

Hilton Village Board and Zoning Board of Appeals Joint Meeting
Meeting Minutes of October 8, 2019
Approved

ZBA Member's Present: Chairman Richard Bjornholm, Richard LaForce, Pat Holenbeck, Murray Weaver, and Shelly Kordish

Village Board Present: Mayor Joe Lee, Trustees Gates, Speer, Zabelny and Fowler

Administration Present: Code Enforcement Officer; Mike Lissow, Village Manager/Clerk; Shari Pearce, DPW Superintendent; Mike McHenry, Deputy Clerk; Amy Harter, and Recording Secretary Debbie Jones

Guests: Robert Holden, Melinda Holden, Lisa Marcello, Loren Ranaletto, Tom Palumbo, Joe Gibbons, Tim Thomas, Mike Weldon, Sr., Carol Gillette, Laurie Gavigan, Diane Gabriel, Steve Gabriel, Elaine & Ed Begy, Bob Ring, Father Joe Catanise, Denise O'Toole, Mike O'Toole, Paul & Maureen Spindler, David & Debbie Montralloy, Diane Reiter and Harry Reiter, Mark Greisberger.

Mayor Joe Lee called the meeting to order at 6:30 p.m. with the Pledge of Allegiance to the flag and a moment of silence.

Chairman Richard Bjornholm read and explained the procedures of the Zoning Board.

ZONING SEGMENT - PUBLIC HEARING – 169 and 171 LAKE AVE.– AREA VARIANCES

The application of Providence Housing Development Company for the following area variances for the properties located at 169 and 171 Lake Avenue:

1. To allow 4.03 acres to be considered for Planned Residential District-Senior. Per Section 275-19 D. 6 – Properties less than 15 acres in area cannot be considered for Planned Residential District-Senior zoning.
2. To allow development of a senior housing project with 15 units per acre. Per Section 275-19 D. 4 – Planned Residential District-Senior density shall not exceed 8 units per acre.
3. 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.
4. To allow construction of an apartment building with no basement. Per Section 275-19 D. 3 (g) – Full basements are required for all single-family homes and apartments.

5. 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.
6. 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.

PUBLIC HEARING: Mayor Lee opened the Public Hearing at 6:33 p.m.

Tom Palumbo, Stantec, explained that Providence Housing Development Corporation is proposing to construct affordable senior housing and community services. They intend to purchase 4.03 acres of property from St. Leo's Church and develop a two-story building consisting of 50 units. The former church which is currently vacant will be used to provide community services such as health and wellness, social day services or day respite, event opportunities working with the Hilton Parma senior center, community education, special cookout meals for neighbors and tenants. These services would be offered to the entire community and not restricted to residents of the St. Leo's Apartments project. Their intentions for parking are to allow 16 spaces on the south side of the existing building and 53 spaces to the west (rear) of the proposed building. Mr. Palumbo stated the residents tend to move in with one car, but don't keep them. He expects very low traffic with approximately 8 vehicles going out in the morning and 10 returning at night. The main access will be a driveway from Lake Avenue and the existing garage on the property will be utilized. The necessary utilities are all available on site. LED lighting will be used. The lights will point down and will be shielded. There are six variances necessary for the project to be to move forward.

BOARD QUESTIONS/COMMENTS

Member Holenbeck asked what would a buffer consist of? Mr. Palumbo stated the landscape design has not been started as it is early in the process. **Member Holenbeck** asked who determines if more parking is needed? Mr. Palumbo stated if the residents make it known that parking is a problem, it will be addressed. Their goal is to please their residents and keep them as residents.

Chairman Bjornholm questioned the age requirements. This is a 55+ community, the average age is between 65 and 75. Most people move in for physical reasons; cannot climb stairs and prefer having no maintenance living. There is a full-time maintenance staff on site.

Member LaForce asked how many employees will be in the facility? There is a maintenance staff member and a manager, five days a week. The community services building will be staffed depending on the event.

Member Kordish asked if the other facilities are full? Mark Greisberger stated yes, and they have waiting lists. They offer one- and two-bedroom units.

Member Holenbeck questioned the access to the building. There will be a FOB required for entry.

PUBLIC COMMENT:

Tim Thomas, St. Leo's, explained they wanted a proposal that would fit in with the community, including the use of the old church. Mr. Thomas confirmed with Mike Lissow that PRD-S was introduced in the 1990's. Mike also commented the last update to the current zoning code was also done in the 1990's.

Robert Holden, 27 Peach Blossom Rd. S, stated he has reviewed the age requirements of the residents, only one person must be at least 55 years of age, but their family members can be younger. This means there can be people under the age of 55 living here.

Mr. Holden also stated for this to work, St. Leo's needs to sell part of their property, however; some of those who stand to benefit from this sale should recuse themselves from this process in good practice.

Mr. Holden ask if the impervious area on the SEQR form includes the building area? Mr. Palumbo

Answered 1.68 acres are the impervious area, not .78 as stated on the application. At this time, Mr. Greisberger noted that a mistake has been in the paperwork submitted. Mr. Holden noted that he has had flooding problems since the parking lot expansion. There have been times that he has had Code Enforcement contact him for problems with his siding needing repair. He commented that Mr. Klock applied to the ZBA for a variance to construct a building within 5' to the St. Leo's property, it was rejected 4-1. Mr. Holden said this proposal is seeking rezoning and extreme variances, he disagrees with all the requests, this will dramatically change the character of the surroundings, will lower the property values and will cause problems for him to sell his home. Mr. Holden provided the document covering of his concerns, the copy will be filed at the end of these minutes.

Melinda Holden, 27 Peach Blossom Rd. S, stated the assumption that seniors stay indoors all day is silly, additional parking will be necessary. She objects to this project.

Paul Spindler, 175 Lake Avenue, commented this proposal is squeezing more people into density. Aging in place – dementia people who wander and could cause liability.

Maureen Spindler, 175 Lake Avenue, stated by allowing the development of a project of this size without a buffer due to noise and the visual aspect is not acceptable. She noted the size of the building compared to the size of the houses in the area and asked if the units could be broken into small buildings, stating it would be more in keeping with the neighborhood. She would also prefer the units be one story, not two. Maureen provided the document covering all her concerns, the copy will be filed at the end of these minutes.

SEQR – The Village Board has tabled the review of this document. Code Enforcement Officer, Mike Lissow will work with Mr. Palumbo to resubmit the forms with corrections of the impervious ground calculations. Mr. Lissow also stated this project will have to meet the New York State stormwater requirements.

Chairman Bjornholm did not close the public comment portion of this meeting as the public hearing will continue November 12th, 2019.

DATES:

Next Scheduled Meeting	Tuesday, November 12 th , 2019 (Ingham Room-Joint Meeting)
Public Agenda Deadline	Tuesday October 29 th , 2019

There being no further business, **Member LaForce** made the motion to adjourn the meeting at 7:40 p.m., seconded by **Member Weaver**, and approved 5-0.

Respectfully Submitted,
Debbie Jones, Recording Secretary