

**TOWN OF PITTSFORD
PLANNING BOARD
JANUARY 8, 2024**

Minutes of the Town of Pittsford Planning Board meeting held on January 8, 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, Dave Jefferson, Paul Alguire, John Halldow

ABSENT: Hali Buckley, Paula Liebschutz, Kevin Morabito

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

ATTENDANCE: There were 6 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 6:30PM.

Chairman Limbeck introduced Kim Taylor, the new Town Board Liaison to the Planning Board.

NEW PUBLIC HEARING:

X-Golf, 3349 Monroe Avenue
Special Use Permit

Nick Ratcliffe, of X-Golf, introduced the application. The applicant is proposing to combine the existing Spenga and Body Fuel spaces in Pittsford Plaza to create a 6,700 square-foot space for X-Golf. This facility will include seven indoor golf simulators accompanied by a bar and restaurant. The applicant is requesting Special Use Permit approval for a restaurant use. The kitchen will include a grease interceptor and will include no open-air grilling. Mr. Ratcliffe anticipated 20-60 guests per night.

Board Member Jefferson asked if X-Golf will provide a membership option or be limited to hourly rental. Mr. Ratcliffe stated that only hourly rental will be available at this time.

Chairman Limbeck motioned to open the public hearing, seconded by Board Member Alguire, none opposed. Chairman Limbeck invited public comment. Hearing none, Chairman Limbeck motioned to close the public hearing, seconded by Vice Chairman Halldow, none opposed.

Chairman Limbeck read the SEQRA and Special Use Permit resolutions, both unanimously approved by the Board.

REFERRED FOR ADVISORY COMMENTS:

Pittsford Oaks Apartments Project
Town Board Rezoning Application (PUD)

This Town Board application involves re-zoning of Parcel 8 and 12 of the Tobey Planned Unit Development (PUD). The Town Board has referred this application to the Planning Board for advisory comments.

Anthony Daniele, of Daniele Family Companies, Jerry Goldman, of Woods Oviatt Gilman LLP, and Andrew Burns, of Passero Associates. Mr. Burns stated that the applicant submitted supplemental information. He stated that this application proposes 191 units and 282 parking spaces equating to 1.5 spaces/unit and 1.16 spaces/bedroom. Mr. Daniele stated that the senior living project previously approved allowed for 115 units and 1.34 spaces/unit. Mr. Daniele stated that the applicant has discussed shared parking with Pittsford Federal Credit Union and the neighboring complex. He stated that he understands these spaces cannot be included in the ratio, but allows for emergency overflow parking, if necessary. He stated that he mostly sees 1.5 spaces/unit. He stated that the proposed apartment unit mix is weighted towards single person apartments, with mainly one-bedroom and studio apartments. Mr. Daniele stated that this mix will advocate for diversity in housing stock and provide reasonable housing options for those who cannot afford a traditional home. Mr. Goldman stated that this location provides signalized entrances/exits at both the Clover Street and Tobey Road intersection and at Tobey Village Road and Jefferson Road.

Chairman Limbeck stated that the Board is mainly concerned with the density of housing and associated parking. Chairman Limbeck stated that this application is not a public hearing in front of the Planning Board, but the Board will allow for public comment.

Marion Anders, of 10 Millay Circle, part of Cloverwood Senior Living, stated his concerns for the project. He abuts the proposed parking area for Pittsford Oaks, which has been modified since the previously approved senior living project. Mr. Anders stated that his main concern is for the density of units proposed. He stated that this apartment project will add a few hundred people immediately adjacent to Cloverwood Senior Living and will impact traffic surrounding the site. He also stated concern for anticipated encroachment onto Cloverwood's property. He mentioned that those visiting the YMCA have been seen using Cloverwood's walking area. Mr. Anders anticipated that Pittsford Oaks residents would do the same, and that residents will likely use Sinclair Drive as a cut-through to the stoplight. He stated that Cloverwood residents have been considering traffic calming measures. He stated that the idea of having so many additional neighbors is daunting.

