

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
AGENDA  
July 20, 2020**

**PUBLIC HEARING FOR AN AREA VARIANCE – RETURNING**

- 85 Knollwood Drive, Tax # 138.17-1-5, Applicant is requesting relief from Town Code §185- 113 (B) (6) (Side Setback) and §185 – 141 (F) (1) (Outdoor Illumination of Recreational courts) to allow the construction of an outdoor recreation court (Tennis Court). The Applicant has submitted a letter to the Town of Pittsford to withdraw this application.

**PUBLIC HEARING FOR AN AREA VARIANCE – NEW**

- 1 Mendon Center Road, Tax # 164.03-1-30.1, Applicant is requesting relief from Town Codes §185 – 113 B (3) for the construction of an accessory structure (Arbor) located forward of the rear wall of the home. This property is zoned RN-Residential Neighborhood.
- 15 Woodbury Place Tax # 137.68-1-14.1, Applicant is requesting relief from Town Code §185-113 B (6) & 185 – 17 I to locate an accessory structure (standby generator) encroaching on the rear setback of the property. This property is zoned RN – Residential Neighborhood District
- 25 Copper Woods, Tax # 178.03-1-45, Applicant is requesting relief from Town Code §185-113 B (3), & (6) and §185 – 17 E to allow construction of a shed located forward of the rear wall and encroaching into the side setback. Property is zoned RN – Residential Neighborhood District.
- 25 Parker Road. Tax # 164.10-2-67, Applicant is requesting relief from Town Code § 185 -113 B (1) & (2) and § 185 -17 E to construct an addition encroaching into the side setback and for the construction of an over height and oversized accessory structure located in the rear yard. This property is zoned RN – Residential Neighborhood District.
- 28 Butternut Drive, Tax # 165.09-1-10, Applicant is requesting relief from Town Code §185-113 B (1) & (2) to allow construction of an over height and oversized accessory structure located in the rear yard. Property is zoned RN – Residential Neighborhood District.
- 44 Harper Drive, Tax #178.07-1-28, Applicant is requesting relief from Town Code §185-113 B (3) to allow construction of a shed located forward of the rear wall of the home. The shed is proposed to be located in the side yard. Property is zoned RN – Residential Neighborhood District.
- 393 Thornell Road, Tax # 178.04-1-59.1, Applicant is requesting relief from Town Code §185- 113 B (1) & (6) and §185 – 17 L for the construction of an oversized accessory structure (Storage Shed) located in side yard and encroaching into the side setback. The structure is proposed to be approximately 192 Sq. Ft. Property is zoned RN- Residential Neighborhood District.
- 40 Skylight Trail Tax # 192.06-1-99, Applicant is requesting relief from Town Code §185- 113 B (1) & (2) for the construction of an oversized accessory structure (Community Garden Building) located in the Alpine Ridge Subdivision. Property is zoned RN- Residential Neighborhood District.

**REVIEW OF MEETING MINUTES OF JUNE 15, 2020**

How to view the meeting:

1. Zoom

In your web browser, go to

<https://townofpittsford.zoom.us/j/85220236407?pwd=ZkpuTERXN01VVG1ITXVvYUVJbHlaZz09>



You will be connected to the meeting.

2. Telephone

- You can access the meeting by phone. Use any of the phone numbers below, then enter the meeting ID when prompted. The Meeting ID is **852 2023 6407**. No password is necessary.

(929) 205-6099

(312) 626-6799

(253) 215-8782

(301) 715-8592

(346) 248-7799

(669) 900-6833

*draft*  
**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
MINUTES  
June 15, 2020**

**PRESENT**

George Dounce, Chairperson; Mary Ellen Spennacchio-Wagner, Barbara Servé, Phil Castleberry, James Pergolizzi

**ALSO PRESENT**

Mark Lenzi, Building Inspector; Robert Koegel, Town Attorney; Susan Donnelly, Secretary to the Board

**ABSENT**

Mike Rose, David Rowe

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, June 15 at 7:00 P.M. local time. The meeting took place with Board members and applicants participating remotely using Zoom virtual meeting software.

George Dounce, Chairperson, called the regularly scheduled meeting of the Zoning Board of Appeals to order at 7:00 pm.

The applications before the Board this evening are Type II Actions under 6-NYCRR §617.5 (c) (7) or (12) & (13) and, therefore, is not subject to Environmental Review under SEQRA. The applications are exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

**PUBLIC HEARING FOR AN AREA VARIANCE – NEW**

- **85 Knollwood Drive**, Tax # 138.17-1-5, Applicant is requesting relief from Town Code §185- 113 (B) (6) (Side Setback) and §185 – 141 (F) (1) (Outdoor Illumination of Recreational courts) to allow the construction of an outdoor recreation court (Tennis Court). The tennis court is proposed to be located in the rear yard at approximately 14 feet from the rear property line and will include 22' tall lights illuminating the play area. The size is proposed to be 60' x 120'. Property is zoned RN-Residential Neighborhood District.

Evan Gefell of Costich Engineering and Karen Kosten of Wegmans were present to discuss the application with the Board.

The applicants stated the proposed illuminated tennis court will be located directly behind the residence. Six 20 ft. arbor vitae will be planted on the side of the property line to shield adjoining properties. 22' posts will house illuminated LED lights which will provide safety lighting for the players. The applicant states that the area is heavily wooded and the residence is 18 ft. above the lighted poles.

The Board inquired how late at night the poles are proposed to be illuminated. Karen Kosten discussed that the lights could be turned off at 10 pm. She indicated that the lights would not be on too often mainly in the early evening. Jim Pergolizzi asked about the lighting contours. Phil Castleberry asked if there are additional steps that could be taken to lower the light density. Mr. Gefell responded that he felt the existing trees mitigate the lighting.

Barb Servé asked if there is neighborhood support or opposition to the project. Letters of support were received by the Town from the neighbors at 90 and 91 Knollwood Drive.

George Dounce asked for Public Comment.

Todd Nichols, representing his mother Amy Nichols who resides at 81 Knollwood Drive, discussed his concerns about the illumination from the court. The resident is concerned about light illumination in a currently dark area, noise from the court and privacy. Additionally, there are concerns as to whether the court would change any drainage to her property. Mark Lenzi recounted a previous phone conversation with Mrs. Nichols where he indicated the location of the court will be to the rear of the home and down the hill by a pond.

Evan Gefell responded that the lights are down lit from the poles and the existing vegetation and topography mitigates any ambient light. Karen Kosten discussed that the lighting contour would be .5 of a foot candle.

George Dounce asked Mr. Nichols if after this discussion if his concerns were abated. Mr. Nichols responded that there was less of a concern but still expressed problems with the lighting. It was pointed out that the variance for the lighting presents a significant deviance from code.

Mr. Dounce asked the applicant the timeline for the project should the variance be granted. The applicant stated a late summer start to construction.

Phil Castleberry recommended times when the lighting would be turned off and proposed 10 pm to 8 am. Karen Kosten indicated that this was agreeable. Town staff confirmed that times of lighting would be an enforceable standard by the Code Enforcement Office of the Town if this was one of the conditions of approval.

Further discussion about vegetative screening was brought up by Jim Pergolizzi to mitigate the effect of any ambient light.

Given the continued concern of the resident of 81 Knollwood Drive regarding the lighting, a motion was made to hold the application open to give the applicant and the homeowner at 81 Knollwood Drive an opportunity to address concerns or make any accommodations regarding the application to see if some mutual agreement could be come to.

Phil Castleberry made the motion to hold the hearing open.

Barb Servé seconded.

George Dounce called for a roll call vote.

George Dounce voted aye  
Barb Servé voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
James Pergolizzi voted aye  
Phil Castleberry voted aye

The motion was carried to hold the application open.

- **32 Wexford Glen**, Tax # 163.04-4-26, Applicant is requesting relief from Town Code §185- 113 B (1) & (2) for the construction of an oversized accessory structure (Pavilion) located in the rear yard. The structure is proposed to be approximately 224 Sq. Ft. and approximately 13'3" in height. Property is zoned RN- Residential Neighborhood District.

The homeowner, Brian DeJoy and contractor, Gil Vargas were present to discuss the application with the Board. Mr. Vargas indicated that the structure will be in keeping with the look of the residence and only presents a slight variance from code (1 ft. 3") regarding height. Mr. DeJoy Stated that the south side of the structure will be sheltered by pines and the north side cannot be seen from the back patio. There are also woods behind the residence which shelter the view.

There was no Public Comment.

Barb Servé moved to close the Public Hearing.

George Dounce seconded.

George Dounce asked for a roll call of the Board.

Barb Servé voted aye  
George Dounce voted aye  
Phil Castleberry voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
James Pergolizzi voted aye

### **DECISION FOR 32 WEXFORD GLEN – AREA VARIANCE**

A written Resolution to grant the area variance for 32 Wexford Glen was moved by Mary Ellen Spennacchio-Wagner and seconded by Phil Castleberry.

Chairman George Dounce called for a roll call vote.

Barbara Servé voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
George Dounce voted aye  
Phil Castleberry voted aye  
James Pergolizzi voted aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 9, 2020.
  2. All construction is to be completed by December 31, 2021.
- **22 East Park Road**, Tax # 151.17-3-13, Applicant is requesting relief from Town Code § 185 -17 (B) (1) for the construction of an addition with a front setback of approximately 40'. Town Code requires a 50' minimum front setback. Property is zoned RN – Residential Neighborhood District

The applicants and homeowners Bruno and Laura Wolf were present to discuss the application with the Board. Mr. Wolf discussed that they are appearing before the Board to amend their previous application to expand their kitchen slightly larger.

Mr. Wolf discussed that he has spoken with the most affected neighbor and that they are in favor of the additional 2'. This will face the neighbor's garage.

There was no Public Comment.

Mary Ellen Spennacchio-Wagner moved to close the Public Hearing.

Phil Castleberry seconded.

George Dounce asked for a roll call of the Board.

Barb Servé voted aye  
George Dounce voted aye  
Phil Castleberry voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
James Pergolizzi voted aye

## **DECISION FOR 22 EAST PARK ROAD– AREA VARIANCE**

A written Resolution to grant the area variance for 22 East Park Road was moved by Barb Servé and seconded by Mary Ellen Spennacchio-Wagner.

Chairman George Dounce called for a roll call vote.

Barbara Servé voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
George Dounce voted aye  
Phil Castleberry voted aye  
James Pergolizzi voted aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated October 24, 2019 and modified June 4, 2020.
  2. All construction is to be completed by December 31, 2021.
- **78 Willard Road**, Tax # 177.02-1-11, Applicant is requesting relief from Town Code §185- 113 B (1) for the construction of an oversized accessory structure (Storage Shed) located in the rear yard. The structure is proposed to be approximately 364 Sq. Ft. Property is zoned AG – Agricultural District.

The homeowner Chad Phillips was present to discuss the application with the Board.

The Board inquired about the timeline for the project and Mr. Phillips indicated that he would like to start within the next month.

There was no Public Comment.

Phil Castleberry moved to close the Public Hearing.

Barb Servé seconded.

George Dounce asked for a roll call of the Board.

Barb Servé voted aye  
George Dounce voted aye  
Phil Castleberry voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
James Pergolizzi voted aye

## **DECISION FOR 78 WILLARD ROAD - AREA VARIANCE**

A written Resolution to grant the area variance for 78 Willard Road was moved by George Dounce and seconded by Mary Ellen Spennacchio-Wagner.

Chairman George Dounce called for a roll call vote.

Barbara Servé voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
George Dounce voted aye  
Phil Castleberry voted aye  
James Pergolizzi voted aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated April 2, 2020.
  2. All construction is to be completed by December 31, 2021.
- **7 Duxbury Way**, Tax # 151.11-1-19, Applicant is requesting relief from Town Code §185- 113 B (1) & (6) for the construction of an oversized accessory structure (Storage Shed) located in the rear yard. The structure is proposed to be approximately 280 Sq. Ft. Property is zoned RN- Residential Neighborhood District.

The homeowner Ryan Mooney was present to discuss the application with the Board. He indicated that the accessory structure would not be visible from the street or other neighbors due to a wooded area.

There was no Public Comment.

Mary Ellen Spennacchio-Wagner moved to close the Public Hearing.

James Pergolizzi seconded.

George Dounce asked for a roll call of the Board.

Barb Serve voted aye  
George Dounce voted aye  
Phil Castleberry voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
James Pergolizzi voted aye

## **7 DUXBURY WAY – AREA VARIANCE**

A written Resolution to grant the area variance for 7 Duxbury Way was moved by George Dounce and seconded by Mary Ellen Spennacchio-Wagner.

Chairman George Dounce called for a roll call vote.

Barbara Servé voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
George Dounce voted aye  
Phil Castleberry voted aye  
James Pergolizzi voted aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated April 30, 2020.
  2. All construction is to be completed by December 31, 2021.
- **105 Stuyvesant Road**, Tax # 178.11-1-18, Applicant is requesting relief from Town Code §185- 113 B (6) for the construction of a garden shed located in the rear yard and encroaching into the side setback. The structure is proposed to be located approximately 4' from the right side setback and outside of the rear buffer zone. Property is zoned RN- Residential Neighborhood District.

The applicants John and Robin Beal were present to discuss the application with the Board. Mr. Beal indicated this was a minimal variance request.

The applicants indicated they would like to begin their project within the week.

There was no Public Comment.

Phil Castleberry moved to close the Public Hearing.

James Pergolizzi seconded.

George Dounce asked for a roll call of the Board.

Barb Servé voted aye  
George Dounce voted aye  
Phil Castleberry voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
James Pergolizzi voted aye

## **DECISION FOR 105 STUYVESANT ROAD – AREA VARIANCE**

A written Resolution to grant the area variance for 105 Stuyvesant Road was moved by Barbara Servé and seconded by George Dounce.

Chairman George Dounce called for a roll call vote.

Barbara Servé voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
George Dounce voted aye  
Phil Castleberry voted aye  
James Pergolizzi voted aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated May 14, 2020.
  2. All construction is to be completed by December 31, 2021.
- **393 Thornell Road**, Tax # 178.04-1-59.1, Applicant is requesting relief from Town Code §185- 113 B (1) & (6) for the construction of an oversized accessory structure (Storage Shed) located in the rear yard and encroaching into the left side setback. The structure is proposed to be approximately 192 Sq. Ft. with a right side setback of 5'. Property is zoned RN- Residential Neighborhood District.

George Dounce announced that the applicant has withdrawn the application for this evening. The variance will be revised and heard at next month's meeting.

## **OTHER**

It was announced that the next meeting location for July is yet to be determined as deemed appropriate by the Governor's directive. There is potential for a zoom or in person meeting. Mark Lenzi will keep Board members apprised.

## **POINT PERSONS FOR July 20, 2020 MEETING**

1 Stone Road – Barb Serve  
15 Woodbury Place – Phil Castleberry  
25 Copper Woods – George Dounce  
25 Parker Drive – David Rowe  
28 Butternut Drive – George Dounce  
44 Harper Drive – James Pergolizzi  
393 Thornell Road – Mary Ellen Spennacchio-Wagner  
Alpine Ridge Greenhouse/Community Center – David Rowe  
85 Knollwood Drive (held over) – Phil Castleberry

## **REVIEW OF THE MARCH 16, 2020 MINUTES**

George Dounce moved to approve the minutes of the March 16, 2020 meeting as written.

George Dounce called for a roll call vote.

Phil Castleberry voted aye  
George Dounce voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
Barb Servé voted aye  
James Pergolizzi voted aye

## **MEETING ADJOURNMENT**

George Dounce moved to adjourn the meeting at 8:42 pm.

George Dounce called for a roll call vote.

Phil Castleberry voted aye  
George Dounce voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
Barb Servé voted aye  
James Pergolizzi voted aye

Respectfully submitted,

Susan K. Donnelly  
Secretary to the Zoning Board of Appeals

# Zoning Board of Appeals Referral Form Information

**Property Address:**

1 Mendon Center Road PITTSFORD, NY 14534

**Property Owner:**

Cherry, William E  
1 Mendon Center Rd  
PO Box 590  
Pittsford, NY 14534

**Applicant or Agent:**

Cherry, William E  
1 Mendon Center Rd  
PO Box 590  
Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
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
Size:	0	Size:	0	Size:	0.0

**Code Section(s):** 185-113 B (3)

Description: Applicant is requesting relief from Town Codes §185 – 113 B (3) for the construction of an accessory structure (Arbor) located forward of the rear wall of the home. This property is zoned RN-Residential Neighborhood.

Note: This structure was constructed without the Town's Knowledge. The owner was unaware of the Town's requirements and has fully complied with all requests of the Building Department.

