

Joseph M. Lee, Mayor

TRUSTEES

Andrew J. Fowler  
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Larry W. Speer  
Shannon Zabelyn

Shari Pearce Village Manager/Clerk  
Jeff Pearce Supt. of Public Works

# VILLAGE OF HILTON

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Hilton Zoning Board of Appeals  
Meeting Minutes of March 10<sup>th</sup>, 2021  
Approved

ZBA Member's Present: Chairman Kim Fay, Murray Weaver, Pat Hollenbeck, Shelly Kordish, and Harry Reiter

Village Board Present: Mayor Joe Lee and Village Board Liaison; Larry Speer

Administration Present: Code Enforcement Officer; Mark Mazzucco, Village Manager/Clerk; Shari Pearce, Deputy Clerk; Amy Harter and Recording Secretary; Debbie Jones

Guests: Linda Viney, John Corcoran, Tom Palumbo (Stantec), Steve Gabriel, Tim Thomas, Keith Bunker, Denise O'Toole, Maureen Spindler, Michelle Stubbings, Frank (Sonny) Sassone.

Zoom Guests: Robert Holden, Shaun Logue and other unidentified guests.

Chairman Kim Fay called the meeting to order at 6:33 p.m. with the Pledge of Allegiance to the flag and a moment of silence.

## REPORTS:

No reports given tonight due to reports given at the meeting the previous night (3-9-21.)

## II. Zoning Segment – Open Public Hearing: 6:35 p.m.

### A. Explanation of ZBA Procedure:

Chairman Fay read the Explanation of the Zoning Board of Appeals procedure.

### PUBLIC HEARING – VARIANCES – 169/171 LAKE AVENUE

- The Village of Hilton Zoning Board of Appeals will consider the application of Providence Housing Development Company for the following variances from the PRD District for the properties located at 169 and 171 Lake Avenue:
  1. To allow development of a senior housing project with 10 units/acre. Per Section 275-19 D.4 – Planned Residential District-Senior density shall not exceed 8 units per acre. Calculation of such dwelling unit density shall not include designated open space.
  2. To allow development of a senior housing project with no buffer zone to the properties within a residential district. Per Section 275-19 D.5 – Effective buffering area shall be

provided where a Planned Residential District-Senior borders on a Residential District. Such Buffers shall be in the form of either single-family residences or its equivalent in open space. Such single-family residences shall be in character and features similar to or exceeding that of the adjacent residential properties. A roadway, street, or alley shall not be used in such buffer area. Trail ways may be provided within such buffer areas of open space. The Zoning Board of Appeals shall determine any additional landscape features as may be necessary to provide an effective buffer area.

3. To allow construction of an apartment building with no basement. Per Section 275-19 D.3 (g) – Full basements shall be required for all single-family homes and apartments.
4. To allow construction of an apartment building with no garages. Per Section 275-19 D.3 (c) – A minimum 12 feet wide single car garage, either attached or detached is required for each unit.
5. To allow construction of an apartment building with no sump pumps. Per Section 275-19 D.3 (d) – A sump pump for each unit is required to be connected to the Village storm sewer.

**Open public comment at 6:45 p.m.**

Robert Holden, 27 Peach Blossom Rd. S (via Zoom) opposes #2 the elimination of the buffer area for reasons such as light pollution and noise.

Shaun Logue is working with Stantec on the lighting. All dark sky friendly, .25 candle spillage and being built in (attached to the buildings) as a condition. Mr. Holden stated he does not want to see commercial light poles.

Michelle Stubbings, 193 Lake Ave. is new to the neighborhood and asked if she could review the plans.

**Member Weaver** made the motion to approve the 5 (five) variances as written:

1. To allow development of a senior housing project with 10 units/acre. Per Section 275-19 D.4 – Planned Residential District-Senior density shall not exceed 8 units per acre. Calculation of such dwelling unit density shall not include designated open space.
2. To allow development of a senior housing project with no buffer zone to the properties within a residential district. Per Section 275-19 D.5 – Effective buffering area shall be provided where a Planned Residential District-Senior borders on a Residential District. Such Buffers shall be in the form of either single-family residences or its equivalent in open space. Such single-family residences shall be in character and features similar to or exceeding that of the adjacent residential properties. A roadway, street, or alley shall not be used in such buffer area. Trail ways may be provided within such buffer areas of open space. The Zoning Board of Appeals shall determine any additional landscape features as may be necessary to provide an effective buffer area.

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5. To allow construction of an apartment building with no sump pumps. Per Section 275-19 D.3 (d) – A sump pump for each unit is required to be connected to the Village storm sewer.

Seconded by **Member Reiter**, approved 5-0.

Public hearing closed at 6:55 p.m.

