

**BE IT ENACTED BY THE  
TOWN BOARD OF THE  
TOWN OF PITTSFORD  
NEW YORK  
AS FOLLOWS:**

**LOCAL LAW NO. 4 OF 2024:  
THE ADOPTION 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**

Sec. 1 Title

This Local Law shall be known as “Local Law No. 4 of 2024: Amendment to the Provisions of the Tobey Planned Unit Development District (Tobey PUD), Parcels 8 and 12”.

Sec. 2 Regulation of the Tobey Planned Unit Development District

The provisions of the “Tobey Planned Unit Development Zoning, Land Use and Development Regulations”, originally adopted June 12, 1973, as previously amended, are hereby amended to read as set forth on “Exhibit A”, attached hereto and made a part hereof.

Sec. 3 Severability

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provision been excluded.

Sec. 4 Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

# EXHIBIT A

**TOWN OF PITTSFORD, NEW YORK  
TOBEY PLANNED UNIT DEVELOPMENT  
ZONING, LAND USE, AND DEVELOPMENT GUIDELINES**

**Purpose and Intent:**

In accordance with the Town of Pittsford Zoning Law, the Town Board approved the creation of the Tobey Planned Unit Development District (Tobey PUD) on June 12, 1973. The creation of the Tobey PUD divides the development area into discrete development parcels and stipulated specific permitted uses along with design guidelines.

The purpose of the Tobey PUD is to create a land use pattern and development guidelines that will maintain the quality of life for residents and their neighborhoods, to enhance the rural, historic, open space and agricultural aspect of life for the community, and to protect the heritage of Pittsford by employing design standards that are sensitive to the existing community character while being responsive to the future needs and development goals of Pittsford.

The Tobey PUD achieves these goals by limiting the extent of non-residential uses within the PUD, by specifying the extent of office development, and by requiring architectural and landscape design of a residential nature, all with the purpose and intent of creating and preserving the Jefferson Road/Clover Street intersection as a scenic western gateway to the Pittsford community.

Current and any future considerations with respect to the Tobey PUD must take into account the traffic burdens already experienced by this gateway to the Town, and the increased traffic which will result from development within the Tobey PUD, as well as development within the Town and surrounding communities.

**General Requirements:**

The following general requirements shall apply to all parcels and land use areas described herein.

1. Any infrastructure studies required to accommodate the rational, efficient and cost effective development of the land uses defined herein shall, at the discretion of the Town Board, be prepared by the affected landowners. Costs shall be prorated in accordance with benefits to each landowner as determined by the Pittsford Town Board.
2. Wherever there are inconsistencies between other regulations and these Regulations, the more restrictive will apply unless a determination to the contrary is made upon application to the Town Board.
3. All uses within the Tobey PUD will be subject to site plan review by the Planning Board in accordance with Section 185-76 of the Town of Pittsford Zoning Law. Site specific Environmental Impact Statements may be required for projects to ensure consistency with the Town of Pittsford Comprehensive Plan by virtue of land use, density and design.
4. For purposes of regulating development and use of parcels within the Tobey PUD after initial construction and occupancy, any change of use to one not specified herein may only be authorized by the Pittsford Town Board in accordance with Section 185-70 of the Town

Zoning Law.

5. All buffers and greenways as indicated on the July 15, 1996 URS report and described on the map contained therewith shall be preserved and maintained as part of the PUD. In addition, that parcel of land, as shown on the foregoing map, west of Clover Street and south of the existing Tobey Village Road and east of the access road from the Tobey Village Office Park to the senior living community, shall continue to be preserved as open space, with the exception of the establishment of a parking field (not to exceed 54 spaces) to benefit the Market Rate Apartment House located on Parcel 8 of this PUD.
6. There shall be no storage of any materials outside of any structure, except as may be specifically hereinafter permitted, including any outside refuse containers, dumpsters or other trash receptacles, except that trash receptacles of the minimum size necessary for temporary storage of refuse materials shall be permitted in Parcels 7, 8, 9, 11 and 13 hereinafter described, provided that any such containers shall be approved as part of the site plan by the Planning Board and shall be properly screened from view and appropriately maintained and sanitized so as to avoid health and odor problems. With respect to any approved refuse containers, the hours of collection shall be subject to the approval of the Planning Board.

#### **General Design Requirements:**

In designing site development plans and architectural details for structures within the Tobey PUD, the following guidelines will apply. These guidelines will be followed by all reviewing agencies of the Town of Pittsford.

#### **Design Requirements**

1. Facades of new buildings should be broken down into smaller masses of varied sizes and orientations to create smaller, human-scale, pedestrian-friendly environments in keeping with the residential character of the community.
2. Unless specific provisions to the contrary are provided herein, no structure shall exceed 30 feet in height. Chimneys attached to such structures may extend 10 feet above the highest point of the building structure. One flagpole, used exclusively for the display of flags, not exceeding 30 feet in height, is permitted.
3. A variety of roof types, heights and gable orientations will be provided in order to retain the town's diverse, yet traditional character. Very steep, flat or very low pitched roofs should be avoided.
4. Building design should creatively reflect traditional elements of the Town. Diversity that is in tune with the massing, proportion and street relationships of traditional buildings will be required. Village-like clusters of buildings should be encouraged over individual structures isolated by parking areas or lawns. Dormers and other architectural elements should be kept in proportion with overall building design. Architectural detailing will be used to create variety and interest of new buildings.
5. The use of traditional materials such as painted or stained wood clapboards, end trim and natural brick and stone, should be encouraged. Materials, textures and colors that are

compatible with existing adjacent residential development will be required.

6. A variety of traditional windows will be required. Excessive regularity or irregularity, large picture windows and glass curtain walls shall be avoided.
7. Signage should be used to provide direction to drivers and pedestrians in commercial and office complexes and should be at scale appropriate to such uses. Consistent, well-designed signage systems for each development parcel will be required as an element of site plan approval. Specific signage requirements are detailed in the specific provisions for each development parcel. In no case will illumination of signage be permitted, unless specifically authorized by the Town Board.