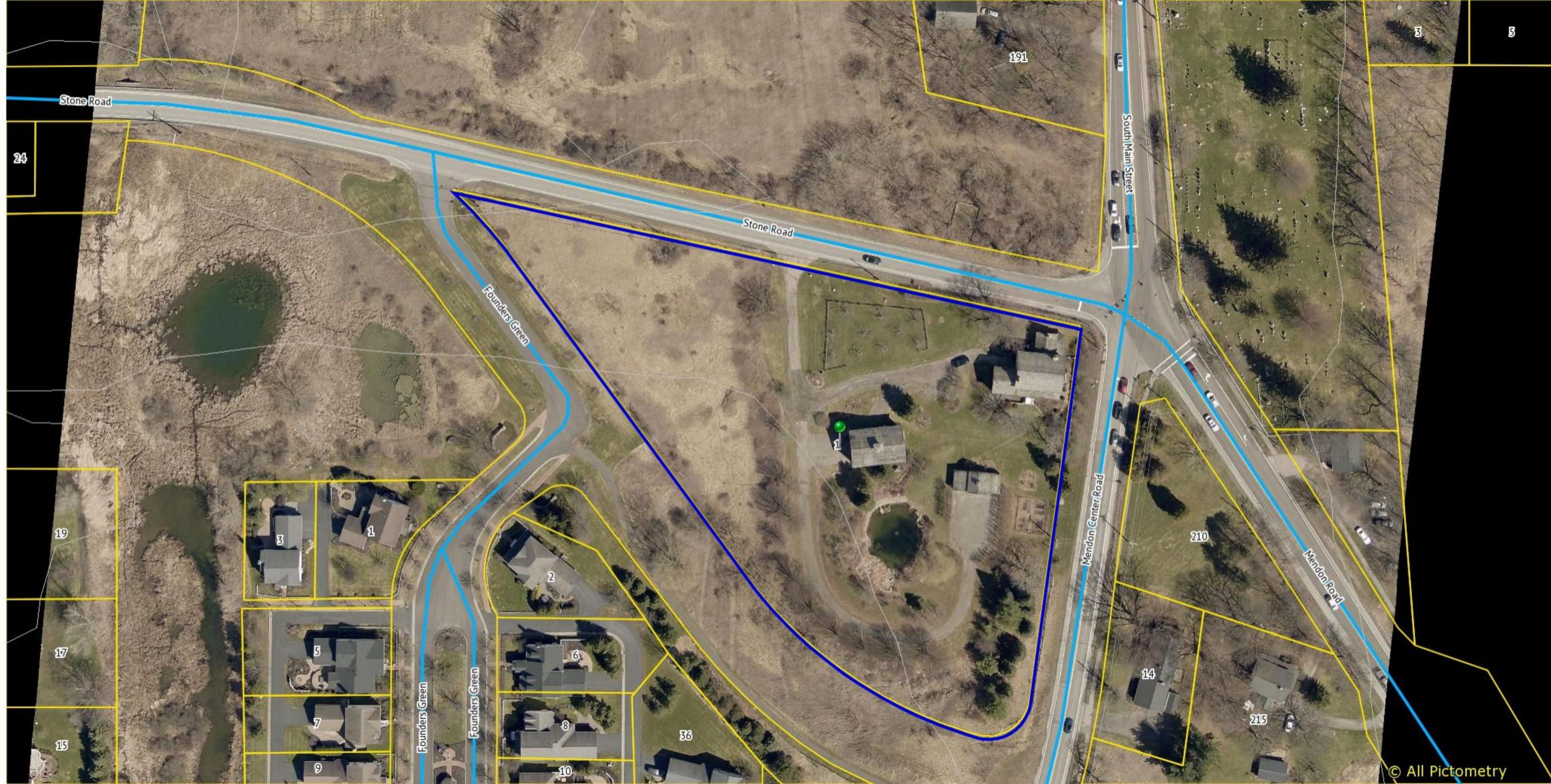
July 08, 2020

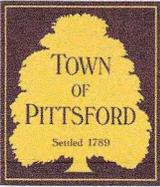


Date

Mark Lenzi - Building Inspector CEO







# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: June 1, 2020 Hearing Date: July 20, 2020

Applicant: William and Victoria Cherry

Address: 1 Mendon Center Road

Phone: 585-350-4856 E-Mail: vnlcherry@gmail.com

Agent: \_\_\_\_\_  
*(if different than Applicant)*

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: \_\_\_\_\_  
*(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: \_\_\_\_\_ Current Zoning: Family Residence Pittsford Town

Tax Map Number: \_\_\_\_\_

Application For:       Residential       Commercial       Other

Please describe, in detail, the proposed project:

A grape arbor (7'3" high, 4'10" wide, 36'3" long) placed 96' from side wall of home and 30' back from Mendon Center Road.

**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.

Victoria Cherry      6/1/2020  
*(Owner or Applicant Signature)*      *(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:

There has been a garden with a protective enclosure in place for many years. The most recent prior enclosure was collapsing due to the weight of the now well established grape vines. The replacement is very well made and much more attractive and is better for growing healthy grapes.

The arbor is made of larch and will weather into a tree like brownish gray color. When the surrounding trees are in bloom and the grape leaves grow in it will be very inconspicuous.

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

This is the spot where the garden was established over 20 years ago by prior inhabitants and where the grapes vines are well established.

**TESTS FOR GRANTING AREA VARIANCES (Continued)**

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

Minimal — just added structure to help the grapes grow and optimize protected garden space to create partial shade beds to be used for growing during hot weather.

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:

There will be no impact on drainage. This is an organic garden and no harmful chemicals are used on the grapes or anything else.

- **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. I hope that it is mitigated by the nice design and that there is not a negative impact on the environment.

# Grape Arbor

Wood - larch ... will weather brownish grey

Height - 7'3"

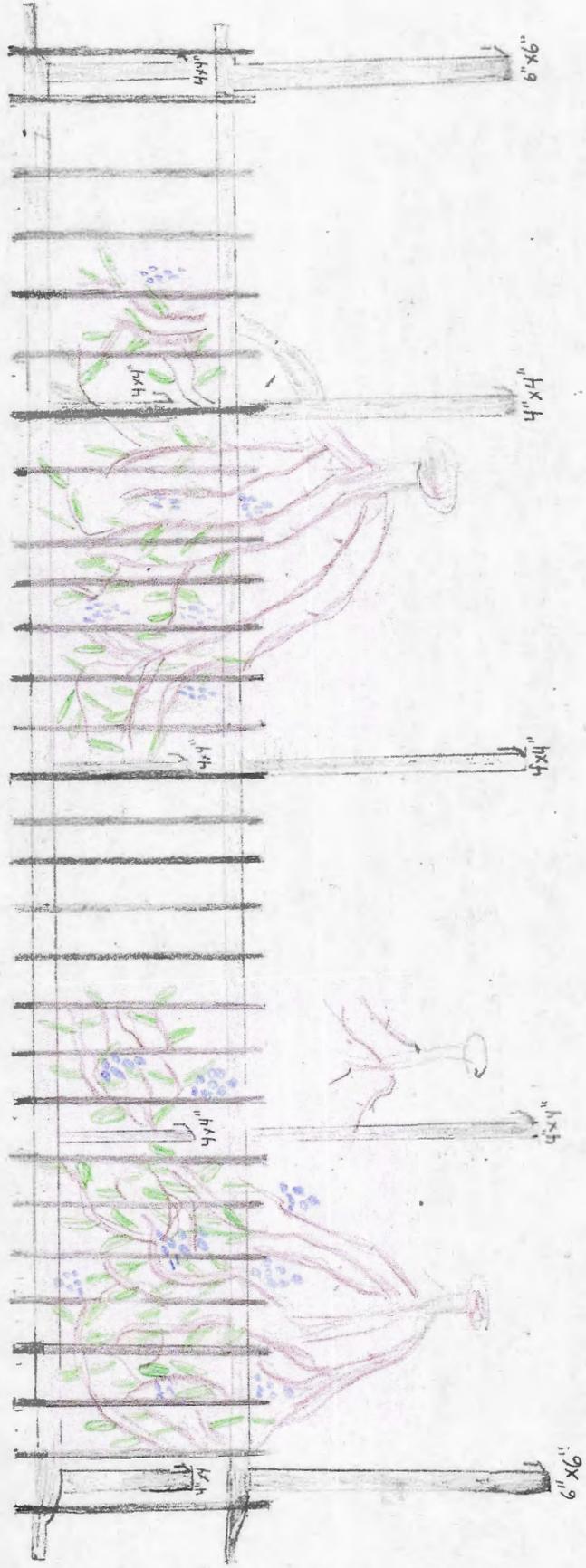
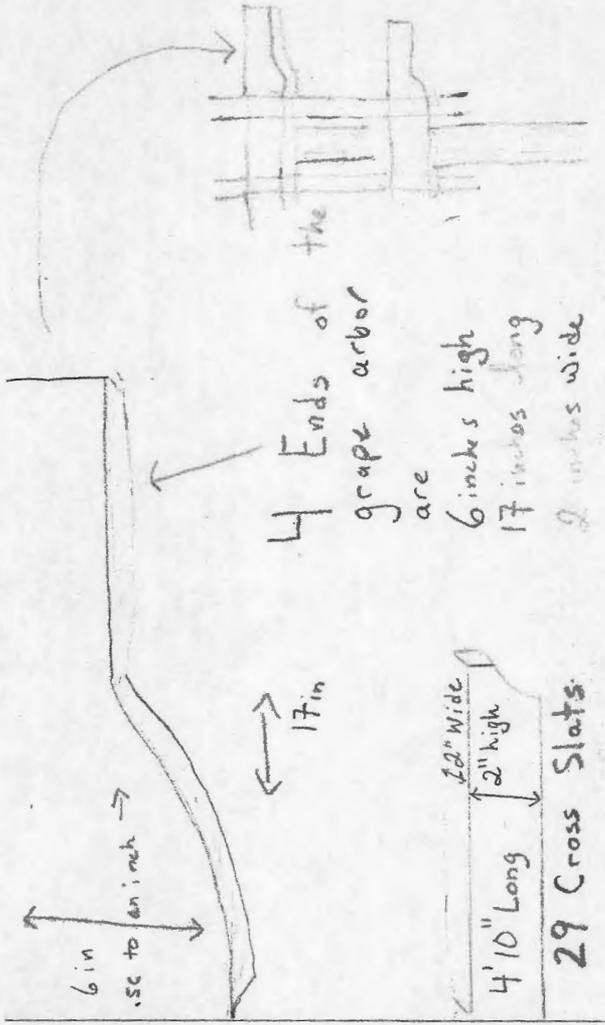
Length - 36'3"

Width - 4'10"

Beams → 2 6x6 x 7'1"

8 4x4 x 7'1"

Slats → 29 2x2 x 4'10"



1" = 4'

1 MENDON CENTER ROAD

Mendon Center Road

30' feet to Road

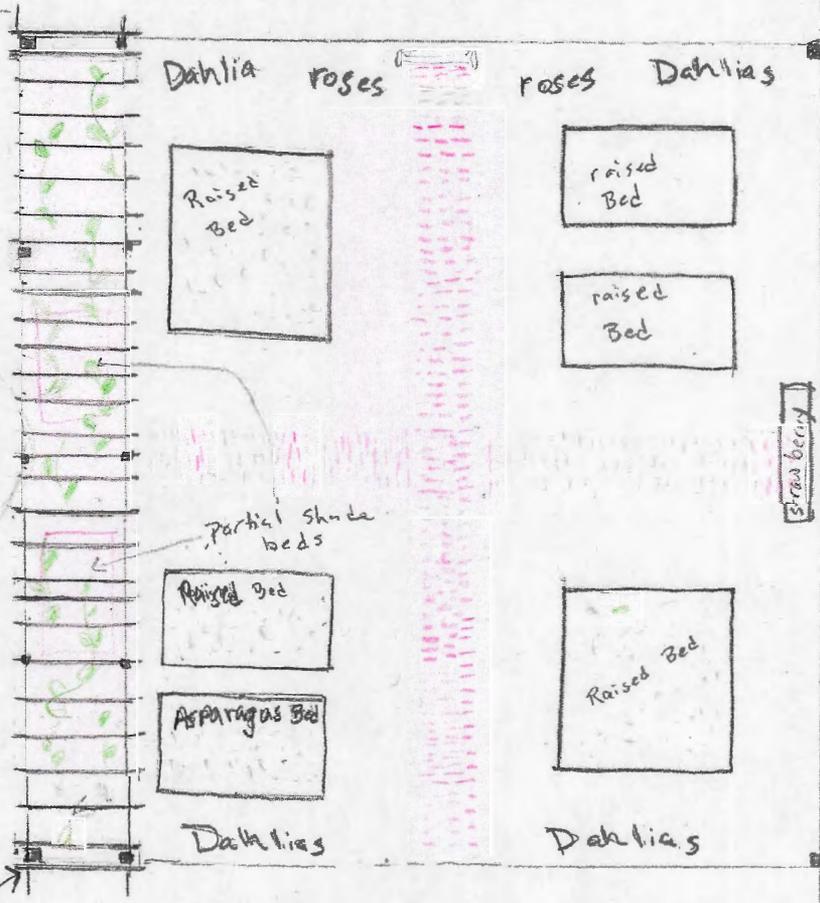
grape Arbor

36'2" + 17" on each end

96' from edge of Home  
1 Mendon Ctr Rd

Outside edge of Arbor

2.1m x 1.2m

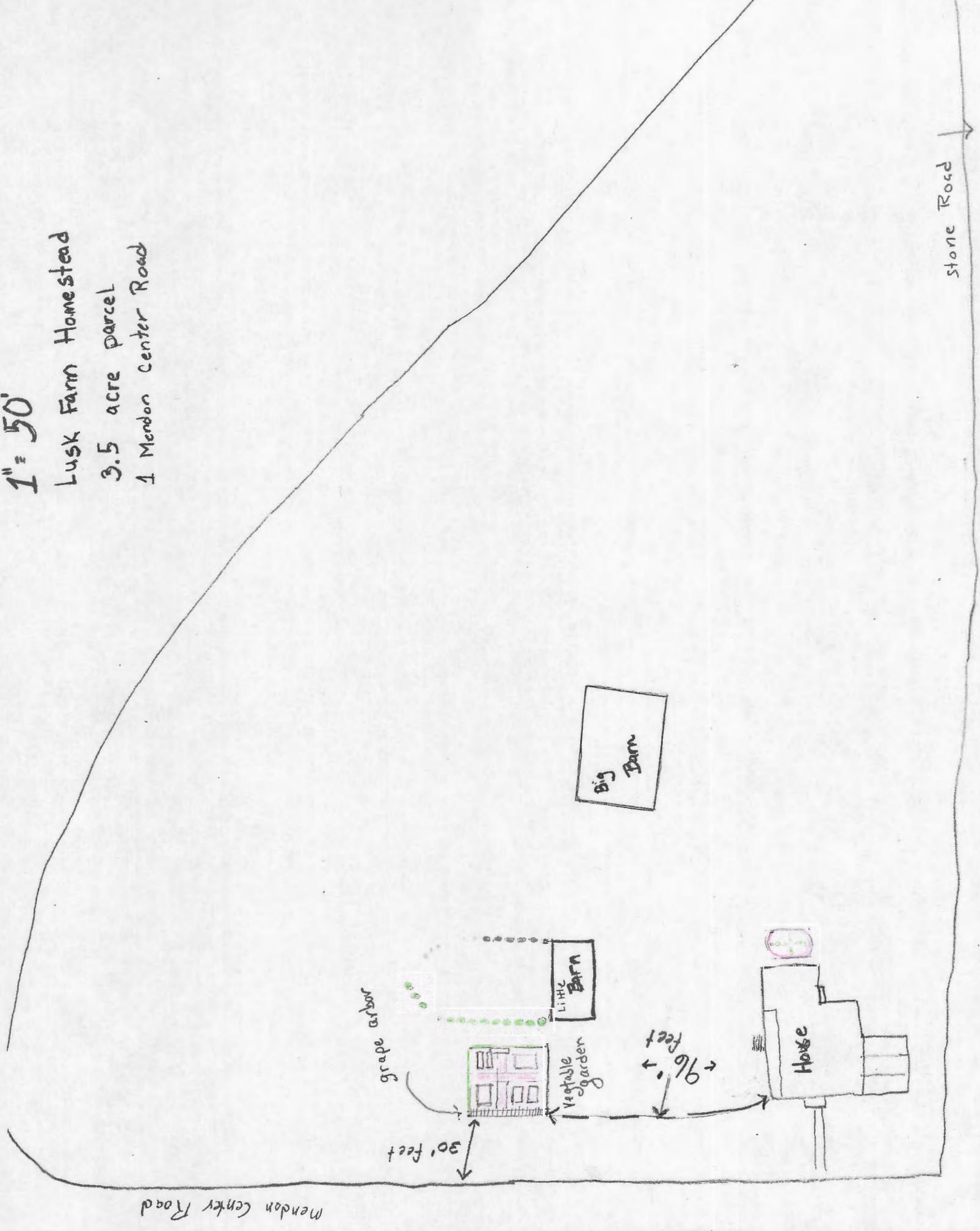


Bird's Eye View of vegetable garden and grape Arbor

1/8" = 1' foot  
1" = 8 feet

1" = 50'

Lusk Farm Homestead  
3.5 acre parcel  
1 Mendon Center Road



Mendon Center Road

Stone Road

# Zoning Board of Appeals Referral Form Information

**Property Address:**

15 Woodbury Place ROCHESTER, NY 14618

**Property Owner:**

Aroesty, Sidney A  
15 Woodbury Pl  
Rochester, NY 14618

**Applicant or Agent:**

Aroesty, Sidney A  
15 Woodbury Pl  
Rochester, NY 14618

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
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:	20	Rear Setback:	5	Rear Setback:	15.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

**Code Section(s):** 185-113 B (6) & 185 – 17 I

Description: Applicant is requesting relief from Town Code §185-113 B (6) & 185 – 17 I to locate an accessory structure (standby generator) encroaching on the rear setback of the property. This property is zoned RN – Residential Neighborhood District

July 08, 2020



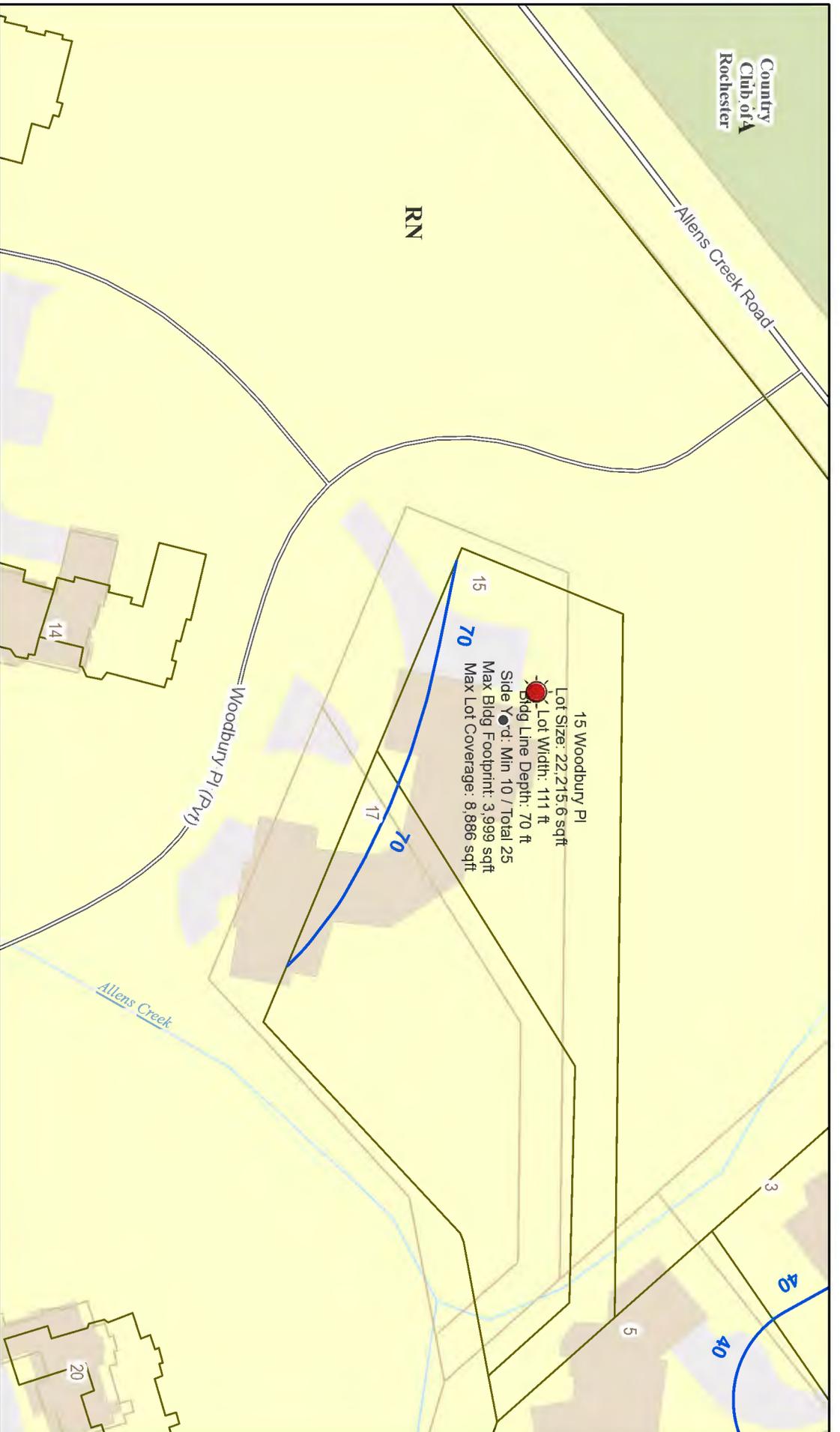
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Date

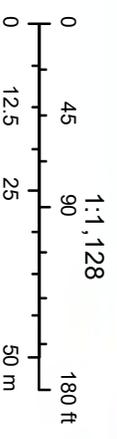
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning



Printed June 19, 2020



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.



