

**AGENDA
TOWN OF PITTSFORD
PLANNING BOARD
JANUARY 22, 2024**

This agenda is subject to change.

Please take notice that the Town of Pittsford Planning Board will hold the following meeting on Monday, January 22, 2024, in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street, and beginning at 6:30PM local time.

The Board will hold an agenda review session in the Second-Floor Meeting Room at 6:00PM.

CONTINUED HEARINGS

Victorian Estates Resubdivision (3096/3092 Clover Street)
Preliminary/Final Subdivision

Bergmann Associates, Oak Hill Country Club (145 Kilbourn Road) Clubhouse Renovations
Preliminary/Final Site Plan and Special Use Permit

OTHER BUSINESS

Pittsford Oaks Apartments Project
Town Board Re-Zoning Application (PUD)

Approval of Minutes

TABLED TOPICS

McMahon LaRue Associates, Geoca Subdivision
Concept Subdivision

The next scheduled meeting is for Monday, February 12, 2024.

**TOWN OF PITTSFORD
PLANNING BOARD
SEQRA RESOLUTION
145 Kilbourn Road (Oak Hill Country Club)
Preliminary/Final Site Plan & Special Use Permit
Tax Parcel # 138.17-1-13.2**

WHEREAS, Bergmann Associates has made application for Preliminary/Final Site Plan and Special Use Permit approval for the construction of an addition to the main clubhouse and accompanying site improvements at 145 Kilbourn Road, with application materials received October 4, 2023, and amended December 27, 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

NOW, THEREFORE, upon careful and deliberate consideration by the Planning Board, of all written and oral submissions and testimony by the applicant, appropriate agencies and the public, and 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. This application proposes a 12,500 square-foot one-story addition to the existing clubhouse, intended to replace the temporary seasonal tent structures. Additionally, new patio areas will be constructed at the south and east sides of the clubhouse and will be used by members for outdoor experiences. Accompanying landscaping and site work surrounding the addition is also proposed.
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. Oak Hill Country Club is listed in the National Register of Historic Sites. Care should be exercised to ensure that this local historic resource is not adversely impacted by this proposal. Oak Hill Country Club has acknowledged its designation and assured the building and site will not be adversely impacted.
4. 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 on the community.
5. Construction of the clubhouse addition is proposed more than 500 feet from the nearest residential property.
6. The permanent enclosed structure should provide for reduced noise impacts to the neighbors, in comparison to the previously used seasonal outdoor tents.
7. The total site disturbance is 1.0 +/- acres for the proposed addition and associated site work. A SWPPP was not required.

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 Member , seconded by Planning Board Member , and voted upon by members of the Planning Board as follows:

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

Adopted by the Planning Board on January 22, 2024.

April Zurowski
Planning Assistant

DRAFT

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: Oak Hill CC Clubhouse Expansion							
Project Location (describe, and attach a location map): 145 Kilbourn Road, Rochester, NY 14618							
Brief Description of Proposed Action: Clubhouse expansion to the south and east as well as patio addition. Expansion of Clubhouse will replace the current tent structures.							
Name of Applicant or Sponsor: Oak Hill CC - Chad Ellis		Telephone: E-Mail: chadellis@oakhillcc.com					
Address: 145 Kilbourn Road							
City/PO: ROchester		State: NY	Zip Code: 14618				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		_____ 327+/- acres					
b. Total acreage to be physically disturbed?		_____ 1.0+/- acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 327+/- 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 checked="" 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							

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)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>CHAO JELLS</u>	Date: <u>8-29-23</u>	
Signature: <u>[Signature]</u>		

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. <u>Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. <u>Will the proposed action result in a change in the use or intensity of use of land?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. <u>Will the proposed action impair the character or quality of the existing community?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. <u>Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. <u>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?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. <u>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?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. <u>Will the proposed action impact existing:</u> 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. <u>Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. <u>Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. <u>Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. <u>Will the proposed action create a hazard to environmental resources or human health?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<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.	
<input checked="" type="checkbox"/> 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 <hr/> Name of Lead Agency John Limbeck <hr/> Print or Type Name of Responsible Officer in Lead Agency <hr/> Signature of Responsible Officer in Lead Agency	<hr/> Date Planning Board Chairman <hr/> Title of Responsible Officer <hr/> Signature of Preparer (if different from Responsible Officer)