### **Landscape Architecture/Site Planning**

1. New buildings are subject to Design Review and Historic Preservation Board approval.
2. New non-residential buildings should be located with parking areas behind the buildings in order to create non-residential centers that reflect traditional development patterns, such as those found in the Village of Pittsford. Resulting developments should preserve a gateway appearance through this intersection.
3. Attractive pedestrian-oriented open spaces should be created by clustering buildings together to preserve open space along other sections of the street or behind the buildings.
4. Street trees will be required to shade and enclose the street and to define the edge of the public areas and private space.
5. Pedestrian-oriented environments, particularly within residential areas, commercial and office complexes and as entry features between parking facilities and buildings in stand-alone developments, will be required.
6. The design of new buildings will reflect the historic architecture of the town in terms of scale, massing, roof shape, gable orientation, window size, shape, and spacing, and exterior materials. Special attention to compatibility of color, materials, form and textures with adjacent structures and the context of the project site with its surroundings will be required.
7. Large buildings will be required to be compatible with the townscape by designing breaks in the building mass and roof lines, and by including appropriate architectural detail. New buildings should be scaled down into groupings of smaller structures to avoid large bulky masses.

### **Parking and Traffic**

1. Where practicable, parking should be located behind commercial and office structures to visually screen them from the road. As an alternative, depressed parking lots that minimize parking lot visibility may be acceptable. Terrain will govern the acceptable parking approach.
2. Landscaping of parking areas designed to provide shade and buffer adjoining uses will be required. Large areas of asphalt should be divided into smaller units through the use of landscaping or other innovative techniques.

3. Adjacent non-residential areas will be required, where practicable, to share parking areas and provide inter-connections.
4. Outdoor lighting should be screened by shields or hoods to prevent glare onto adjacent premises. Intensity levels of individual fixtures should be reduced by utilizing a large number of smaller light poles. In smaller pedestrian areas, lights will be utilized to improve the quality of lighting. All outdoor lighting should be limited to 3,000 K or less.

**Specific Provisions:**

The following land uses, building coverage (maximum square footage), residential unit counts, and site design guidelines will apply to each land use area delineated on the attached conceptual map entitled "Proposed Land Use Plan - Tobey Planned Unit Development" prepared by URS Consultants, Inc. and dated July 16, 1996. SBL numbers identify and describe parcel location and configuration reference official County Tax maps produced and maintained by the Monroe County Real Property Tax Agency, approved in 1981 and revised as of March 19, 1996.

**Parcel 1** (SBL: 163.36-01-51) Tobey Court

Uses: Uses for this parcel will continue as single family townhomes with no more than ninety-four (94) total units developed.

Access: Access will continue to be provided via the present access road, At such time as existing Tobey Road is abandoned as a public road, the Town of Pittsford will ensure adequate access to the realigned Tobey Road is provided.

Landscaping: Will be maintained as currently provided.

Signage: Shall be in accordance with Section 185-134 of the Pittsford Town Code.

**Parcel 2** (SBL: 163.12-2-1) Tobey Crescent

Uses: Currently fully developed with six (6) residential single family units. No additional development will be permitted on this parcel.

Access: Access is provided through Stonecreek Lane which intersects with Tobey Road at a point directly across from Tobey Brook.

Landscape: A landscape buffer will be maintained along the Tobey Road frontage.

Signage: Shall be in accordance with Section 185-134 of the Pittsford Town Code.

**Parcel 3** (SBL: 163.12-1-20 to 51 to 77) Tobey Woods; and

**Parcel 4** (SBL 163.12-1 -2 to 19 to 52 to 76) Tobey Brook

Uses: Currently fully developed with thirty-two (32) and forty-two (42) residential units respectively. No additional development will be permitted for these parcels.

Signage: Shall be in accordance with Section 185-134 of the Pittsford Town Code.

**Parcel 5** (SBL: 163.12-1-1 and a portion of 163.02-1-35.1) Tobey Meadows and Clover Estates

Uses: Currently fully developed. No additional development will be permitted for this parcel.

Landscaping: Vegetative screening will be established and maintained along the parcel's eastern and southern boundary. In addition, the floodplain/wetlands complex adjacent to the West Brook of Allens Creek will be maintained as permanent open space with provisions for establishing connecting trailway access at the discretion of the Town of Pittsford.

Signage: Signs shall be in accordance with the following:

- A. One freestanding sign at the entranceway to the development will be permitted. Such sign and structure containing such sign shall together not exceed 4 feet in height and 8 feet in length above grade and shall not have more than one side. Such sign shall not be closer than ten feet to any lot line, and shall not obstruct vehicular or pedestrian visibility. Such sign may be illuminated by one clear constant landscape light arranged so that it does not project, dispense or display any light rays onto adjacent properties or right-of-ways.
- B. The Planning Board shall approve the location, design and construction of any proposed sign, as well as any landscaping for any proposed sign.

**Parcel 6** (SBL: 163.02-1-35.1 [portion]) Future Residential

Uses: No more than two (2) single family residential units shall be developed.

Access: Shared access will be established along Clover Street and will be coordinated with the NYS Department of Transportation.

Landscaping: Residential units will be screened from view and noise by a vegetative berm along the parcels frontage on Clover Street. Additionally, the floodplain/wetlands complex centered on the West Branch shall be preserved as permanent open space with provisions for trail access at the discretion of the Town of Pittsford.

Signage: Shall be in accordance with Section 185-134 of the Pittsford Town Code.

**Parcel 7** (SBL: 163.02-1-35.1 (portion) Senior Living Community

This parcel shall be subject to the general requirements, general design requirements, landscape architecture and site plan requirements, and traffic and parking requirements as outlined above, except as modified by the November 19, 2002 Town Board Resolution, which replaces the Resolutions dated July 17, 2001 and December 19, 1995.

**Parcel 8** (SBL: 163.02-1-24.211, -24.21, -25, -34, and -63 to -72)

Uses: As further clarification and definition of the requirement for this parcel, which contains both an office park known as Tobey Village Office Park and a commercial/retail area formerly known as Barn Bazaar, the following shall apply:

A. **Tobey Village Office Park (Including Pittsford Federal Credit Union).** This 14.79 acre portion of the parcel includes 155,640 square feet of existing building usable area\* (refer to Exhibit “B”: Tobey Village Office Park- Building Layout and Parking Map and Exhibit “C”: Tobey Village Office Park- Area Calculations dated 6/6/19). There are 696 parking spaces directly associated with the Office Park inclusive of handicapped accessible spaces.

