

TOWN OF PITTSFORD  
PLANNING BOARD  
November 13, 2017

Minutes of the Planning Board meeting held in the Pittsford Town Hall, 11 S Main Street, Pittsford, NY, November 13, 2017.

**PRESENT:** Shannon Dupra, Jeffrey Donlon, John Halldow, Paula Liebschutz & Kevin Morabito

**ABSENT:** John Limbeck & David Jefferson

**ALSO PRESENT:** Robert Koegel, Town Attorney, Douglas DeRue, Director of Planning, Zoning & Development  
Linda Stoddard, Planning Board Secretary & Michael Sherwood, student liaison

**ATTENDANCE:** Thirty-nine (39) members of the public were present.

Vice Chairman Donlon made a motion to call the meeting to order seconded by Board Member Liebschutz and followed by a unanimous voice vote the meeting opened at 7:31P.M.

Vice Chairman Donlon explained to those present the Verizon applicant for 123 S Main Street would not be present and the Board awaits further information from the applicant.

**DECISIONS PENDING:**

**Young Matthews** Concept Subdivision (Clover & Tobin)

Vice Chairman Donlon addressed the applicant explaining the Board has presented feedback to Staff and together will work toward resolution anticipating the December 11<sup>th</sup> hearing for a vote.

**2300 W Jefferson Road YMCA** Final Site Plan/Subdivision

Vice Chairman Donlon explained the Board has worked closely with Staff to prepare a resolution granting final approval while waiting for confirmations or signatures regarding stormwater issues, an engineering review, pure waters and DOT concerns.

Vice Chairman Donlon acknowledged the Board reviewed the Final Resolution prior to reading the Resolution and pointing out the Findings of Fact and Conditions of Approval and made a motion to accept the resolution as read. Board Member Morabito seconded the motion and the roll call vote was: Ayes: Donlon, Halldow, Morabito, Dupra and Liebschutz. Nays: none. Absent: Limbeck and Jefferson. The Resolution was declared carried with the following Conditions of Approval:

Vice Chairman Donlon indicated the Board reviewed the Final Resolution and then read it.

**CONDITIONS OF APPROVAL**

1. The conditions of Preliminary approval are hereby referenced and incorporated within unless specified otherwise herein.
2. The following items must be complete prior to the Towns signatures on the plans and the start of work. Town signatures include, Commissioner of Public Works, and Planning Board
  - a. The Letter of credit must be established. (Town receives a letter from the bank)
  - b. Payment of any outstanding Engineering Review Fees.
  - c. Payment of Town inspection fees based on LOC.
3. The following items must be completed prior to the issuance of building permits.
  - All NYSDOT approvals. (considerations will be given in regards to a land transfer)

- Army Corps Individual Permit for Wetland Disturbance.
  - Building code review by the Town and our outside reviewing consultant.
  - Approval by the Design Review and Historic Preservation Board.
  - Project must be in compliance with the SWPPP.
4. A complete "code compliance and life safety review" shall be submitted with the Building Permit application. The Applicant shall be aware that as a matter of policy, the Town of Pittsford reserves the right to send the plans out to a contracted consultant for code review. Additionally, due to the size and complexity of this project, the Applicant is informed that it may be necessary to contract with outside agencies to assist with building construction inspections. These costs will be billed to the YMCA.
  5. Sewer Department entrance fees based on the number of "Units" will be collected with the sewer connection permit that is issued in association with the Building Permit.
  6. The maintenance building will need a separate building permit

#### **4245 East Avenue** Golisano Athletic Center Final Site Plan, Special Use Permit

Vice Chairman Donlon informed the Board the College would appear before the ZBA regarding a height variance and mentioned receipt of a letter from Mr. Shaw, Attorney for ICC commenting on 3 conditions the College and the Country Club agreed upon. The Club would like these conditions included in the Final Resolution.

Vice Chairman Donlon acknowledged the Board reviewed the Final Resolution prior to reading the Resolution and pointing out the Findings of Fact and Conditions of Approval and made a motion to accept the resolution as read. Board Member Morabito seconded the motion and the roll call vote was: Ayes: Donlon, Halldow, Morabito, Dupra and Liebschutz. Nays: none. Absent: Limbeck and Jefferson. The Resolution was declared carried with the following Conditions of Approval:

#### **CONDITIONS OF APPROVAL**

1. Compliance with or resolution to the conditions of Preliminary approval unless specified otherwise herein.
2. This approval is subject to the granting of the College's request for a height variance from the Pittsford Zoning Board of Appeals.
3. Conditions subject to negotiation between Irondequoit Country Club and Nazareth College, and imposed by the Planning Board as follows:
  - There shall be no exterior speakers on the Building.
  - The entrance road closest to the Club entrance shall be limited to cars only as a one-way entrance, and the existing signage prohibiting truck and bus usage shall be maintained and enforced, except that this road may be utilized for construction vehicles for any campus construction.
4. Disruption of water supply or taking fire hydrants out of service requires notification of the Fire Marshal and Pittsford Fire Department. This must be noted on the utility plans.
5. The building will be sprinklered; the location of the Fire Department Connection is subject to review and approval by the Fire Marshal.
6. Hydraulic calculations are subject to review by the Town Engineer and Fire Marshal.
7. The College is required to manage parking to insure that emergency access is maintained during events as well as providing adequate personnel to direct traffic.
8. Subject to submission of a SWPPP that meets applicable Phase II Stormwater requirements to the satisfaction of the Town's Reviewing Engineer.
9. Sewer Entrance fees will be due prior to Sewer Department signature.
10. Any outstanding Engineering Review Fees are due prior to signature on final plans.
11. The building is subject to Design Review and Historic Preservation Board approval prior to the issuance of a building permit.
12. Visual impacts to neighbors are limited to the north and west sides of the project. The landscaping plan includes more than 80 trees to achieve buffering of the adjacent property. These trees must be reasonably maintained or replaced as they age to insure their effectiveness.
13. Landscaping plan plant relocations and or plant substitutions are subject to DPW approval.
14. Clearing limits must be flagged and reviewed by the Town prior to clearing activities on site. This must be noted on the demolition plan.
15. Section 185-179 of Town Code provides for revocation of a Special Use Permit should conditions be violated or not fulfilled or unreasonable impacts occur. (The Town may monitor the use to ensure that impacts are controlled or minimized)

16. Subject to all applicable regulatory approvals including but not limited to the Pittsford Sewer Department, Monroe County Health Department, Town Engineer and the Pittsford Department of Public Works.

**3750 Monroe Avenue Site Plan lighting**

Mr. Schultz of MRB Group, agent for 3750 Monroe Avenue Associates, LLC provided a written response to the DRC comments and addressed the revised plan to install 2 additional lighting fixtures for a total of 6, with appropriate shielding and lower the pole height to 20 feet.

Vice Chairman Donlon acknowledged the Board reviewed the SEQRA Resolution and the Preliminary / Final Site Plan Resolution prior to reading the each Resolution and pointing out the Findings of Fact and Conditions of Approval. Vice Chairman Donlon made a motion to accept SEQRA Resolution as read, Board Member Halldow seconded the motion and the roll call vote was: Ayes: Donlon, Halldow, Morabito, Dupra and Liebschutz, Nays: none, Recused: Dupra, Absent: Limbeck and Jefferson. The resolution was declared carried.

Vice Chairman Donlon noted the Board also reviewed the Site Plan Resolution prior to reading it and making a motion to accept the resolution as read. Board Member Liebschutz seconded the motion and the roll call vote was: Ayes: Donlon, Halldow, Morabito, Dupra and Liebschutz. Nays: none. Absent: Limbeck and Jefferson. The Resolution was declared carried with the following Conditions of Approval:

**CONDITIONS OF APPROVAL**

1. Subject to resolution to or compliance with the DRC report dated October 6, 2017 and the applicant's written response submitted on October 18, 2017 unless specified otherwise herein.
2. House side shields will be required if the glare of the light source is visible from residential properties or the ROW.

**N Washington Street Ide Site Plan parking**

Vice Chairman Donlon explained the Planning Board granted lead agency on this application to the Town of Perinton and the Planning Board is awaiting additional comment from Perinton regarding this application.

**CONTINUED HEARINGS:**

**26 Linden Park Verizon Site Plan/Special Use Permit**

Vice Chairman Donlon indicated Board Member Dupra was recused from this action.

Mr. Burgdorf of Nixon Peabody LLC, agent for Bell Atlantic Mobile of Allentown, Inc., d/b/a Verizon Wireless provided a written response to the DRC comments.

Vice Chairman Donlon noted the Board had no further questions, reminded the public the hearing was still open for public comment and receiving none motioned to close the public hearing. Board Member Liebschutz seconded the motion and following a voice vote with Board Member Dupra recused the hearing was closed.

Vice Chairman Donlon acknowledged the Board reviewed the Site Plan/Special Use Permit prior to reading the Resolution, noting the Findings of Fact and Conditions of Approval. Board Member Liebschutz made a motion to accept the Site Plan/Special Use Permit Resolution as read. Board Member Halldow seconded the motion and the roll call vote was: Ayes: Donlon, Halldow, Morabito and Liebschutz, Nays: none, Recused: Dupra, Absent: Limbeck and Jefferson. The resolution was declared carried.

**CONDITIONS OF APPROVAL**

1. Subject to compliance with or resolution to the DRC report comments.
2. Subject to providing the fuel capacity of the proposed generator and meeting applicable fuel storage regulations.
3. A building permit must be issued from the Town of Pittsford for the construction of the facility.