**TOWN OF PITTSFORD
PLANNING BOARD
RESOLUTION
145 Kilbourn Road (Oak Hill Country Club)
Preliminary/Final Site Plan & Special Use Permit
Tax Parcel # 138.17-1-13.2**

WHEREAS, Bergmann Associates has made application for Preliminary/Final Site Plan and Special Use Permit approval for the construction of an addition to the main clubhouse and accompanying site improvements at 145 Kilbourn Road, with application materials received October 4, 2023, and amended December 27, 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 22, 2024; and

WHEREAS, a public hearing was duly advertised and held on November 13, 2023, and continued through January 22, 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 Preliminary/Final Site Plan and 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 a 12,500 square-foot one-story addition to the existing clubhouse, intended to replace the temporary seasonal tent structures. Additionally, new patio areas will be constructed at the south and east sides of the clubhouse and will be used by members for outdoor experiences. Accompanying landscaping and site work surrounding the addition is also proposed.
2. Oak Hill Country Club is listed in the National Register of Historic Sites. Care should be exercised to ensure that this local historic resource is not adversely impacted by this proposal. Oak Hill Country Club has acknowledged its designation and assured the building and site will not be adversely impacted.
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 on the community.
4. The total site disturbance is 1.0 +/- acres for the proposed addition and associated site work. A SWPPP was not required.
5. Construction of the clubhouse addition is proposed more than 500 feet from the nearest residential property.
6. The Planning Board has considered the nature of the golf course and this project's proximity to neighbors in reviewing the landscaping plan. The landscaping plan, as submitted on December 27, 2023, is sufficient.
7. The project includes a new 1,500-gallon grease trap. Calculations were reviewed and approved by the Town Review Engineer.

CONDITIONS OF APPROVAL

1. Subject to compliance with or resolution to DRC comments and the applicants written response dated December 27, 2023.
2. Subject to resolution with the Town Review Engineer's comments, dated January 11, 2024, attached hereto.
3. Please add the following note to final plans: "Town of Pittsford Code Enforcement Officers can require shielding of light sources that are visible from public ROWs or residential homes."
4. Please add the following note to final plans: "Site entrances and roadways may not be blocked to impede emergency access at any time during construction."
5. Minor adjustments to the approved landscaping plan are subject to Department of Public Works approval.
6. This application is subject to Design Review and Historic Preservation approval. A building permit from the Town of Pittsford Building Department is also required.
7. Pittsford Sewer Department entrance fees will be due prior to the issuance of a building permit.
8. Six full-size copies of complete plan sets should be submitted to the Town for Planning Board signature and shall include a letter outlining how these Conditions of Approval have been addressed.
9. Subject to applicable regulatory approvals, including but not limited to: Pittsford Sewer Department, Monroe County Water Authority, and the Town Review Engineer.

The within Resolution was motioned by Planning Board Member _____, seconded by Planning Board Member _____, and voted upon by members of the Planning Board as follows:

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

Adopted by the Planning Board on January 22, 2024.

April Zurowski
Planning Assistant

From: [Willard, Dave](#)
To: [Doug DeRue](#)
Cc: [April Zurowski](#)
Subject: Oak Hill Clubhouse Expansion
Date: Thursday, January 11, 2024 1:14:16 PM

[EXTERNAL]

Hi Doug,

We reviewed the revised drawings for the Oak Hill Clubhouse expansion. It appears they have addressed most of the comments from the DRC report. I did have the following remaining comments:

1. Please review the 90 ft run of 4" sewer lateral on sheet C110. Based on the inverts provided at the building and the grease interceptor, the pipe gradient is only 0.56%.
2. Please review the 79 ft run of 6" sewer lateral on sheet C110. Based on drawing scale, this pipeline is 68' in length.
3. Please review the 8.3% pipe gradient to Drywell 1. Based on the inverts provided and the pipe length, the pipe gradient calculates as 13.3%
4. In order for us to better understand the storm water runoff calculations from the roof to drywells 1, 2, and 3, please depict the formulas utilized for the runoff volume calculation. Although the calculations state that a 5-minute time of concentration is being utilized, it appears the actual storm runoff volume calculations utilized a larger time of concentration value based on the volumes provided. Additionally, please provide a narrative of how the storm intensity and time of concentration were derived.