**PLANNING SEGMENT – CONTINUED SITE PLAN REVIEW– 169/171 LAKE AVE**

- The application of Providence Housing Development Company for continued Site Plan review for properties located at 169/171 Lake Avenue to construct a Senior Housing Apartment Complex. This property is zoned PRD-S.

Robert Holden, 27 Peach Blossom Rd. S (via Zoom) stated he did not receive any notifications of the January meeting nor did Maureen Spindler, 175 Lake Avenue. Mr. Holden also stated the sign advertising for the meeting in January was not placed in the correct location for the property under review. Both Shari Pearce, Village Manager/Village Clerk and Amy Harter, Deputy Clerk stated letters of notification were sent out, once the mail leaves our office it is out of our control. Along with the letters to the neighbors, proper advertising has been done on our website page, Facebook page, signage, and Suburban News. Code Enforcement Officer, Mark Mazzucco stated the Zoning sign he had placed was vandalized. Mr. Mazzucco replaced that sign and added another sign to the rear of the property on the proposed Providence project site. Since this is such an active application, calls could have been made to the office inquiring about meeting dates, etc.

Continued discussion took place on the drainage. Mr. Holden stated with the snow melt and rain the week prior, there was street flooding. Jeff Pearce, Department of Public Works Superintendent was not aware of any flooding that prior week. Mr. Pearce feels the downstream piping is adequate.

Shaun Logue stated he has spoken to Denise O'Toole from St. Leo's; the consensus is St. Leo's has been more than accommodating and everyone has gone above and beyond to work in unison on this project.

Tom Palumbo from Stantec stated their calculations show a decrease flow by 25%.

## **BOARD COMMENT:**

**Chairman Fay** inquired about signage. Mr. Palumbo indicated they would follow the Village regulations and placement would be on the chapel and the driveway.

**Member Holenbeck** brought up the landscaping. Mr. Palumbo the areas on the map have been marked where there will be landscaping. Changes can be made.

It was decided questions like this should be brought up at Site Plan Review.

## **PUBLIC COMMENT:**

Maureen Spindler, 175 Lake Ave. stated she is in favor of this project. Mrs. Spindler asked if there will be an assurance on the drainage/water situation. Village Manager, Shari Pearce stated there will be a written agreement.

Mrs. Spindler also stated she had spoken to Angela Eicholtz with Providence regarding being involved with the landscaping. Tom Palumbo and Mrs. Spindler agreed she will touch base with Angela. Mrs. Spindler is hoping consideration for the neighbors will be taken when choosing the lighting as far as esthetics and direction (illumination). Mrs. Spindler asked if there was any thought of bringing down that tall light pole. Denise O'Toole commented the light pole is not at the forefront of this project but maybe at some point in the future.

Michelle Stubbings, 193 Lake Ave asked if there would be a fence around the dry pond since she has young children. They will accommodate with a barrier around the dry pond. Mrs. Stubbings also asked Mr. Palumbo the length of time the retention pond holds water, again out of concern for her children but also for being a host to mosquito's. Mr. Palumbo stated anywhere from 8-24 hours. Mr. Palumbo is confident this project should eliminate the flooding issue.

## **KEEP Public Hearing open:**

**Next Meeting - March 23, 2021 (special meeting)**

*Chairman Fay made the motion for the Zoning Board to hold a special meeting on March 23, 2021 for site plan review/approval for Providence Housing, seconded by Member Holenbeck, approved 5-0*

**Next Regular Meeting: Tuesday, April 13<sup>th</sup>, 2021**

**Member Reiter** made the motion to adjourn the meeting at 7:39 p.m.

Respectfully Submitted,  
Debbie Jones, Recording Secretary

To: Persons of Interest  
From: Tom Tilebein, Supt. P.W. 1989-2010 (Ret)  
Chairman, Monroe County Stormwater Coalition 2008-2010  
Re: Drainage, Lake Avenue east to Salmon Creek / Senior Proposal

**History:**

Prior to 1998 the rear yards between Lake Avenue & Underwood Avenue were subject to seasonal periods of flooding due to inadequate piping. These storms often impacted and overwhelmed the drainage inlets at #196 Lake Avenue and upstream systems.

This area as well as drainage systems from Underwood Ave., and Short Hills were also problematic during heavy rain / melting events.

**Drainage Improvements:**

With major drainage improvements planned by the New York State Department of Transportation project in 1997-98, the village asked the state to review our proposal to change the stormwater design for Lake Ave.

After their review they agreed that our proposal would not only be less expensive, but would improve the entire drainage system from Lake Ave. to Salmon Creek via Underwood, Turtle Creek, Short Hills, Fraser Drive, and the Hilton High School complex. This was a major undertaking that corrected many village drainage issues.