04/23/2018

Allens Creek Road

Allens Creek Road

Woodbury Place

Woodbury Place

Woodbury Place

Woodbury Place

15

17

761

3

400 ft

AE

X

400 ft

3

400 ft

AE

X

777

AE

X

AE

AE

X

© All Pictometry



# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 6/5/2020 Hearing Date: \_\_\_\_\_

Applicant: Pilosi Electric, LLC (Christopher Pilosi)

Address: 937 Little Pond Way, Webster, NY 14580

Phone: W#585-626-8070 C#585-95-9148 E-Mail: info@pilosielectric.com

Agent: \_\_\_\_\_  
(if different than Applicant)

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: Carol Arvesty  
(if different than Applicant)

Address: 15 Woodbury Place, Rochester, NY 14618

Phone: 585-203-1507 E-Mail: carol@arvesty.com

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

Property Location: 15 Woodbury Place Current Zoning: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

ADD 22KW stand alone generator in rear of property

**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.

Christopher Pilosi 6/5/2020  
(Owner or Applicant Signature) (Date)



# TOWN OF PITTSFORD AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

Zoning Board of Appeals – 11 S. Main Street – Pittsford, 14534 – 248-6260

*If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.*

I, Carol Arcesty, the owner of the property located at:  
15 Woodbury Place, Rochester, NY 14618  
(Street) (Town) (Zip)

Tax Parcel # \_\_\_\_\_ do hereby authorize  
Christopher Pilsri of Pilsri Electric, LLC to make application to the  
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of  
INSTALL 22kw stand Alone generator in rear of property

Carol J Arcesty  
(Signature of Owner)  
6/8/2020  
(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:

will be hidden from road And noise will be muffled by burm as well as house

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

Placing generator in location requested is only location that will  
A) hide from neighbors  
B) provide sound barrier  
other option: next to driveway: Both visible And loud

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

Area next to generator proposal is a berm that is maintained by owner.  
next to berm is open green space  
VARIANCE detrimental to no one.

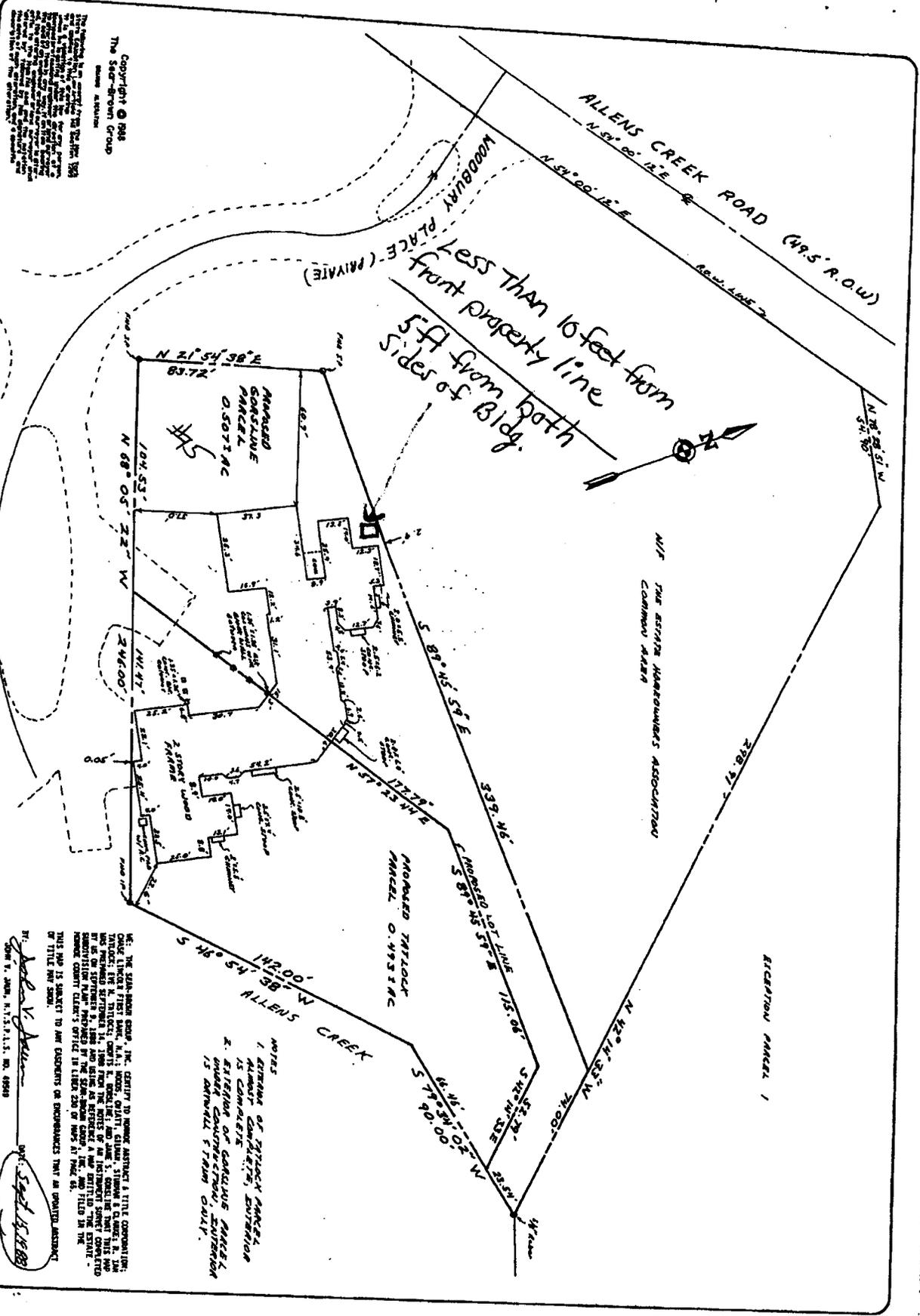
4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

Location will make generator only visible to owner.  
Sound muffled by berm.

- **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?

no.  
Homeowner initially thought property line was further back



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The Surveyors' Group  
Surveyors Association

Less than 10 feet from  
front property line  
5 ft from both  
Sides of Bldg.

W/ THE ESTATE HOMEOWNERS ASSOCIATION  
COMMON AREA

- NOTES
1. EXTENSION OF TITLICK PARCEL 1 ALMOST COMPLETE, EXTENSION IS COMPLETE
  2. EXTENSION OF GORSLINE PARCEL 1 UNDER CONSTRUCTION, EXTENSION IS APPROX 1/2 WAY OVER

RE: THE SEAN-BROWN GROUP, INC. CERTIFY TO HONOR ATTACHED A TITLE COMMITMENT: CHUCK LINDSEY FIRST BORN, M.A., BORN [DATE], CIVILIAN, [ADDRESS] & CLAUDE A. JAM [ADDRESS] HAVE BEEN REVIEWED AND FOUND TO BE IN COMPLIANCE WITH THE REQUIREMENTS OF THE SEAN-BROWN GROUP, INC. AND THAT THIS MAP IS BEING PREPARED FOR THE SEAN-BROWN GROUP, INC. AND THAT THE SEAN-BROWN GROUP, INC. IS THE OWNER OF THE SEAN-BROWN GROUP, INC. AND THAT THE SEAN-BROWN GROUP, INC. IS THE OWNER OF THE SEAN-BROWN GROUP, INC. AND THAT THE SEAN-BROWN GROUP, INC. IS THE OWNER OF THE SEAN-BROWN GROUP, INC.

BY: *John V. Jamin*  
JOHN V. JAMIN, M.S.L.S., NO. 4898

15 Woodbury Place

DATE: 5/27/1988

1	REVISIONS	DATE	BY
2			
3			
4			
5			
6			

*John V. Jamin*

**THE SEAN-BROWN GROUP**  
85 METTER PARK  
ROSELAND, NJ 07068  
TELEPHONE 908-745-1440  
FULL-SERVICE DESIGN PROFESSIONALS

PROJECT DESIGN/PROJECT	DATE
PROJECT NUMBER	DATE
DESIGNER/ENGINEER	DATE
DATE BY	DATE
DATE	DATE
DATE	DATE
DATE	DATE

PROJECT: **PAULOCK-GORSLINE - CARRIAGE HOUSE - EXCEPTION PARCEL 2**  
NAME OF INSTRUMENT - COUNTY OF MIDDLESEX  
NEW YORK - SHARPLEY & ASSOCIATES, 21 ANNAPOLIS

INSTRUMENT LOCATION MAP

PROJECT NO. **2761 Z**  
DATE: **5/1**



Janise Pilosi <janise@pilosielectric.biz>

---

**Fwd: Generator Installation**

---

carol@aroesty.com <carol@aroesty.com>  
To: Janise Pilosi <janise@pilosielectric.biz>

Mon, Apr 20, 2020 at 3:39 PM

Janise - Please let Chris know that I got the approval for the generator from the HOA.. So - onward and upward!

Begin forwarded message:

**From:** Tarrah Owen <tarrah@croftoninc.com>  
**Subject:** Re: Generator Installation  
**Date:** April 20, 2020 at 3:37:24 PM EDT  
**To:** "carol@aroesty.com" <carol@aroesty.com>

Hi Carole,

After discussing the plans for placement of a generator at your home, I am happy to inform you The Estate HOA has no objections.

Thank you,

Tarrah Owen  
Property Manager  
CROFTON PERDUE ASSOCIATES, INC.  
111 Marsh Road, Suite 1  
Pittsford, NY 14534  
(585) 248-3840  
fax (585) 248-3666  
www.croftoninc.com

On Mon, Apr 20, 2020 at 10:07 AM carol@aroesty.com <carol@aroesty.com> wrote:  
Good morning Tarrah

I hope this email finds you healthy during these trying times.

I plan to have a generator installed on my property and my electrician has asked me to get HOA approval for the location - even though I am not part of the HOA. It appears that the 10' needed for clearance will bring me right up to the HOA property. Can you please call me so we can discuss this...

Carol Aroesty  
914-602-4778

# PROPERTY LINE

generator



homeowner maintained  
property





homeowner maintained  
property



**PROPERTY LINE**

**current  
about  
7' clearance**

**GENERATOR LOCATION**

# Zoning Board of Appeals Referral Form Information

**Property Address:**

25 Copper Woods PITTSFORD, NY 14534

**Property Owner:**

Di Barnaba, Lori R  
25 Copper Woods  
Pittsford, NY 14534

**Applicant or Agent:**

Tim Laemmerman  
25 Copper Woods Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
Right Lot Line:	10	Right Lot Line:	5	Right Lot Line:	5.0
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
Size:	0	Size:	0	Size:	0.0

**Code Section(s):** 185-113 B (3) & (6) & 185 – 17 E

Description: Applicant is requesting relief from Town Code §185-113 B (3), & (6) and §185 – 17 E to allow construction of a shed located forward of the rear wall and encroaching into the side setback.

July 08, 2020



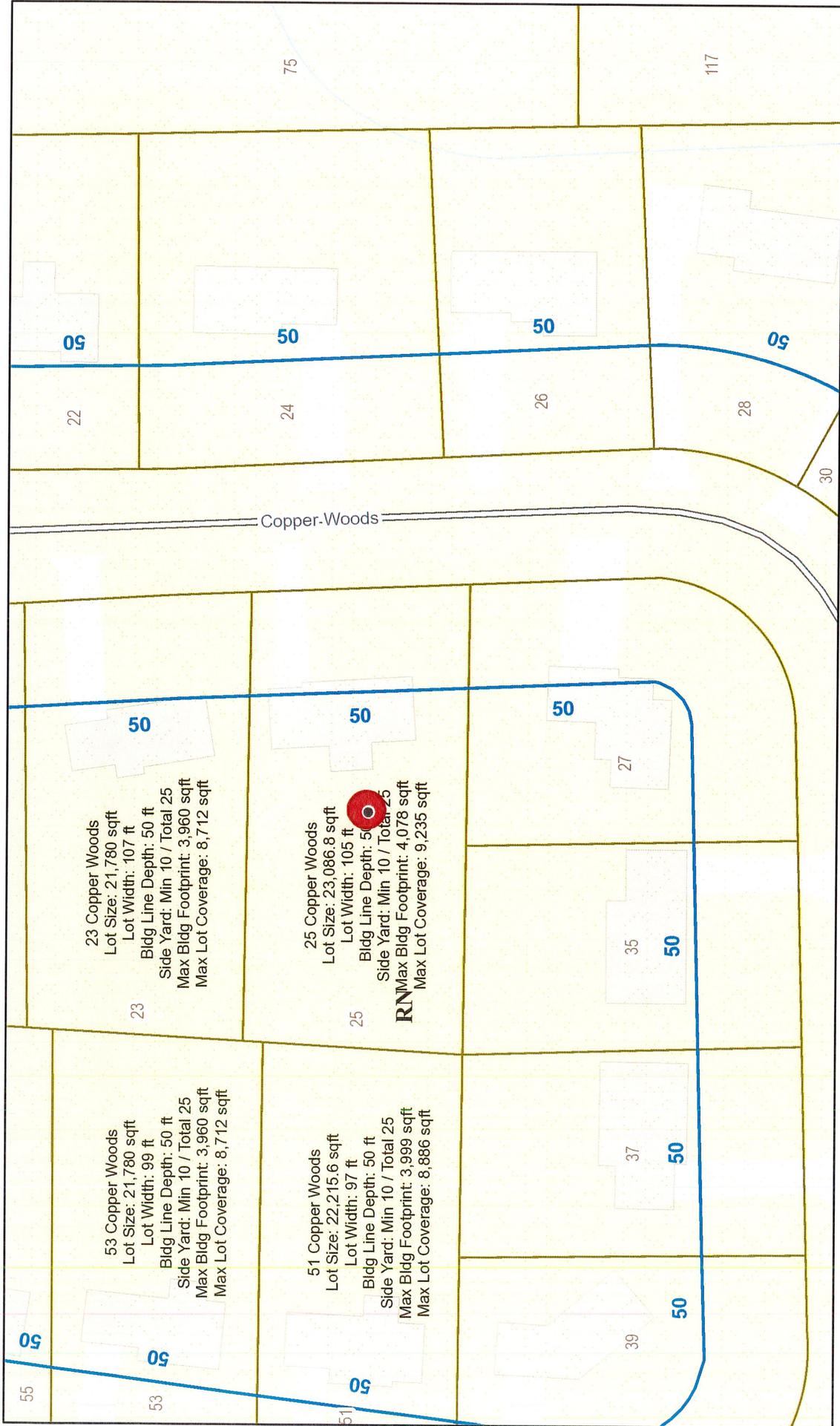
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Date

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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning



Printed June 2, 2020



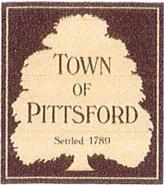
Town of Pittsford GIS

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Print Form

Reset Form



# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 5/28/2020 Hearing Date: \_\_\_\_\_

Applicant: Tim Laemmermann

Address: 25 Copper Woods Pittsford 14534

Phone: 585-734-1742 E-Mail: TRL6986@yahoo.com

Agent: \_\_\_\_\_  
*(if different than Applicant)*

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: \_\_\_\_\_  
*(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: Copper Woods Current Zoning: RN

Tax Map Number: 178-03-1-45

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

10 x 12 Storage Shed next to garage.

**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.

Tim  
*(Owner or Applicant Signature)*

5/28/2020  
*(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:

Our neighborhood is one 1/2 mile circle of homes. The houses on the inside of the circle (including mine) all have backyards that merge without fencing or sheds. By placing the shed on the side of the house we will maintain the open backyard.

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

Unfortunately our backyard becomes extremely wet in the Spring-time as all the snow melt and run off from neighboring backyards pool into ours. My backyard is the lowest point and 2 french drains had to be placed to ameliorate the issue. Despite the drains, my backyard continues to be wet with standing water. This would make it impossible for a shed.

**TESTS FOR GRANTING AREA VARIANCES (Continued)**

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

The variance is minimal. All we ask is to place a shed in our side yard versus backyard.

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:

No trees, shrubs or flowers will need to be removed. The shed will be more hidden on the side of the house and thus more aesthetically pleasing.

- **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?

No.