Further development of loft/second floor spaces within the footprint of existing buildings is allowable, not to exceed 15,000 usable square feet, reasonably consistent with Exhibit “C”, and subject to NYS building code compliance. No further development within basement areas, beyond that which currently exists, is allowed. No further buildings or expansion of footprints shall be allowed on this portion of Parcel 8, except for minor building entrance modifications to update and improve existing individual buildings. (These modifications shall not result in additional usable area.) Expansion of usable area or changes in use within the Office Park area, shall be dependent on evaluation of the parking conditions at that time.

As part of the Building Permit application, a current parking survey of the area shall be provided to the Building Inspector for expansion of usable area or changes in use within the Office Park. At the Building Inspector’s discretion, the parking survey may be referred to the Planning Board for review to ensure adequate parking is maintained to ensure safety and security of the Office Park.

Uses within Tobey Village Office Park shall be limited to general offices, business services and professional/medical offices.

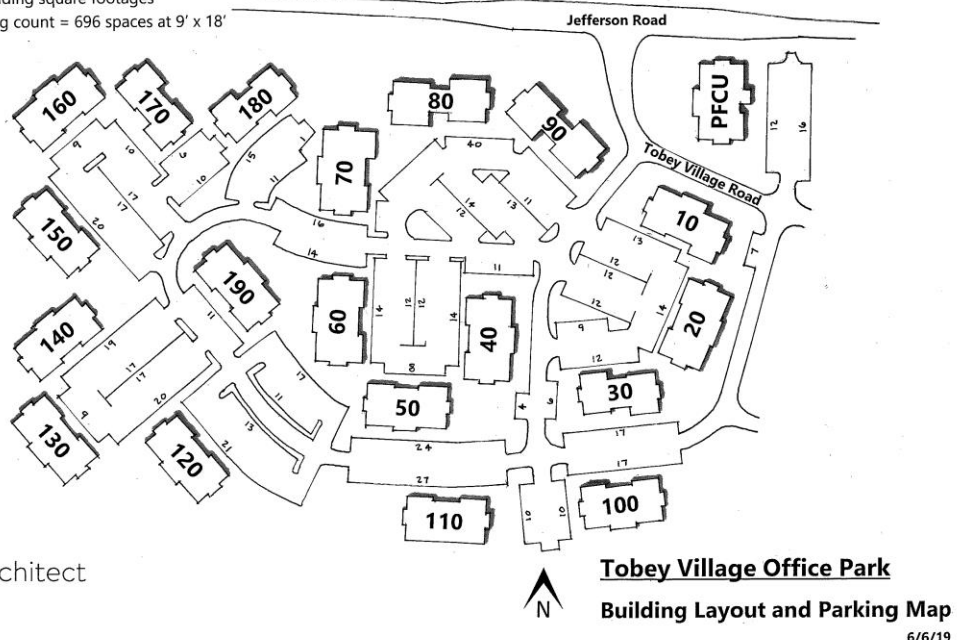
\* Total Usable Area

BOMA (ANSI/BOMA Z65.1-2010) defines usable area as occupant area plus building amenity areas that are convertible to Occupant Area. Shared conference rooms, exercise areas/fitness centers, childcare centers, and vending areas are classified as Building Amenity Areas. Usable area does not include Building Service Areas, such as building lobby and corridors; fire control center and equipment; restrooms and janitors’ closets; mechanical, electrical and communications rooms and closets; truck loading, receiving and trash; or building management and maintenance.

**Notes:**

- Refer to Exhibit “C” (Tobey Village Office Park Area Calculations) for building square footages
- Total existing parking count = 696 spaces at 9’ x 18’

**Exhibit “B”**



JDurfee, Architect  
 435 Wilkens Road  
 Hamletta, New York  
 14467



## EXHIBIT "C"

### TOBEY VILLAGE OFFICE PARK AREA CALCULATIONS 6/6/19

	A	B	C	D	E	F	G	H	I
	BLDG.	First Floor Usable Area (SF)	First Floor Interior Gross Area (SF)	Basement Type	Potential Basement Net Usable SF (Finished Area)	Existing Basement Usable SF (Finished Area)	Potential Loft/Second Floor Usable SF	Existing Loft/Second Floor Usable SF	Existing First Floor, Existing Basement and Potential Loft/Second Floor Usable SF (Combined Total)
2	10	6753	7,674	None	-	-	-	-	6,753
3	20	6836	7,736	None	-	-	1,015	1,015	7,851
4	30	5280	6,000	Full	5,080	-	-	-	5,280
5	40	6836	7,736	None	-	-	1,800	-	8,636
6	50	6836	7,736	None	-	-	1,800	-	8,636
7	60	6836	7,736	None	-	-	1,800	-	8,636
8	70	7155	8,131	None	-	-	1,800	-	8,955
9	80	6836	7,736	Full - Daylight	6,632	5,110	1,800	-	13,746
10	90	6836	7,736	Full - Daylight	6,632	4,093	1,800	-	12,729
11	100	6836	7,736	None	-	-	1,800	-	8,636
12	110	7133	8,106	None	-	-	1,015	800	8,148
13	120	6836	7,736	None	-	-	1,100	-	7,936
14	130	6836	7,736	None	-	-	750	-	7,586
15	140	7088	8,054	None	-	-	-	-	7,088
16	150	6836	7,736	None	-	-	1,800	-	8,636
17	160	5280	6,000	Full - Daylight	5,080	-	1,524	-	6,804
18	170	5839	6,633	Full - Walkout	5,649	5,649	1,524	-	13,812
19	180	5280	6,000	Full - Walkout	5,080	4,290	1,524	-	11,894
20	190	6836	7,736	None	-	-	1,800	-	8,636
21	20 TV RD (PFCLD)	4230	5,134	Full - Walkout	3,896	3,896	1,553	1,553	9,679
22	Totals	129,234	146,330		38,049	23,038	26,205	3,368	178,477
23									
24	Revised 6/6/2019								
25		Notes:							
26		1) Existing Parking = 696 spaces (at assumed 4/1000 SF yields 174,000 SF allowable area)							
27		2) Existing Usable = 155,640 SF (Total all levels)							

