

Village of Hilton Zoning Board
Meeting Minutes of June 13, 2017
Approved

- Member's Present: Richard Bjornholm, Richard LaForce, Pat Holenbeck, Shelly Kordish and Murray Weaver
- Administration Present: Code Enforcement Officer Mike Lissow, Mayor Joe Lee, and Recording Secretary Debbie Jones
- Guests: Al LaRue (McMahon LaRue Associates), Larry Gurslin, Laurie Case, Thomas Tydings, Tim Salata

Chairman Rick Bjornholm called the meeting to order at 6:30 p.m. with the Pledge of Allegiance to the flag.

Chairman Richard Bjornholm explained the functions and responsibilities of the Zoning Board.

PUBLIC HEARING – 80 PARK SQUARE - AREA VARIANCE

Application of Barrington Residential (Parkwood Manor), 80 Park Square, for 2 Area Variances as follows:

- To construct a structure with a 35' front setback. Per Section 24-304 D 4 (a) the front setback shall be 50'
- To construct the same structure with an 11.5' side setback. Per Section 24-304 D 4 (c) the side setback shall be 30'

This property is zoned multi-residential.

Al LaRue, McMahon LaRue Associates P.C. presented to the Board the intent of this application of Barrington Residential (Parkwood Manor LLC) is to construct a one-story office and workshop. Based on properties of 3 different land owners in the Parkwood/Park Square area, they found this to be the best location (area within the overflow parking lot) for construction of this project.

Thomas Tydings, 21 Barrington Hills, Pittsford, NY stated the workshop will be for the maintenance men and materials. It will have one garage door on the south side of the building and will match the rest of their buildings.

BOARD QUESTIONS/COMMENTS:

Member Kordish asked if there is currently another workshop. Mr. Tyding's stated it is not theirs but Conifer Realty who owns Hilton Manor Apartments.

Member LaForce has concerns about the overflow parking.

Member Holenbeck asked what will happen with the dumpster that is currently placed in this area. Mr. LaRue stated the dumpster will not have to be moved. Member Holenbeck expressed her concern with the number of cars that are already parking on the street and not using the overflow parking area. Mr. Tydings stated they might not be all of their resident's vehicles.

Member Weaver expressed his concern on the overflow parking. Member Weaver mentioned on his way to the meeting he drove through this area and there is a truck parked in the street, there is a lawn maintenance trailer and a sofa sitting outside of the dumpster. Mr. Tydings stated the lawn trailer is theirs. Mr. Tydings explained when it comes to excess trash by the dumpster sometimes it becomes unavoidable because tenants will move out over the weekend. The trash has to sit there until their refuse pick up day. Member Holenbeck stated it may be a good idea to construct a dumpster enclosure.

Chairman Bjornholm has concerns over the parking. He feels the parking spots being taken away for this project need to be replaced somewhere. Mr. LaRue stated they are only losing 4 parking spaces. There are 14 overflow parking spaces.

PUBLIC COMMENT: Opened at 6:39 p.m.

Lori Case, 765 East Avenue, presented with pictures of trash in her yard that blows in from these units and a roof that has been off a unit and covered with a tarp for 2 years. Mrs. Case stated Barrington has been very uncooperative to deal with, and she has been working with Mr. Lissow for quite some time on all of this. Mrs. Case feels they should be dealing with current issues before starting new ones.

Mr. Tydings stated they had put up a snow fence to see if that helps to eliminate the trash issue. Mrs. Case commented the fence must have been put up the day of the meeting because she has not seen one. Mr. Tydings does not agree that it has been 2 years in regards to the unit without a roof. Before they can roof the unit, testing had to be done for asbestos.

Tim Salata, 64 Parkwood Lane could not ascertain a map from the legal notice. Mr. Salata was shown the map at the Board table.

Code Enforcement Officer, Mike Lissow explained the confusion on the address in the legal notice for this application. The address listed in the legal notice is the rental office for Parkwood Manor LLC (Barrington Residential) not the actual site of construction for the work proposed in the notice.

Larry Gursslin, 165 West Avenue stated he visited the site, found the site address to be how Mr. Lissow explained it. Mr. Gursslin asked if Barrington Residential is the owners and property owners because he couldn't find anyone at the office to answer questions. Mr. Tydings stated Parkwood Manor LLC is the actual property owners but did not know a name to give Mr. Gursslin as a contact person; Mr. Gursslin asked how many units they have and if they are at 100% occupancy. Mr. Tydings stated they are not at 100% and they have 67 units, each with a 1 car garage and 1 single car driveway. Mr. Gursslin stated at this time he is opposed to this variance and asked the Board if he could read a piece of history on Parkwood as he remembers it and his reasoning for opposition dated June 13, 2017. Mr. Gursslin would like this entered into the minutes (see last page of minutes.) Mr. Tydings asked Mr. Gursslin if any of the history he spoke of in his letter in regards to Parkwood is in writing somewhere. Mr. Gursslin could not find anything but was adamant if they needed to bring in Jim Ingham who was the Village Administrator at that time to confer with, they could probably work something out with Mr. Ingham.

Chairman Bjornholm read a letter from DPW Superintendent, Mike McHenry dated June 2, 2017 this letter will also be entered into the minutes expressing his concern after reviewing the proposed garage/office plan on an already stressed parking situation on this street and the entire subdivision. Mr. McHenry did offer options in place of the present plan.

Chairman Bjornholm asked Mr. Lissow for legality purposes if another legal notice needs to be published and another meeting held. Mr. Lissow stated yes and the tax map number would be printed in this legal notice.