LOT 44

LOT 45

N 01°19'39" E  
105.11'

LOT 41

LOT 39

LOT 38

CATCH BASIN

N 88°42'10" E  
224.13'

N 88°42'10" E  
215.61'

20' WIDE DRAINAGE EASEMENT  
L 5638 DP 127

LOT 40

50' MINIMUM SETBACK

CATCH BASIN

10' WIDE UTILITY EASEMENT  
L 5430 DP 108

TRANSFORMER & UTILITY RISER

89.25' TO POINT OF CURVE

11.90'

L=93.18'

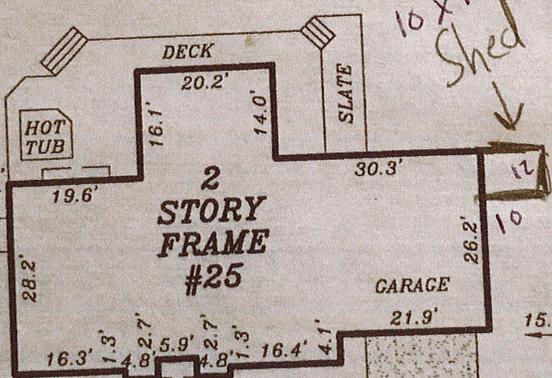
R=1695.00'

Δ=3°08'59"

COPPER

(60' WIDE)

WOODS



10 x 12 Shed

STREET LINE

LOWE'S COVID-19 RESPONSE: SUPPORTING ASSOCIATES, CUSTOMERS AND COMMUNITIES >

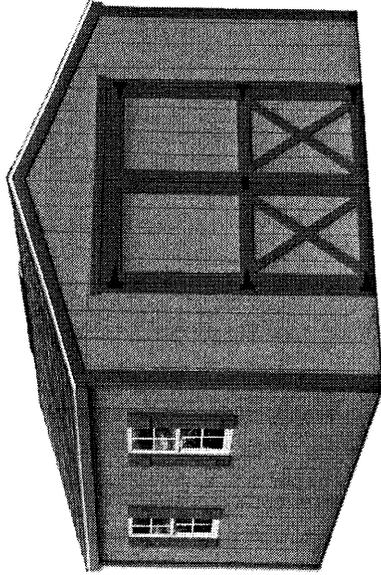


Find a Store near me >



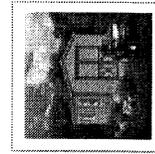
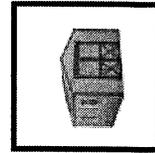
Shop Ideas Savings Services

Order Status Lowe's Credit Cards Weekly Ad



**Store Pickup**  
Check Store Availability ▾

**Free Delivery**  
Ready for Delivery: Estimated on Jun 15



Floor, windows, paint, shingles not included; in-use/lifestyle image - mower and ramp not included

Feedback

Have any questions?  
Chat with an Expert.

**CHAT NOW**

LOWE'S COVID-19 RESPONSE: SUPPORTING ASSOCIATES, CUSTOMERS AND COMMUNITIES >



Shop Ideas Savings Services Order Status Lowe's Credit Cards Weekly Ad

The Best Barns Elm is built with the best quality materials in an economic DIY shed kit. The 6-ft 4-in high side walls provide maximum storage in a small area and plenty of headroom for adding shelves to store and organize all your equipment. With the large 6-ft high x 5-ft 4-in wide doors, you can easily store you're riding lawn mower or 4-wheeler. Framing is 24-in OC 2 x 4 and covered with LP SmartSide exterior grade pre-primed paneling, so it's ready to paint the color of your choice. Check with your local permit authority before placing you order. Building is shipped directly to you via curbside delivery. Windows shown are purchased separately. Floor is not included. Before you build, make sure your foundation dimensions match the size of the shed.

- Assembly required, some cutting required, hardware and nails provided, must be painted
- Check with your local permit authority before placing your order
- Designed for the DIY homeowner installation not available
- Windows sold separately - search for model number window1827
- Premium grade 2 x 4 wall studs spaced 24-in on center with SmartSide exterior paneling
- If you are looking for an economical wood shed kit without compromising quality the Elm is the perfect kit for you
- Large 5-ft 4-in wide x 6-ft high doors with heavy duty hinges and locking

Warranty Gu PDF

CA Prop 65 PDF

Feedback

Have any questions?  
Chat with an Expert.

CHAT NOW

# Zoning Board of Appeals Referral Form Information

**Property Address:**

25 Parker Drive PITTSFORD, NY 14534

**Property Owner:**

Hamilton, Justin K  
25 Parker Dr  
Pittsford, NY 14534

**Applicant or Agent:**

Hamilton, Justin K  
25 Parker Dr  
Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	10	Left Lot Line:	5	Left Lot Line:	5.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	15	Height:	-3.0
Size:	180	Size:	468	Size:	-288.0

**Code Section(s):** 185-113 B 1 & 2 185-17 E

Description: Area variance for a side setback and oversize accessory structure

July 08, 2020



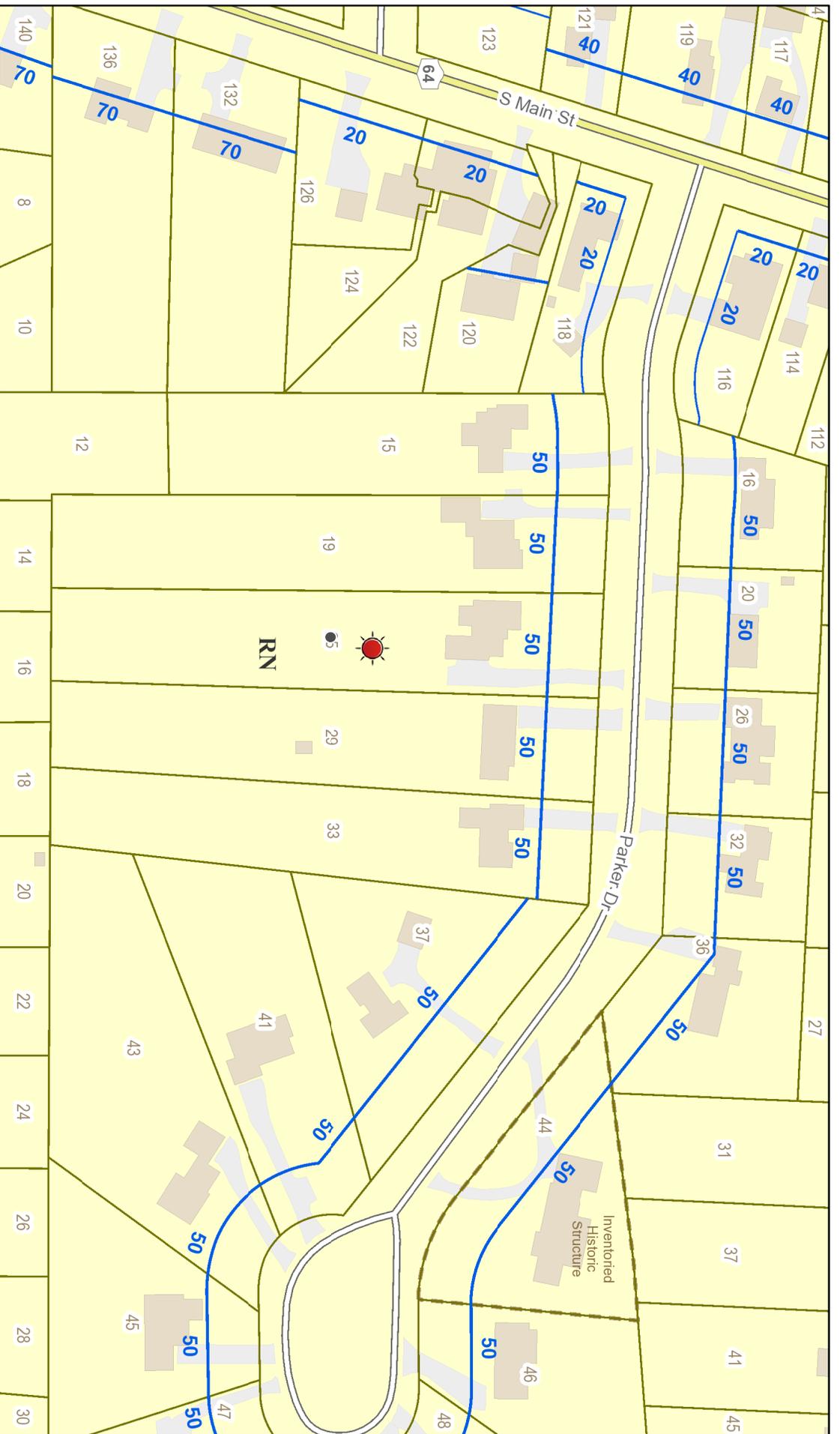
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Date

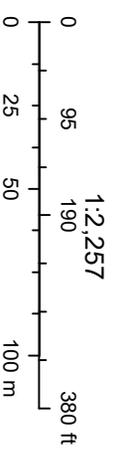
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning

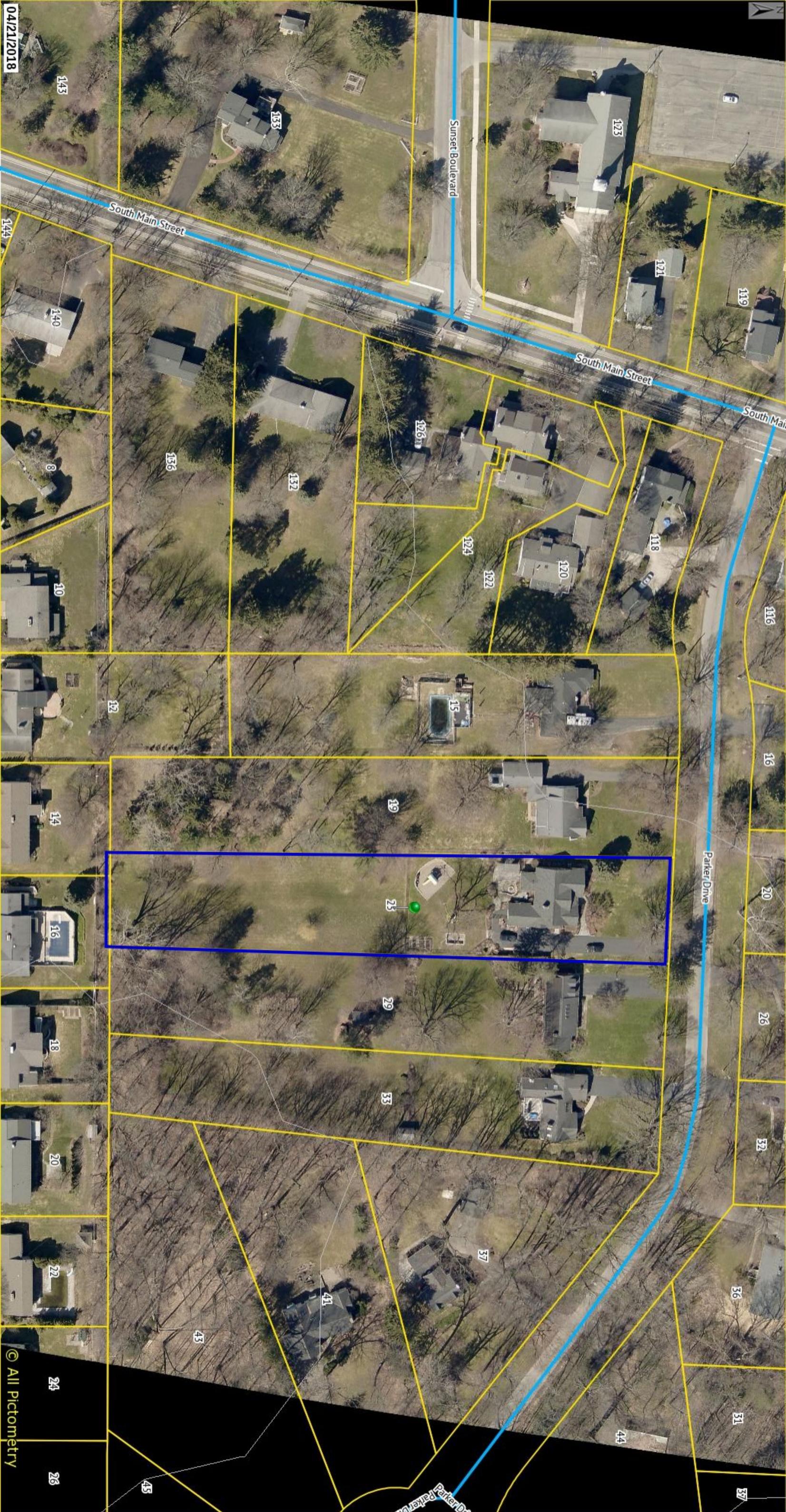


Printed June 19, 2020



Town of Pittsford GIS

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04/21/2018

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**PATRICK J. MORABITO**  
A.I.A.  
**ARCHITECT**  
P.C.

55 Sullivan Trail  
Pittsford, NY 14534  
(585) 264-1330  
(585) 264-1333 Fax

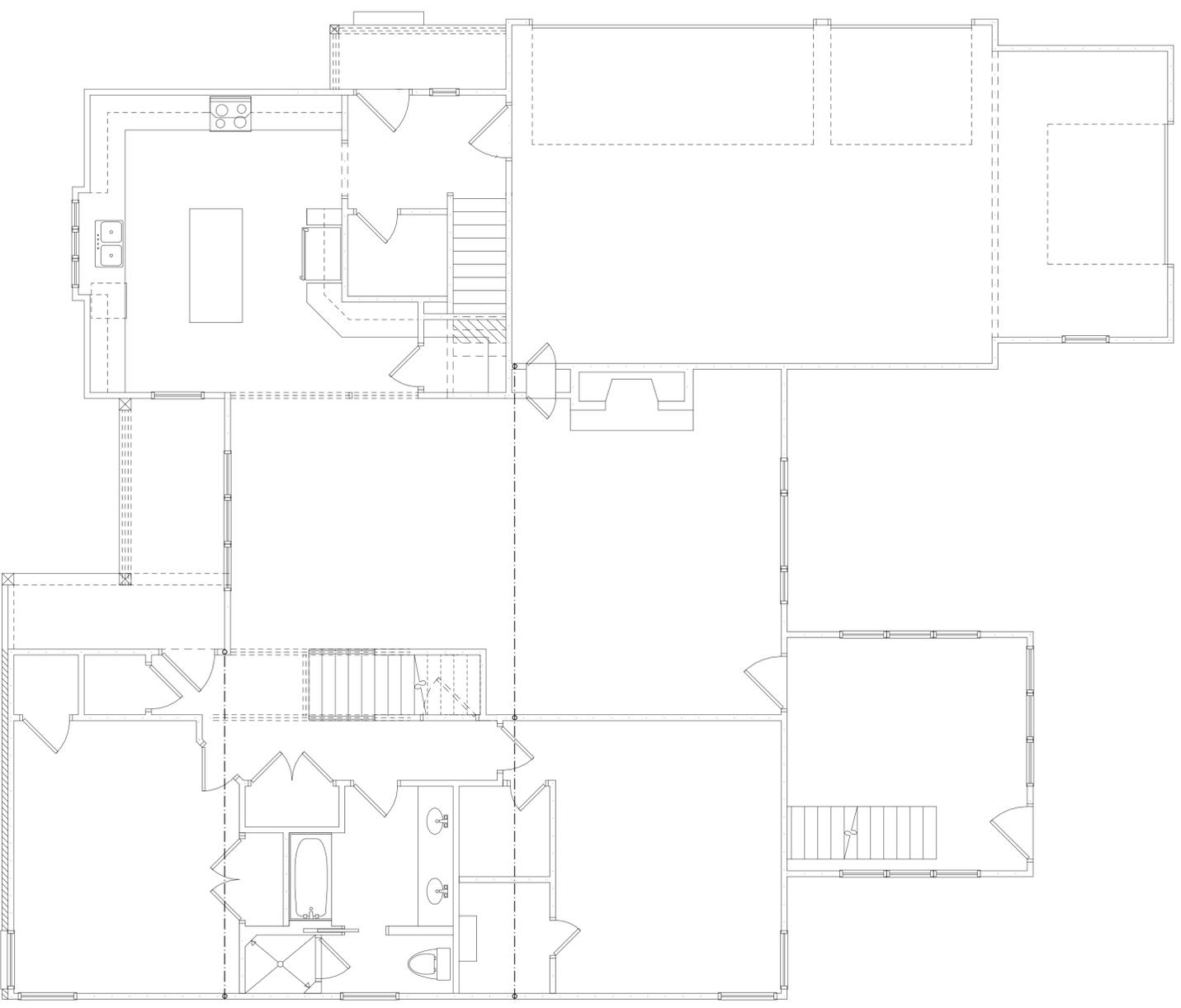
[www.pjarchitect.com](http://www.pjarchitect.com)

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REMOVAL LEGEND	
	EXISTING WALL TO REMAIN
	EXISTING WALL TO BE REMOVED
	EXISTING DOOR TO REMAIN
	EXISTING DOOR TO BE REMOVED
	EXISTING WINDOW TO REMAIN
	EXISTING WINDOW TO BE REMOVED

\*NOTE: SAVE ALL DOORS / WINDOWS FOR POSSIBLE REUSE

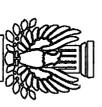
**FIRST FLOOR PLAN/ EXISTING**  
EXISTING AREA: 1546 SQ FT

**E-3**  
OF 10 SHEETS

**DRAWING:** FIRST FLOOR PLAN EXISTING  
**CLIENT:** MARY STEVEN BUILDERS  
**DATE:** MAY 2020  
**SCALE:** 1/4"=1'-0"  
**JOB NO.:** 2020HAMILTON  
**SHEET:**

**DRAWN:** MSW  
**CHECKED:** PJM

**PROJECT:** ADDITION TO HAMILTON RESIDENCE 25 PARKER DRIVE



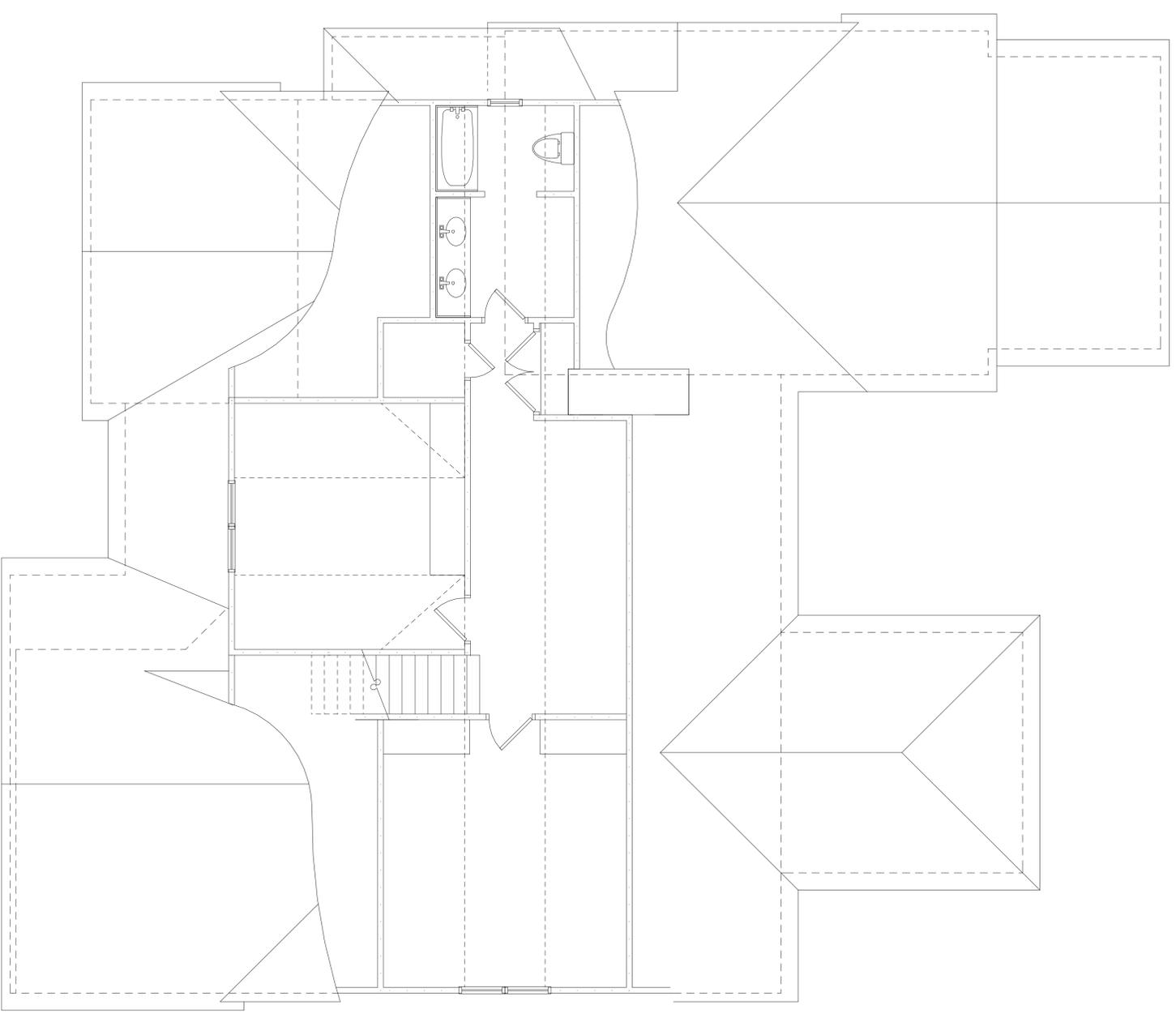
**PATRICK J. MORABITO**  
A.I.A.  
**ARCHITECT**  
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55 Sullivan Trail  
Pittsford, NY 14534  
(585) 264-1330  
(585) 264-1333 Fax

[www.pjmorabito.com](http://www.pjmorabito.com)

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PATRICK J. MORABITO, A.I.A. ARCHITECT P.C.