1) Signage: There will be no advertising signage which is visible from West Jefferson Road, Tobey Village Road or Clover Street for Tobey Village Office Park except as follows:

- a. One identification sign structure at Tobey Village Road and Clover Street for the Office Park with a base feature of 135 square feet and four (4) 2 sided signs at 6 square feet each side.
- b. One identification sign at Tobey Village Road and Jefferson Road for the Office Park with a base feature of 135 square feet and four (4) 2 sided signs at 6 square feet each side (existing)
- c. One identification sign at Tobey Village Road and West Jefferson Road for a Pittsford Federal Credit Union ground mounted sign up to 15 square feet.
- d. Pittsford Federal Credit Union ground mounted sign up to 12 square feet marking the parking lot entrance to Pittsford Federal Credit Union on Tobey Village Road.

**B. Market Rate Apartment House.** The commercial/retail area formerly known as Barn Bazaar and a portion of Parcel 12 is to be redeveloped for up to 175 dwelling units of Market Rate Apartments. The “project area” specifically includes a 5.333 +/- acre portion of Parcel 8, a 1.157 +/- acre portion of Parcel 12 and a 0.518 +/- acre parcel used for apartment parking on the south side of Tobey Village Road. The “project area” totals 7.008 +/- acres. The maximum gross square footage of the Apartment House is limited to 287,000 square feet. The unit count of apartments must be reasonably similar to (16)-studios, (102)-one bedroom, (45)-two bedroom, and (12)-three bedroom apartments, as indicated on the Town Board submission dated April 30, 2024.

The following items relate to the Market Rate Apartment House project described above:

- 1) Access: Access to the project shall be derived from the existing Tobey Village Road.
- 2) Height: The permitted maximum height of the Market Rate Apartment House:
  - a. The height of the building, as measured from finished grade at the main entrance to the highest roofline of the building, shall not exceed 48 feet. Building heights measured around the building from finished grade shall not exceed 59 feet to the highest roofline of the building. The building's appearance, including rooflines, materials, and colors, is subject to approval by the Design Review and Historic Preservation Board. Chimneys and/or venting is allowed to extend above roof lines as required by building code.
- 3) Setbacks: The minimum setbacks shall be as follows:
  - a. To Tobey Village Road right-of-way (ROW) - 20 feet.
  - b. To the rear property line of 2867 Clover Street - 40 feet.
  - c. To the West Jefferson Road ROW - 75 feet.
  - d. To the Clover Street ROW transition to West Jefferson Road - 120 feet.
  - e. To the Clover Street ROW – 190 feet.
  - f. To the Pittsford Federal Credit Union property line - 15 feet.
- 4) Parking:
  - a. This Market Rate Apartment House contemplates parking underneath the residential units, as well as surface parking. The parking requirement shall be a minimum of 1.75 spaces per dwelling unit, which must be provided on the project area. Further expansion of parking on Parcel 12 beyond the land banked parking shown on plans submitted to the Town Board received February 15, 2024, is prohibited.
  - b. Locations for electric vehicle parking and charging is subject to approval by the Department of Public Works and the Town Fire Marshal.
  - c. Parking lot lighting shall be dark sky compliant except as may be approved by the Planning Board.
- 5) Landscaping:
  - a. The land between the Market Rate Apartment House and Pittsford Federal Credit Union, West Jefferson Road, and Clover Street will be maintained as open space, except for required emergency access.
  - b. Landscaping is required to be consistent with the Tobey PUD general provisions.
  - c. As part of the site plan review process, the final landscaping plan will be subject to review and approval by the Planning Board, with a focus on buffering public views, adjacent residential uses, and the historic home on Clover Street. The Planning Board will apply the landscaping cost requirements set forth in Town Code §185-194(C).
- 6) Signage: There will be no advertising signage which is visible from West Jefferson Road, Tobey Village Road or Clover Street for the Market Rate Apartment House except as follows:

- a) Signage is subject to issuance of a Building Permit and Design Review and Historic Preservation Board approval. Interior lighting of signage is prohibited.
- b) One one-sided identification sign at or near the intersection of Clover Street and West Jefferson Road, not to exceed 40 square feet.
- c) One identification sign at Tobey Village Road and Clover Street, which may be two-sided and not to exceed 24 square feet per side.
- d) One identification sign at the main driveway entrance on Tobey Village Road which may be two-sided and not to exceed 20 square feet per side. Exterior illumination is permitted for this identification sign.
- e) Directional, informational and/or wayfinding signage shall be permitted on Tobey Village Road and the development parcels, subject to Department of Public Works review and possibly Design Review and Historic Preservation Board approval.
- f) Temporary signage during construction: a total of two (2) two-sided signs, not to exceed 32 square feet per side, will be allowed and located at the intersection of Tobey Village Road with West Jefferson Road and Tobey Village Road with Clover Street.