Please let me know if you have any questions on these comments.

Thanks

Dave

DAVID R. WILLARD, P.E.
Senior Project Manager
d: 585.340.3642



The Culver Road Armory
145 Culver Rd #160, Rochester, New York 14620
t: 585.381.9250
m: 585.703.7278

January 9, 2024

Town of Pittsford Planning Board
Doug DeRue, Director of Planning
Robert Koegel, Town Attorney
11 South Main Street
Pittsford, NY 14534

RE: Responses to Memorandum of January 5, 2024 – Rezoning application for Pittsford Oaks

Dear Mr DeRue-

We would request that this e-mail / letter and the attached notes be transmitted to the Planning Board for their consideration in advance of the members providing comments to be compiled and incorporated in the Planning Board's report. For ease of review, we have placed our comments as responses to each section you have cited.

First, we are disappointed by the argumentative and hypercritical tone of your attached memorandum. Having attended both Planning Board meetings, the Board was very attentive to our presentation, with generalized questions on a number of topics. So for the information of the Planning Board members who have not been able to attend the meetings (and those who have), we would like to make clear that the questions that you have attributed to the Planning Board are, in fact, questions that you have framed, for which you have strongly advocated your position.

While you may have a preference for senior housing, our proprietary market studies have shown a need for rental housing in Pittsford at a reasonable price point, which is not age restricted (but with our expectation that many renters will be 55+ and downsizing). Your critique of our answer to your questions as "poorly answered", is a matter of your opinion.

While you may have strong opinions on the amount of parking necessary for multi-family developments, it must be noted that the Town Code does not call out a parking ratio for apartments, so the wisest course is to rely on experience data as analyzed by the Institute of Traffic Engineers and experience from similar projects (such as our Bellagio project in Penfield). Arbitrarily recommending a cut in the number of apartment units from 192 to 130 (based upon implying a 2 car per apartment standard that is not in Code) is unwarranted at this stage. For example, a smaller number of units may adjust the project footprint and increase the availability of surface parking.

With those introductory comments, the attached represents a fuller discussion of the issues you have raised. We look forward to working with the Town to achieve a development in accord with the Comprehensive Plan goals of diversification of housing stock within the Town, which is financially viable.

Thank you for your consideration,



Anthony Daniele

Planning Board Question: Why can't this complex be limited to senior housing?

The applicant's response was poorly answered. Cloverwood currently has 64 senior living units in one and two-unit ranch style buildings. This proposal could be for independent living in multi floor senior apartments, which is a different style of living than Cloverwood and would not directly compete with Cloverwood's current offerings. The Town Board should require verification of financing refusal to accept the applicant's reasoning for not providing senior housing. Senior housing remains the best use of the property and clearly meets the Town's Comprehensive Plan (see pages 34 and 37 of the Comprehensive Plan, next page).

Developer's Response:

There are several reasons why the applicant is not proposing a senior living facility on this site.

1. Cloverwood Senior Living, arguably a leader in our community pertaining to senior living, went through an exhaustive process to acquire approvals for a senior living facility. Based on the amenities, restrictions, and general standards for a senior apartment project, Cloverwood determined, in their professional opinion, that this project was not feasible financially nor viable based on the current market demand for senior living paired with the increased cost that would have to be passed on to tenants.
2. While the applicant agrees that there is certainly demand for housing for those 50+, and believes that a majority of the tenants of the Pittsford Oaks Apartments will in fact be in that age demographic, the fact is, most people between the ages of 50 and 65 do not want to live in "Senior Housing" because it implies "a place where old people live". From a marketing perspective, senior housing is not desirable for those 50-65.
3. The applicant strongly disagrees with the statement that "Senior housing remains the best use of the property" when the town has no data to back up such a speculative statement of opinion.
4. The Comprehensive Plan (page 34) reads: "Allow for diversification of housing stock within the Town to accommodate shifting preferences, (note the comma) including housing options specifically suited for residents of age 55 and older" The comma grammatically indicates including but not limited to... . When the Comprehensive Plan references shifting preferences, this reiterates the need for housing that is accessible to both those who consider themselves seniors (70+) and a place where a person 55 and older (who may not *consider* themselves a "Senior") wants to live, which ironically is most likely NOT "a place where old people live" i.e. Senior Apartments.
5. The Comprehensive Plan (page 37) reads: "The Plan's recommended actions regarding residential development specifically include considering incentives for developers to provide more housing options for residents of age 55 and older at lower cost than typically available in Pittsford". This application provides exactly that, and the "incentive" that the developer is seeking is the allowance for higher density. To be clear, if the Pittsford Oaks project were to be a lower density, senior only living facility, it would have to be an elite, higher-end facility that would be priced in a way not in keeping with this "lower cost" objective. The approved Cloverwood project was expected to sell units to seniors at or above \$1 Million per unit.