**NEW PUBLIC HEARINGS:**

**Woodland Estates** Preliminary/Final Site Plan

Mr. Parrone of Parrone Engineering, as agent for Landsman Real Estate Services, indicated the proposed 30' x 70' cold storage building would be constructed adjacent to the southern property line. The building will not have water or electric service, nothing flammable other than residual fuel left in the machinery being stored. Mr. Parrone received the DRC comments and will be responding in writing.

Vice Chairman Donlon indicated the Board awaits the DRC response prior to making a motion to open the hearing for public. Board Member Morabito seconded the motion and following a unanimous voice vote the hearing was open for public comment.

There was no comment and the hearing remains open.

**Imburgia** Re-subdivision

Mr. Schultz of MRB Group, as agent for Sam and Anthony Imburgia explained the applicant proposes to reconfigure the 4 existing lots into 4 reconfigured lots. Currently, part of lot 3's existing home is shown with the lot line running through a portion of the existing home. The proposed modification would allow this portion of the home and its detached garage to remain on lot 3 only. The reconfiguration should not affect drainage or runoff because no grade changes are proposed.

The applicant had new survey markers placed with slightly modifying neighboring lines and explained R-1 will require a variance, R-2 would have an increased depth of 25' for the rear setback, R-3 would allow a portion of a 40' setback for existing line of only 5' and R-4 would slightly increase its width.

Board Member Liebschutz suggested researching past survey lines and Mr. DeRue acknowledged looking back to 1911 where lines were done by deeds and did not always line up.

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

Mrs. Hunt of 25 French Road expressed concern regarding the recent survey markings being different from the survey lines done when purchasing her home and is worried about her home value should these new survey markers be accepted. Mrs. Hunt presented several photos to the Board showcasing the following concerns. Drainage is an ongoing concern partly due to High Street, a stormwater basin without an easement and management of water flow during an event. Water running through an existing pipe connects to a 20" State pipe that is on Village property and is collapsed.

Soil erosion has occurred through the years and the steep hill of High Street has eroded westerly and downhill moving some monuments in the process. Additional homes off of High Street present additional concerns because it is such a narrow steep roadway.

Finally after living in her home for over 25 years, building an addition, adding a pool and deck her existing survey points were never challenged even in the rear yard.

Mr. Geil of 11 High Street explained how private High Street is partly due to its steep narrow width and wonderful foliage. His concerns with additional construction along the roadway include loss of trees, will the existing fire hydrant provide sufficient water in an emergency, and the Street is a dead end with no turnarounds for large firetrucks or delivery trucks. Currently oversized vehicles must back down the roadway or continue to damage existing trees in the process.

Vice Chairman Donlon indicated the Board is aware of emergency access issues.

Mr. Miller of 21 French Road inquired whether a time line existed and Vice Chairman Donlon replied there was none at this time however he reminded Mr. Miller the hearing is open for comments, the applicant has received DRC comments from the Town and is required to send a written response.

Mr. Belle of 37 French Road explained his home is 3 to the W and his question is procedural. If the west property line is approved does the next line move 2' to the west and will each home also move 2' to the west. If reconfiguration to the west occurs and adjacent lots are to move who pays for each new survey.

Mr. DeRue is hoping to resolve this property line issue with a reasonable conclusion and no conflict by reviewing old property records and maps.

Residents at 14 High Street are across from these lots and are not opposed to the application and wondered about home placement on the lot; setbacks and roadway width suggesting the Board walk the area prior to a decision.

Mr. Hummel of 20 Grove Street lives to the east of the proposed development and shared concerns and photos. He noted in 2012 a garage flooded and the rear yards and lot 4 are not mowed. A tree came down in a recent storm but remains where it fell and the locator pin on the property to the east moved get 3 ½ feet with the new survey. The new wooden stakes are located differently than the 27 year old survey pin.

The hearing remains open.

#### **Holland Re-subdivision**

Mr. Schreiner of Parrone Engineering, agent for John Holland explained the applicant proposes to subdivide his property at 14 Landsdowne Lane creating 1 new building lot with a new 12' driveway extending off the existing driveway. Conveyance of property to 5 Dunbridge Circle and 23 Briar Patch Road will allow the opportunity to provide the option of attending Pittsford Schools to the residents.

Mr. Schreiner sent a written response to the DRC comments and indicated the need for new utilities.

Mr. DeRue mentioned these small portions of land deeded to an existing lot are usually seen with the re-subdivision of property

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

Receiving none Vice Chairman Donlon explained the hearing would remain open.

Vice Chairman Donlon indicated the Board has reviewed the minutes of October 23<sup>rd</sup> minutes and made a motion to approve the minutes as written, Board Member Liebschutz seconded the motion; following a unanimous voice vote the minutes were approved.

Vice Chairman Donlon motioned to close the meeting at 9:10 pm seconded by Board Member Dupra the motion followed by a unanimous voice vote the meeting was closed.

Respectfully submitted,

Linda Stoddard  
Planning Board Secretary

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