**Parcels 9 and 10** (SBL: 163.02-1-13; SBL: 163.02-1-15 and 16) Allowed Uses

**YMCA Use:** An allowed use for these parcels is a YMCA facility, being a structure not to exceed a total of 140,000 square feet of gross floor area in a two (2) story building (or three (3) stories if a “walk-out” level is built below the grade at the main building entrance), with a building footprint not to exceed 75,000 square feet of gross floor area, and the building height to be no higher than 50 feet above grade at the main entrance to the building. As used in these Regulations, the term “gross floor area” shall mean the interior floor area measured from the interior surface of the exterior enclosure of the building, and excluding the roof. The building placement as demonstrated in Exhibit A hereto designates the “Building Area” in which the facility is to be located as well as an example of a building footprint that reflects a gross floor area of 75,000 square feet. All normally accepted services consistent with modern YMCA facilities, including medical offices and rehabilitation facilities not to exceed 15,000 square feet of gross floor area, and including food services and access to credit union/banking ATM and related services, are allowed. Up to a total of 675 parking spaces are permitted, including up to 60 accessible parking spaces (which accessible parking spaces will satisfy then current Americans with Disabilities Act (“ADA”) Standards for Accessible Design). Further, additions to and/or expansion of the allowed YMCA use or other use may be permitted by the Town Board up to an additional 43,200 square feet of gross floor area (for a total of up to 183,200 square feet of gross floor area) including an additional gross floor area of footprint of up to 23,143 square feet (for a total footprint not to exceed 98,143 square feet of gross floor area, with additional parking up to an additional 125 parking spaces (for a total of 800 parking spaces), including up to an additional 20 accessible parking spaces (for a total of 80 accessible parking spaces), which accessible parking spaces will satisfy then current ADA Standards for Accessible Design. Such expansion may be in one (1) or more phases and may be either a separate building (including a maintenance and storage building ancillary to the YMCA facility not to exceed 3,000 square feet of gross floor area and 20 feet in height (the “Maintenance Facility”)) and/or an addition to the main building. Any such expansion may only be permitted by the Town Board if it is shown that such additional development, mitigated as necessary, will not result in an undue burden on traffic. The building structures and any additions and/or expansions may be located in one or more portions of Parcels 9 and 10 designated on Exhibit A hereto as “Building Area” (and, with respect to the Maintenance Facility only, on any other portion of Parcel 10) provided that the building structures and any expansions shall be setback no less than 4 feet from the property lines (being

setback approximately 140 feet from the existing centerline of Jefferson Road and approximately 90 feet from the existing centerline of Clover Street).

Applicability of General Requirements. Design Requirements. Landscape Architecture/Site Planning and Parking and Traffic Provisions.

The new Southeast Family Branch YMCA to be located on Parcels 9 and 10 will be a unique structure to the Tobey PUD. The size, scale and mass of a facility such as the new Southeast Family Branch need to be consistent with other modern YMCA's and bring special considerations that differ from development that consists of mixed use or multiple structures found on adjacent parcel locations. Accordingly, when applying the above portions of these Regulations with respect to the design, development and/or use of Parcels 9 and/or 10 for or in connection with YMCA use, the various Boards and other bodies with jurisdiction over the project will provide appropriate exceptions and allowances to the Regulations. Specifically, the following unique features will be permitted:

- A. Storage of trucks and large snow removal equipment outside of structures will be permitted on such portions of Parcels 9 and/or 10 as will reduce to the extent possible their visibility from either Jefferson Road or Clover Street. In addition, trash receptacles of the minimum size necessary for temporary storage of refuse materials shall also be permitted in Parcels 9 and 10, provided that any such containers shall be approved as part of the site plan by the Planning Board and shall be properly screened from view and appropriately maintained and sanitized so as to avoid health and odor problems.
- B. The facade of the YMCA building shall be scaled, massed and broken up into varying sizes as appropriate and feasible to the unique programmatic areas of a YMCA such as natatoriums and gymnasiums. Human scale and pedestrian friendly environments shall be utilized and contextual character of the architecture will harmonize with and compliment the Pittsford community.
- C. The height of the structure shall be 50 feet above grade at the main entrance to the building. Chimneys, cupolas and other similar architectural accents attached to the structure may extend up to 10 feet above the highest point of the building structure. One flagpole, used exclusively for the display of flags, not exceeding 50 feet in height, is permitted. Roof types and height may vary in order to retain the Town's character. Efforts will be utilized to avoid expansive flat or low pitched roofs; however flat roofs may be utilized as and where required for mechanical equipment and/or to achieve economies in construction and/or construction costs. The use of curtain wall type construction shall be allowed. Locations shall be contextual, in concert with materiality and the philosophy of the YMCA mission and allow the use for sustainable practices.
- D. The parking areas and/or outdoor recreation uses may be located within that portion of Parcels 9 and 10 designated on Exhibit A hereto as "Site Development Area". A covered pedestrian walkway(s) will be allowed to be constructed or installed in the area designated on Exhibit A as "Site Development Area" (subject to concept plan review by the Town Board and site plan review by the Planning Board), the square footage of which shall not be included in the calculation of the maximum square footage of gross floor area of any and all buildings

permitted to be constructed in Parcels 9 and 10 pursuant to these PUD regulations.

YMCA Signage: All signs shall be approved, as to design, in accordance with the provisions of Article XXXI of Chapter 185 of the Town Code. In addition, the following specific sign requirements shall apply:

- A. Temporary signage announcing that the site is the “Future Home of the YMCA”, or similar language, and/or language acknowledging or referring to any donor, sponsor or philanthropist is allowed, with one double-sided sign along Clover Street and one double-sided along Jefferson Road. Such signs may be erected after transfer of ownership of the property to the YMCA and shall each not be larger than eight (8) feet by twelve (12) feet in size and setback at least twenty-five (25) feet from the paved roadway.
- B. At the time the facility is constructed: (i) a monument sign with (x) YMCA text and/or logo, (y) text and/or logo of any donor, sponsor or philanthropist, and/or (z) the text and, at YMCA’s option, text and logo of any health care provider operating the medical offices and rehabilitation facilities may be placed at the main entrance on Jefferson Road. Such sign may be a two-sided illuminated sign which is up to seven (7) feet in width and up to six (6) feet two (2) inches in height; with a minimum base of seven (7) feet in width and three (3) feet four (4) inches in height; and (ii) a monument sign with (x) YMCA text and/or logo, (y) text and/or logo of any donor, sponsor or philanthropist, and/or (z) the text and, at YMCA’s option, text and logo of any health care provider operating the medical offices and rehabilitation facilities may be placed at the south side of the entrance on Clover Street. Such sign shall be a one-sided illuminated sign facing north which is up to six (6) feet in width and up to five (5) feet two (2) inches in height; with a minimum base of six (6) feet in width and two (2) feet four (4) inches in height.
- C. Up to two (2) signs are allowed on corners of the building, one facing Clover Street and one facing Jefferson Road. Such signs may each be up to eighty-four (84) inches in height and up to ninety-seven and one half (97.5) inches in width and contain YMCA text and/or logo and, at YMCA’s option, text and/or logo of any donor, sponsor or philanthropist.
- D. The following additional signs will be allowed on the building:
  1. A front door main entrance sign on the northerly side of the building containing (i) YMCA text and/or logo, and/or (ii) text and/or logo of any donor, sponsor or philanthropist constructed of brushed aluminum letters up to thirty-six (36) inches in height and up to one hundred forty four (144) inches in width;
  2. A sign at or above the entrance on the westerly side of the building containing YMCA text and/or logo up to twenty-four (24) inches in height and up to ninety-six (96) inches in width. This sign may be visible from Jefferson Road;
  3. A sign on the building at or above the entrance to the child daycare center containing YMCA text and/or logo and appropriate additional identifying information, including logo, up to twenty-four (24) inches in height and up to ninety-six (96) inches in width; and
  4. A sign on the building at or above the entrance to the medical offices and/or