Planning Board Concerns for Parking:

The provided parking data has errors, inconsistencies, and irrelevant references and should not be accepted. The stated number of beds proposed at Pittsford Oaks appears to be incorrect when compared to the site plans, which indicate the 191 units will have 275 bedrooms, not 243 as the letter states. It is difficult to determine the number of bedrooms in different apartment projects and I am yet to locate a zoning code or parking standards that references bedrooms in addition to units.

Developer's Response:

The stated number of beds is based on experience showing that many 2- and 3-bedroom units are actually not 2 or 3 beds. Many bedrooms are in fact used as offices, storage or fitness rooms. While we will not know the exact number of beds, the developer stands by the number of approximately 243.

The Institute of Transportation Engineers (ITE) is a valuable reference for traffic and parking, but most locations have unique circumstances that override "average rates" or charts from other areas. The location and site constraints must be given primary consideration when making determinations for parking requirements. This site has no public transportation and no room for future parking expansion. It also is within 10 minutes of five colleges.

Developer's Response:

The Institute of Transportation Engineers is the most commonly relied upon source of information as pertains to transportation, including parking. While Pittsford is a great place, it is not unique and in fact very typical for a suburban town. The trend towards not "overparking" projects stems from past practices which forced more parking "just in case" and yielded unsightly impervious parking fields as seen in malls, Pittsford plaza etc. Trends also point to more alternative means of transportation like Uber and electric bikes, which have reduced the number of vehicles owned per working class capita.

The applicant is also working with adjacent property owners and tenants like the Ryan owned office park and Pittsford Federal Credit union to allow for an agreement by which, in the highly unlikely and infrequent need for additional overnight parking, tenants would have the legal ability to use these adjacent parking areas for overflow. Since the peak parking demand for apartments is overnight, this potential additional parking does not conflict with the day-time retail demand of these adjacent parking areas during open hours. This is also a more favorable green environmental development practice to maximize the available parking fields rather than simply overbuilding.

*The National Apartment Association (NAA) provides guidance for both developers and renters in regard to parking, but unfortunately fails to acknowledge a municipality's point of view and responsibility. Therefore, the following referenced statement shows suggestion to minimizing parking, clearly a push to maximize profit: "Apartment community developers, owners and operators who are not yet addressing this in their business plans will find themselves missing opportunities for operation efficiencies and **maximizing revenue sources** [emphasis added]." The materials from the NAA have no specific data that directly relates to Pittsford. The Town must ensure that parking is sufficient now and in the future. The Town's goal is not to maximize profit, but to ensure there is enough parking for its residents.*

Developer's Response:

The NAA is another commonly used reference tool. A site that is parking deficient causing tenant fatigue and stress does compromise profitability, therefore the goal is to have correct parking, but not significantly more than is needed, which is what this application proposes.

*The amount of parking for Pittsford Oaks Project is currently **not 282** spaces. 21 spaces proposed in the Town's right-of-way (ROW) must be removed and will not be allowed. The current plans indicate 261 viable spaces. Spaces shown in the ROW can be dangerous, may make snow plowing more difficult, will take up the area where grass and trees are planted, and may lead to future developers counting on the creation of parking in the ROW.*

Developer's Response:

We acknowledge the Town's position on these 21 spots and will work with the Town and Planning board on final site design at the appropriate time. These parking spaces mimic the similar parking that is currently along the same right-of-way across the street. The 21 spaces can be shifted closer to the development with an access road without encroaching on the ROW, however this would eliminate more green space and add more unnecessary asphalt that would be impractical. Given the very low level of traffic on this roadway, off street parking is a common use of ROW. Additionally, at a minimum, some parking, perhaps parallel to the ROW may be appropriate and can be contemplated during this stage or a later stage of the application process.