Chairman Limbeck asked the Board to submit individual comments to the Town Planning Department by January 15. Mr. DeRue and Ms. Zurowski will then incorporate comments into a draft memorandum from the Planning Board to the Town Board. The Planning Board will approve the draft at their next meeting. Mr. Goldman asked how missing members will provide comments. Chairman Limbeck stated that previous meeting minutes will be provided on the Town's website or through the Planning Department.

Mr. DeRue stated that the submission of supplemental materials by the applicant had inconsistencies that should be clarified. According to the applicant's unit mix, Pittsford Oaks will contain 275 beds, not 243, as referred to in the submission. The applicant also included 21 parking spaces within the Town right-of-way (ROW) that will not be allowed and should be

removed from the plan and the parking calculation. The applicant referred to their recently completed project, The Bellagio Waterfront Apartments, which was labeled as 1.51 parking spaces/unit. Mr. DeRue stated that the Town of Penfield requires 2 spaces/unit and according to the approved site plan, there are 303 spaces for 95 units, equating to 3.19 spaces/unit. The applicant referred to the National Apartment Association (NAA) in the supplemental submission materials and Mr. DeRue stated that though this may be a good source for information, the NAA does not incorporate a municipality's responsibility to provide sufficient parking for its residents. The parking ratio provided from the Institute of Transportation Engineers (ITE) is also helpful information but is not site specific.

Mr. Daniele stated that the Town of Pittsford is not different than other suburban towns used for the ITE's traffic generation numbers. He also stated that The Bellagio's approved site plan includes shared parking with the neighboring marina in its calculated parking ratio.

Mr. DeRue stated that the table comparing units to parking spaces misrepresented multiple projects. The Bellagio's calculation was incorrect, Cloverwood Senior Living is not a comparable market rate apartment complex and is limited to senior living, and Corning and Elmira apartments are not comparable to the Town of Pittsford. Mr. DeRue mentioned Kilbourn Place Apartments, a recent Pittsford apartment complex, and Dunnwood Green, a recent Henrietta apartment complex. Both were not included in the table. He advocated for more local examples. This site has no public transportation available and is within 15 minutes from five colleges. The proposed three-bedroom three-bathroom apartment unit provides for more people in that arrangement. Mr. DeRue compared adjacent towns for required parking ratios, all over what is proposed at Pittsford Oaks.

Mr. DeRue referred to the applicant's suggestion that market rate apartments are aligned with the 2019 Comprehensive Plan. Mr. DeRue directly referenced the plan, which states, "allow for diversification of housing stock within the Town to accommodate shifting preferences, including housing options specifically suited for residents of age 55 and older," as a policy item (2019 Comprehensive Plan, page 34). Mr. DeRue stated that senior housing and aging in place are common themes throughout the 2019 Comprehensive Plan. He understood that senior housing next to Cloverwood may be seen as competition. He referenced the developer's statement that financing may not be available for a senior housing facility next to Cloverwood Senior Living, stating that this reasoning is not one to promote the re-zoning of the site. Senior housing may be an easier sell with the Town Board, public, and for the traffic study. Mr. DeRue stated that the Town Review Engineer has reviewed the traffic study. Side streets at neighboring intersections will see an impact.

Mr. DeRue referenced a statement made at the last Planning Board meeting, in which the developer stated that underground parking spaces will be included in the rent price. The Pittsford Oaks website states that underground parking spaces are included in a \$189/month membership, additional to rent pricing. Mr. DeRue stated that management of underground parking will be critical and cannot be overbooked. If under booked, outdoor spaces will not be able to accommodate all residents.

Mr. DeRue asked the applicant to clarify the number of parking spaces, units, and bedrooms proposed. Plans, memorandums, and supplemental materials are inconsistent in numbering.

Ed Dougherty, of 70 Tobey Court, asked if the Planning Board's comments to the Town Board will be available for public review. Mr. Koegel confirmed that comments are public and will be

APPROVED MINUTES 010824

reviewed and approved at the next Planning Board meeting on January 22. Mr. Goldman asked if comments will be available online. Ms. Zurowski confirmed.

