

**TOWN OF PITTSFORD  
PLANNING BOARD  
December 14, 2020**

Minutes of the Town of Pittsford Planning Board meeting held on December 14, 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, Jeffrey Donlon

**ABSENT:** None

**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 9 members of the public present.

Chairman Limbeck made a motion to call the meeting to order seconded by Board Member Liebschutz. Following a unanimous voice vote the meeting opened at 7:00 P.M.

**DECISION PENDING:**

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

Chairman Limbeck introduced the application.

Jim Durfee, agent for Oak Hill Country Club began with a summary of where they stand in their approval process. Their DRC Responses have been submitted, and they are awaiting Final Site Plan and Special Use Approval for the construction of 2 overnight hospital Cottages. They had nothing to add at this time.

Chairman Limbeck asked if there were any questions from the Board. Hearing none, He asked if there were any questions from Town Staff. Doug DeRue, Director of Planning and Zoning answered "none".

Chairman Limbeck noted that the public hearing was closed on November 9, 2020. He then read through the Final draft Resolution, noting the 4 Findings of Fact, and 14 Conditions of Approval. Board Member Liebschutz motioned to approve the Resolution, seconded by Vice Chair Donlon. Following a unanimous vote, the Preliminary/Final Site Plan Resolution and Special Use Permit were approved.

**CONDITIONS OF APPROVAL**

1. Subject to resolution to or compliance with or resolution to DRC comments dated October 21, 2020 and the applicant's written response received November 19, 2020.
2. Plans are required to meet applicable NYS Stormwater Regulations, subject to the Town's Reviewing Engineer approval. It appears the plans may exceed 1 acre of disturbance. If so,

a SWPPP will to be completed in accordance with NYS Stormwater Regulations also subject to approval by the Town's Reviewing Engineer.

3. Stormwater infrastructure, existing and proposed as well as grading is subject to additional review prior to Town signatures. A discussion with the Town's reviewing Engineer and DPW should occur in conjunction with final plan preparation.
4. Final plans must note: "Town of Pittsford Code Enforcement Officers can require shielding of light fixtures where the glare of the light source is visible from private property or public ways."
5. Subject to appropriate water pressures/volumes verified with Hydraulic calculations.
6. A Road Cut permit from the Pittsford DPW, is required for work within the Knollwood Drive ROW.
7. Landscaping tree substitutions and or location adjustments are subject to DPW approval.
8. The proposed additions/improvements must meet applicable Building and Fire Codes or receive necessary variance(s) from the State (the driveway/parking in front of the units may need adjustment in length to meet Fire Code).
9. The Town, working with Oak Hill Country Club, will assign addresses for the new buildings.
10. Sanitary sewer connection to the Town's manhole must be reviewed and approved by the Sewer Department.
11. Sewer line(s) shall be labeled or noted as private.
12. It should be noted that the Town reserves the right to have the Building Permit plans reviewed for Code compliance by an outside contracted consultant and billed to Oak Hill Country Club.
13. Any outstanding Engineering Review Fee balances are due prior to Planning Board signature.
14. Subject to all applicable regulatory approvals including, but not limited to the Town Reviewing Engineer.

**CONTINUED HEARING:**

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

Dave Reidman spoke, introducing others in attendance for the application, including Jared Coon and Dave Hanlon with Hanlon Architects, Alex Amering with Costich Engineering, and Jerry Watkins with Reidman Development.

Alex Amering explained that they have been working with Town Staff on some technical items that were noted during the site walk with some stake out locations, along with some landscaping items. They had attended a Design Review Board meeting since the last Planning Board meeting where the design of the Wright House was discussed. They have submitted photo simulation renderings from different view-points along East Avenue as requested by the Planning Board, and an updated landscaping plan for the Frisbee property located at 3476 East Avenue, after they had expressed concerns of adequate buffering at the last meeting. They had also met with Town Staff including the Town Engineer, Sewer Department, and Director of Planning and Zoning to work on some issues that came up on the plans, which he felt was very productive.

Using Screen Sharing, Alex Amering went over the Photo Renderings, starting with one showing the internal view of Building 1 where they added parked cars to give perspective of what they would look like. The next rendering showed the view from East Avenue and Bretton Woods, including the proposed sidewalk, the Wright House, and proposed Evergreens.

