYS Fire Code mandates there be a second way of ingress for Emergency vehicles. The Planning Department would prefer to see a dedicated road connection. The Town tries not to limit access to sewers, but we will not know more about connections until we reach the preliminary subdivision plan phase. Water pressure issues will need to be taken up with the Monroe County Water Authority. The Town will look for trail connections.

A resident asked why it could not connect to West Bloomfield Road, Mr. DeRue commented that would be difficult to convince the developer. The location has been previously proposed, for a different subdivision and did not happen.

Mr. Waldt asked if the process with the DOT is an open hearing process like it is with the Town. Mr. DeRue commented that it is not, typically what happens is information is sent over and they wait for replies.

Board Member Liebschutz asked to if a site walk could be scheduled. Vice Chairman Donlon and Mr. DeRue agreed.

Vice Chairman Donlon announced that the hearing will remain open.

Other Matters:

Vice Chair Donlon made a motion to accept the Minutes of April 23rd as written, Board Member Liebschutz seconded the motion and following a unanimous voice vote, the minutes were approved.

Vice Chair Donlon motioned to close the meeting at 9:25 PM seconded by Board Member Dupra and approved by a unanimous voice vote.

Respectfully submitted, June 11, 2018

Renee McQuillen, Secretary
Planning Board

OFFICIAL MINUTES ARE ON FILE IN THE OFFICE OF THE PLANNING DEPARTMENT