

**TOWN OF PITTSFORD  
PLANNING BOARD  
November 23, 2020**

Minutes of the Town of Pittsford Planning Board meeting held on November 23, 2020 at 7:00 pm local time. The Meeting took place with Board members participating remotely using Zoom.

**PRESENT:** Kevin Morabito, Paula Liebschutz, John Halldow, Dave Jefferson, John Limbeck, Sarah Gibson

**ABSENT:** Jeffrey Donlon

**ALSO PRESENT:** Kate Munzinger, Town Board Liaison, Robert Koegel, Town Attorney, Douglas DeRue, Director of Planning, Zoning & Development, Jessica Yaeger, Planning Board Secretary

**ATTENDANCE:** There were 5 members of the public present.

Chairman Limbeck made a motion to call the meeting to order seconded by Board Member Jefferson. Following a unanimous voice vote the meeting opened at 7:01 P.M.

**DECISION PENDING:**

**Oak Hill Country Club**, Final Site Plan and Special Use Permit

Chairman Limbeck noted a change in the agenda for tonight's meeting in which the application for Final Site Plan and Special Use Permit for the proposed Cottages to be constructed at Oak Hill Country Club would not be heard. They had just submitted their DRC Responses that needed to be reviewed by Town Staff prior to final approval. This application will be on the agenda for the next Planning Board meeting on December 14, 2020.

**CONTINUED HEARING:**

**Kilbourn Place Apartments**, Preliminary/Final Subdivision and Preliminary/Final Site Plan Approval

Chairman Limbeck introduced the application.

Dave Reidman spoke, adding Jerry Watkins, Dave Hanlon with Hanlon Architects, Alex Amering with Costich Engineering in attendance as well. Mr. Reidman shared the requested photo simulation renderings of what buildings would look like from East Avenue. The first rendering showed "Building 1" from East Ave (from the angle of the East Ave. and Bretton Woods intersection) also showing the Wright House renovation. Building 1 sits 150 feet back from the curb of East Ave, and the center part of the building and courtyard stands 125 feet further from the front of the building, showing how the design breaks up the massing of the apartment buildings. They also pointed out the elements used to keep eave heights down (dormers) to keep scale of building down. Photo used in rendering taken recently to help show "winter" views with bare trees. The materials used for Building 1 are consistent with the Town Homes that are already there. The second rendering showed "Building 2" in the location of the former Back Nine Restaurant. Mr. Reidman added that when their application was heard in front of the Design Review Board, they asked about the height of Building 2 compared to the height of

Building 1; East Avenue rises by Building 2, but the eve height is very close to the eve height of Building 1 (within a half foot). The materials for Building 2 are consistent with building 1 with different architectural style.

Board Member Halldow asked what the siding material shown on the rendering is. Dave Hanlon of Hanlon Architects answered that it will be a hardy siding, lap siding approximate to wood siding, painted the Gray color shown.

Board Member Liebschutz questioned what the setback was to East Avenue. Dave Hanlon answered 100 feet to the curb. Dave Reidman added that the 2 faces of the building are meant to replicate a large historic homes seen along East Avenue. Dave Hanlon also noted the relationship of the 2 driveways which have good separation, but there is also plenty of room to introduce entry elements to help distinguish.

Board Member Liebschutz asked if the applicant had a rendering that would show the front/middle of Building 2. Dave Hanlon answered that yes, a photo simulation was submitted to the Design Review Board and could easily be passed along to Planning board Members. Board Member Halldow agreed.

Chairman Limbeck asked the applicant if they had anything additional to share before opening up to public comment.

Alex Amering explained that the Draft DRC Responses had been submitted to Town Staff. He found this helpful to address technical items and items that need further discussion and will be working through them with Town Staff. He is happy to address any questions or comments regarding those responses.

Chairman Limbeck asked Doug DeRue where Town Staff is with review the DRC Responses that were submitted.

Doug DeRue, Director of Planning and Zoning explained that the DRC Responses were distributed to Town DRC members to review. Doug asked staff to please send any comments by December 4, 2020 to send back to the applicant before the next meeting on December 14, 2020.

Chairman Limbeck asked if the Board had any questions or comments.

Board Member Halldow wanted to follow up on a note that Chairman Limbeck had made at the previous meeting in that in his opinion, the proposed application is massive and he would really like to see the additional renderings requested by Board Member Liebschutz showing renderings of the proposed buildings straight on from East Avenue. He added that the concerns he has heard from Town residents deals with the size of the buildings being proposed.

Board Member Liebschutz wondered if the applicant had any additional plans for landscaping other than shown on the photo simulations.

Dave Reidman answered that the renderings were not intended to incorporate the extensive landscaping plans that they have for the site plan. He added that the current landscaping that already has been added at the existing town homes that have been constructed will be continued throughout the rest of the property which he feels has been very well done.