Chairman Bjornholm addressed Mr. Tydings in regards to the lawn maintenance and roof issue with Mrs. Case. Chairman Bjornholm stated a snow fence is only a temporary fix and they should possibly look into a more permanent fix to the trash problem. Mr. Tydings stated their maintenance men go out every morning and walk the grounds picking up the loose trash. They were waiting to see if the snow fence would alleviate the problem.

PUBLIC COMMENT was temporary closed at 7.08 p.m.

Review Baptist Church Electronic Sign: Code Enforcement Officer Mike Lissow explained this review is a couple months past their 6 month review because the sign was not constructed immediately. Mr. Lissow stated Mr. Sixt who owns 42 Lake Ave and appeared at the initial meeting with concerns, saw Mr. Lissow the day after that meeting and told him the sign will not be a hindrance to his tenants. There have been no other comments or negative feedback on the electronic sign.

The Board feels the Church has done an admirable job of following our guidelines.

Member Holenbeck made a motion to move the Hilton Baptist Church's Electronic Sign to permanent status with the same conditions excluding the 6 month review

- a. hours of illumination, 6:00 a.m. – 10:00 p.m. (maximum) and during church services.
- b. page presentation, no scrolling
- c. graphics are fine, no animation
- d. height limit is a maximum of 7' and width is 6'8" including posts

seconded by **Member Weaver**, and approved 5-0.

REPORTS:

Mayor	Joe Lee gave his report.
Code Enforcement Officer	Mike Lissow gave his report.
Chairman Bjornholm	Chairman Bjornholm gave his report

DISCUSSION:

Sheds: Chairman Bjornholm asked the Board if they have come to a decision regarding shed sizes. Do they want to go with a percentage of the square footage of the property or just increase the actual shed size?

After some discussion, everyone agreed to increase the shed size to 16'x16' (256 sq. ft), the height requirement "shall not exceed 12 feet at the highest point" and the width or length shall not exceed 20 feet will remain the same.

Chairman Bjornholm will attend the next Village Board meeting on June 27, 2017 and present the Zoning Board's decision.

Solar Panels: Chairman Bjornholm has requested the Board to do some homework on solar panels. After some discussion the Board will do their homework for discussion at the next meeting.

MINUTES:

Member Kordish made the motion to accept the Zoning Board of Appeals May 9th, 2017 meeting minutes; seconded by **Member LaForce**, and approved 5-0.

DATES:

Next Scheduled Meeting	Tuesday, July 11 th , 2017
Public Agenda Deadline	Tuesday, June 27 th , 2017

There being no further business, **Member LaForce** made the motion to adjourn the meeting at 7:58 p.m., seconded by **Member Kordish**, and approved 5-0.

Respectfully Submitted,
Debbie Jones, Recording Secretary

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June 13, 2017, by Harry Gusslin
request, entered into minutes.

To: Honorable members, Village
of Hilton's, Zoning Board of
Appeals.

In 1974, the Village of Hilton's
Planning Board was not experienced
in townhouse development, unlike
the forced HUD development of
Cedar Terrace, or one owner development
of Village II apartments.

The result of ^{Parkwoods} this "hodge-podge"
development over the years has
resulted as we know with numerous
owners, be it individuals, or Park-
wood Manor, or Canfield Development.

In the early 1980's it became
obvious that parking in this planned
residential development, was a problem.
A study was conducted in this PRD
that determined most garages were
being used for storage of bikes,
gas grills and unpacked moving
materials.

Where renters had 2-cars, one would be located in front of the garage and the other "elsewhere". This caused the village of Hilton to modify its local law on street parking, which was also due in part to HS students parking.

Communication also came from the Hilton Fire Department, relative to the blocking of "Five Lanes" by these vehicles.

As a result, it was agreed upon by then owner Max Farash, Village Admin. Jim Ingham and myself as Mayor at the time, to modify the last remaining parcel, in order to provide more parking. (omit the planned building)
It is this parcel we are talking about now.
Furthermore -

Although this proposal will not have any direct effect on me or my family, I'm opposed to the variance requests for the following reasons.

- 1) A detriment to nearby properties will be created by the granting of these area variances, resulting in a undesirable change
- 2) The benefit sought by the applicant can be achieved by some other method, such as renting office space nearby, where empty store fronts exist. Also, the vacant units if occupancy is not 100%.

3) The variance request is substantial being at 27% and 61% respectively. (50 to 35 27%) (30 to 11.5 61%)
In the case of Pecoraro vs the Town of Hamstead, the courts upheld a 27% area var. as compromising the character of the neighborhood,

In conclusion, 4) the alleged difficulty was self created, being that Barrington Residential? knowingly purchased the property without office space.

I respectfully ask the board to deny each of the requests.

To: Village of Hilton Zoning Board

From: Mike McHenry, Superintendent Department of Public Works

Date: June 2, 2017

Re: Proposed Park Square garage

Mike Lissow asked me to look at the plans of the proposed garage in the current parking lot on Park Square. After reviewing this, my concern is regarding the impact this will have on parking in this neighborhood and subdivision. The proposed structure will eliminate 2-3 parking spaces in the current lot. This does not consider additional employees that may be associated with this new structure.

This is a subdivision that already has limited parking which results in overflow parking on the streets. Currently many of the street no parking areas are being violated on a routine basis. This presents extra strain from November 1 – April 1 when there is no overnight street parking on all village streets. This becomes a public safety issue when it interferes with snow clearing operations.

I would strongly suggest consideration be given to the proposed building to minimize its effect on the already stressed parking situation on this street and the entire subdivision. In my opinion, options could include moving the garage to an alternate site that does not eliminate parking spaces or replacing the parking spots that will be lost if the building is constructed in the proposed site.

I appreciate having the opportunity to review this plan and provide feedback regarding the impact it could have on our community. Please do not hesitate to contact me at 392-9632 if you have any additional questions.