Due to the shallow depth a triple pipe system consisting of (3) 30" pipes side by side was designed from #196 Lake Ave. thru rear yards to the Short Hills subdivision. From that point an open ditch system would act as a detention system during heavy storms. Road crossings at Short Hills Drive and Fraser Drive were replaced with larger capacity piping. This was designed to handle existing and future drainage impacts.

**Result:** To my knowledge, since this system was installed there have not been any serious flooding issues within this drainage area.

**Senior Housing Proposal:** I have not seen the design for this development, but I would hope that a storm water plan is included. Again without knowledge of the buildings orientation, grading, and proposed impervious surfaces, I can't recommend a location for the storm water structure. However, a known localized "wet area" at the Northeast corner of church property adjacent to the driveway and the rear yards of the Lake Ave homes, may be a viable location. This development should not have a negative impact on downstream areas when a storm water plan has been professionally addressed.

## Debbie Jones

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**From:** Patty Gorman <Patty.Gorman@dor.org>  
**Sent:** Wednesday, March 10, 2021 9:57 AM  
**To:** Village Of Hilton  
**Cc:** pianokey66@gmail.com  
**Subject:** Providence Housing Project

Hello;

I am a Village of Hilton resident and I just wanted to tell you why I support the Providence Housing Project on Lake Ave that is up for discussion:

I had a Mother-in-Law (who died in December 2020 due to Covid) who was visually impaired and getting old. She lost her husband in 1989 and had only my husband to rely on. She lived in Florida and he, here in Hilton. I have lived in Hilton for 57 years and know it's a great place to live!

Thanks to the approval of Hilton Park Senior Apartments, we were able to move her up here the first year they built the apartments. We were so thrilled and so lucky that she was able to continue to live independently AND only one street away from us, especially because here son, Mike, was all she had. One would not understand unless they've been through the scenario.

She made many, many friends at the complex and around Hilton and at St Leo Church.

We know she lived much longer (96) because she was near us and in a beautiful complex and independent. We want other seniors in our area to experience the same things she did. Hilton is a wonderful community to have another Senior Housing built in. The Senior Center would be a wonderful extension, as it was for us, for the seniors. We are aware that Hilton Park is so great that they have a waiting list. We are in desperate need of more housing like that. One such person that would be sooo happy living there would be our past Citizen of the Year, Sharon Prince, who's now in her 80's and in need of Senior Housing.

Aside from the senior aspect, this would bring many, many jobs to Hilton. The area churches would be able to minister greatly to these people. The area doctors ect would be a benefit to all.

Thank you for your consideration in the approval of the Providence Housing Project.

*Patty Gorman*

Director of Music/Liturgy  
St. Leo Church

**Debbie Jones**

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**From:** Leslie McIntyre <lmcintired@aol.com>  
**Sent:** Wednesday, March 10, 2021 11:02 AM  
**To:** Village Of Hilton  
**Subject:** Providence Housing

Dear Board Members:

Now more than ever I am in favor of Sr. Housing. After a year of Covid we are all ready to get our lives back to *normal*. Or should I say the *new normal*.

I think the experiences we all have shared show us how most everyone has been subjected to life altering behaviors. School age children have been greatly impacted by on-line studies and not in a good way. Unemployment has stunted the growth of our country and have put those people in jeopardy of losing their residences. People are without health care etc... Some elderly have been traumatized. A fear of the necessity to staying in their homes thus, not exposing themselves to others. Sometimes relying on strangers to bring them groceries, asking for help getting them to medical appointments etc.. In a residential apartment they would have the camaraderie of having others nearby. A bus to take them where they need to go. Developing new friendships and as restrictions are loosened the ability to walk to churches, grocery store, library, the senior center and the other benefits of living in Hilton. I always thought Hilton was all about diversity. Please vote yes to this project. Show our elders we care. There are always waiting lists for such accommodations. In the future, possibly more projects may be presented to the board. Sources of monies spent will in the long run help the village. In the short term, construction workers will spend money here. And in the future seniors will spend money on goods and services. Have you considered asking businesses in the community to take a survey asking them their opinion?

Please vote yes .Don't let a few naysayers dissuade what is good for our community.

Thank you for your time and consideration.

Leslie McIntyre

**Debbie Jones**

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**From:** Pat B <patty7@rochester.rr.com>  
**Sent:** Wednesday, March 10, 2021 12:53 AM  
**To:** Village Of Hilton  
**Subject:** Providence Senior Housing

This project would be a worthwhile project for the area. Not only would it provide much needed senior housing but it would also provide use for the existing historical property.

Sincerely  
Patty Buskey  
Parishioner of St. Leo the Great