

Minutes of the Pittsford Town Board for March 5, 2024

**TOWN OF PITTSFORD
TOWN BOARD
MARCH 5, 2024**

Proceedings of a meeting of the Pittsford Town Board held on Tuesday, March 5, 2024, at 6:00 P.M. local time in the Lower-Level Meeting Room of Town Hall, 11 South Main Street, in person.

PRESENT: Supervisor William A. Smith, Jr.; Councilmembers Naveen Havannavar, Cathy Koshykar, Stephanie Townsend, and Kim Taylor.

ABSENT: None.

ALSO PRESENT: Staff Members: Robert Koegel, Town Attorney; Paul Schenkel, Commissioner of Public Works; Renee McQuillen, Town Clerk; Jessie Hollenbeck, Recreation Director; Doug DeRue, Director of Planning, Zoning & Development; Kelly Eldred, Assistant to the Supervisor; Shelley O'Brien, Communications Director; Spencer Bernard, Chief of Staff.

ATTENDANCE: Sixteen members of the public along with an interpreter attended.

Supervisor Smith called the Town Board meeting to order at 6:00 P.M. and invited all to join in the Pledge to Flag.

SUPERVISORS ANNOUCEMENTS

The Supervisor thanked the Monroe County Sherriff's Officers for their response to the recent criminal assault at St. John Fisher University. He commended the victim for her courage and presence of mind that avoided a situation that could have been much worse.

The Supervisor acknowledged March as Women's History Month and encouraged residents to see the library's offerings and exhibits on the subject. On behalf of the Board he wished a Happy Birthday to Councilmember Havannavar.

MINUTES OF THE FEBRUARY 22 MEETING APPROVED

A Resolution to approve the minutes of the Town Board meeting of February 22, 2024, was offered by Councilmember Havannavar, seconded by Deputy Supervisor Taylor, and voted on by members as follows: Ayes: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that the Minutes of the February 22, 2024, Town Board meeting are approved.

LEGAL MATTERS

PUBLIC COMMENTS

No comments were submitted.

SET PUBLIC HEARING FOR TOBEY PUD ZONING AMENDMENTS

Supervisor Smith began his remarks noting in his review of the updated documents the points requiring resolution at the February 6 meeting have been addressed. Those items were:

1. Change in use from Senior housing to market rate housing.
2. Maximum number of units to be no greater than 175

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3. Number of parking spaces to be determined by ratio of 1.75 spaces per dwelling unit, with some willingness of the Board to accept fewer spaces if developer provides precise height measurements showing same elevations as approved in 2018 PUD revision.
4. Resolution of setbacks insofar as related to Fire Department issues: fire lane restrictions/guidelines, access to the building by firefighting vehicles and ladders.
5. Landscaping plan to be part of application.
6. Consideration of building height to including impact on the historic home on Clover Street adjacent to Parcel 12
7. Parcel 12 – since nothing is intended for this parcel other than a lane for fire and emergency, Board to change permitted uses for Parcel 12.

Deputy Supervisor Taylor inquired if the Public Hearing should be moved from the April 2 meeting since it falls during school spring break and that might impact attendance. Following discussion among the applicant, staff, and board members a revised hearing date of April 16 was agreed upon. The applicant commented on the decreased square footage proposed for signage as compared to the PUD's current provision for signs. After comments from Doug DeRue, Director of Planning, Zoning, and Development; and with clarification that the PUD could be amended during the Public Hearing it was determined to leave the proposal for signage at 28 sq. ft. in place, for purposes of the draft local law for setting a public hearing. The topic will be revisited following the Public Hearing process and prior to a Board vote to approve the PUD revision.

Councilmember Townsend made the motion to set the Public Hearing for Local Law #4 for the amended date of April 16, 2024, seconded by Deputy Supervisor Taylor and with members voting as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was deemed carried as follows:

WHEREAS, true and correct copies of proposed Local Law No. 4 of 2024: Amendment to the Provisions of the Tobey Planned Unit Development District (Tobey PUD), Parcels 8 and 12, were delivered to each member of the Town Board; and

WHEREAS, due consideration has been given to the adoption of said proposed Local Law No. 4 of 2024, by all members of the Town Board who were present; and

WHEREAS, it was the considered opinion of all members of the Town Board who were present that a public hearing should be held on the 16th day of April, 2024, at 6:00 p.m. at the Town Hall, 11 South Main Street, Pittsford, New York, to consider the adoption of said proposed Local Law No. 4 of 2024; and