Board Member Halldow commented that during the site walk, expressed the importance of complete buffering of the view of parked cars from East Avenue, and if there was a way to screen the cars, that would be helpful. David Reidman asked what the Planning Board would like to see added to help buffer the parking lot from view along East Avenue. Board Member Halldow suggested the use of plantings of some sort. Dave Reidman asked if he had specific plantings in mind. Board Member Halldow said that he doesn't have anything specific in mind. Alex Amering said they will make note of that.

The next slide they discussed was from Bretton Woods Dr. looking at the South side of Apartment Building 1, focusing on existing deciduous trees there and added Evergreens.

The following rendering displayed the Northeast street view from East Avenue facing Apartment Building 2, including the sidewalk connection, signage for the property. Mature trees can be seen in the center and to the left are already existing trees that have been added with some additional tree plantings proposed.

Vice Chair asked if the sidewalk railing was necessary.

Alex Amering answered that yes, the slope of the grade necessitates rails. As they are trying to save as many existing mature trees along East Avenue as possible, placing the sidewalk in the Right of Way would mandate the construction of a retaining wall which would then result in existing tree loss. The keeping of mature trees was an important part of early talks of this project.

Doug DeRue, Director of Planning and Zoning added that he is in the process of discussing the sidewalk railings with the Commissioner of Public Works to make sure that the Town can properly maintain the sidewalks with the railings in place or if they will have to widen the sidewalk and railings for plow equipment.

Vice Chair Donlon asked the Town Attorney what code mandates the railing.

Robert Koegel, the Town Attorney, answered that he frankly wasn't sure which codes mandated ADA compliance.

Doug DeRue answered that federal law mandates Handicap Accessible code within the Americans with Disabilities Act (ADA).

Alex Amering added that they are not set on this option proposed and are open to other ideas.

Vice Chair Donlon recommended they look into other options.

Dave Reidman asked for the Board's opinion on moving the sidewalk more South, more towards the entrance of the building.

Vice Chair Donlon answered he would like to see that option. Board Member Liebschutz added she concurred.

Chairman Limbeck asked if lifts or rests could be installed instead of the railings if the sidewalk was kept in the proposed location.

Dave Reidman answered that he is not sure that would be compliant with ADA code as his understanding is that the degree of slope or grade, not the distance to level landing that meets code.

Chairman Limbeck answered that his understanding was that you could have an 8% grade a certain distance, have a landing, and then continue with the grade. If that is not the case, he would prefer to see the sidewalk to up the driveway as well instead of the current proposed location/design.

Alex Amering explained that the Chairman is correct and how the sidewalk is currently laid; you can have a 1 on 12 which is 8 1/3% but it still requires the hand rails, unless you can get it under 5% but the majority of the grade is upwards of 10%.

Board Member Halldow added that the sidewalk ends at the Frisbee property and may not be frequently used by the public.

Alex Amering and Dave Reidman showed the next slide which showed the sidewalk continuing down the Kilbourn Place property, which presents questions if relocation is possible due to grade.

Board Member Halldow stated the Town sidewalk is on the other side of the street.

Dave Reidman confirmed that yes, the Town sidewalk is on the other side of the street, but the reason they are adding the public sidewalk as part of the application is because the thought is the Town will continue the sidewalk down that side of East Avenue.

Vice Chair Donlon asked if there was any ability to keep the sidewalk close to the street in the ROW.

Dave Reidman answered that if they did, they would need to install a retaining wall, and the loss of existing trees located along the property on East Avenue.

Alex Amering explained that the current grade on this part of the property is 2 on 1 vertical to horizontal (about 50%) and comes down to the backside of the curb and there really is no flat spot there. The side walk has to be a 2% cross slope, with a retaining wall of about 4 feet high.

Board Member Gibson commented that seeing the site, she would prefer not to have a retaining wall as it would draw more attention to the site over the railing, concluding with her preference of the railing.

Vice Chair Donlon noted his preference of neither a railing nor retaining wall.

Dave Reidman asked if Vice Chair Donlon would approve if they could remove a section of the railing and have a smaller portion of the sidewalk needed railings.

Vice Chair Donlon concluded that he feels like the railing looks very institutional and would prefer no railing.

Dave Reidman asked how the Board would feel if they used a different design of railing.

Board Member Liebschutz asked if the sidewalks on site for Kilbourn Place resemble at all the new sidewalks installed at Nazareth College.

Dave Reidman agreed with Board Member Liebschutz's question and added that he is familiar with those sidewalks and would look into the details.

