

**TOWN OF PITTSFORD
PLANNING BOARD
OCTOBER 28, 2024**

Minutes of the Town of Pittsford Planning Board meeting held on October 28, 2024 at 6:30PM local time. The meeting took place in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street.

PRESENT: John Limbeck, Hali Buckley, Paul Alguire, Paula Liebschutz, Dave Jefferson

ABSENT: Kevin Morabito, John Halldow

ALSO PRESENT: Doug DeRue, Director of Planning, Zoning, and Development; April Zurowski, Planning Assistant; Evan Harkin, Student Member; Robert Koegel, Town Attorney; Kim Taylor, Town Board Liaison

ATTENDANCE: There were 29 members of the public present.

Chairman Limbeck made a motion to call the meeting to order, seconded by Board Member Buckley. Following a unanimous voice vote, the meeting opened at 6:30PM, none opposed.

CONTINUED HEARING:

Passero Associates, Pittsford Oaks Apartments
Preliminary/Final Subdivision and Preliminary Site Plan

Jerry Goldman, of Woods Oviatt Gilman, LLP; Danny Daniele, of 2851 Clover, LLC; Anthony Daniele, of 2851 Clover, LLC; Andrew Burns, of Passero Associates; and Hans Lindenhovius, of Christa Construction, were in attendance on behalf of the application.

Mr. Danny Daniele re-introduced the application. He stated that at the last Planning Board meeting, the Board requested commentary from the Design Review & Historic Preservation Board (DRHPB). The applicant appeared in front of the DRHPB on September 12, 2024. The Board returned comments to the Planning Board and applicant requesting significant changes to the massing and view from the Clover Street and W Jefferson Road intersection. Mr. Danny Daniele stated that the applicant revised the elevations and reduced the unit count, and returned to the DRHPB on October 10, 2024, in which more comments were provided. Mr. Danny Daniele showed elevation comparisons to the Terraces at Cloverwood, a previous project for this site that was not built. He asked for the Planning Board to vote on a Preliminary Site Plan approval at this meeting.

Mr. Goldman stated that according to Town Code, the final design of the apartment building is within purview of DRHPB, and the final design of the site plan is within purview of the Planning Board. The Town has agreed to permit demolition following Preliminary Site Plan approval and considering that the building is of questionable safety and the concerns of changing weather, the applicant is looking for the Planning Board to resolve this matter. Mr. Goldman stated that per Mr. DeRue, the next Planning Board meeting is before the next DRHPB meeting, so if the Planning Board is waiting for additional commentary from DRHPB, the Planning Board may not vote on this application until the November 25, 2024, meeting.

Chairman Limbeck clarified that the Town Board approved up to 175 units, but that does not guarantee the Planning Board will approve that many units. Chairman Limbeck also stated that the NYS Department of Transportation (NYSDOT) requested additional information and that traffic concerns may still need to be worked out during Final Site Plan review. He also stated that the applicant has already begun demolition without authorization by the Planning Board, so an approval has clearly not held up the demolition process.

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Chairman Limbeck emphasized the Planning Board's respect for the DRHPB and their commentary. One of the comments provided most recently requested the Planning Board to hold off on a Preliminary Site Plan resolution until the DRHPB was able to further review the elevations. Chairman Limbeck stated that the applicant should work with the DRHPB to resolve their concerns and then return to the Planning Board. Board Members Buckley and Liebschutz agreed that the request to hold off from DRHPB should be honored by the Planning Board.

Board Member Liebschutz asked Mr. Koegel to clarify the legal process per Town Code. Mr. Koegel stated that the Planning Board should approve a plan that is near what the final outcome will be. This plan is still changing as comments are received from the DRHPB about height and elevations. This could directly impact total unit count, parking, height of the building, etc. Mr. Goldman stated that his interpretation of the Code is that DRHPB comments should be received prior to Final Site Plan approval, not Preliminary Site Plan approval. Mr. Koegel stated that the Code section for Preliminary Site Plan review states that all preliminary site plans shall be submitted to the DRHPB for its recommendations to the Planning Board. Mr. Koegel emphasized the importance of Preliminary Site Plan approval, stating that the approval is legally binding and cannot be reversed.

Mr. DeRue stated that per the DRHPB comments, the "+/- 400' long legs of the 'H' forming the East and West Elevation of this development needs to be broken up with big moves." Mr. DeRue stated that the applicant did not make significant changes to the elevations after the September 12, 2024, meeting, so the DRHPB had additional comments stating that the applicant needs to "re-examine the whole project in terms of massing, height, repetition, materials, and develop a cohesive approach." Mr. Danny Daniele stated that large changes were made to the elevations. Mr. DeRue asked which changes were made to the west elevation? Mr. Danny Daniele stated that there were minor changes made to the west elevation, but the east elevation was reduced by one floor at the point of the "H" closest to the Clover Street and W Jefferson Road intersection. Mr. DeRue pointed out that the DRHPB comments specifically request changes to the west elevation as well. These changes were not made, so the DRHPB had additional comments which included asking the Planning Board to hold off on a resolution.

Mr. Anthony Daniele left the meeting.

Board Member Liebschutz stated the Planning Board will ask the DRHPB to conclude their review of the Preliminary Site Plan at their next meeting. Board Member Jefferson stated that the Planning Board should not ask the DRHPB to "wrap it up" and that the DRHPB should work out their concerns with the applicant at the pace that the applicant will make changes. If no changes are made, the DRHPB will likely have the same concerns at their next meeting. He asked the applicant to please make significant changes so that the DRHPB will be satisfied with the proposed building. Board Member Jefferson also noted that demolition is not weather-dependent. Construction can have seasonal constraints, but demolition does not.

Board Member Alguire stated that he attended the DRHPB meeting. From his recollection, DRHPB Chairman Schneider was not in favor of the straight roofline. He suggested that the applicant make significant changes and quickly if it wants a resolution at the November 25, 2024, meeting.

Chairman Limbeck stated that there is an open public hearing on this matter and invited members of the public to speak.

Mario Daniele, of 2 Hastings Circle, thanked Board Member Alguire for his statement.

Chairman Limbeck stated that this public hearing will remain open.

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OTHER DISCUSSION:

The minutes of September 9, 2024, were approved following a motion by Board Member Alguire, seconded by Board Member Buckley. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman Limbeck motioned to close the meeting at 7:18PM, seconded by Board Member Buckley, and was approved by a unanimous voice vote, none opposed.

Respectfully submitted,

April Zurowski
Planning Assistant

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