OTHER DISCUSSION:

The minutes of December 11, 2023, were approved following a motion by Chairman Limbeck, seconded by Board Member Alguire. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman Limbeck motioned to close the meeting at 7:10PM, seconded by Vice Chairman Halldow, 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

January 8, 2024

**TOWN OF PITTSFORD
PLANNING BOARD
SEQRA RESOLUTION
X-Golf (Restaurant SUP)
3349 Monroe Ave, Pittsford Plaza #41
Tax Parcel #150.12-1-18**

WHEREAS, Access Permits, as agent for Nick Ratcliffe and Wilmorite Management Group, LLC, has made application for a Special Use Permit for a bar and restaurant operation with materials received on November 29, 2023; and

WHEREAS, this is an Unlisted Action pursuant to SEQRA and the Planning Board has conducted a single agency review; and

WHEREAS, a Part I Short EAF was submitted by the applicant and the Planning Board has completed a Part II Short EAF, attached hereto; and

WHEREAS, a Public Hearing was duly advertised and held on January 8, 2024; and

NOW, THEREFORE, upon consideration by the Planning Board, of all written and oral submissions and testimony by the applicant, appropriate agencies, and the public, the Planning Board having given this matter due deliberation and consideration; it is

RESOLVED, that the Planning Board finds that the proposed action will not have any significant adverse impact on the environment, and accordingly, hereby grants a negative declaration pursuant to the State Environmental Quality Review Act based upon the following Findings of Fact:

FINDINGS OF FACT

1. The location of X-Golf within Pittsford Plaza, 3349 Monroe Avenue, is zoned as part of the Commercial District, in which a bar in association with a restaurant is a specially permitted use and requires granting of a Special Use Permit from the Planning Board.
2. The Planning Board has considered possible environmental impacts associated with the application and completed a Short Part II EAF which did not identify significant impacts, attached hereto.
3. The Planning Board has considered the possible impacts identified in Section 185-174 of Town Code and has concluded that this action will not have any significant adverse impacts to the surrounding properties.
4. Town Code Section 185-179 provides for revocation of a Special Use Permit should conditions be violated or not fulfilled. The Town may monitor the use to ensure that impacts are controlled or minimized.

CONCLUSION

The Planning Board finds that the proposed action will not have any significant adverse impact on the environment, and accordingly, hereby grants a negative declaration pursuant to the State Environmental Quality Review Act.

The within Resolution was motioned by Planning Board Vice Chairman John Halldow, seconded by Planning Board Member Dave Jefferson, and voted upon by members of the Planning Board as follows:

Paul Alguire	Aye
David Jefferson	Aye
Paula Liebschutz	Absent
Hali Buckley	Absent
Kevin Morabito	Absent
John Halldow	Aye
John Limbeck	Aye

Adopted by the Planning Board on: January 8, 2024.

April Zurowski
Planning Assistant

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: X-Golf Pittsford			
Project Location (describe, and attach a location map): 3349 Monroe Ave Rochester, NY 14618			
Brief Description of Proposed Action: Interior tenant alteration of landlord provided space at an existing shopping center. Space will be used for X-Golf -- an entertainment, light food and drink establishment.			
Name of Applicant or Sponsor: Sarah Goeke - Tenant's Agent		Telephone: (815) 541-7995	
		E-Mail: sarah@accesspermits.com	
Address: N2533 Van Matre Ln			
City/PO: Monroe		State: WI	Zip Code: 53566
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 0 acres	
b. Total acreage to be physically disturbed?		_____ 0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ n/a acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Sarah Goeke</u> Date: <u>11/21/2023</u></p> <p>Signature: <u><i>Sarah Goeke</i></u></p>		

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Pittsford Planning Board

 Name of Lead Agency
 John Limbeck

 Print or Type Name of Responsible Officer in Lead Agency

 Signature of Responsible Officer in Lead Agency

January 8, 2024

 Date
 Planning Board Chairman

 Title of Responsible Officer

 Signature of Preparer (if different from Responsible Officer)

