

**AGENDA
TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AUGUST 21, 2023**

This agenda is subject to change.

Please take notice that the Town of Pittsford Zoning Board of Appeals will hold the following meeting on Monday, August 21, 2023, in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street, and beginning at 7:00PM local time.

CONTINUED HEARING

28 Whitestone Lane

Applicant is requesting relief from Town Code Section 185-17 B. for the construction of a three-car garage addition extending forward of the building line on Malm Lane. This property is zoned Residential Neighborhood (RN).

NEW HEARING

Greenpoint Subdivision

Greenpoint Trail Subdivision Homeowner's Association, Tax ID 163.07-1-95 – Applicant is requesting relief from Town Code Section 185-134 D. (5) for the installation of an oversized sign to be located on the existing east monument at the entrance of Greenpoint Trail Subdivision. This property is zoned Residential Neighborhood (RN).

OTHER BUSINESS

Approval of Minutes

The next scheduled meeting is for Monday, September 18, 2023.

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
JULY 17, 2023**

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on July 17, 2023, at 7:00PM local time. The meeting took place in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street.

PRESENT: George Dounce, Barbara Servé, Mary Ellen Spennacchio-Wagner, Tom Kidera, Jim Pergolizzi

ABSENT: Jennifer Iacobucci, Phil Castleberry

ALSO PRESENT: Meghan Brooks, Acting Zoning Board Secretary; Doug DeRue, Director of Planning, Zoning, & Development; Robert Koegel, Town Attorney; Bill Zink, Building Inspector; Kate Munzinger, Town Board Liaison

ATTENDANCE: There were 12 members of the public present.

Zoning Board of Appeals Chairman George Dounce called the meeting to order at 7:05PM.

NEW PUBLIC HEARINGS:

43 Musket Lane

Applicant is requesting relief from Town Code Sections 185-113 B. (1) and 185-17 I. for the construction of an oversized shed within the rear buffer. This property is zoned Residential Neighborhood (RN).

Sean Mulvey, of 43 Musket Lane, introduced the application. Mr. Mulvey stated that he is requesting this variance so that he may store all his supplies and equipment more securely. He stated that the building would not interfere with any sightlines nor infringe upon the ability of construction vehicles to access the property.

Chairman George Dounce inquired what the timeframe would be for the project. The applicant stated that they would start as soon as they are permitted to do so and are hoping to begin in August.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Chairman George Dounce motioned to close the public hearing, seconded by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the variance for 43 Musket Lane was moved by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner, seconded by Zoning Board of Appeals Vice Chairwoman Barbara Servé.

1. This variance is granted only for the plans submitted and prepared by the applicant dated May 15, 2023.
2. All construction of the storage shed must be completed by December 31, 2024.

Chairman Dounce asked for a roll call vote.

Phil Castleberry voted	Absent
James Pergolizzi voted	Aye
Barbara Servé voted	Aye

Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Absent
George Dounce voted	Aye

14 Wood Stone Rise

Applicant is requesting relief from Town Code Section 185-113 B. (1) for the construction of a roofed accessory structure exceeding 180 square feet in area (pavilion). Property is zoned Residential Neighborhood (RN).

Daianne Osorio, of Greater Living Architecture, introduced the application. Ms. Osorio stated that the homeowners wish to alleviate the summer heat after needing to remove several ash trees from the property, so a pavilion is requested. Colors will match the house, and no significant lighting will occur.

Chairman Dounce asked what the timeframe would be for any lights used; Ms. Osorio stated that they would only be on while the space was in use.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner motioned to close the public hearing, seconded by Zoning Board of Appeals Vice Chairperson Barb Servé. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the variance for 14 Wood Stone Rise was moved by Zoning Board of Appeals Member Tom Kidera, seconded by Zoning Board of Appeals Member Jim Pergolizzi.

1. This variance is granted only for the plans submitted and prepared by the applicant dated June 6, 2023.
2. All construction of the structure must be completed by December 31, 2024.

Chairman Dounce asked for a roll call vote.

Phil Castleberry voted	Absent
James Pergolizzi voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Absent
George Dounce voted	Aye

143 S Main Street

Applicant is requesting relief from Town Code Sections 185-113 B. (3) and 185-17 E. for the construction of an inground pool forward of the rear wall of the house and not meeting the total side setback requirement. This property is zoned Residential Neighborhood (RN).

Keith Miller, of 143 S. Main Street, introduced the application. Mr. Miller stated that that they are requesting a variance to the side setback in order to construct an in-ground pool. The neighbors on either side gave approval; the area behind the home is forested.

Chairman Dounce asked who Diane Foley is, in reference to an email sent to the board stating Ms. Foley's support of the project. Mr. Miller stated that Ms. Foley is a neighbor to the east of the home.

Chairman Dounce inquired as to the projected timeframe of the project. Mr. Miller stated that they hope to start as soon as possible.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Member Jim Pergolizzi motioned to close the public hearing, seconded by Zoning Board of Appeals Member Tom Kidera. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the variance for 143 S. Main Street was moved by Zoning Board of Appeals Member Jim Pergolizzi, seconded by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner.

1. This variance is granted only for the plans submitted and prepared by the applicant dated June 9, 2023.
2. All construction must be completed by December 31, 2024.

Chairman Dounce asked for a roll call vote.

Phil Castleberry voted	Absent
James Pergolizzi voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Absent
George Dounce voted	Aye

16 Winding Road

Applicant is requesting relief from Town Code Section 185-17 B. for the construction of a garage addition extending forward of the building line. The property is zoned Residential Neighborhood (RN).

Paul Morabito, of Morabito Architects, introduced the application. Mr. Morabito stated that the current garage size limits car entry and that they seek a variance in order to increase the ability to add functionality. The addition would be designed to look like the rest of the house.

Chairman Dounce inquired as to the projected timeframe of the project. Mr. Morabito stated that they are hoping to start mid-August.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Chairman George Dounce motioned to close the public hearing, seconded by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the variance for 16 Winding Road was moved by Zoning Board of Appeals Chairman George Dounce, seconded by Zoning Board of Appeals Member Tom Kidera.

1. This variance is granted only for the plans submitted and prepared by the applicant dated June 15, 2023.
2. All construction must be completed by December 31, 2025.

Chairman Dounce asked for a roll call vote.

Phil Castleberry voted	Absent
James Pergolizzi voted	Aye

Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Absent
George Dounce voted	Aye

6 Rosewood Drive

Applicant is requesting relief from Town Code Sections 185-17 B. and 185-17 D. for the construction of an addition extending forward of the building line and an unenclosed porch past the allowed façade area. This property is zoned Residential Neighborhood (RN).

Will and Michelle Crain, of 6 Rosewood Drive, introduced the application. They stated that they needed more space and were considering moving, but upon consulting with an architect, they would like to create a second-floor addition in order to stay in their current home. The addition would include a bedroom, closet space, a laundry room, and a porch. They noted that they were unable to do the addition off the back.

Chairman Dounce inquired as to the projected timeframe of the project. Ms. Crain stated that they would likely be starting next spring.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Member Tom Kidera motioned to close the public hearing, seconded by Zoning Board of Appeals Member Jim Pergolizzi. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the variance for 6 Rosewood Drive was moved by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner, seconded by Zoning Board of Appeals Chairman George Dounce.