Doug DeRue, Director of Planning and Zoning asked to see the rendering showing the front view of Building 2 from East Avenue. He noted that the plantings look stark in this area and expressed the opportunity for some understory plantings to help break up the view into the apartment buildings.

Board Member Halldow agreed that he would like to see more buffering in this area.

Board Member Liebschutz seconded this comment, adding that this was the area of biggest concern for her as she views Building 2 as a little more imposing than Building 1. She asked what opportunity does the developer have to increase the number of evergreen plantings here.

Dave Reidman answered that they can look into that and there are some locations that evergreen trees could be added. He included that from a landscaping perspective they need to make sure the additional evergreen plantings need to exist outside of the tree canopy. He is not sure adding evergreens in this location is something that could be sustainable long term. The canopy of the existing trees extends to the face of Building 2 and meets the elevation.

Chairman Limbeck asked if evergreen are the only solution or could other options be used and planted closer to the existing trees (under the canopy) and survive?

Dave Reidman answered yes, lower plantings like shrubberies that are shade tolerant.

Chairman Limbeck also asked what the percentage of landscaping costs is compared to the project costs of Buildings 1 and 2.

Dave Reidman responded that he does not have exact numbers or percentages to give, but that the project does have a very generous landscaping budget that was discussed during the site walk with some of the Planning Board members, and is something he will continue with throughout the rest of the project using a good amount of planting materials.

Doug DeRue summarized that from the front-on view, presents a good opportunity for plantings to buffer the buildings from East Avenue. The issue he sees, is that the building still takes up most of the view along East Avenue even with architectural elements to help break up the massing. Without breaking it up with plantings, the criticism of the size of the buildings will continue.

Chairman Limbeck asked if there were any other questions from the Board.

Dave Reidman continued on to the landscape plan submitted to Town Staff prior to the meeting boarding the Frisbee property of 3476 East Avenue. The landscaping plan shows a solid fence,

landscaping on the Kilbourn Place side of the fence, and also includes the removal of parking so that the parking spaces now line up with the rear façade of house. All of this should eliminate the intrusion of light.

Board Member Gibson thanked the applicant for addressing the neighboring property's concern and added that it was a big improvement to what was previously on the plans.

Doug DeRue, the Director of Planning and Zoning asked what the darker solid line was on the plan. Alex Amering of Costich Engineering noted that is where the retaining wall starts.

Dave Reidman added that as discussed during the site walk, they had to lower the grade in order to bring down the height of the building on the Back 9 Parcel which extends all the way to the 490. The retaining wall starts in this location to accommodate that cut into the hill.

Doug DeRue asked about the trees located in the area of where the retaining wall will be added and if there was a way to identify the trees that would be removed or add more property line stakes.

Dave Reidman replied absolutely.

Vice Chair Donlon noted that during the site walk, he felt that an opportunity to work with the Frisbee's to remove some existing dead trees and beautify the front corner of the property line between the two properties, was that still the plan?

Dave Reidman answered yes.

Vice Chair Donlon thanked Mr. Reidman.

Alex Amering added that along this topic, they have also added some elements to identify the Kilbourn Place entrance which was a noted concern from the Frisbees by adding landscaping beds that sit on either side of the complex driveway, and add a matching sign (already located at the other entrance by Building 1).

Dave Reidman also noted that they will do a better job of noting the landscaping plans on the photo renderings to show these details.

Chairman Limbeck asked if there was anything else the applicant wanted to discuss in the hearing.

Alex Amering of Costich Engineering answered that they touched on the big items that they discussed at the last Planning Board meeting, and continue to work on the technical issues with Town Staff.

Chairman Limbeck asked if Doug DeRue, the Director of Planning and Zoning had anything to add. Mr. DeRue replied that they are waiting for updated DRC responses and plans from the applicant as they mentioned which will most likely answer most of the Town remaining questions.

Chairman Limbeck advised the public hearing and asked if the Town had received any written comments or if there was anyone in attendance of the meeting that would like to comment.

Jessica Yaeger, the Planning Board Secretary answered that the Town had not received any written submissions prior to the meeting, but noted that there was a “hand raised” in the attendee section of the Zoom meeting.

Don and Jody Frisbee of 3476 East Avenue spoke and asked for clarification regarding the retaining wall location in proximity to their property. They also asked how tall the proposed solid fence was in the landscaping plan boarding their property, and if plantings could be added to their side of the fence?

Dave Reidman clarified the location of the retaining wall, and answered that the fence would be 6 feet tall, and that they could do the same landscaping planned on the Kilbourn Place side on their side.