Chairman Limbeck discussed the Town Board Incentive Zoning Resolution he requested at the last meeting. After reading through it and personally he feels the incentives offered by the applicant is minimal at best. He specifically identified 1. The \$287,000 designated to rehabilitate to the Wright House, 2. A green area and tree preservation with no dollar amount associated with it, and 3. \$100,000 to be contributed to the Town's Senior citizen fund, totaling \$387,000. When project first came to the Planning Board, he was under the impression that the rehabilitation to Wright House was always part of agreement. In his personal opinion, he doesn't agree that no dollar amount was assigned to green area and tree preservation, adding that the Planning Board has specifically asked for landscaping details, and overall doesn't think the Town is getting the best deal for what it is giving to the applicant. Although the Town Board has already approved this project, concerns of the massing of the project was expressed at the previous Planning Board application last spring, and may not have been taken to heart by the applicant. Chairman Limbeck stated he wants to see a large decrease in massing of the buildings before the project is satisfactory for him. Chairman Limbeck then asked if any other Board Members had any comments.

Board Member Liebschutz asked if the Planning Board had any authority to add to the incentives that are given through the Incentive Zoning.

Chairman Limbeck asked for Town Attorney Robert Koegel's advisement on this. From his understanding the Planning board can comment on and make the requirements for landscaping.

Robert Koegel, Town Attorney, answered that the Planning board cannot do anything that is inconsistent with what is covered within the Town Board Incentivized Zoning approval. To the extent of what landscaping details that are covered is binding, if it is not covered, it is not binding. As for the lack of dollar amount for green area and tree preservation, the Town Board did not consider that a cash value, but certainly was a benefit and the applicant was not given extra credit for that incentive. To answer Board Member Liebschutz's question directly, if the applicant gave landscaping plans to the Town Board that are conceptual, then those apply. But details don't. As for the concern of massiveness, part of the Incentivized Zoning approved through Town Board reads "the proposed entrance and conceptual layout shall be generally consistent with submitted plans..." which means the Planning Board cannot change the conceptual layout of those said plans including limitations on height, number of units, and setbacks, which are specifically regulated. Mr. Koegel asked Doug DeRue, the Director of Planning and Zoning to add anything he feels would be relevant for the Planning Board.

Mr. DeRue added that he gave Planning Board members a mapping of the proposed areas for stake out and also show areas that were original footprints of the buildings. The map was created to ensure that the Planning board is OK with the adjustments and modifications the applicant has made from what the town Board approved. In creating said map, Mr. DeRue explained he was surprised to see that there is relatively good balance in the gain and loss of green areas in the adjustment that were made in the Planning Board submission. The real change is the configuration of the buildings, creating courtyards and North and South wings to help break up the mass. The Town Board Resolution specifically includes the provision that the PB is all but required to address buffering with landscaping to neighbors and East Avenue. If the Planning Board feels like additional landscaping is necessary, they can more or less insist more landscaping and buffering be placed in certain areas. He added that the landscaping plan submitted is extensive and part of the current plan set.

Board Member Morabito commented that in regard to the size of the building, although it is a large building, does not feel like it is that out of context for East Avenue. Considering they will

be tearing down a large restaurant already on the property and is also in close proximity to large buildings part of a college a short distance away. In his opinion, he does not feel like it is relatively out of scale.

Board Member Gibson added that she agreed with Board Member Morabito's comment in regard to the relative size of the proposed buildings. She expressed concern about Town Board minutes regarding marketing the units to seniors (55+); her concern lays with the apartment units becoming a big student housing projects as its location is close to college campuses. She asked if there were features planned for the interior of the units that would attract a senior renter over another renter.

Dave Reidman explained that they have 3,000 apartments where most of their profile is retiree or empty nester which is where they focus their business on. The communities are developed with a rich menu of amenities from club houses, gathering spaces, community gardens and card rooms to name a few. This project in particular will include kitchens and wine rooms, arts and craft rooms, yoga rooms, business centers, and a lot of amenities that their experiences has told them are in high demand. The design of the units and buildings themselves are catered to the same profile using elevators, no-step entries, wide doorways, and other things that make aging in place very reasonable. They have discussed student housing at length with the Town Board and there are no 3 bedroom units within the complex, including the existing Town Homes already built. They are also priced at a rate that a college student could not afford unless many students shared an apartment, and they do have an ability and desire and part of their policy allows them to govern or limit the number of non-related parties they rent to.

Board Member Liebschutz requested additional renderings showing the landscaping plan details to better conceptualize what will help or what would need to be added to help mitigate the massing of the building.

Dave Reidman answered absolutely.

Board Member Halldow commented that the virtual meetings in place with COVID-19 health and safety guidelines, looking at the plans and documents sent through email is a little different than usual and isn't always as clear.

Dave Reidman answered that he understands and he is happy to create renderings to help Board Members visualize the proposed landscaping. He added that along East Avenue, there are many areas that they are trying not to disturb grading and already existing trees. Landscaping investment is taking place further back in the property for that purpose. He will also be glad to show existing trees vs. proposed trees on a rendering as well for the next meeting.

Chairman Limbeck asked the applicant what the Town can expect if the applicant doesn't rent out the maximum number of units they need to, to the age group they are marketing to (55 and over)?