The Bellagio Waterfront Apartments in Penfield - Daniele Family Companies:

The applicant's provided information has several errors when reviewed against the approved and signed site plans for this project. Most importantly, Town of Penfield zoning requires 2 parking spaces per unit and 190 parking spaces are required and provided. Notably, there is also direct access to an additional 113 shared parking spaces.

Developer's Response:

The applicant's provided information is in fact very accurate. The final approved project was amended to 98 units from 95. The applicant has been forthcoming throughout this application and takes offense to being accused of providing false information. The Bellagio Apartments have 145 exclusive parking spaces on the premises for 98 units, a 1.48 space per unit ratio. This is adequate parking for the facility and as shown in the provided parking study, there are always empty spots in the garage and rarely is the overflow occupied by tenants or guests. Pittsford Oaks does contemplate overflow parking if ever necessary. Like the PUD, Bellagio is located in a special zoning district and parking codes do not apply. Pittsford does not have a parking code for apartments and therefore, the developer must rely on experience, ITE and other professionally recognized data sources.

A table from The Bellagio site plans:

<u>PARKING REQUIREMENTS</u> STALLS (APARTMENTS)	<u>REQUIRED</u> 2/UNIT (190)	<u>PROVIDED</u>
COVERED PARKING		98 (IN BASEMENT)
SURFACE PARKING		75 SHARED SPACES TO EAST
		83 SHARED WITH MARINA
		<u>47 ON PROPERTY</u>
STALL SIZE	9'x18'	TOTAL = 303 9'x18'

The applicant has provided parking counts from The Bellagio and the aerial pictures provided document many empty spaces. Please note that there are 95 units and 145 spaces+ shared parking, totaling 303 spaces.

The Town must ensure that parking is sufficient for the proposed site now and in the future. No overflow, shared, or visitor parking currently shown on the Pittsford Oaks plans.

Developer's Response:

The chart taken from the Bellagio application was provided to the Town of Penfield at the Town's request and as a response to a question about the shared parking. Additionally, the Bellagio parking study provided was conducted when ALL OF THE SHARED PARKING USES were not in use. The marina is closed for the winter and at 2am in the morning the restaurant is closed. The Bellagio parking study was conducted at a time when the parking represented ONLY the parking counts of the Bellagio at its most peak parking time. If the Town of Pittsford would like information provided to reiterate that there is

shared parking available for the Pittsford Oaks Apartments, this can be added to the application. There are approximately 55 parking spots at the Pittsford Federal Credit Union and 79 parking spots in the Ryan Office Parking area adjacent to the Pittsford Oaks project (Buildings 10, 20 and 30). All these overflow spots are not used during off business hours and provide up to an additional 134 emergency overflow parking spaces which would bring the combined exclusive and shared parking ratio to approximately 416 or a 2.1 parking spaces per unit based on 191 units.

The parking table provided in the submission and has no relevant information, please see below.

Developer’s Response:

Stating that a table, showing other apartment projects plus averages taken from nationally recognized data sources, **“has no relevant information”** is argumentative and hypercritical.

APARTMENT PARKING RATIOS							
	UNITS	BEDS	PARKING	PER UNIT	PER BED	ACTUAL/UNIT	ACTUAL/BED
Bellagio	98	161	148	1.51	.91	139/1.41	139/.83
Cloverwood	115	218	158	1.37	.72	-	-
Elmira Apts	116	-	164	1.41	-	-	-
Corning Apts	131	-	171	1.30	-	-	-
Pittsford Oaks	191	243	282	1.47	1.16	-	-
AVG SUBURBS	-	-	-	1.25-1.50	-	-	-
AVG MID-RISE	-	-	-	1.27-1.35	-	-	-

The Bellagio statistics are incorrect according to the approved site plan. Cloverwood is senior living, which generates different parking needs than an unrestricted apartment use. Elmira and Corning apartments have little in common with Pittsford. Why are local examples like Dunnwood Green (2.3 spaces per unit) and Kilbourn Place (2 spaces per unit) not used? The Pittsford Oaks statistics are incorrect. The number of beds should be 275 and parking of 21 cars in the Town of Pittsford ROW will not be allowed and should be subtracted. This table should indicate 261 parking spaces at Pittsford Oaks.