**SECOND FLOOR PLAN/ EXISTING**  
PROPOSED AREA: 795 SQ FT

**PROJECT:**  
ADDITION TO  
HAMILTON RESIDENCE  
25 PARKER DRIVE

**CLIENT:**  
STERN  
BUILDERS

**DRAWING:**  
SECOND FLOOR PLAN  
EXISTING

**DRAWN:**  
MSW

**CHECKED:**  
PJM

**DATE:**  
MAY 2020

**SCALE:**  
1/4"=1'-0"

**JOB NO.:**  
2020HAMILTON

**SHEET:**

**E-4**  
OF 10 SHEETS



**PATRICK J. MORABITO**  
A.I.A.  
**ARCHITECT**  
P.C.

55 Sully's Trail  
Pittsford, NY 14534  
(585) 264-1330  
(585) 264-1333 Fax

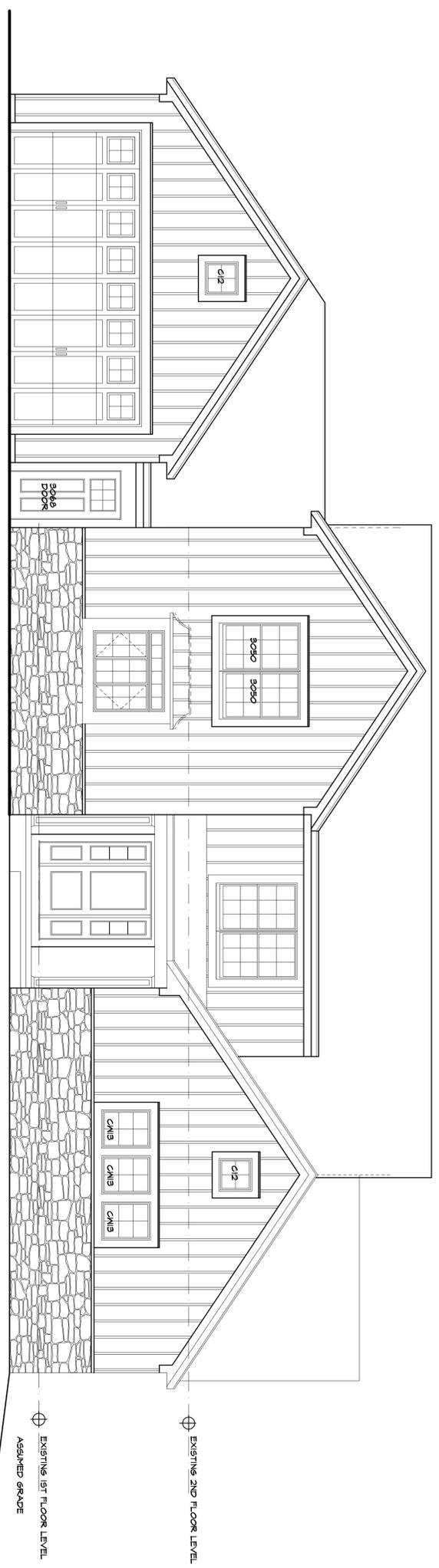
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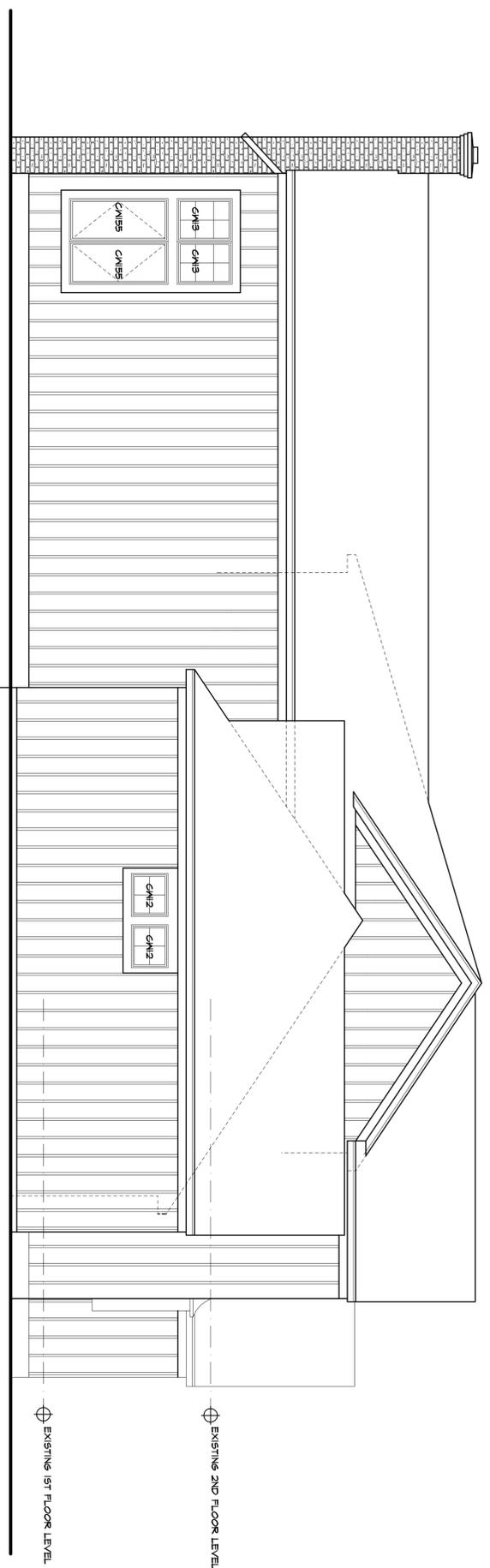
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PATRICK J. MORABITO, A.I.A. ARCHITECT P.C.



**FRONT ELEVATION/ PROPOSED**

EXISTING AREA: 1596 SQ FT  
PROPOSED ADDITION: 215 SQ FT  
1ST FLR: 745 SQ FT  
2ND FLR:  
TOTAL PROPOSED AREA: 2606 SQ FT



**LEFT SIDE ELEVATION/ PROPOSED**

<b>PROJECT:</b> ADDITION TO HAMILTON RESIDENCE 25 PARKER DRIVE	
<b>CLIENT:</b> MORABITO BUILDERS STERN	
<b>DRAWING:</b> ELEVATIONS - PROPOSED	
<b>DRAWN:</b> MSW	<b>CHECKED:</b> PJM
<b>DATE:</b> MAY 2020	
<b>SCALE:</b> 1/4"=1'-0"	
<b>JOB NO.:</b> 2020HAMILTON	
<b>SHEET:</b>	

**A-1**

OF 10 SHEETS



**PATRICK J. MORABITO**  
A.I.A.  
**ARCHITECT**  
P.C.

55 Sully's Trail  
Pittsford, NY 14534  
(585) 264-1330  
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[www.pjarchitect.com](http://www.pjarchitect.com)

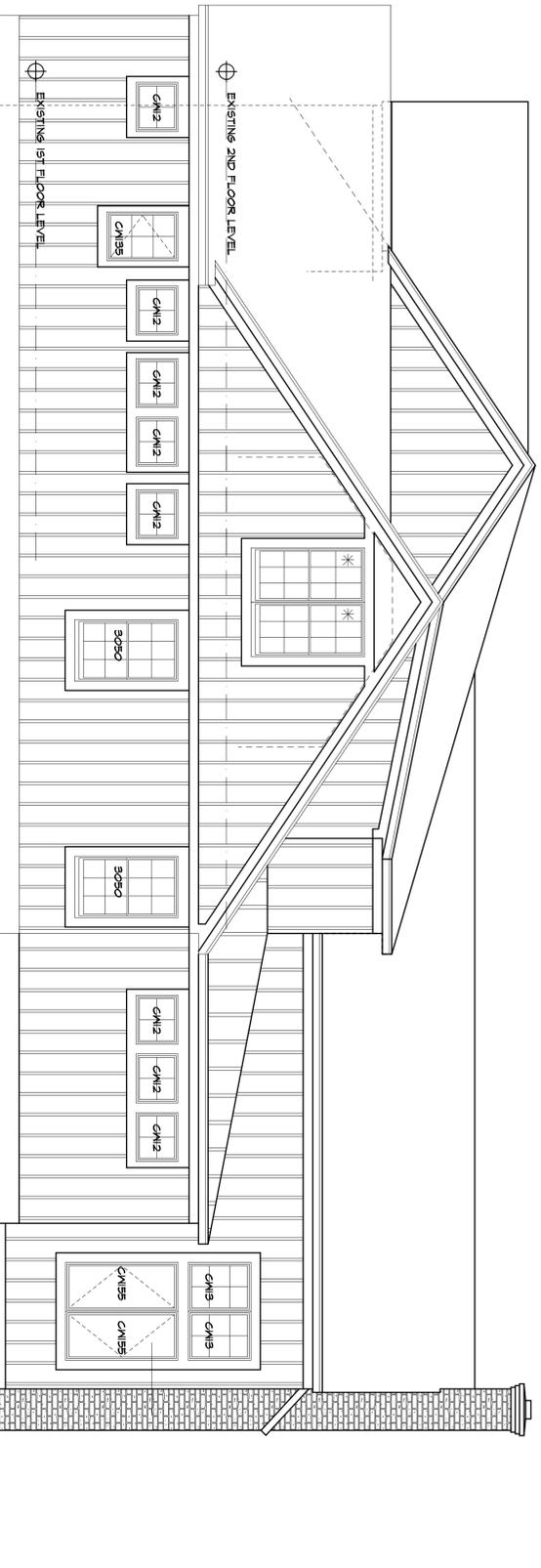
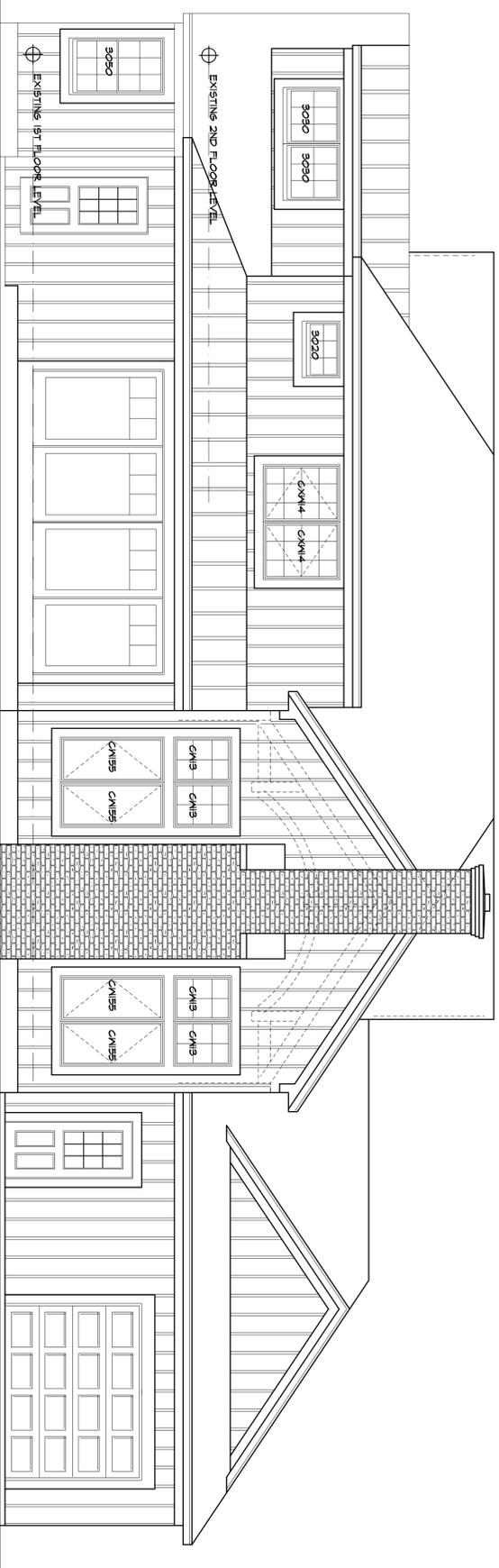
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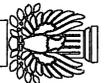
**REAR ELEVATION/ PROPOSED**



**RIGHT SIDE ELEVATION/ PROPOSED**

OF 10 SHEETS

**A-2**



SHEET:

JOB NO.: 2020HAMILTON

SCALE: 1/4"=1'-0"

DATE: MAY 2020

DRAWN: MSW

CHECKED: P.M

DRAWING: ELEVATIONS - PROPOSED

CLIENT: HAMILTON BUILDERS

CLIENT: STERN

PROJECT: ADDITION TO HAMILTON RESIDENCE 25 PARKER DRIVE

**PATRICK J. MORABITO**  
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**ARCHITECT**  
P.C.

55 Sully's Trail  
Pittsford, NY 14534  
(585) 264-1330  
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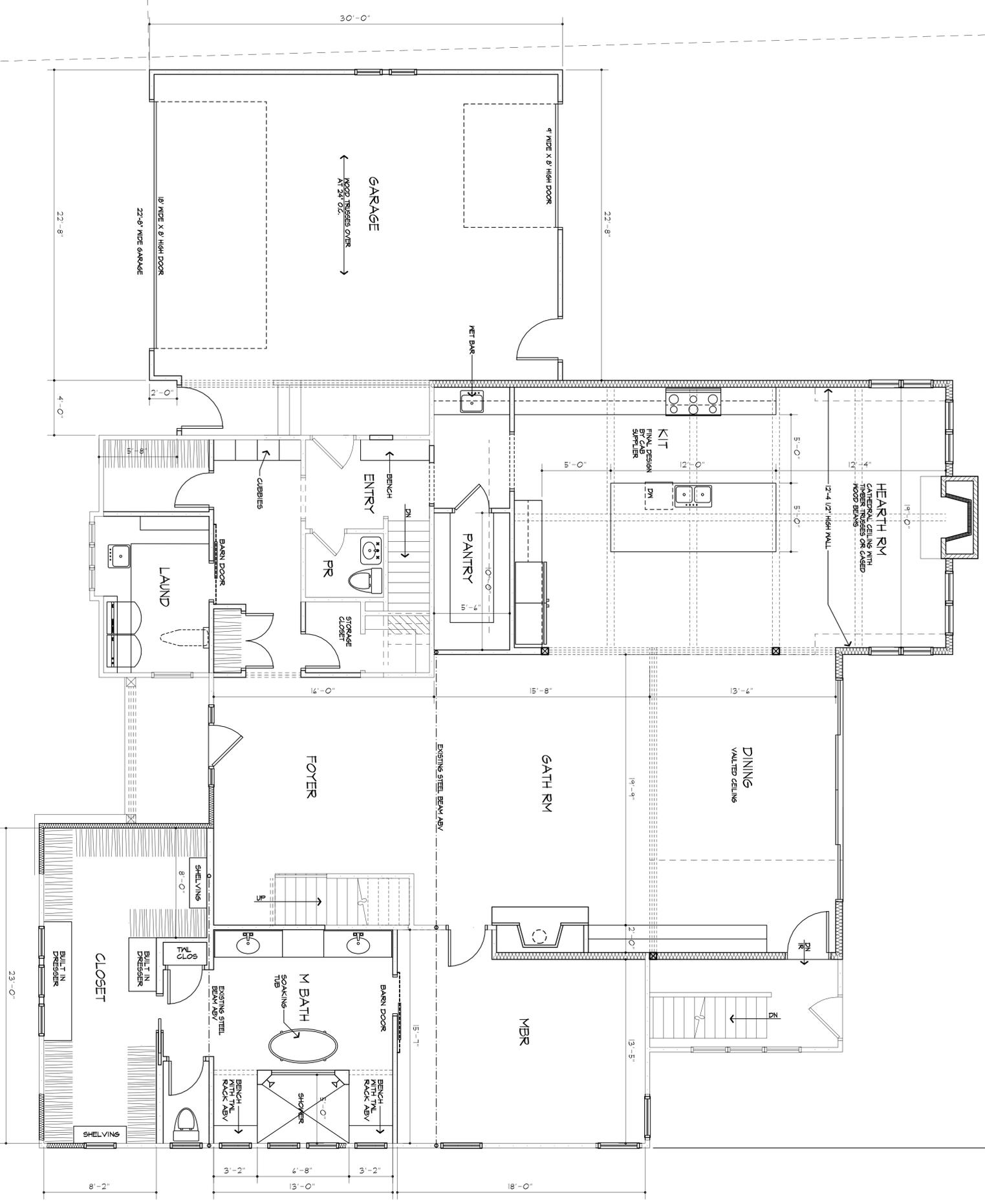
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PATRICK J. MORABITO, A.I.A. ARCHITECT P.C.