Mr. Frisbee also inquired about the water runoff concerns they had expressed at previous meetings.

Alex Amering from Costich Engineering answered that there were not any existing catch basins located on the Back Nine site. Existing conditions will be brought up to code and current standards with the construction of the Buildings on the site. They will be working to send all the drainage over the pond in the middle of the site.

Mr. Frisbee asked if the parking sites would be graded toward the building or any catch basins. Alex Amering answered that there will be a curve at the section where there currently is no curve at the location now, so the water will flow directed to the catch basin.

Mr. Frisbee inquired if there were balcony's located on the side of the building that faces their property.

Dave Hanlon answered yes, there are 3 balcony's facing north.

Mr. Frisbee asked if the balcony's overlook their property. He is concerned about his privacy as the building is so much higher than theirs.

Dave Reidman answered that the slope depicted in the renderings is current as the pictures were just taken. He also reminded that they are going to be cutting into the existing hill on the property bringing the slope down to bring down the finished elevation of the building. The finished floor of Building 2 is not much higher than the finished floor of the buildings currently there today (within about a ½ foot).

Mr. Frisbee asked for clarification if Mr. Reidman was referring to elevation to the existing 1<sup>st</sup> floor or 2<sup>nd</sup> floor. Mr. Reidman answered 1<sup>st</sup> floor. Mr. Frisbee reiterated his concern involved the height of the 2<sup>nd</sup> floor.

Chairman Limbeck asked if it would be possible for the applicant to show the view from the Frisbee's property with the landscaping and balcony's included.

Dave Reidman, Alex Amering, and Dave Hanlon used the rendering to show the locations of the balconies in proximity to the Frisbee's property. One balcony is located behind the rear façade of their home, another is located behind the garage, and the last balcony on the north side of the building is located towards the rear of their property line, summarizing that they are quite a ways away from their house.

Mr. Frisbee responded that he would appreciate seeing the view from their house.

Dave Reidman acknowledge. He added that with the proposed fence and landscaping he is adding will be blocking out the view of the property.

Chairman Limbeck asked the Frisbee's if they had anything else to ask.

Mr. Frisbee thanked the Board and the applicant.

Chairman Limbeck asked if there were any additional comments anyone would like to make. Seeing none, he added that this public hearing will remain open. They will be receiving additional renderings from the applicant, and the applicant will continue working on technical issues with the Town. He asked when our next meeting date is schedule for after the New Year.

Jessica Yaeger, Planning Board Secretary answered the next meeting is scheduled for January 11<sup>th</sup>, 2021.

Chairman Limbeck was hopeful many of these issues would be worked out by the next meeting and that the Town and Board will be further towards a Resolution for the applicant.

Board Member Gibson had a question before the meeting was closed. She was viewing a site plan of Building 2 and asked the applicant how many feet was the closest balcony to the Frisbee's property. Her intentions were to help give everyone perspective on how close or far the balconies are from the property.

Dave Reidman answered that the balcony to the property line is about 80 feet, and then from their property line to the house is an additional 50 feet, totally +/- 130 feet.

Board Member Gibson asked if there were existing trees between the balcony and the house. Mr. Reidman answered yes. He said that he will be providing a rendering with a cross section of the entrance to the balcony to the Frisbee home to see the line of site from the Frisbee property with the fence and landscaping.

Board Member Gibson thanked the applicant for their answers.

Chairman Limbeck asked if the Board or Town staff had any other questions. Seeing none, he thanked the applicant and looks forward to getting some things wrapped up at the next meeting.

#### **OTHER DISCUSSION:**

Kate Bohne Munzinger, the Town Board Liaison to the Planning Board, updated the Board that the Town Board would be discussing Equity Training at the upcoming Town Board meeting on December 15<sup>th</sup>. The Equity Training being discussed would be training each volunteer Board member would have to complete within 1 year of their term. She encouraged Town Volunteer Board members to listen to the meeting via Zoom if they had any questions.

The minutes of November 23, 2020 were approved following a motion by Chairman Limbeck, seconded by Board Member Halldow. Following a unanimous voice vote, the minutes were approved, none opposed.



Approved Minutes 12-14-20

Chairman Limbeck motioned to close the meeting at 8:11 p.m., seconded by Board Member Halldow and was approved by a unanimous voice vote, no opposition.

Respectfully submitted,

---

Jessica Yaeger  
Planning Board Secretary

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