Examples of Parking and Neighboring Towns' Requirements:

Parking Requirements from Neighboring Towns' Zoning Codes:

<i>Brighton</i>	<i>2 spaces</i>	<i>per unit</i>
<i>Henrietta</i>	<i>2.5 spaces</i>	<i>per unit</i>
<i>Penfield</i>	<i>2 spaces</i>	<i>per unit</i>
<i>Webster</i>	<i>2 spaces</i>	<i>per unit + overflow of 1 space per 4 units</i>
<i>Greece</i>	<i>1.75 spaces</i>	<i>per unit</i>

Developer's Response:

The applicant can show many additional municipalities who have parking codes that are far less than those cherry picked above. There is no evidence that larger ratios are necessary or useful and in most cases were developed 20 or 30 years ago without regard to less impervious areas and antiquated municipal development practices. Below are additional current local parking codes for apartments in Monroe County.

Village of Pittsford	1.2 spaces	per unit
Gates	1.5 spaces	per unit
Hamlin	1.5 spaces	per unit
Scottsville	1.5 spaces	per unit
Rochester		1 space / bedroom, 1.2 space / 2-bedroom, 1.5 space 3-bedroom

In response to why parking studies for Dunwood Green and Kilbourn Place were not used; Dunwood Green remains under construction and is not yet 100% filled or completed which would render any parking study too open ended and incomplete, and the Kilbourn Place development includes many parking garages that are inaccessible to the public to conduct a proper count. It can, however, be verified by any member of the public driving through either Dunwood Green or Kilbourn Place and witnessing a tremendous amount of empty parking spaces at all hours of the day, including peak times past midnight. One may also conclude by driving through those two developments that there is an over built and excessive amount of parking available. These developments also have private garage units or non-shared parking spaces. Pittsford Oaks is proposing all parking is shared parking which maximizes the use of and efficiency of the parking areas.

A Pittsford apartment complex, Wood Creek Apartments, built in the 1980s, has 1.6 spaces per unit and has proven not enough with residents often "making their own spaces" where not permitted. The Town has since learned from this complex and was able to improve parking ratios at newer developments, like Kilbourn Place Apartments.

Developer's Response:

As mentioned several times, Wood Creek and Pittsford Village Estates have been researched using historical photography going back to 2011 and have found no evidence that the parking at those complexes is insufficient. What was found was that tenants and guests tend to park as close to their front door as possible and sometimes illegally on the main road ways, instead of using the many available spaces in the rear. Those residents are parking on the roadways not because of lack of spaces, but for a desire of convenience. It would be reckless to use these developments as reasons for the needs for over developed parking fields. Both of these projects have private garages, which again, are much less efficient and exclude the benefits of shared parking.

Pittsford Oaks should be held to a minimum of 2 parking spaces per unit, which is consistent with nearby Town's Zoning Codes and was recently approved and built at Kilbourn Place Apartments and Dunnwood Green Apartments.

*Using this math, the current site plan has 261 viable spaces, meaning that if approved for unrestricted apartments available to all ages, the project should be limited to **130 units**.*

Developer's Response:

While you may have strong opinions on the amount of parking necessary for multi-family developments, it must be noted that the Town Code does not call out a parking ratio for apartments, so the wisest course is to rely on experience data as analyzed by the Institute of Traffic Engineers and experience from similar projects (such as our Bellagio project in Penfield). Arbitrarily recommending a cut in the number of apartment units from 192 to 130 (based upon implying a 2 car per apartment standard that is not in Code) is unwarranted at this stage. Additionally, commenting that this project should use nearby parking codes but not referencing the nearest zoning code, the village of Pittsford's 1.2 spaces per unit code, is inconsistent and misleading to those attempting to review the project.