1. This variance is granted only for the plans submitted and prepared by the applicant dated June 7, 2023.
2. All construction must be completed by December 31, 2026.

Chairman Dounce asked for a roll call vote.

Phil Castleberry voted	Absent
James Pergolizzi voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Absent
George Dounce voted	Aye

28 Whitestone Lane

Applicant is requesting relief from Town Code Section 185-17 B. for the construction of a three-car garage addition extending forward of the building line on Malm Lane. This property is zoned Residential Neighborhood (RN).

Kim Bailey, of Stahl Property Associates, introduced the application. Ms. Bailey stated that they are asking for a variance in order to avoid having a flat garage face. The additional square footage would also provide extra storage for equipment.

There was extensive discussion on the reasoning for the requested variance. Several board members expressed concerns on the scope of the variance and the detrimental impact it could have on the neighborhood. Vice Chairperson Servé cited a variance application for 4 Malm Lane that was brought before the Board in 1986. That application was denied for their request for a 40 setback but was granted a 50-foot setback, which is the current building line for 28 Whitestone Lane. Ms. Bailey stated that the neighbors they spoke to all had positive responses to the proposed plan.

Vice Chairperson Servé and Board Chairman Dounce inquired as to options to reduce the variance, including moving the addition back to the building line and downsizing the addition. Ms. Bailey stated that not having the front of the structure flat with the existing one is important to her client to avoid having a flat exterior, and that size allowed for storage. Board Member Spennacchio-Wagner asked if the addition would be one or two stories. Ms. Bailey that it would be two stories. Mr. DeRue noted that the Town Code does not permit a secondary dwelling unit and requested clarification on the intended use of such a large space above the garage. Ms. Bailey answered that it would be a bedroom.

Ann Marie Rizzo, of 36 Whitestone Lane and owner of 28 Whitestone Lane, joined Ms. Bailey at the podium. Chairman Dounce summarized the previous discussion. Ms. Rizzo stated that her goal is to preserve the integrity of the home and that, without the extra space, the addition would impede upon the original structure and the green space behind.

Mr. DeRue noted that the size of the addition would also lead to a wider width of driveway, which he estimated at about 42 feet. He stated that the Town Engineer was concerned with the amount of pavement that this change would incur, as the current driveway width is about 30 feet. Board Member Pergolizzi asked why this was important; Mr. DeRue clarified that the driveway adds to the overall impact of the structure on the neighborhood.

Mr. Robert Koegel also stated that it is important to note that the aesthetics of an addition and desired extra space are not grounds for a variance. What matters is previous precedent, no matter how old, and the five-part statutory test. The Board should always seek the minimum variance possible.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Chairman George Dounce motioned to close the public hearing, seconded by Zoning Board of Appeals Vice Chairperson Barb Servé. Following a unanimous voice vote, the hearing was closed.

The Board moved to reopen the discussion of 28 Whitestone Lane following a statement by Ms. Rizzo that they would be able to move the variance request from 7'3" to 5'.

Following a brief discussion, the Zoning Board of Appeals agreed that they would like to see the application amended to demonstrate a variance of only 5 feet. Because this was a significant change to the original application and a new resolution would require significant wordsmithing, they asked that the application for 28 Whitestone Lane return to the next meeting with newly submitted materials showing a reduced variance from 7'3" to 5'.

60 Golf Avenue (HWY)

Bell Atlantic Mobile Systems dba Verizon Wireless is requesting relief from Town Code Section 185-126 C. (3)(b)[2] for the construction of a 125-foot cellular facility (monopole) where the maximum height permitted is 100 feet. This property is zoned Residential Neighborhood (RN).

Robert Burgdorf, of Nixon Peabody LLP, introduced the application. Mr. Burgdorf stated that a 125-foot minimum height is necessary for cellular coverage and that the materials submitted demonstrate the need for the variance.

Chairman Dounce asked if the Town of Pittsford has any issue with the facility. Mr. DeRue answered that it has been subject to Planning Board and Zoning Board of Appeals review processes.

Chairman Dounce opened the public hearing.

Cheryl Dice, of 59 Oak Manor Lane, asked how many people would be affected. Mr. DeRue stated that the nearest house is probably about 500 feet away. Mr. DeRue showed a map that has a half mile radius and demonstrated that 59 Oak Manor would be 539 feet from this facility. Ms. Dice stated that she is concerned about property values.

Zoning Board of Appeals Vice Chairperson Barb Servé motioned to close the public hearing, seconded by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the variance for 60 Golf Avenue was moved by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner, seconded by Zoning Board of Appeals Member Tom Kidera.

1. Subject to the granting of a Final Site Plan and Special Use Permit approval by the Town of Pittsford Planning Board.
2. This variance shall be noted on the Final Site Plans prior to Planning Board signature.

Chairman Dounce asked for a roll call vote.

Phil Castleberry voted	Absent
James Pergolizzi voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Absent
George Dounce voted	Aye

OTHER DISCUSSION:

The minutes of May 22, 2023 were approved following a motion by Zoning Board of Appeals Chairman George Dounce. Following a unanimous voice vote, the minutes were approved, none opposed.

Zoning Board of Appeals Chairman George Dounce closed the meeting. Following a unanimous voice vote, the meeting concluded at 9:43PM.

Respectfully submitted,

Meghan Brooks
Acting Zoning Board Secretary

OFFICIAL MINUTES ARE ON FILE IN THE OFFICE OF THE PLANNING DEPARTMENT

Zoning Board of Appeals Referral Form Information

Property Address:

28 Whitestone Lane ROCHESTER, NY 14618

Property Owner:

Balderston, William III
19 Collinswood Rd
Wilton, CT 06897

Applicant or Agent:

Stahl Property Associates

Present Zoning of Property: RN Residential Neighborhood
Area Variance - Residential and Non-Profit

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	50	Front Setback:	45	Front Setback:	5.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section(s):

Description: Applicant is requesting relief from Town Code Section 185-17 B. for the construction of a three-car garage addition extending past the building line on Malm Lane. This property is zoned Residential Neighborhood (RN).