rehabilitation facilities containing text and appropriate identifying information, including logo regarding the health care provider operating the same up to twenty-four (24) inches in height and up to ninety-six (96) inches in width.

E. No other signs shall be visible from Jefferson Road or Clover Street.

Office Campus Mixed Use: These parcels are, alternatively, approved for up to 10,000 square feet per acre of gross floor area for the creation of an office campus, which shall exclude medical office use, and which may include residentially designed executive hotel-type facilities, and may also include retail uses which would be limited to ancillary services required for the office and executive hotel units; further, provided that the foregoing uses shall be subject to prior approval by the Town Board for the purposes of determining whether the specific concept site plan creates an appropriate balance of uses for the area, and whether the plan would place an undue burden with respect to traffic and other environmental considerations.

Office Campus Mixed Use Signage: All signs shall be approved, as to design, in accordance with the provisions of Article XXXI of Chapter 185 of the Town Code. In addition, the following specific sign requirements shall apply:

- A. Signs shall be limited to one sign or structure at each entrance from the public right-of-way.
- B. If the sign is part of a stone, brick or other permanent structure, the sign shall not exceed 16 square feet in size and the structure and sign shall not exceed three feet in height.
- C. No other signs shall be visible from Jefferson Road or Clover Street.

Concept Plan Approval: Prior to the review, by the Town Planning Board, of a specific site plan for development of the parcel for any allowed use, the Town Board shall review and approve the site concept as to general layout, building location and configuration, general architecture, parking and traffic management and related site development. This review, as well as subsequent reviews by the Planning Board and other bodies having jurisdiction over the project, will be conducted in conformance with the exceptions, allowances and requirements set forth herein with respect to the development of Parcels 9 and 10 for YMCA use.

Access: The main access point for any allowed use shall be provided along Jefferson Road and shall be aligned with the existing Tobey Village Road. Such access shall include a signalized intersection with turning lanes, as approved by the NYS Department of Transportation. A second access point for any allowed use shall be provided on Clover Street at its existing curb-cut location and will only permit ingress from (and not egress to) the southbound lane of Clover Street. In addition to the foregoing, the pre-existing access point at the southwestern portion of Parcel 9 along Jefferson Road (NY Route 252) shall be preserved for future use, but may only be developed for vehicular egress going westbound and shall be subject to all applicable New York State Department of Transportation requirements.

Landscaping: For any allowed use, landscape buffer shall be established along the Jefferson Road frontage, adjacent to residential uses to the west and along the parcel's northern boundary.

Western Boundary Buffer Area: That portion of Parcel 9 located west of the area designated “Parking and Recreation Area” on Exhibit A hereto shall be maintained as a buffer (the “Buffer Area”) in which no buildings, structures or improvements may be constructed, erected or installed excepting only any improvements constructed, erected or installed solely for the purposes of (i) surface and stormwater retention and/or drainage, and (ii) providing utility services only to the YMCA facility. Notwithstanding the foregoing, in the event additions to and/or expansions of the allowed YMCA use or other use are permitted by the Town Board up to an additional 43,200 square feet of gross floor area as hereinbefore provided in these regulations, any and all additional parking in connection with any such permitted additions and/or expansions (up to an additional 125 parking spaces) shall be located in the eastern half of the Buffer Area if impracticable or undesirable to fit in the existing designated Parking and Recreation Area.

**Parcel 11** (SBL: 163.02-1-17 and 18) Limited Business

(Parcel added by Resolution dated July 16, 1996).

Uses: This parcel is presently a pre-existing, non-conforming use as a garden store. The parcel also contains a single family dwelling in conformity with the residential zoning applicable to this parcel. In adding this parcel to the PUD, the present garden store usage and single family residence are being affirmatively approved. However, this Resolution recognizes that the current garden store use, parking and outside storage is not totally contained within the limits of tax parcels identified and in no way legitimizes this condition. As a condition of authorizing the previously non-conforming use, the existing structure must be contained within the parcel boundaries, including outside storage and permitted traffic/parking. Such conformance shall be subject to approval by the Planning Board. A plan shall be submitted to the Planning Board within six months of the approval of this Resolution.

The redevelopment of this parcel is approved for up to 10,000 square feet of gross usage area per acre which shall include floor area and any area used for outside storage or display. The uses allowed include a garden store along with ancillary uses including garden supply sales, lawn mower and garden power equipment sales and service, garden implement and tool sales, florist shop, landscape material sales, residential greenhouse and supply sales and residential pool sales and supplies. Such redevelopment is subject to the following conditions:

- A. No redevelopment can proceed without the current structures being brought into compliance.
- B. Outside storage shall be limited to the garden store seasonal materials only which shall be adjacent to the garden store structures.
- C. One dumpster or similar refuse container shall be allowed on this portion of the property, provided it is properly screened by use of vegetative buffer of fencing.
- D. Any change of use from those stipulated herein shall be subject to the approval by the Town Board. In considering such change in use, the Town Board shall consider whether the change maintains an appropriate balance of uses for the area, and whether the uses contemplated would place an undue burden with respect to traffic and other environmental considerations. In addition, given the other uses in the PUD, any future changes of use should be uses closely aligned to those approved herein and not for office, commercial or multifamily residential uses.

Access: All access to uses will be derived from no more than two points of access on Clover Street. New access may not be established closer than 200 feet from the intersection of the right-of-way lines of Clover Street and Jefferson Road.