WHEREAS, by resolution duly adopted by the Town Board on November 21, 2023, the Town Board declared its intent to act as lead agency under the New York State Environmental Quality Review Act ("SEQRA") for a coordinated environmental review of the rezoning of Tobey PUD Parcels 8 and 12 to allow the construction by 2851 Clover, LLC (the "applicant") of a market rate apartment house called "Pittsford Oaks" (the "Project"); and

WHEREAS, the applicant has presented the Town Board with certain materials, including a completed SEQRA full environmental assessment form (EAF), Part 1, for the Project;

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NOW, on motion duly made and seconded, it was

RESOLVED, that a public hearing be held on the 16th day of April, 2024, at 6:00 P.M., Local Time, at the Town Hall, 11 South Main Street, Pittsford, New York, on the question of the adoption of said proposed Local Law No. 4 of 2024; and be it further

RESOLVED, that a Notice of Hearing and a copy of said proposed Local Law, or a summary thereof, be published in a newspaper previously designated as an official newspaper for publication of public notices, not less than five (5) days prior to said hearing; and be it further

RESOLVED, that the Town Clerk shall post certified copies of both this Resolution and said proposed Local Law, or a summary thereof, on the bulletin board, maintained by the Town Clerk pursuant to §40(6) of the Town Law, for a period of not less than five (5) days prior to said public hearing; and be it further

RESOLVED, that the Town Board has determined that the Project is a Type I action as defined under SEQRA; and be it further

RESOLVED, that the Town Board hereby accepts the Part 1 EAF for the Project, dated February 15, 2024, and prepared by Passero Associates on behalf of the applicant; and be it further

RESOLVED, that the Town Board ratifies its intent to serve as lead agency to conduct a coordinated environmental review to amend the Tobey Road PUD for Parcels 8 and 12 to construct the Project, and that the Town Clerk is directed to notify the identified involved agencies of the Town Board's intent to act as lead agency for the Project and to provide them with a copy of Part 1 of the full EAF.

OPERATIONAL MATTERS

PUBLIC COMMENTS

No comments were submitted.

APPROVAL OF 2024 FOOD VENDING PERMIT FOR HARLADAY HOTS

In response to a question from Councilmember Koshykar, the Commissioner of Public Works, Paul Schenkel, explained that no other vendors applied for food vending permits for the upcoming season at either venue under consideration tonight, other than the submitters of these two applications. Thereafter a Resolution to authorize issuing a Food Vending Permit to Harladay Hots was offered by Supervisor Smith, seconded by Councilmember Townsend, and voted on by board members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared carried as follows:

RESOLVED, that Town Board approves the proposed Food Vending Permit to Harladay Hots, Inc., for a vending unit located at 10 N. Main St., from May 1 to October 31, 2024, seven days a week from 10:00 a.m. – 3:00 p.m. and that the Town Supervisor is authorized to issue the Permit.

APPROVAL OF 2024 FOOD VENDING PERMIT FOR Z-BEST FOODZ

A Resolution to authorize issuing a Food Vending Permit to Z-Best Foodz, Inc. was offered by Deputy Supervisor Taylor, seconded by Councilmember Townsend, and voted on by board members as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

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The Resolution was declared carried as follows:

RESOLVED, that Town Board approves the proposed Food Vending Permit to Z-Best Foodz, Inc., for a vending unit located at Thornell Farm Park from April 1 to October 31, 2024, Monday – Sunday from 12:00 p.m. – 9:00 p.m. and that the Town Supervisor is authorized to issue the Permit.

RECREATIONAL MATTERS

PUBLIC COMMENTS

No comments were submitted.

ATTENDANCE AT NYS RECREATION AND PARK SOCIETY ANNUAL CONFERENCE

On motion by Supervisor Smith and second by Councilmember Townsend, Kathleen Laskey and Casandra Schrom were approved to attend the New York State Recreation and Park Society Annual Conference in Glens Falls, with members voting as follows: Ayes: Havannavar, Koshykar, Taylor, Townsend, and Smith. Nays: none.

The Resolution was declared passed as follows:

RESOLVED, that Kathleen Laskey and Casandra Schrom be and hereby are authorized to attend the New York State Recreation and Park Society Annual Conference in Glens Falls, New York, from April 14-16, at a cost of \$1050.

OTHER BUSINESS

Councilmember Townsend shared an Environmental Sustainability Update handout with board members and noted that the Environmental Board anticipated having a draft of a Town Climate Action Plan for board members to review at a future board meeting in April or May.

Councilmember Townsend also asked for an update from Town staff regarding where we stand with ARPA funds, knowing that funds must be committed by December 31 of this year.

PUBLIC COMMENT

Peter Greendyke addressed the board.

With no further business, the meeting adjourned at 6:34 P.M.

Respectfully submitted,

Renee McQuillen
Town Clerk