August 04, 2023

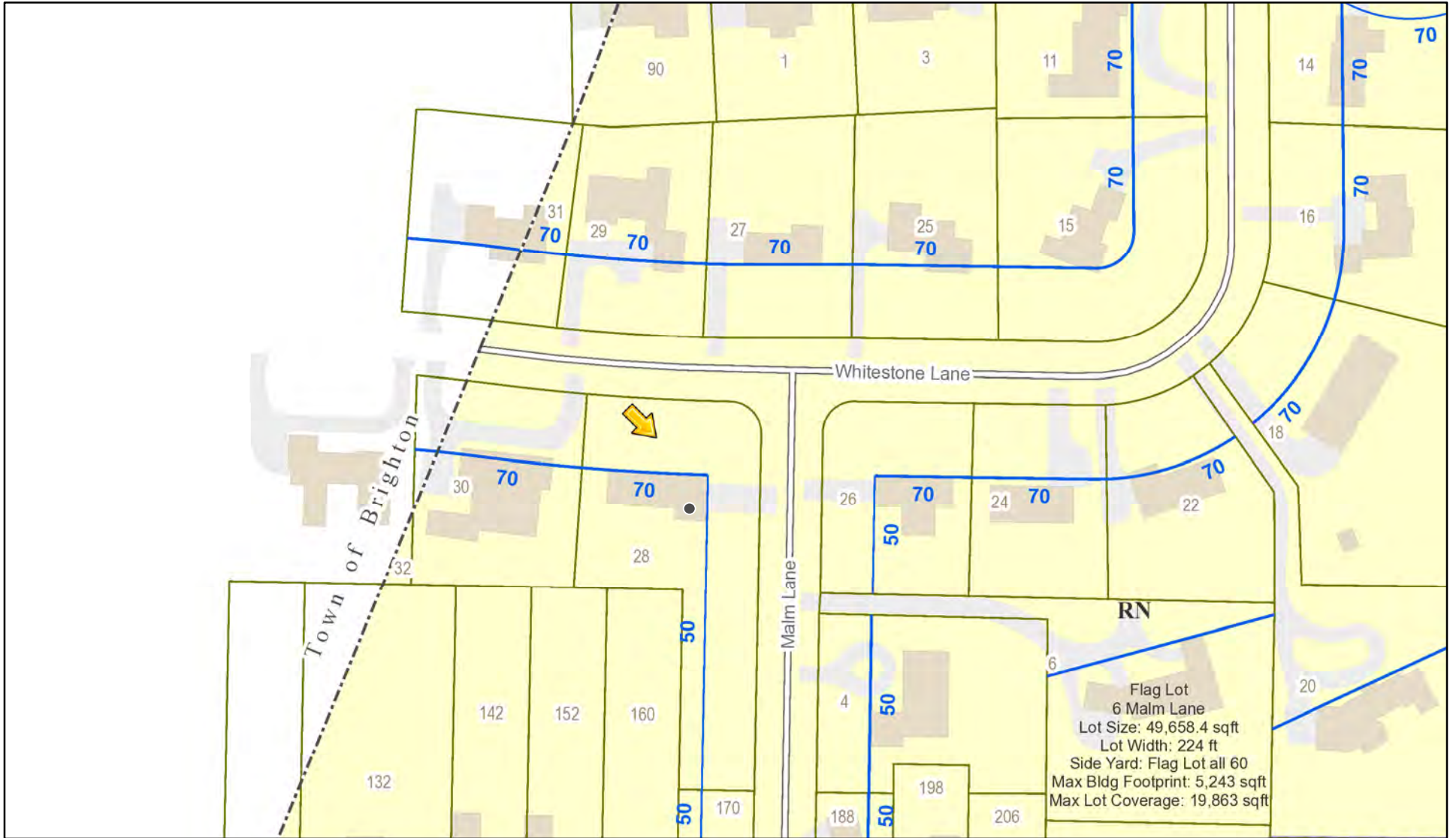
ARZ

Date

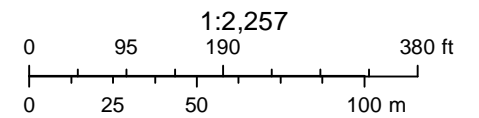
April Zurowski -



RN Residential Neighborhood Zoning

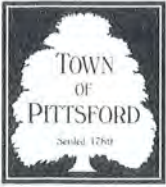


Printed June 23, 2023



Town of Pittsford GIS

The information depicted on this map is representational and should be used for general reference purposes only. No warranties, expressed or implied, are provided for the data or its use or interpretation.



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: June 10, 2023 Hearing Date: June 10, 2023

Applicant: Stahl Property Associates

Address: 345 Kilbourn rd Rochester, NY 14618

Phone: (585) 415-9882 E-Mail: kimbailey99@gmail.com

Agent: _____
(if different than Applicant)

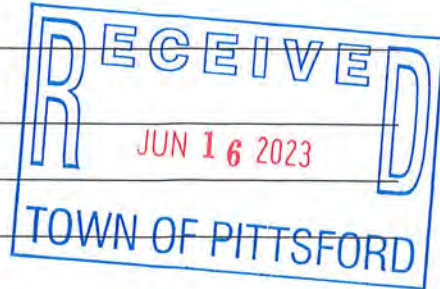
Address: _____

Phone: _____ E-Mail: _____

Property Owner: Mr. and Mrs. John Rizzo
(if different than Applicant)

Address: 36 Whitestone Ln Rochester, NY 14618

Phone: (585) 820-3924 E-Mail: anmarierizzo@gmail.com



(If applicant is not the property owner please complete the Authorization to Make Application Form.)

Property Location: 28 Whitestone Ln Current Zoning: Residential Neighborhood

Tax Map Number: 137.200-2-35

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Remodeling the house at 28 Whitestone with a Master Bedroom addition and a new garage addition. Due to the 50' side setback because it sits on a corner lot we are asking for a 7' 3" variance to 42' 9".

SWORN STATEMENT: As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.

(Owner or Applicant Signature)

6-16-23

(Date)



NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b).

TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:

(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

28 Whitestone is the only house on this side of Malm, therefore there are no other structures to reference the 7' 3" difference that we are requesting (reference zoning map attachment). We feel that by adding on this garage we are creating a more aesthetically pleasing view from Malm. This view is important because the the front elevation of 28 Whitestone is only ever seen by anyone if they are driving down whitestone In toward the dead end cul de sac, and by adding on the proposed garage mass we are adding a visually pleasing view of this property from Malm as well.

2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

The proposed design has been positively received by the Design Review Board, and this design is not possible to achieve without asking for the proposed variance. Without the variance, the rear of the garage structure would interfere with the main house.

TESTS FOR GRANTING AREA VARIANCES (Continued)

3. Please explain whether the requested area variance is minimal or substantial:

Our requested variance is minimal. We are asking for a small subtraction from the 50' setback that has no impact on the neighborhood and improves the view of the side elevation (from Malm) which allows this house to then be viewed in a beneficial way from both Whitestone In and Malm.

4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

Our request of a 7' 3" subtraction from the 50' setback will allow our proposed garage to be viewed from Malm, adding character via an aesthetically pleasing structure that will enhance this side of Malm (as there are currently no other structures to reference on this side of the street). With a 7' 3" subtraction of this setback we will not be infringing on any present environmental fixtures and the character of the street will be improved