Landscaping: In addition to the general guidelines stipulated herein, a vegetative buffer visually screening intrusive uses from Jefferson Road shall be maintained. Mature trees shall be retained and incorporated into the site development plan particularly the mature trees that line the bank of the West Branch of Allens Creek as it bisects the site. All uses will be visually screened from view of users of the New York State Erie Canal and adjacent towpath. Pedestrian access between the greenway along the Erie Canal and the proposed Allens Creek West Branch green way will be integrated into any approved pedestrian access required as a condition of site plan approval.

Signage: Signs shall be in accordance with the following:

- A. One free-standing sign near a public highway stating the property address and/or business name will be permitted. Such sign shall not exceed 16 square feet in size per side, and shall not have more than two sides. The highest point of such signs shall not exceed four feet above grade. Such signs shall not be closer than 10 feet to any lot line and shall not obstruct vehicular or pedestrian visibility.
- B. Each business may have one sign on the face of any building structure setting forth the name of the business or office therein. Any such sign shall not exceed one foot in height by two feet in length. Each sign shall be uniform in size, style, materials, lettering and coloring. Such sign shall not contain advertising or other promotional material.
- C. No other internal signage shall be visible from Jefferson Road or Clover Street. All signs shall be subject to prior approval by the Planning Board.

**Parcel 12** (SBL: 163.02-1-22/23) Residential Office

(Parcel added by Resolution dated July 16, 1996).

Uses: (a) On tax parcel 163.02-1-22, single family detached residential use, or alternate use as a bed and breakfast or office, in the existing structure shall be permitted. In addition, any modifications or additions to existing structures shall be designed to maintain the architectural integrity and residential character of this tax parcel, (b) On tax parcel 163.02-1-23.1, permitted uses shall be: parking limited to 11 spaces and a fire lane to complement the development of Parcel 8 (Market Rate Apartment House). No buildings may be constructed on this tax parcel.

Access: The access point to Clover Street on tax parcel 163.02-1-22 shall be maintained in its present location. Access to tax parcel 163.02-1-23.1 remains to and from Tobey Village Road.

Landscape: As provided in general requirements, all parking should meet the locational requirements outlined in General Design Guidance Section of this Resolution and will be screened from view from Clover Street by berming and landscape plant materials. Lighting shall be designed to minimize its impact on adjacent residential uses.

Signage: Signs shall be in accordance with Section 185-134 and/or Section 185-138 of the Pittsford



Town Code (depending on the use of the property), as well as a monument entry sign for the principal use of Parcel 8 (Market Rate Apartment House) at a location and size to be determined by the Planning Board.

Outside refuse storage: Trash receptacles of the minimum size necessary for temporary storage of refuse materials shall be permitted provided that any such containers shall be approved as part of the site plan by the Planning Board and shall be properly screened from view and appropriately maintained and sanitized so as to avoid health and odor problems.

**Parcel 13** (SBL: 163.02-1-21) Residential/Office

(Parcel added by Resolution dated July 16, 1996).

Uses: Uses allowed for this 1.55 acre site will include no more than 5 single family detached residential units or 9 townhomes, provided the site planning, amenities and architectural design is consistent with units currently available in Parcel 1, Tobey Court. As an alternative, no more than 10,000 square feet/acre of gross floor area for nonmedical personal service office space may be constructed. Should an office plan be presented, that portion of the parcel east of Allens Creek West Branch will be reserved for required floodwater storage and as a vegetative buffer between office uses and adjacent residential units. No development will be permitted within the floodway.

Additionally, no building constructed on 1.55 acre site shall exceed an average height of thirty six and five one-hundredth's (36.05) feet and thirty seven and one-half (37.5) feet at its highest point.

Access: Access will be derived from existing Tobey Road at the southwest corner of the parcel. At such time as the right-of-way for Tobey Road is abandoned to the Town of Pittsford, the parcel owner shall acquire portions of that right-of-way from Monroe County for use as access and parking.

Landscaping: Existing mature vegetation east of Allens Creek West Branch shall remain. In addition, mature trees west of Allens Creek West Branch will be saved and incorporated into a landscape plan where practicable. All parking should meet the locational requirements outlined in General Design Guidance Section of this Resolution and will be screened from view from Clover Street and residences in Tobey Court by berming and landscape plant materials. Low level residential scale lighting shall be required in order to minimize the project's impact on adjacent residential uses and roadways.

Signage:

Signs shall be in accordance with the following:

- A. One freestanding sign near a public highway stating the property address only will be permitted. Such sign shall not exceed 2 feet in height and 4 feet in length and shall not have more than two sides. Such sign shall be at least 2 feet and 6 inches above grade, and the highest point of any structure containing such sign shall not exceed four feet and six inches above grade. Such sign shall not be closer than ten feet to any lot line, and shall not obstruct vehicular or pedestrian visibility. Such sign may be illuminated by one clear constant landscape light per side of the sign, arranged so that it does not project, dispense or display any light rays onto adjacent properties or right-of-ways. Such landscape lights shall be extinguished not later than 10:00 p.m.
- B. One sign affixed to the face of the building in close proximity to the main entrance stating only the name of the business or offices therein. Such sign shall not exceed two feet by

two feet in size and shall not extend above the height of the main entrance door. Said sign may not be illuminated except by entrance lighting otherwise approved for the building.

- C. The location and landscaping for the freestanding sign shall be as per the application and the site plan modification design dated 04/13/98.
- D. The foregoing signs shall be of a design and construction approved by the Planning Board.

Trash Receptacles:

An enclosure for the temporary storage of refuse shall be allowed subject to the following conditions:

- A. A covered enclosure not larger than 9 feet 4 inches by 13 feet 4 inches in size to accommodate standard wheeled trash containers, constructed of split face block in accordance with the design of the office building on the site, shall be permitted.
- B. The enclosure shall be located and landscaped as proposed in the application and the site plan modification design dated 4/13/98 in the northwest corner of the parcel with a setback of 4 feet from the westerly lot line and 8 feet from the northerly lot line being permitted.
- C. At all times the landscaping will include evergreens of sufficient height and maturity to adequately screen the enclosure.
- D. At no time shall the enclosure contain any trash dumpster or similar device.
- E. The enclosure shall not result in a reduction of available parking spaces approved and required for the site.
- F. Trash removal from the enclosure shall occur at times similar to that provided for residential trash removal in the surrounding neighborhood.
- G. The enclosure will be properly maintained so as to prevent odors or any unsanitary conditions, and the enclosure shall be kept closed and secured except when in use.
- H. The foregoing shall be subject to such further conditions and approvals as may be imposed by the Planning Board which may include approval of the trash receptacles and hours for trash removal.