DRAFT MEMORANDUM

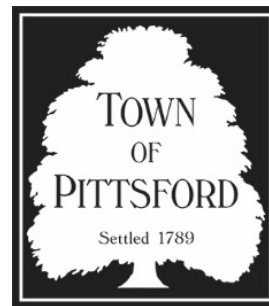
To: Town Board

CC: Doug DeRue, April Zurowski, Robert Koegel

From: Planning Board

Date: January 22, 2024

Regarding: Pittsford Oaks Re-Zoning Application – Advisory Comments



As you know, the Town Board has received an application to rezone Parcels 8 and 12 of the Tobey Planned Unit Development (PUD) at the intersection of Clover Street and West Jefferson Road to allow the construction of up to 191 units of market rate residential apartments. Currently, the parcels are zoned to allow the construction of up to 115 units of senior housing (although the previously-approved, unbuilt project for the parcels was for 106 units of senior housing).

Under Town Code § 185-75(B)(1), whenever any planned unit development is proposed, the Town Board must submit the application to the Planning Board for its “input” through a non-binding advisory report. The Planning Board has received the application, as well as additional plans, reports, and commentary from the applicant, the Planning staff, and the public, and has considered this material at a public workshop as part of its regularly-scheduled meetings on December 11, 2023 and January 8, 2024, consistent with Town Code provisions. This memorandum, which is a distillation of comments from individual Planning Board members, constitutes the Planning Board’s advisory report on the subject application.

On the subject of change of use from senior to market rate housing.

The Planning Board recognizes that the use of this property as senior housing would foster an explicit goal of the most recent update of the Town Comprehensive Plan and should generate, on a unit by unit basis, less traffic congestion than market rate housing. Should market rate housing be allowed, there may be ways to incorporate the benefits of senior housing. For example, a certain number or percentage of units could be designated for seniors only. Alternatively, the target group of tenants could be empty nesters and 50 plus year olds to address concerns of having peripatetic college students as tenants.

On the subject of sufficient parking for the project.

The applicant proposes to provide 282 parking spaces (mostly underground below the apartment building) for the proposed 191 residential units, for a parking ratio of 1.48 spaces per unit. However, 21 of those proposed spaces are on the surface in the Town’s right of way along

Tobey Village Road and will not be allowed. Moreover, the Planning Board is not in favor of providing additional surface parking spaces on the verdant land of Parcel 12, adjacent to the Town-designated landmark at 2867 Clover Street. Thus, the actual parking ratio for the proposed project appears to be 1.37 spaces per unit.

There is some dispute over the proper parking ratio for the proposed project. The applicant points to industry standards and certain projects within and without the region to establish a parking ratio roughly between 1.2 and 1.5 spaces per unit as adequate for a multi-family residential project. The Planning Department looks to the actual parking ratios in the nearby Dunnwood Green apartment complex on West Jefferson Road just over the Henrietta border (2.3 spaces per unit) and recently built Kilbourn Place apartments on East Avenue (2 spaces per unit), as well as the parking requirements in nearby towns (running between 1.75 spaces and 2.5 spaces, with 2 spaces predominating), to propose a parking ratio of at least 2 spaces per unit.

The Planning Board concludes that a parking ratio for this project of 1.37 spaces per unit is too low and that a ratio at or near 2 spaces per unit should be a prudent target, if not a minimum requirement. Assuming the current site plan has 261 viable space (282 proposed spaces, minus 21 spaces not allowed) and a parking ratio of 2 spaces per unit, the project could be limited to 130 units.

On the subject of number of allowed units.

The consensus of the Planning Board is that the proposed unit count of 191 units is too high. Furthermore, creating more parking spaces to accommodate 191 units based on a parking ratio of 2 spaces per unit is not recommended. The allowable number of units should be somewhere between 120 and 170 units, with the optimum number between 130 and 150 units. It is noted that if 261 parking spaces were provided at a parking ratio of 1.75 spaces per unit, the project would yield about 150 units.

On the subject of traffic congestion.

The Planning Board recognizes that any new development of this property will generate additional traffic impacts over the existing conditions, but this project should not cause unreasonable additional traffic impacts. Nevertheless, some nearby residents will notice additional traffic congestion with this project and may find it more difficult to enter and exit their residential subdivisions.

**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

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