- **NOTE:** *Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;*

5. Is the alleged difficulty self-created?

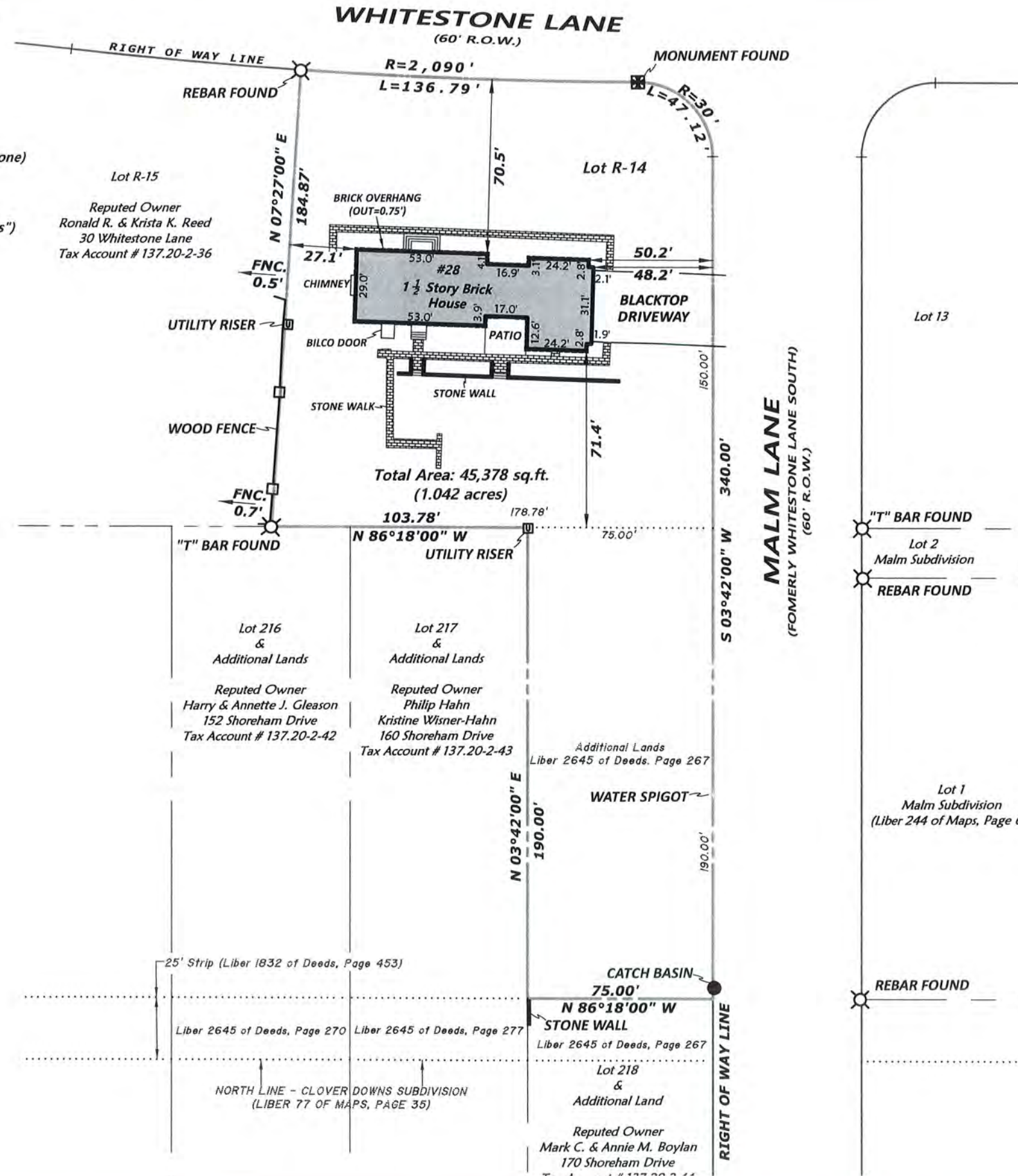
Yes, but we believe that by asking for this variance we will be adding character to the house as well as to the neighborhood (viewed from both whitestone In and malm). We believe it is the traditional style of this particular house in the Whitestone neighborhood that - through Malm In - complements the traditional style of home seen on Shoreham nicely.

References:

- 1.) Stewart Title Insurance Company Abstract No.: 132382 (Last dated 12/12/2022)
- 2.) Liber 77 of Maps, Page 35
- 3.) Liber 150 of Maps, Page 45
- 4.) Liber 183 of Maps, Page 6
- 5.) Tax Account # 137.20-2-35
- 6.) Liber 2645 of Deeds, Page 267 (75'x190' parcel of land adjacent to Lot R-14)
- 7.) Liber 7259 of Deeds, Page 333
- 8.) Liber 3346 of Deeds, Page 187 (Easement to RG&E - for gas mains)
- 9.) Liber 3346 of Deeds, Page 188 (Easement to RG&E, RTC - for electric and telephone)

Notes:

- 1.) Property may be subject to easement filed in Liber 1342 of Deeds, Page 583 (Easement to RG&E, RTC - along all side and rear of Lots 1-128 of the "Knolls")



*Unauthorized alterations or additions to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, sub-section 2, of the New York State Education Law.
 *Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered valid true copies.
 Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency, and lending institution. Certifications are not transferable to additional institutions or subsequent owners.

REVISIONS:			
NO	DATE	DESCRIPTION	BY

SHOWING:
28 WHITESTONE LANE
 LOT R-14
 A RESUBDIVISION OF LOT 14
 IN PART I OF THE PITTSFORD SECTION
 OF CLOVERDALE SUBDIVISION
 &
 OTHER LAND
 TOWN OF PITTSFORD
 MONROE COUNTY
 NEW YORK

DRAWING TITLE:
Instrument Survey Map

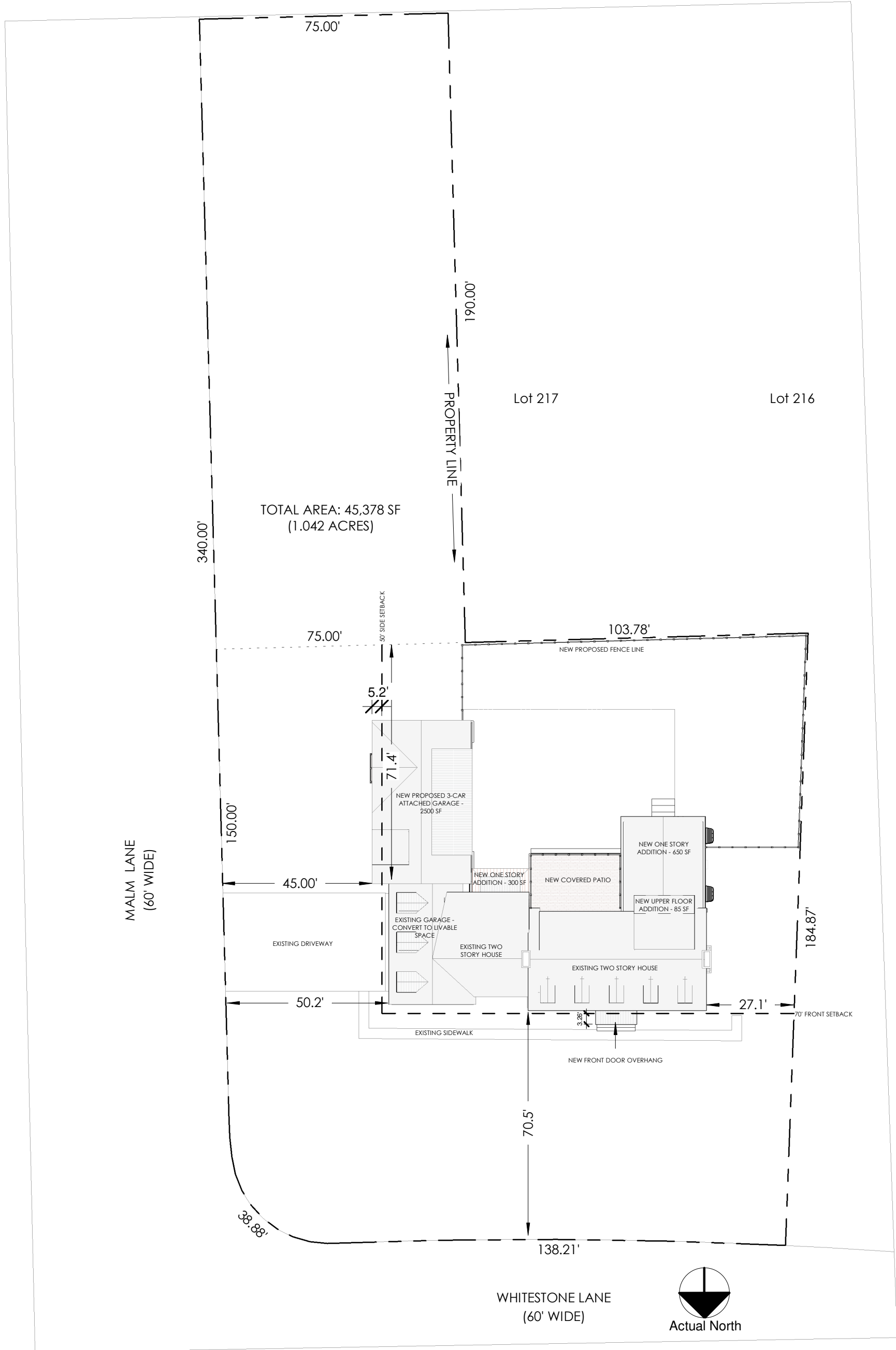
PREPARED FOR:
 c/o
Torres Law Office, P.C.
 The Park At Allens Creek
 132 Allens Creek Road
 Rochester, New York 14618