**Parcel 14** (SBL: 163.02-1-20) Community Service/Residential (Parcel added by Resolution

dated July 16,1996).

Uses: Uses will continue as public services. Any expansion of that use will, however, be consistent and compatible with future residential use of the property. As such time as the current use is discontinued, the parcel shall revert to single family residential use or, as an alternative, townhomes at a density and with a design compatible with those provided in Parcel 1, Tobey Court.

Access: Access will continue to be provided from- existing Tobey Road. As such time as Tobey Road is realigned, the Town of Pittsford will ensure that new access be provided in a manner which provides adequate site distance for emergency vehicles accessing the site.

Landscape: As currently provided.

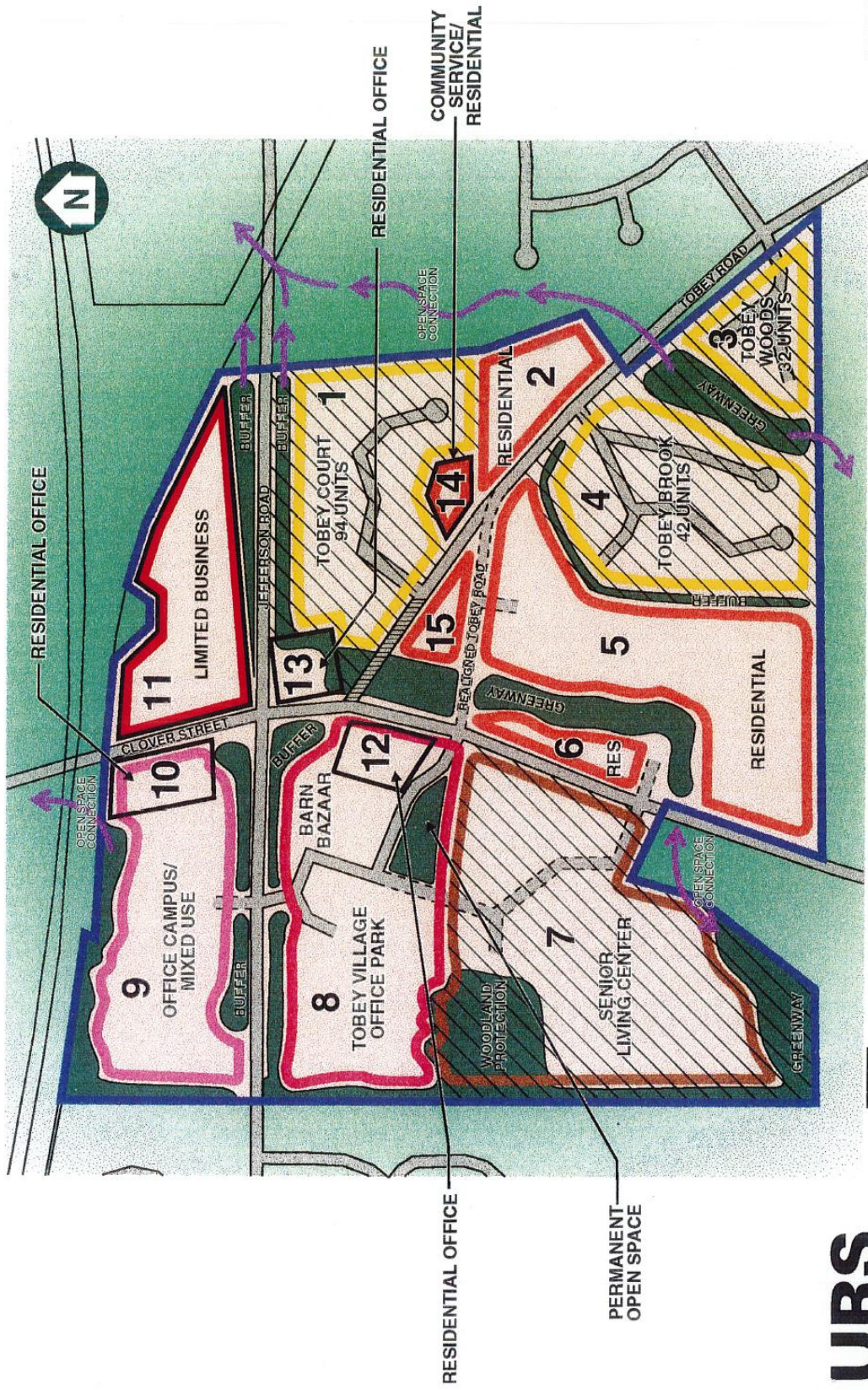
Signage: Signs shall be in accordance with the following:

- A. One freestanding sign at the entranceway to the Ambulance facility will be permitted. Such sign and structure containing such sign shall together not exceed 3 feet in height and 6 feet in length above grade and shall not have more than two sides. Such sign shall not be closer than ten feet to any lot line, and shall not obstruct vehicular or pedestrian visibility. Such sign may be illuminated by one clear constant landscape light per side arranged so that it does not project, dispense or display any light rays onto adjacent properties or right-of-ways.
- B. The Planning Board shall approve the location, design and construction of any proposed sign, as well as any landscaping for any proposed sign.

**Parcel 15** IS BL: 163.02-1035.1 [portion])

This parcel was a portion of Parcel 5. It was deeded to the Town of Pittsford, without cost and without reservation to use and/or for disposition. In addition, that property immediately south of this parcel has been deeded, without cost and without restriction, to the County of Monroe for the realignment of Tobey Road.

# LAND USE PLAN TOBEY PLANNED UNIT DEVELOPMENT



NOT TO SCALE

No Changes Proposed