Dave Reidman answered that they have talked about this also through the Town Board process. He doesn't think the issue is will they rent, but a question of how quickly they will rent. Their plan is to begin with the building to the South of 62-units and moving from there to the proposed building on the Back 9 Restaurant parcel when they feel comfortable with their pre-leasing numbers reach a confident level to move forward. He added that with the portfolio of properties that they own with the same target market, along with their knowledge and understanding of that

market of 55 and over makes them confident of the concept of this project. They feel like the health of the market is good right now, including here in Rochester. No one can predict curve balls that come with national or global events but he doesn't think the matter is "if" they will rent but how long it will take. Chairman Limbeck thanked him for his answer.

Board Member Gibson asked for clarification on the plan for the Back 9 parcel; if they do not plan on constructing the building right away, will they leave the former Back 9 Restaurant building standing or demolish the building.

Dave Reidman answered that demolition is one of the first things they will do.

Chairman Limbeck asked if the Board had any other questions. The Board answered no.

Chairman Limbeck noted that this is an open public hearing. He asked Town Staff if they had received any public comment prior to the meeting.

Jessica Yaeger, Planning Board Secretary, answered no, they had not received any public comment for the application prior to the meeting.

Chairman Limbeck asked if anyone attending the Zoom meeting that evening would like to make comment.

Don Frisbee of 3496 East Ave "raised" a hand to comment. He mentioned that he has spoken with Doug DeRue, the Director of Planning and Zoning the week before regarding the proposed landscaping plan and parking along the property lines. He said there seems to be more parking than was originally proposed, and the parking moved closer to the lot line. He added his concern with the elevation of the parking lot as well. He wanted to know if anything had been done to address his specific concerns.

Doug DeRue answered that at this point Town Staff is in the process of reviewing a draft response to Town comments. He has not had a chance to see specifically what the applicant's responses to comments were particularly for specific landscaping concerns were. He also noted that no decision has been made at this point, specifically regarding landscaping. He added the Planning Board has requested a detailed plan of that area which they haven't seen as of yet. He asked if the applicant had anything to comment on this.

Alex Amering of Costich responded that from the last Planning Board meeting, they will be eliminating 2 parking spaces closest to the residents. This has not been provided on any drawings to the Town yet, but they have gone on record. They are a couple spaces over what the Town Board required and identified that area as a spot that they could eliminate some spaces moving the parking closer to the rear of the property.

Mr. Frisbee asked if any consideration had been given to using angled parking and landscaping to shield car lights from their residence.

Dave Reidman answered that they have presented the idea of placing a solid wood fence of 6 feet in height and landscaping to efficiently buffer the car lights from their property.

Mr. Frisbee answered if angled parking was out of the question.

Dave Reidman replied that he thinks the solid fencing and landscaping will be a much more efficient way to shield their property from car lights over using angled parking. He added that angled parking only works in parking lot with 1-way driveways which they will not have.

Alex Amering of Costich Engineering added that the drive isle is also being dictated by emergency access vehicles so angled parking would really allow any gain.

Mr. Frisbee asked if landscaping was going to be added on his side of the proposed fencing to be added along the property line.

Dave Reidman answered that if the fence is not placed directly on the property line (green area between property line and parking lot), he is happy to add some landscaping to their side.

Mr. Frisbee expressed his concerns of being disappointed if something is said it will be done and then is not. He wants a win-win for everyone. Dave Reidman responded that he understands.

Mr. Frisbee asked if there is an overlay he could see of the proposed location of the apartment building compared to the current location of the former Back 9 building currently on the property.

Dave Reidman responded that during the Zoning process they did a fair amount of work on building height graphics and showing the setbacks and height of building compared to setbacks and height to building that is there (former Back 9 building) and is on file with the Town.

Mr. Frisbee answer that he had seen overview of the first proposal to the Town Board, but as there were changes made to those plans when submitted to the Planning Board he would like to see those and would like to see details of what is proposed now.

Chairman Limbeck asked Doug DeRue, Director of Planning and Zoning, if that information was provided to Town Board for Incentive Zoning, could it be forwarded over to the Planning Board as well?

Doug DeRue answered yes, and added he was sent an overlay of the Back 9 building as it currently sits and the proposed apartment building recently. He will send it to Mr. Frisbee and the Board.

Chairman Limbeck asked if Mr. Frisbee had any more questions which he answered no.

Chairman Limbeck asked Jessica Yaeger, Planning Board Secretary if there were any more "hands raised" for public comment, to which she answered no.

Chairman Limbeck asked if the Board had any questions or comments. Seeing none, he stated that the public hearing will remain open until the next meeting on December 14<sup>th</sup>.

#### **OTHER DISCUSSION:**

There were 2 edits made by Jessica Yaeger, Planning Board Secretary she noted to the Board for the minutes of November 9, 2020, correcting the absent board members listed to include Kevin Morabito and Dave Jefferson. Chairman Limbeck noted the edits, and the minutes of November 9, 2020 were approved following a motion by Chairman Limbeck, seconded by Board

Approved Minutes 11-23-20

Member Morabito. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman Limbeck motioned to close the meeting at 7:52 p.m., seconded by Board Member Liebschutz and was approved by a unanimous voice vote, no opposition.

Respectfully submitted,

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Jessica Yaeger  
Planning Board Secretary

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