MARQUES & ASSOCIATES, P.C.
 LAND SURVEYING
 ENGINEERING
 930 East Avenue, Suite 1000
 Rochester, New York 14607
 585-723-1820 (Tel)
 585-723-1821 (Fax)

Date: December 16, 2022
 Project #: 2022042
 Scale: 1"=50'
 Drawn by: MLM
 Checked by: ILM

Certifications:
 We, Marques & Associates, P.C., hereby certify to:
 1.) that this map was made on December 16, 2022 from an Instrument Survey performed on December 13, 2022 and from references listed hereon.

Israel L. Marques, L.S. - NYSLS # 49616



- NOTES:
1. SITE PLAN IS SCHEMATIC AS SHOWN TO DEMONSTRATE HOUSE LOCATION AND REQUIRED SETBACKS ON LOT FOR PLANNING PURPOSE ONLY.
 2. SITE PLAN IS DERIVED FROM SURVEY MAP BY MARQUES & ASSOCIATES, P.C, LICENSED SURVEYING & ENGINEERING; PROJECT #2022042, DATED 12/16/2022.
 3. COPY OF ORIGINAL SURVEY SHALL BE SUBMITTED BY STAHL PROPERTY ASSOCIATES UPON REQUEST BY ANY AHJ.

1 | SCHEMATIC SITE PLAN - NEW
1" = 30'-0"

design
plan
live

28KBW

28 Whitestone Ln
Rochester, NY 14618

STAHL PROPERTY ASSOCIATES

DEVELOPER

buildhappy
Design • Plan • Live.
Digital Design + Construction

PRE DESIGN

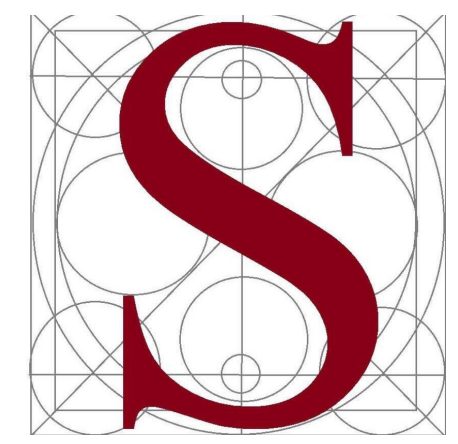
DR01-100
Schematic Site Plan

design
plan
live

28KBW

28 Whitestone Ln
Rochester, NY 14618

STAHL PROPERTY
ASSOCIATES



DEVELOPER

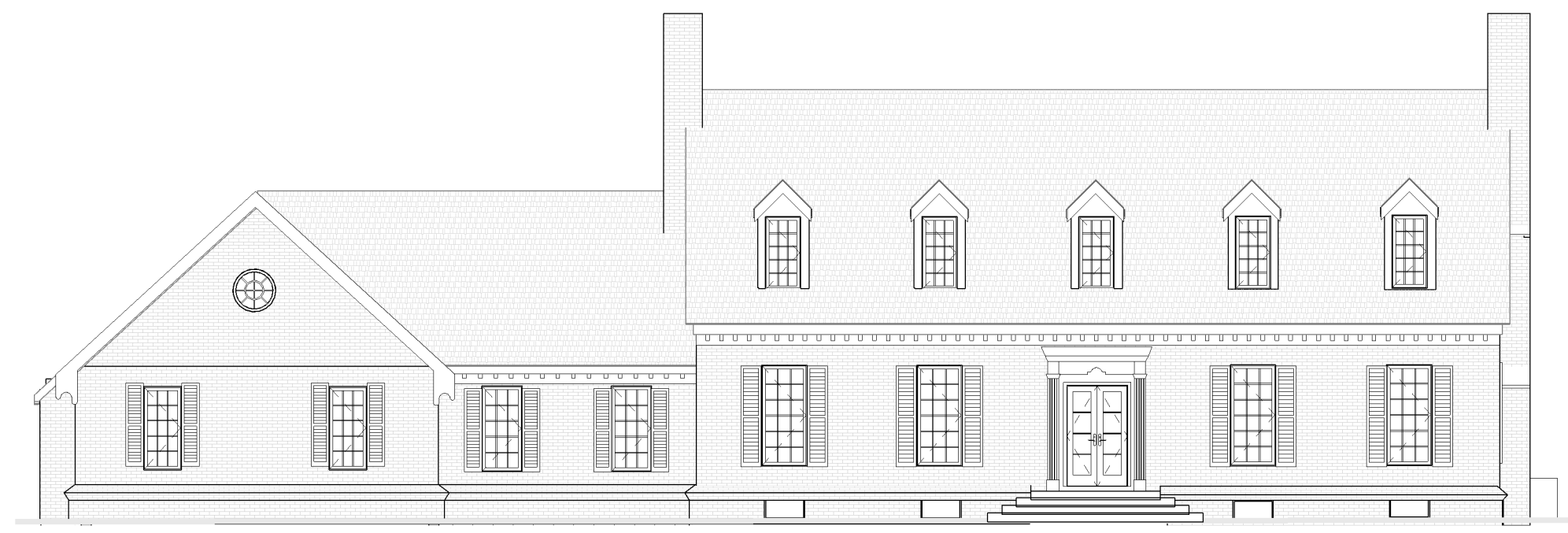


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Design • Plan • Live.