January 8, 2024

**TOWN OF PITTSFORD
PLANNING BOARD
SPECIAL USE PERMIT RESOLUTION
X-Golf (Restaurant)
3349 Monroe Ave, Pittsford Plaza #41
Tax Parcel #150.12-1-18**

WHEREAS, Access Permits, as agent for Nick Ratcliffe and Wilmorite Management Group, LLC, has made application for a Special Use Permit for a bar and restaurant operation with materials received on November 29, 2023; and

WHEREAS this is an Unlisted Action pursuant to SEQRA and the Planning Board has considered potential impacts as part of a single agency review and granted a negative declaration on January 8, 2024; and

WHEREAS, a public hearing was duly advertised and held on January 8, 2024, at which time it was closed, and public comment was incorporated into the public record; and

NOW, THEREFORE, upon consideration by the Planning Board, of all written and oral submissions and testimony by the applicant, appropriate agencies, and the public, the Planning Board having given this matter due deliberation and consideration; it is

RESOLVED, that the Planning Board of the Town of Pittsford grants Special Use Permit approval based upon the following Findings of Fact and subject to compliance with the following Conditions of Approval:

FINDINGS OF FACT

1. This application proposes to combine the existing Spenga and Body Fuel spaces to create a new 6,700 square-foot X-Golf, which includes 7 indoor golf simulators, bar, kitchen, office, storage spaces, and bathrooms. Food preparation is limited to pre-packaged, frozen appetizer-type foods that will not require open-air griddles or deep fryers.
2. The location of X-Golf within Pittsford Plaza, 3349 Monroe Avenue, is zoned as part of the Commercial District, in which a bar in association with a restaurant is a specially permitted use and requires granting of a Special Use Permit from the Planning Board.
3. Parking in this area of the plaza can be congested, but there is sufficient parking within walking distance.
4. The application materials have addressed possible impacts identified in the Special Permit Section 185-174 of Town Code and the Planning Board has reviewed the possible impacts and concluded the proposed restaurant will not adversely affect surrounding properties.

CONDITIONS OF APPROVAL

1. The renovations to the space must comply with applicable NYS Building and Fire Codes.
2. The applicant shall provide electronic plans for the building interior layout as part of the Building Permit review process. The layout shall include notation of mechanical rooms, utility shut off information and location, alarm panel locations and information relating to the proposed alarm monitoring service. Additionally, the plans shall include location of the fire department connection and riser locations.
3. It is requested that a lock box (to aid in emergency access) be provided with necessary keys to the space.

4. Outside seating is subject to submission of a site plan and verification from the landlord that the sidewalk will maintain adequate pedestrian travel across the front of the building is required. This is subject to approval by the Town of Pittsford Code Enforcement Officer.
5. Signage should conform to the Planning Board's approved Pittsford Plaza Sign Plan regarding maximum size and location of the sign. The design of the sign will be subject to review and approval by the Design Review and Historic Preservation Board.
6. Changes in the type of beverages/food products will require review by the Town of Pittsford Code Enforcement Officer. He/she can require that a new Special Use Permit is applied for if the general nature of the "restaurant" is proposed to change.
7. Details associated with the recessed grease interceptor must be provided to the Building Inspector as part of the building permit application.
8. Sewer Department entrance fees will be due and collected when a Building Permit is issued for the interior renovations.
9. Any new HVAC systems or satellite dishes must be screened from views from public footpaths or parking areas.
10. Town Code Section 185-42 prohibits the amplification of sound outside of the structure.
11. Town Code Section 185-179 provides for revocation of a Special Use Permit should conditions be violated or not fulfilled. The Town may monitor the use to ensure that impacts are controlled or minimized.

The within Resolution was motioned by Planning Board Chairman John Limbeck, seconded by Planning Board Vice Chairman John Halldow, and voted upon by members of the Planning Board as follows:

Paul Alguire	Aye
David Jefferson	Aye
Paula Liebschutz	Absent
Hali Buckley	Absent
Kevin Morabito	Absent
John Halldow	Aye
John Limbeck	Aye

Adopted by the Planning Board on January 8, 2024.

April Zurowski
Planning Assistant