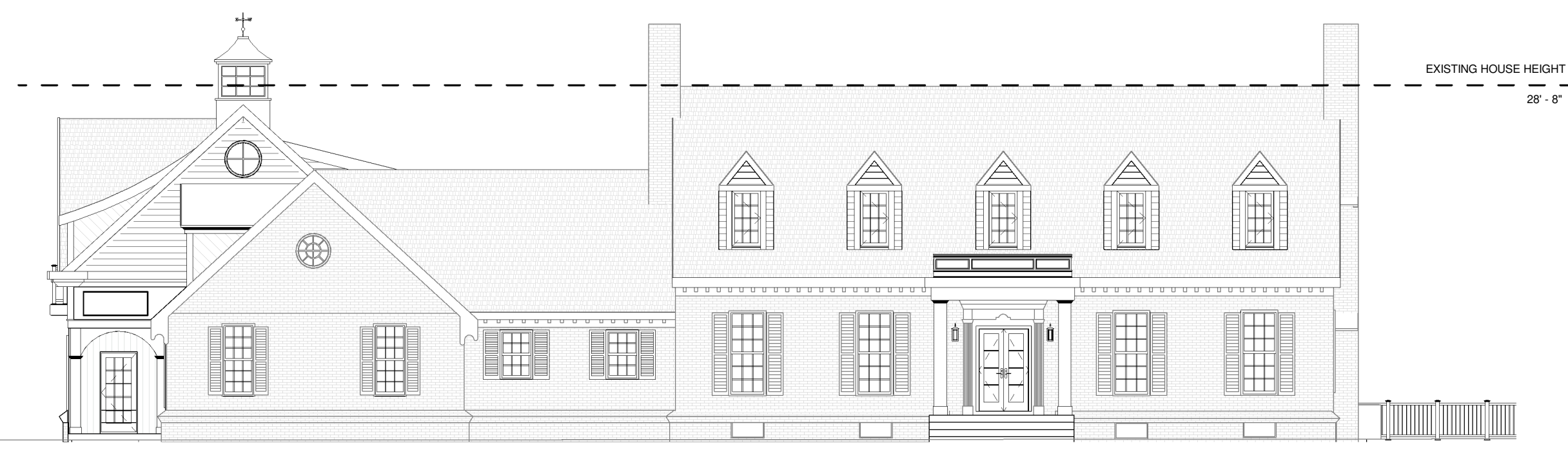
Digital Design + Construction

PRELIM. PERMIT SET

DR02-100
Front Elevation
(Whitestone Ln)



1 | FRONT ELEVATION EXISTING - DESIGN REVIEW
1" = 10'-0"



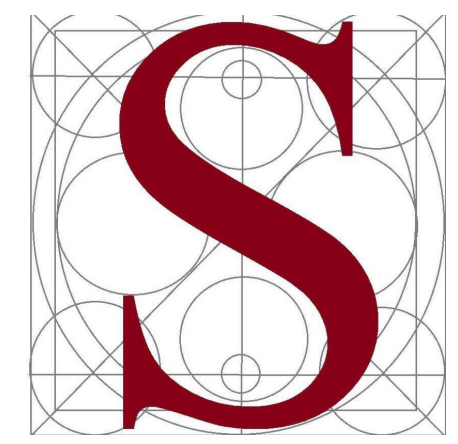
2 | FRONT ELEVATION - NEW - DESIGN REVIEW
1" = 10'-0"

design
plan
live

28KBW

28 Whitestone Ln
Rochester, NY 14618

STAHL PROPERTY
ASSOCIATES



DEVELOPER



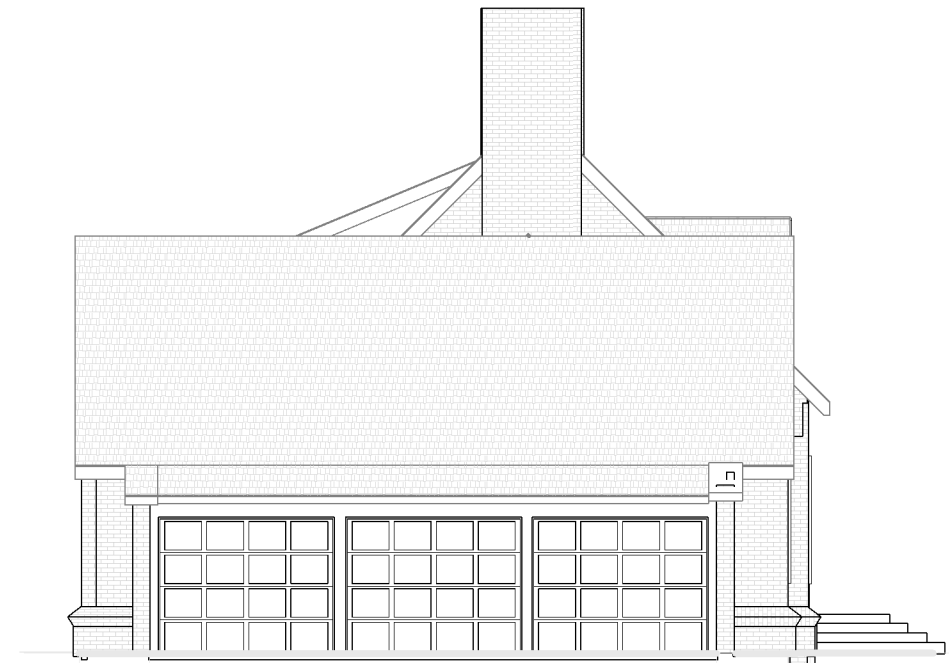
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PRELIM. PERMIT SET

DR02-101

Left Elevation (Malm Ln)



3 | LEFT ELEVATION EXISTING - DESIGN REVIEW
1" = 10'-0"



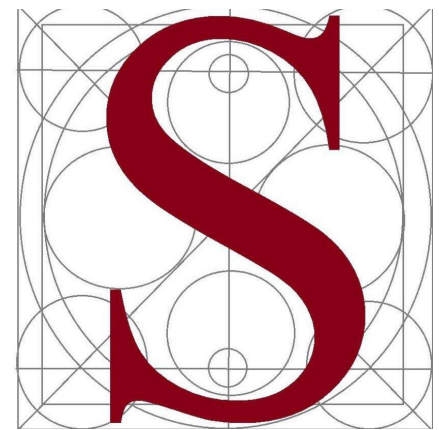
4 | LEFT ELEVATION - NEW - DESIGN REVIEW
1" = 10'-0"

design
plan
live

28KBW

28 Whitestone Ln
Rochester, NY 14618

STAHL PROPERTY
ASSOCIATES



DEVELOPER



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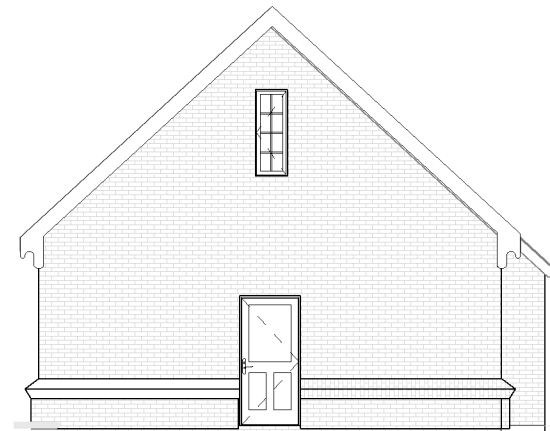
Digital Design + Construction

PRELIM. PERMIT SET

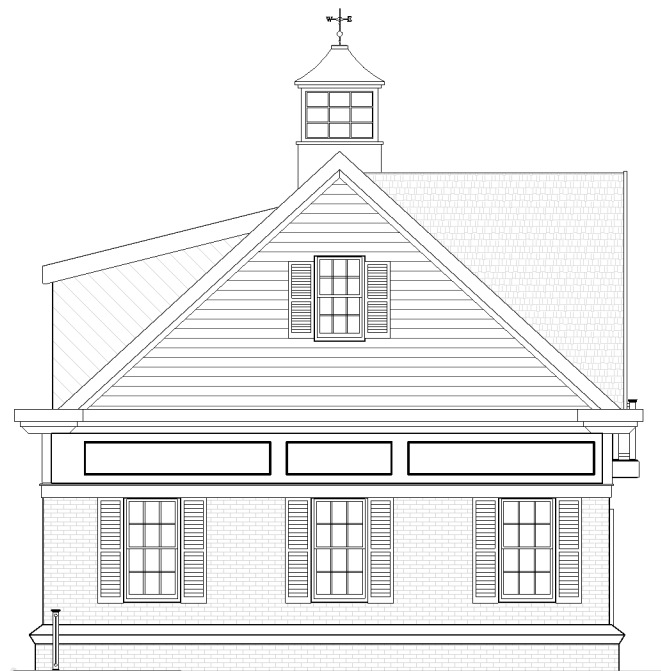
DR02-102

**Garage Side Elevation
(Malm Ln)**

EXISTING IMAGES FROM MALM LN:



1 | GARAGE SIDE ELEVATION EXISTING - DESIGN REVIEW
1" = 10'-0"



2 | GARAGE SIDE ELEVATION - NEW - DESIGN REVIEW
1" = 10'-0"

Zoning Board of Appeals Referral Form Information

Property Address:

Greenpoint Trail PITTSFORD, NY 14534

Property Owner:

Greenpoint Trail Assoc., Inc.
1501 Pittsford-Victor Rd
Victor, NY 14564

Applicant or Agent:

Greenpoint Trail Assoc., Inc.
1501 Pittsford-Victor Rd
Victor, NY 14564

Present Zoning of Property: RN Residential Neighborhood
Area Variance - Non-Residential

Town Code Requirement is:	Proposed Conditions:	Resulting in the Following Variance:
Right Lot Line: 0	Right Lot Line: 0	Right Lot Line: 0.0
Left Lot Line: 0	Left Lot Line: 0	Left Lot Line: 0.0
Front Setback: 0	Front Setback: 0	Front Setback: 0.0
Rear Setback: 0	Rear Setback: 0	Rear Setback: 0.0
Height: 0	Height: 0	Height: 0.0
Monument Sign Size: 6	East Monument Sign Size: 12	East Monument Sign Size: 6.0

Code Section(s):

Description: Applicant is requesting relief from Town Code Section 185-134 D. (5) for the installation of an oversized sign to be located on the existing east monument at the entrance of Greenpoint Trail Subdivision. This property is zoned Residential Neighborhood (RN).

August 04, 2023

ARZ

Date

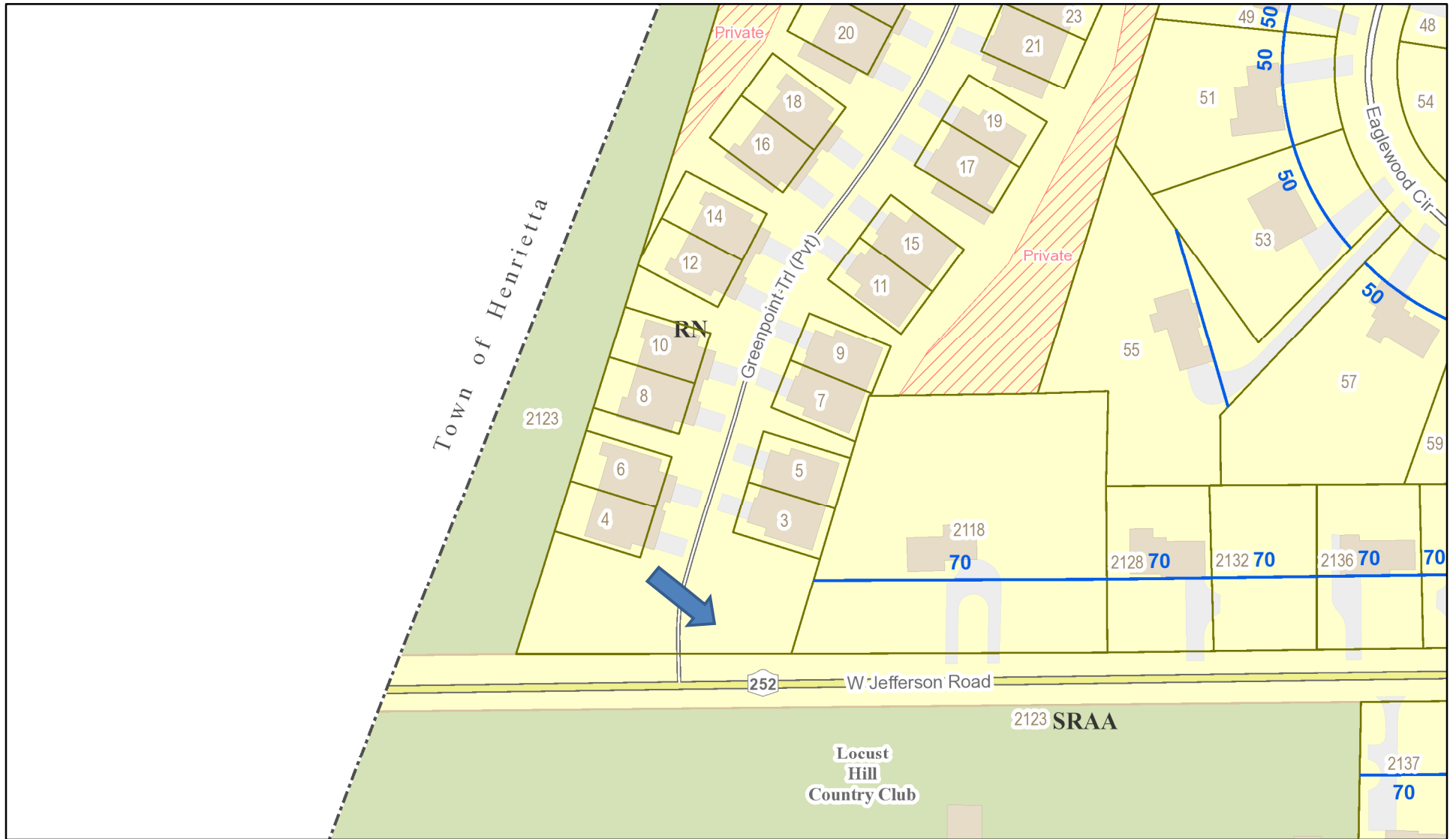
April Zurowski -



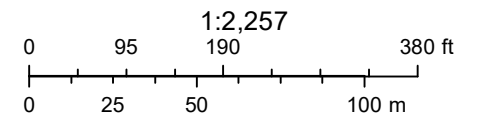
Jun 2022

[See more dates](#)

RN Residential Neighborhood Zoning

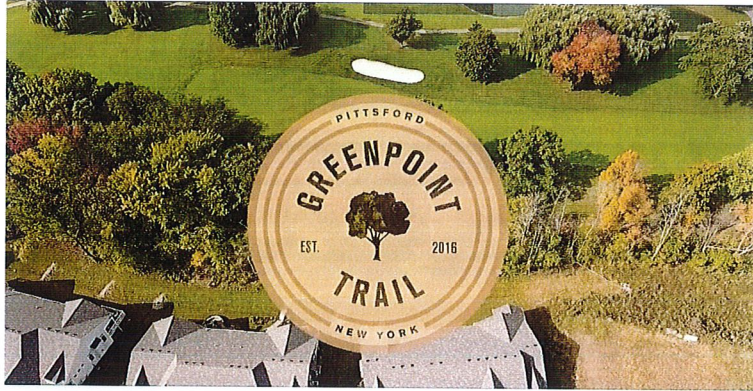


Printed August 4, 2023



Town of Pittsford GIS

The information depicted on this map is representational and should be used for general reference purposes only. No warranties, expressed or implied, are provided for the data or its use or interpretation.



July 15, 2023

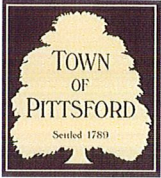
This application is submitted on behalf of the **Greenpoint Trail HOA.**

The installation will be handled by:

Dan Magee
Dave Drake
Realty Performance Group
1800 Hudson Avenue #100
Rochester, NY 14617
585-225-7440

Sincerely,

Donald Alhart
HOA President
585-721-1288
don@alhart.com



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: July 14, 2023 Hearing Date: August 21, 2023

Applicant: Greenpoint Trail Homeowners Association

Address: Greenpoint Trail, Pittsford, NY 14534

Phone: 585-721-1288 E-Mail: DON@ALHART.COM

Agent: Donald Alhart - HOA President
(if different than Applicant)

Address: 24 Greenpoint Trail

Phone: 585-721-1288 E-Mail: DON@ALHART.COM

Property Owner: HOA
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

(If applicant is not the property owner please complete the Authorization to Make Application Form.)

Property Location: Greenpoint Trail Current Zoning: Residential Neighborhood

Tax Map Number: 163.07-1-95

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

We would like to add a second 12 square-foot sign to the existing eastern entrance monument to match the western monument.

SWORN STATEMENT: As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.

Donald Alhart
(Owner or Applicant Signature)

July 15, 2023
(Date)

HOA PRESIDENT

Dura



NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b).

TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:

(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

The proposed additional signage will not produce an undesirable change to the character of the neighborhood. The monument in which the sign is to be placed is existing and well-maintained with down lighting and landscaping.

2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

The desire for a second subdivision sign will create uniformity at the entrance of the subdivision. The size requested will match the existing sign on the western monument. This benefit cannot be achieved by other means.

TESTS FOR GRANTING AREA VARIANCES (Continued)

3. Please explain whether the requested area variance is minimal or substantial:

This area variance is considered substantial, as the western monument has previously received an area variance for an oversized sign. However, the carved stone signage has significantly less visual impact than other types of signage at equivalent size.

4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

The requested area variance will not have an adverse effect on the physical or environmental condition in the neighborhood. The monument in which the sign will be carved is existing.

- **NOTE:** *Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;*

5. Is the alleged difficulty self-created?

The difficulty is self-created, but the request to create uniformity and a pleasant visual entrance will not only benefit the Greenpoint residents, but will benefit the aesthetics to motorists and pedestrians.



Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Greenpoint Subdivision Signage

(Project Name)

The undersigned, being the applicant(s) to the...

Town Board Zoning Board of Appeals Planning Board Architectural Review Board

...of the Town of Pittsford, for a...

change of zoning special permit building permit permit amendment

variance approval of a plat exemption from a plat or official map

...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name(s)

Address(es)



(Signature of Applicant)

July 15, 2023

(Dated)

24 Greenpoint Trail

(Street Address)

PITTSFORD, NY 14534

(City/Town, State, Zip Code)

HOA PRESIDENT



**PREVIOUSLY
APPROVED VARIANCE**

2017

**TOWN OF PITTSFORD
Zoning Board of Appeals
RESOLUTION
Re: 2112 Jefferson Road
(Greenpoint Subdivision)
Tax Parcel #: 163.01-1-1
Applicant: S & J Morrell Inc.
Zoned: RN Residential Neighborhood**

I move that the Pittsford Zoning Board of Appeals grant to the above Applicant relief from Code Section(s) 185-134 D(5), to allow the construction of a sign structure 5'-8" high and 13' wide where code requires a maximum of 4' high and to allow the placement of a subdivision sign of 12 square feet where code allows for 6 square feet at the above location and bearing the above Tax Parcel number. The within Resolution follows a Public Hearing held on June 19, 2017 and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under Section 617.5(C) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department.

The within Resolution is based upon the following specific Findings of Fact and subject to the following Specific Conditions:

Findings of Fact

As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:

The proposed oversize sign will produce no undesirable change in the neighborhood and create no detriment to nearby properties. Jefferson Road is heavily traveled and existing residential properties are not nearby. There is no neighborhood opposition.

As to whether the benefit sought by the applicant can be achieved by feasible means, other than the requested variance, the Board finds, as follows:

Due to the high volume and speed of traffic on Jefferson Rd, a smaller sign would not have sufficient visibility from the road for safe slowing and turning.

As to whether the application represents a substantial variance from Code, the Board finds, as follows:

The application represents a substantial variance from code, but this is mitigated by the unique situation of a high volume and speed along the main road.

As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:

The requested variance will have no adverse impact on the physical and/or environmental conditions in the neighborhood.

As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:

1. The Board is aware of the fact that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The hardship is self-created, but is mitigated by the location and the granting of the variance is not precluded.

Conditions of Approval

The Board, in granting the within application, hereby imposes the following specific conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated June 6, 2017.
2. All construction is to be completed by December 31, 2017.
3. The proposed sign is subject to review and approval of Design Review & Historic Preservation Board.
4. If unreasonable lighting impacts occur the Code Enforcement Officer can require shielding or other adjustments to the lights.

The within Resolution was moved by Zoning Board of Appeals member George Dounce, seconded by Board member Dave Rowe, and voted upon by the Board members, as follows:

George Dounce voted	<u>aye</u>
Michael Rose voted	<u>aye</u>
Barbara Servé voted	<u>aye</u>
Barbara Collins voted	<u>aye</u>
Dave Rowe	<u>aye</u>
Mary Ellen Spennacchio-Wagner voted	<u>absent</u>
Jaime Waldman voted	<u>absent</u>

The Zoning Board of Appeals adopted the above resolution on June 19, 2017.

Doug DeRue for
Susan K. Donnelly
Secretary to the Zoning Board of Appeals