**FIRST FLOOR PLAN/ PROPOSED**

EXISTING AREA: 1806 SQ. FT.  
AREA OF ADDITION: 1200 SQ. FT.  
TOTAL AREA (FIRST FLOOR): 3006 SQ. FT.  
AREA OF NEW GARAGE: 897 SQ. FT.

OF **10** SHEETS

**A-3**

<b>PROJECT:</b>	ADDITION TO HAMILTON RESIDENCE 25 PARKER DRIVE
<b>CLIENT:</b>	WILLIAMS STEIN BUILDERS
<b>DRAWING:</b>	1ST FLOOR PLAN PROPOSED
<b>DRAWN:</b>	MSW
<b>CHECKED:</b>	PJM
<b>DATE:</b>	MAY 2020
<b>SCALE:</b>	1/4"=1'-0"
<b>JOB NO.:</b>	2020HAMILTON
<b>SHEET:</b>	

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Pittsford, NY 14534  
(585) 264-1330  
(585) 264-1333 Fax

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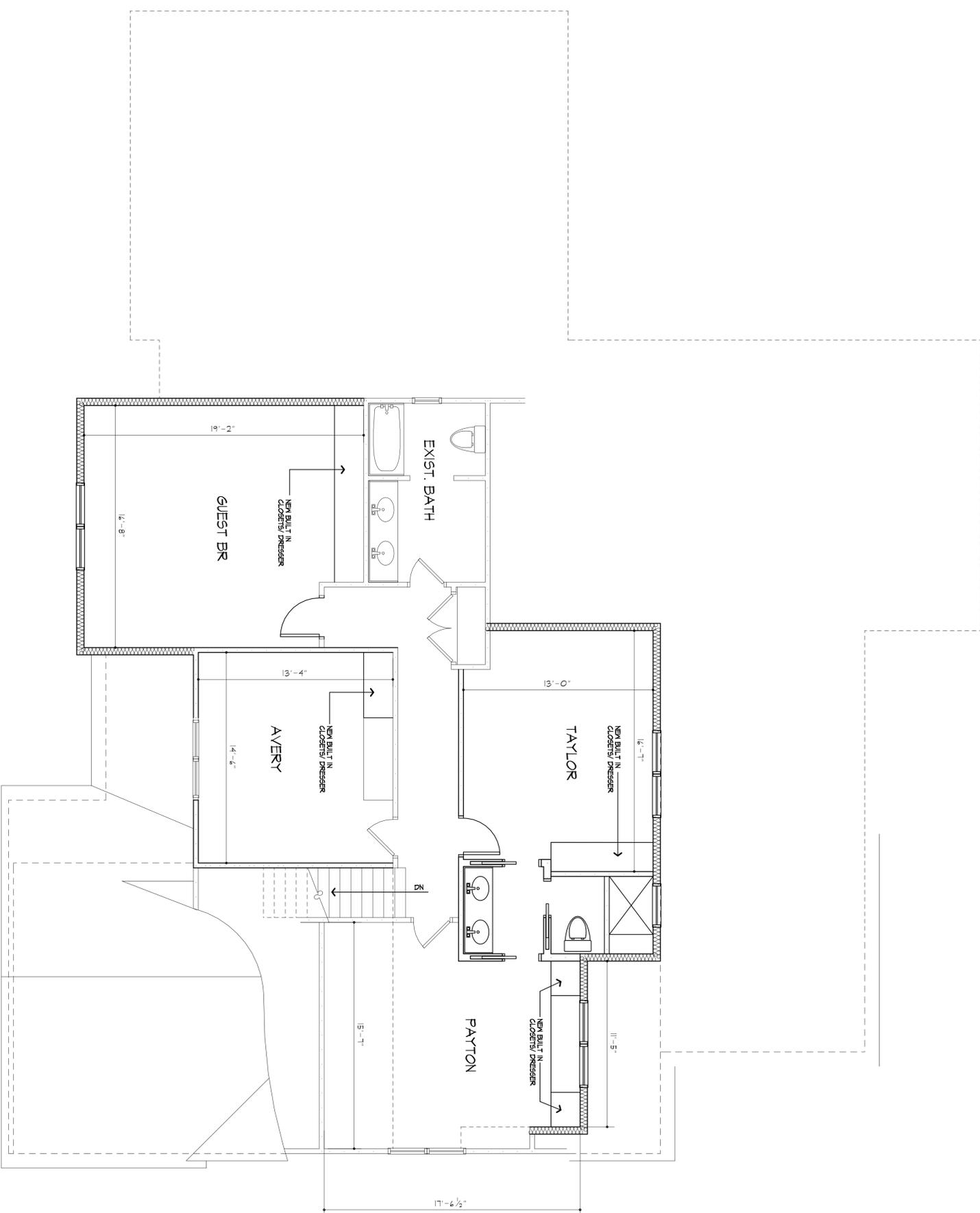
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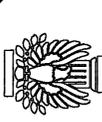
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WHEN THE WRITTEN PERMISSION AND CONSENT OF PATRICK J. MORABITO, A.I.A. ARCHITECT P.C. IS OBTAINED.



**SECOND FLOOR PLAN/ PROPOSED**

EXISTING AREA: 787 SQ FT  
AREA OF NEW ADDITION: 583 SQ FT  
TOTAL AREA: 1370 SQ FT

	<p><b>A-4</b></p> <p>OF 10 SHEETS</p>	<p><b>PROJECT:</b> ADDITION TO HAMILTON RESIDENCE AT PARKER DRIVE</p>
		<p><b>CLIENT:</b> STERN BUILDERS</p>
<p><b>DRAWING:</b> 2ND FLOOR PLAN PROPOSED</p>	<p><b>CHECKED:</b> MSM</p>	<p><b>DATE:</b> MAY 2020</p>
<p><b>DRAWN:</b> MSM</p>	<p><b>SCALE:</b> 1/4"=1'-0"</p>	<p><b>JOB NO.:</b> 2020HAMILTON</p>
<p><b>SHEET:</b></p>	<p><b>DATE:</b> MAY 2020</p>	<p><b>SCALE:</b> 1/4"=1'-0"</p>



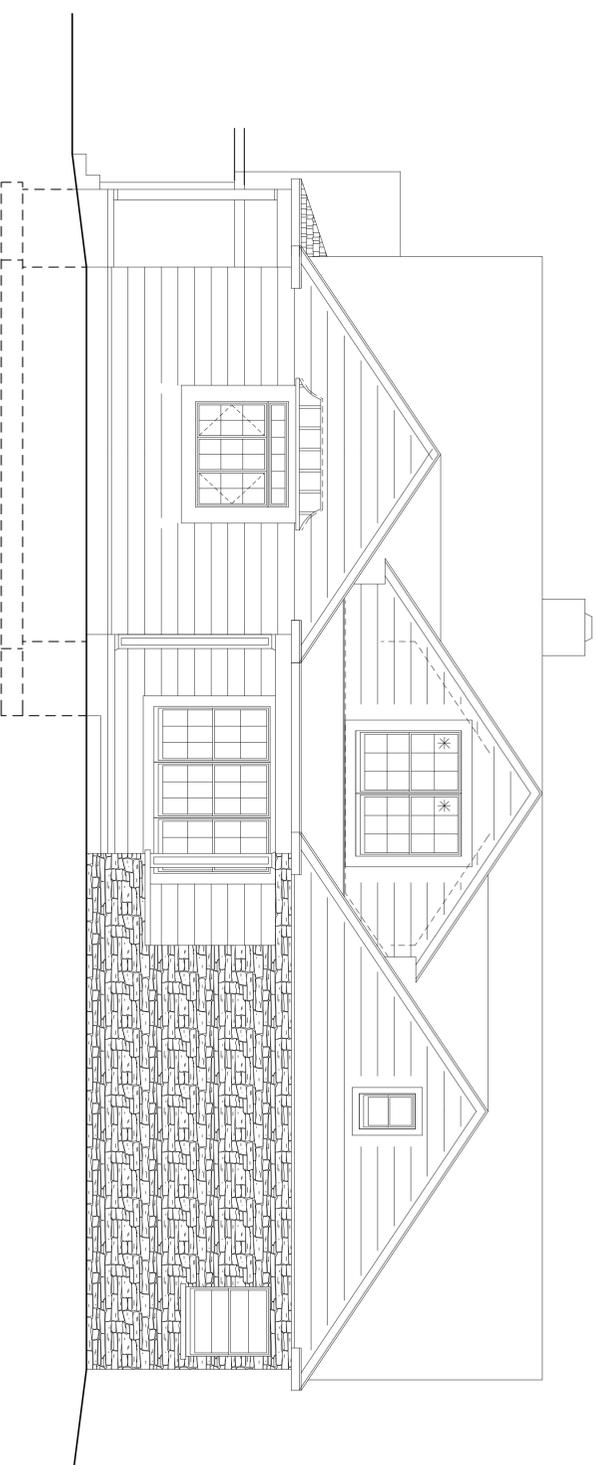
**PATRICK J. MORABITO**  
A.I.A.  
**ARCHITECT**  
P.C.

55 Sully's Trail  
Pittsford, NY 14534  
(585) 264-1330  
(585) 264-1333 Fax

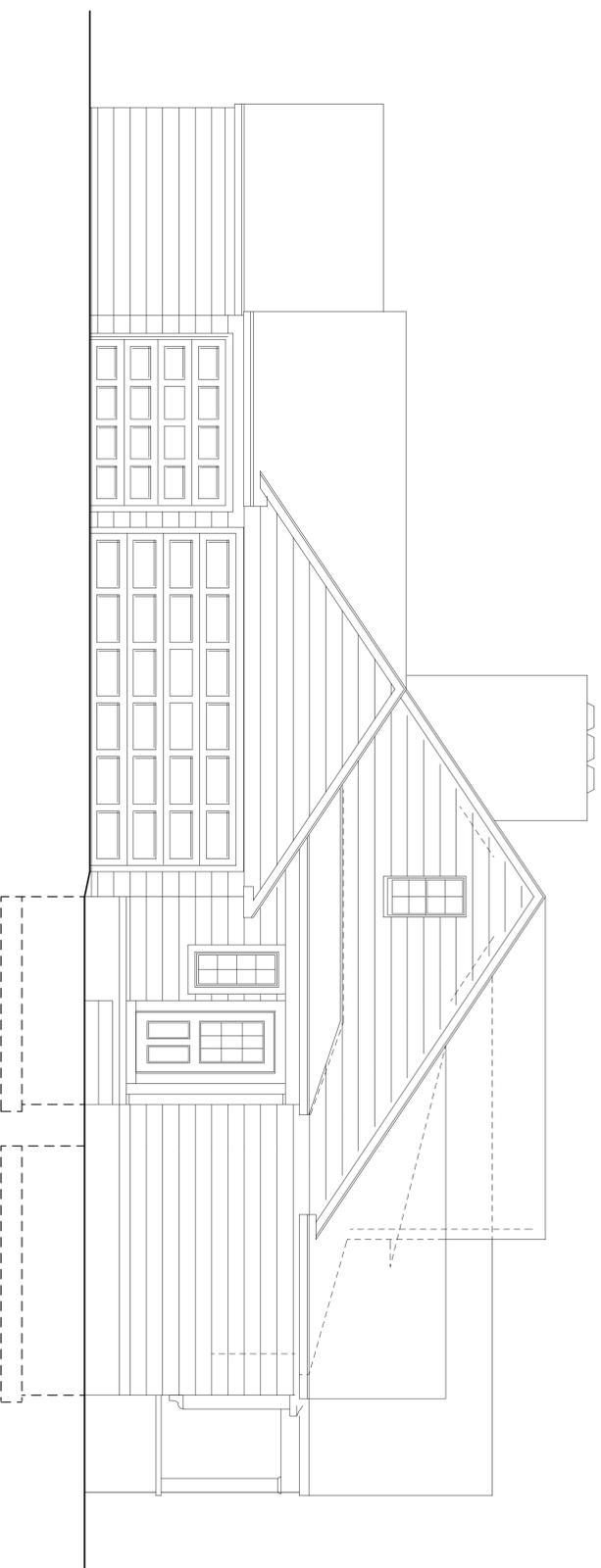
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**FRONT ELEVATION/ EXISTING**  
WITH REMOVALS SHOWN



**LEFT SIDE ELEVATION/ EXISTING**  
WITH REMOVALS SHOWN

<b>PROJECT:</b> ADDITION TO HAMILTON RESIDENCE 25 PARKER DRIVE	
<b>CLIENT:</b> MORABITO BUILDERS STERN	
<b>DRAWING:</b> ELEVATIONS - EXISTING	
<b>DRAWN:</b> MSW	<b>CHECKED:</b> PJM
<b>DATE:</b> MAY 2020	
<b>SCALE:</b> 1/4"=1'-0"	
<b>JOB NO.:</b> 2020HAMILTON	
<b>SHEET:</b>	

**E-1**

OF 10 SHEETS



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P.C.

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(585) 264-1333 Fax

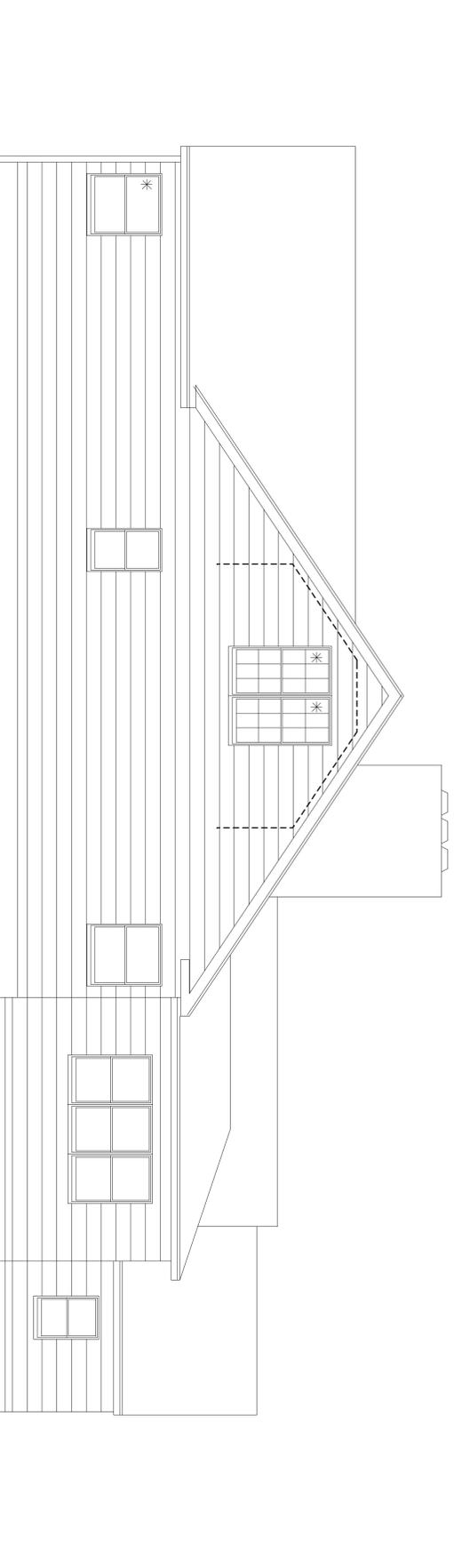
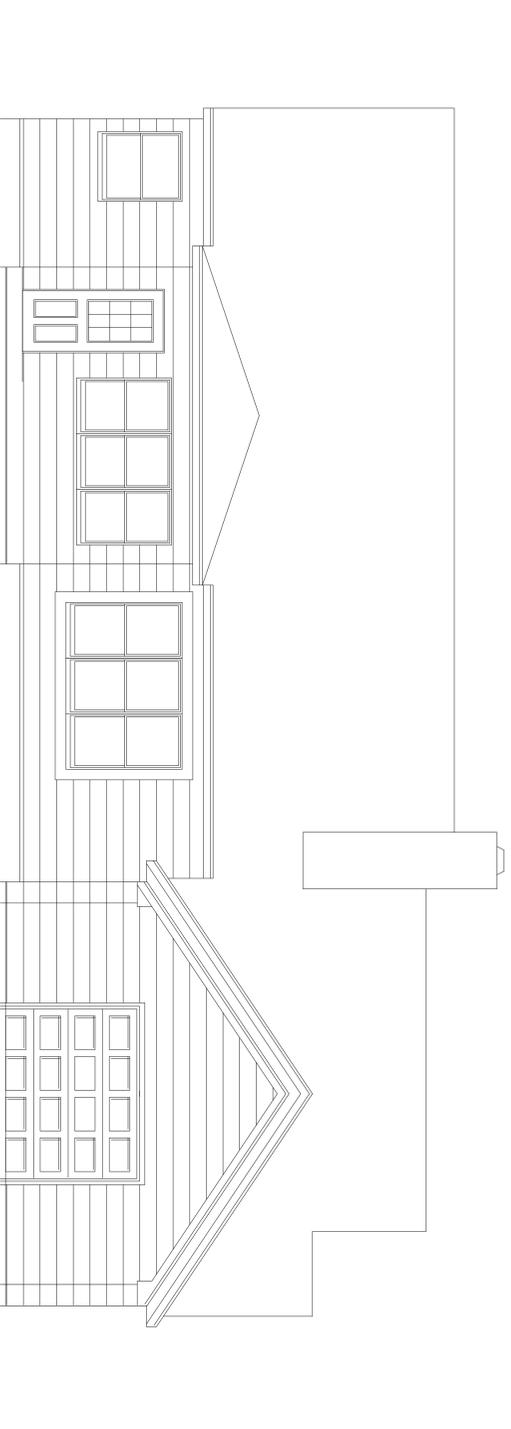
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**REAR ELEVATION/ EXISTING**  
WITH REMOVALS SHOWN

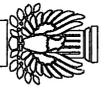


**RIGHT SIDE ELEVATION/ EXISTING**  
WITH REMOVALS SHOWN

SHEET:

**E-2**

OF 10 SHEETS



HAMILTON STERN  
CONSTRUCTION

3850 MONROE AVENUE  
PITTSFORD, NY 14534  
PHONE: (859) 586-8101  
FAX: (859) 586-9101

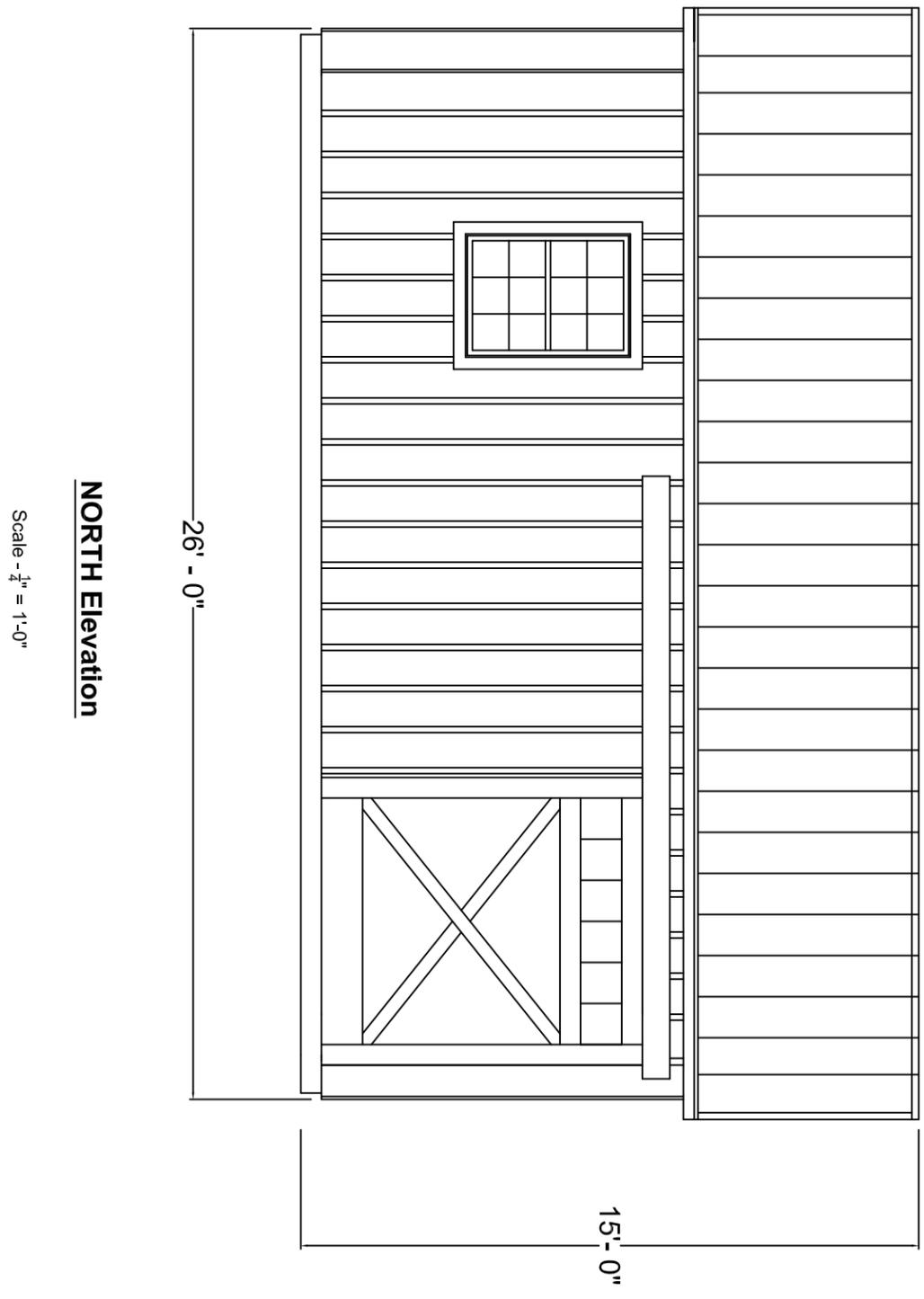


HAMILTON STERN  
CONSTRUCTION  
3850 MONROE AVENUE  
PITTSFORD, NY 14534  
PHONE: (859) 586-8101  
FAX: (859) 586-9101

**HAMILTON RESIDENCE**  
25 PARKER DRIVE  
PITTSFORD, NY 14534

PARTNERING FIRM:  
ARCHITECT OR CONTACT:  
PHONE:  
EMAIL:

HAMILTON STERN CONSTRUCTION, LLC.  
PROJECT CONTACT:  
PHONE:  
EMAIL:



**NORTH Elevation**  
Scale - 1/4" = 1'-0"

DRAWING REVISIONS:		
MARK:	DATE:	DESCRIPTION:
△	2/12/19	ADD DOOR INTO OFFICE, CLIENT SEATING AREA

DATE: 6/25/20  
DRAWN BY:

**NORTH  
ELEVATION**

SHEET NUMBER



**HAMILTON|STERN**  
**C O N S T R U C T I O N**  
 HAMILTON STERN CONSTRUCTION, LLC.  
 3850 MONROE AVENUE  
 PITTSFORD, NY 14534  
 PHONE: (585) 586-8101  
 FAX: (585) 586-8101

**HAMILTON RESIDENCE**  
 25 PARKER DRIVE  
 PITTSFORD, NY 14534

PARTNERING FIRM  
 ARCHITECT OR CONTACT:  
 PHONE:  
 EMAIL:

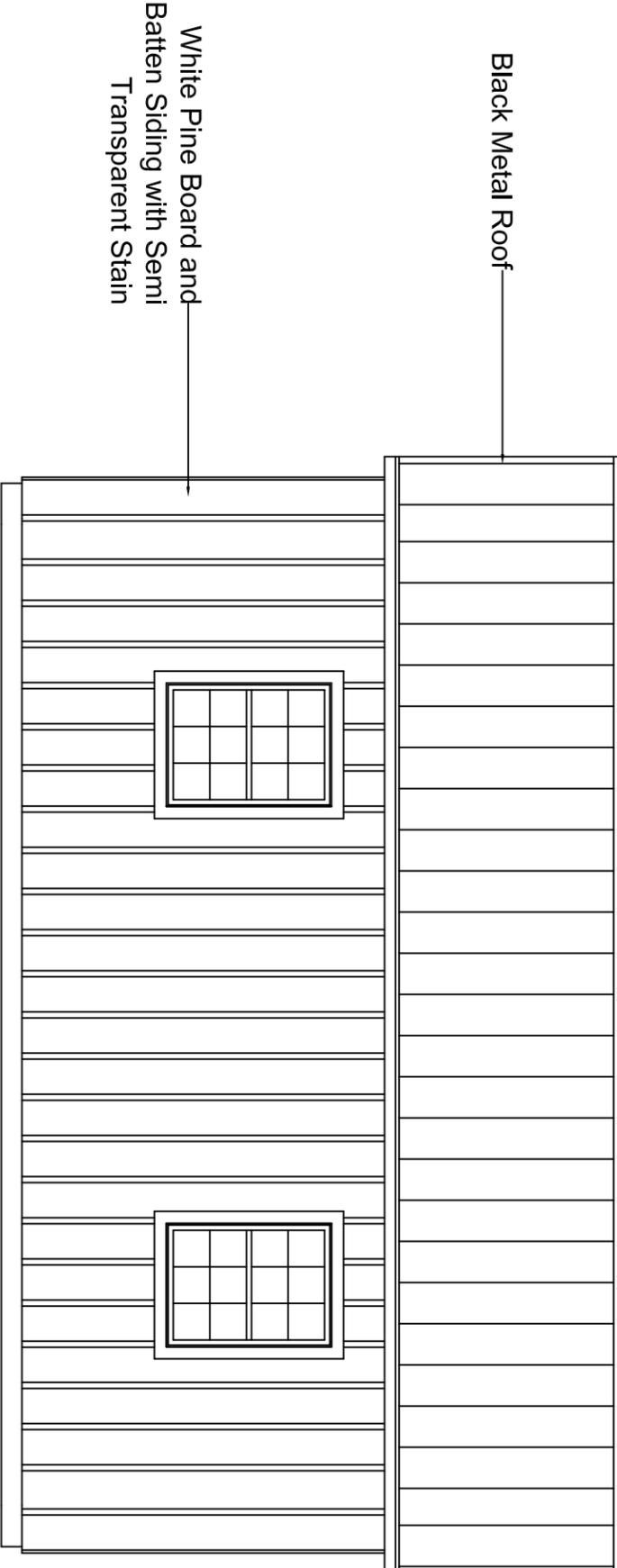
HAMILTON STERN CONSTRUCTION, LLC.  
 PROJECT CONTACT:  
 PHONE:  
 EMAIL:

DRAWING REVISIONS:		
MARK:	DATE:	DESCRIPTION:
△	2/12/19	ADD DOOR INTO OFFICE, CLIENT SEATING AREA

DATE: 6/25/20  
 DRAWN BY:

SHEET TITLE:  
**SOUTH ELEVATION**

SHEET NUMBER



**SOUTH Elevation**

Scale - 1/4" = 1'-0"

**HAMILTON RESIDENCE**  
25 PARKER DRIVE  
PITTSFORD, NY 14534

PARTNERING FIRM:  
ARCHITECT OR CONTACT:  
PHONE:  
EMAIL:

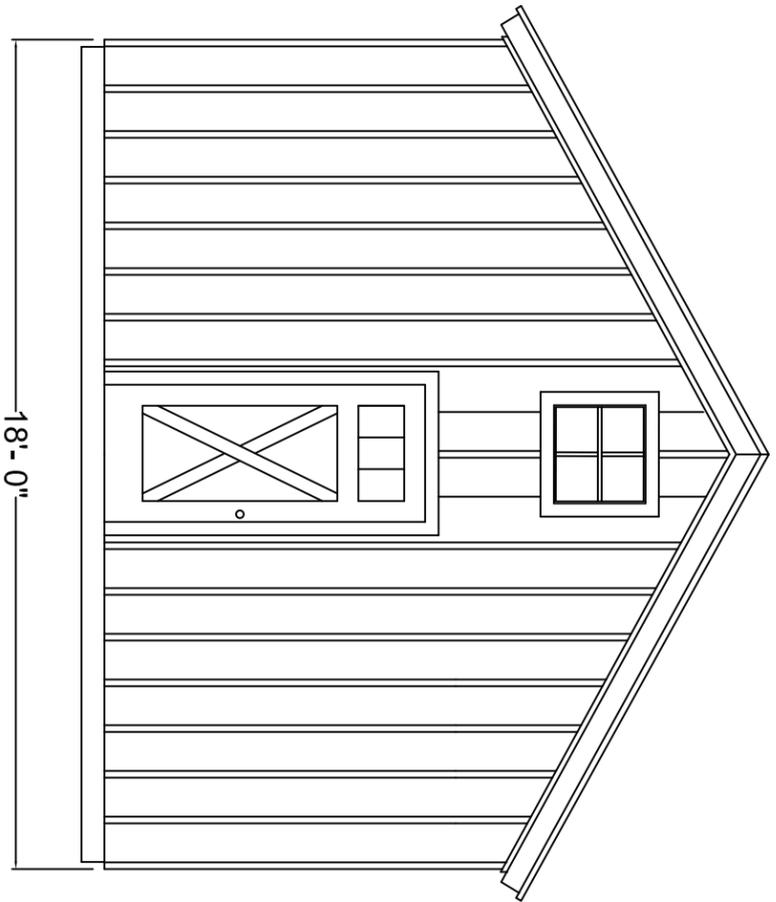
HAMILTON STERN CONSTRUCTION, LLC.  
PROJECT CONTACT:  
PHONE:  
EMAIL:

DRAWING REVISIONS:		
MARK:	DATE:	DESCRIPTION:
△	2/12/19	ADD DOOR INTO OFFICE, CLIENT SEATING AREA

DATE: 6/25/20  
DRAWN BY:

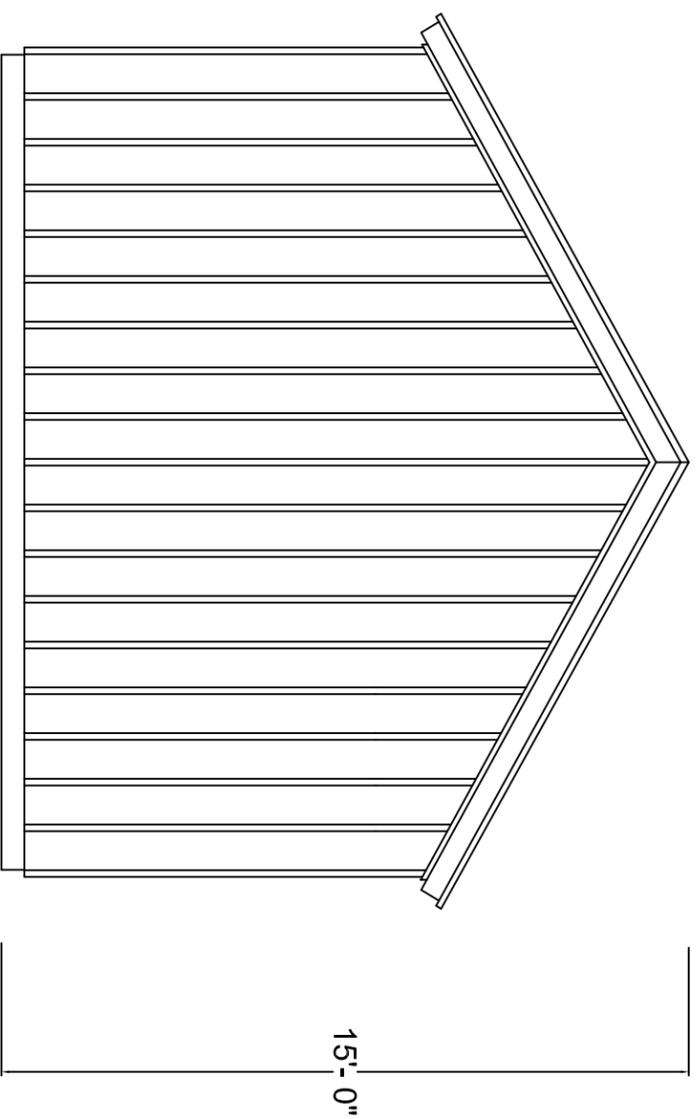
**EAST/WEST  
ELEVATION**

SHEET NUMBER



**EAST Elevation**

Scale -  $\frac{1}{4}$ " = 1'-0"



**WEST Elevation**

Scale -  $\frac{1}{4}$ " = 1'-0"



**HAMILTON STERN  
CONSTRUCTION**  
HAMILTON STERN CONSTRUCTION, LLC.  
3850 MONROE AVENUE  
PITTSFORD, NY 14534  
PHONE: (609) 486-8101  
FAX: (609) 586-9101

**HAMILTON RESIDENCE**  
25 PARKER DRIVE  
PITTSFORD, NY 14534

PARTNERING FIRM:  
ARCHITECT OR CONTACT:  
PHONE:  
EMAIL:

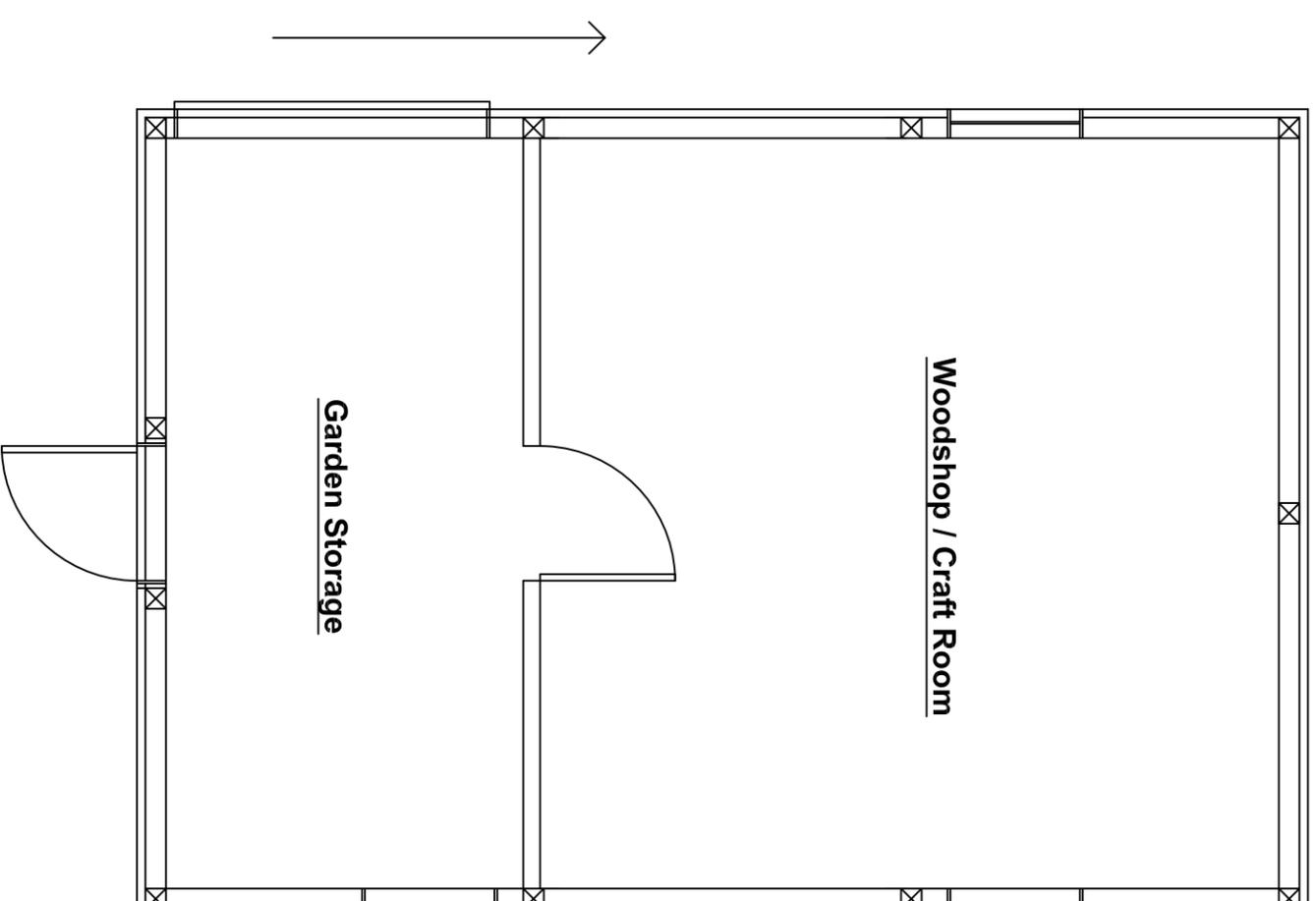
HAMILTON STERN CONSTRUCTION, LLC.  
PROJECT CONTACT:  
PHONE:  
EMAIL:

DRAWING REVISIONS:		
MARK:	DATE:	DESCRIPTION:
△	2/12/19	ADD DOOR INTO OFFICE, CLIENT SEATING AREA

DATE: 6/25/20  
DRAWN BY:

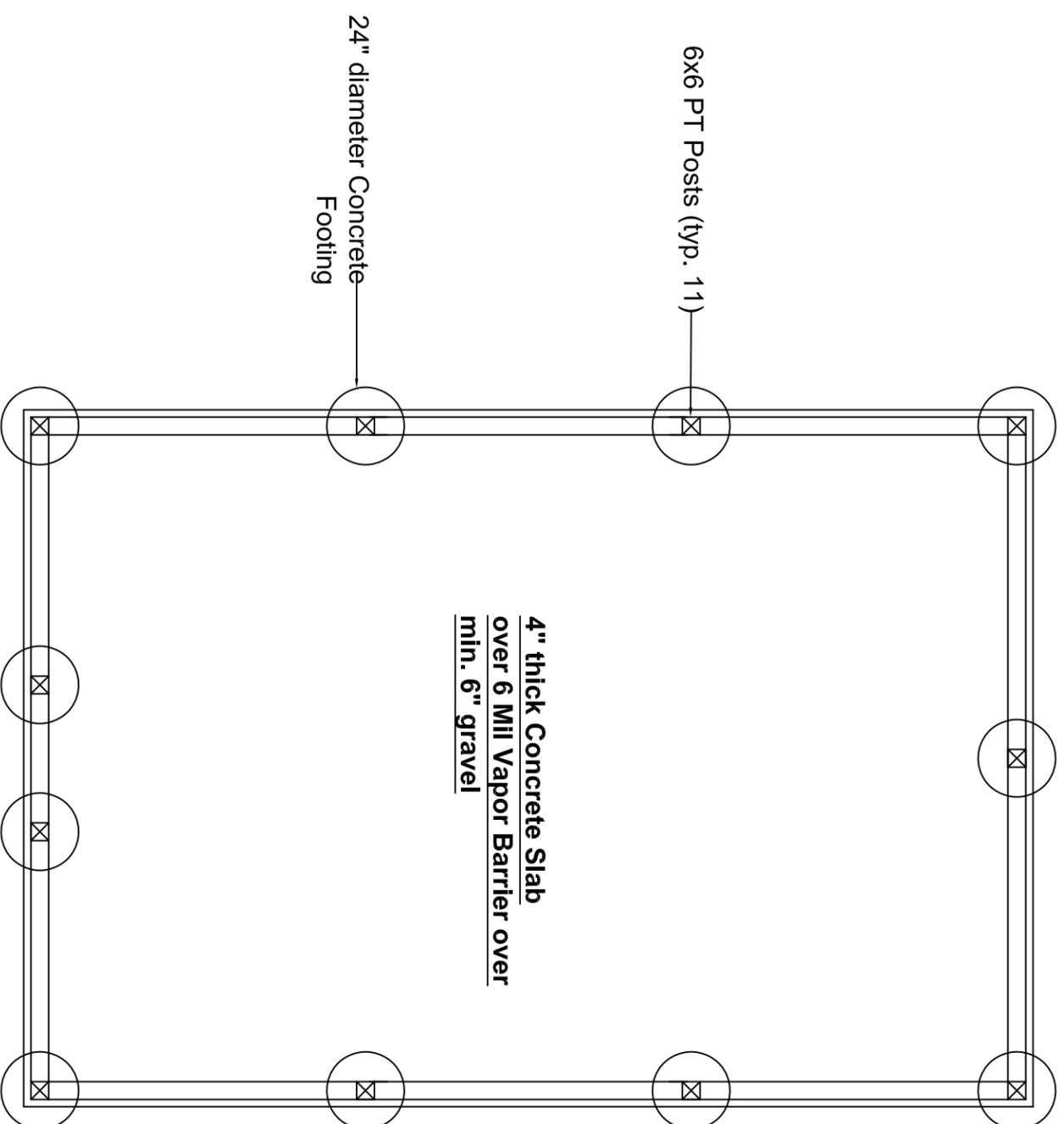
SHEET TITLE:  
**FOUNDATION  
AND FLOOR  
PLAN**

SHEET NUMBER



**Floor Plan**

Scale -  $\frac{1}{4}'' = 1'-0''$



**Foundation Plan**

Scale -  $\frac{1}{4}'' = 1'-0''$

# Zoning Board of Appeals Referral Form Information

**Property Address:**

28 Butternut Drive PITTSFORD, NY 14534

**Property Owner:**

Hanson, John S  
28 Butternut Dr  
Pittsford, NY 14534

**Applicant or Agent:**

Hanson, John S  
28 Butternut Dr  
Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
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
Size:	180	Size:	288	Size:	-108.0

**Code Section(s):** 185-113 B (1) & (2)

Description: Applicant is requesting relief from Town Code §185-113 B (1) & (2) to allow construction of an over height and oversized accessory structure located in the rear yard. Property is zoned RN – Residential Neighborhood District.

July 08, 2020



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Date

---

Mark Lenzi - Building Inspector CEO

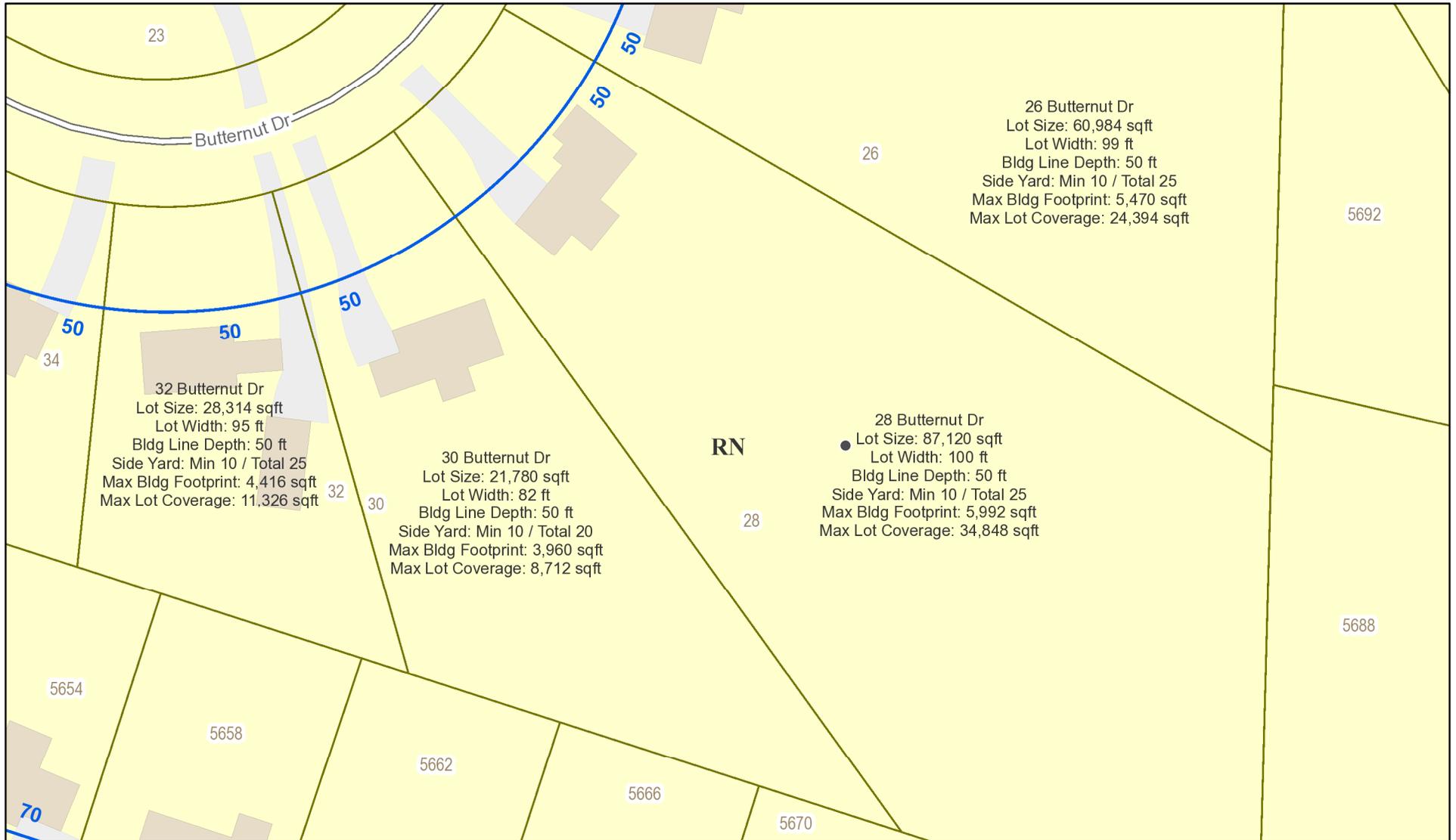
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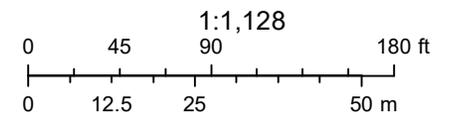
Added By:

Date Added:

# RN Residential Neighborhood Zoning



Printed June 30, 2020



Town of Pittsford GIS

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**BUTTERNUT DRIVE**  
 (60')  
 R=187.29  
 L=78.93

REFERENCES

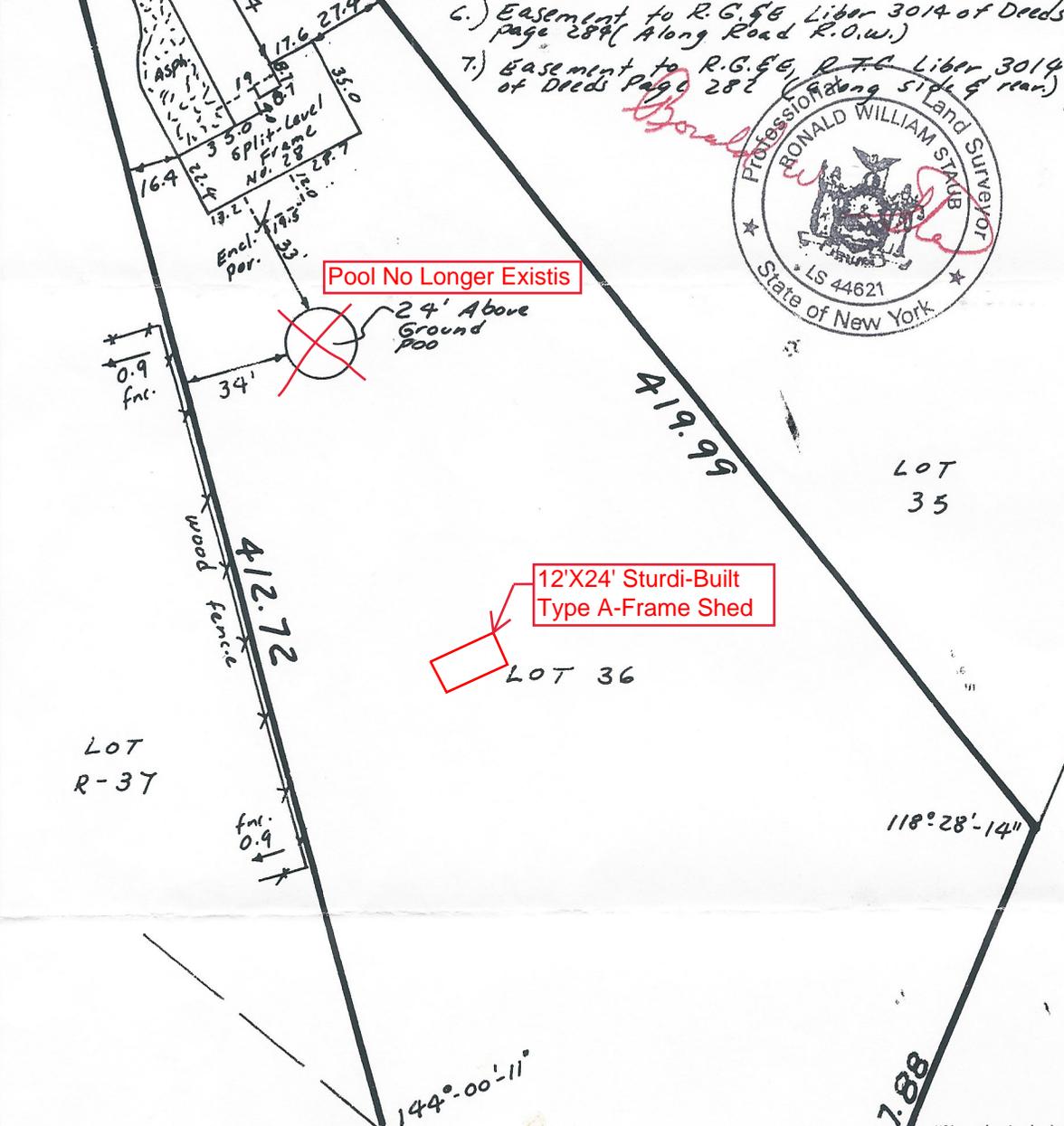
- 1.) Abstract No.
- 2.) Liber 131 of Maps Page 80
- 3.) Liber 9038 of Deeds Page 107
- 4.) Tax Account No. 165.090-0001-010
- 5.) Storm Water easement Liber 3063 of Deeds Page 202 (20' wide between lots 35 & 36.)
- 6.) Easement to R.G. & E. Liber 3014 of Deeds page 284 (Along Road R.O.W.)
- 7.) Easement to R.G. & E. R.T.C. Liber 3014 of Deeds Page 282 (Along side of rear)



**Pool No Longer Existis**



**12'X24' Sturdi-Built Type A-Frame Shed**



CERTIFICATION:

I hereby certify to:  
 1.) Pittsford Federal Credit Union, its successors and/or assigns  
 2.) Ticor Title Insurance Company  
 3.) Frank H. Ferris III, Esq.  
 4.) John S. Hanson  
 that this map was made August 20, 2002 from notes of an Instrument Survey completed August 19, 2002 and references listed above:

*Ronald W. Staub*

RONALD W. STAUB, N.Y.S.L.S. #44621

- 5.) Michelle Muir Hanson
- 6.) Frank H. Ferris III, Esq.

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law."

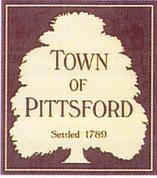
"Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid true copies."

"Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys 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 listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."

TITLE:

INSTRUMENT SURVEY MAP

28 BUTTERNUT DRIVE  
 LOT 36 OF THE DISTANT HILLS SUBDIVISION



# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

Applicant: John Hanson

Address: 28 Butternut Drive, Pittsford NY 14534

Phone: 585-313-5352 E-Mail: jhanson@siewertequipment.com

Agent: \_\_\_\_\_  
*(if different than Applicant)*

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: \_\_\_\_\_  
*(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: \_\_\_\_\_ Current Zoning: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

Application For:       Residential       Commercial       Other

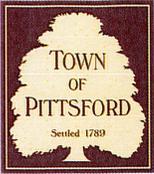
Please describe, in detail, the proposed project:

Would like to install a 12' wide X 24' long X 12' high Type A Frame Sturdi-Built Shed in back yard. Attached is manufacturer's data sheet for construction/design.

**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)*

\_\_\_\_\_  
*(Date)*



# TOWN OF PITTSFORD

## AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

Zoning Board of Appeals – 11 S. Main Street – Pittsford, 14534 – 248-6260

***If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.***

I, \_\_\_\_\_, the owner of the property located at:

\_\_\_\_\_  
(Street)

\_\_\_\_\_  
(Town)

\_\_\_\_\_  
(Zip)

Tax Parcel # \_\_\_\_\_ do hereby authorize

\_\_\_\_\_ to make application to the

Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of \_\_\_\_\_

\_\_\_\_\_  
(Signature of Owner)

\_\_\_\_\_  
(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:

Butternut Drive is a residential circle near the intersection of Route 31 and Marsh road. My property is located on the south east portion of the street. Interstate 490 borders the back lot line of my yard. The lot size is almost 2 acres. Since a large portion is wooded, you can not see the road or traffic from our yard in most sections. Likewise, cars traveling on the highway would not see a shed. Placement of the shed on the property would be aligned almost directly behind and approximately 140 feet from my house. The majority of neighbors would not see it from my street. The shed would be designed/built to match the aesthetics of my home. In addition, I have asked both neighbors on either side of my house about a shed and neither object to it. Several families on this road have sheds of similar design.

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

Presently I use my garage to store my yard equipment such as riding lawn mower, push mower, wheel borrow, lawn roller & misc yard tools in order to maintain my yard & flower gardens. This does not allow room for automobiles to be housed in the garage. In addition to storage an area variance provides a safe and reasonable area to perform necessary maintenance on lawn equipment. There is currently no space to properly store and safely hold yard equipment with this shed.

## **TESTS FOR GRANTING AREA VARIANCES (Continued)**

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

I believe the variance requested is minimal as a total of 288 square feet gives me a small safe area out of the elements to work and maintain yard equipment. The height of the shed will be 12 ft or less in height and would be about 25-30 feet away from the side lot line. Location to back of lot is a few hundred feet as well as the other side of my lot. Also removed an above ground 24ft diameter swimming pool due to age. New shed is less than half the total square foot print on the pool.

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:

My request for this variance on a slightly larger foot print will produce a positive physical & environmental condition in my neighborhood. Allows for proper and safe storage/workspace other than stacking and packing in garage area. I would no longer have to constantly pull stuff out of garage and place along driveway in order to use garage for tasks at hand during the different seasons, as well as not having a safe and clean work area. Style of shed also compliments architecture of my home and fits well within existing neighborhood neighbors and lots, actually would be much more aesthetically pleasing than others in my area.

- **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?

No, my current space/"facilities" are being used to the best of their abilities. However, they are not appropriate to allow for safely keeping and organizing the necessary equipment to properly take care of and maintain a 2 acre lot with pride & respect of my equipment and how my property looks. A shed of this size is the best solution to this difficulty created by space of storage.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

28 Butternut Shed Variance

*(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)

May 14, 2020

*(Signature of Applicant)*

*(Dated)*

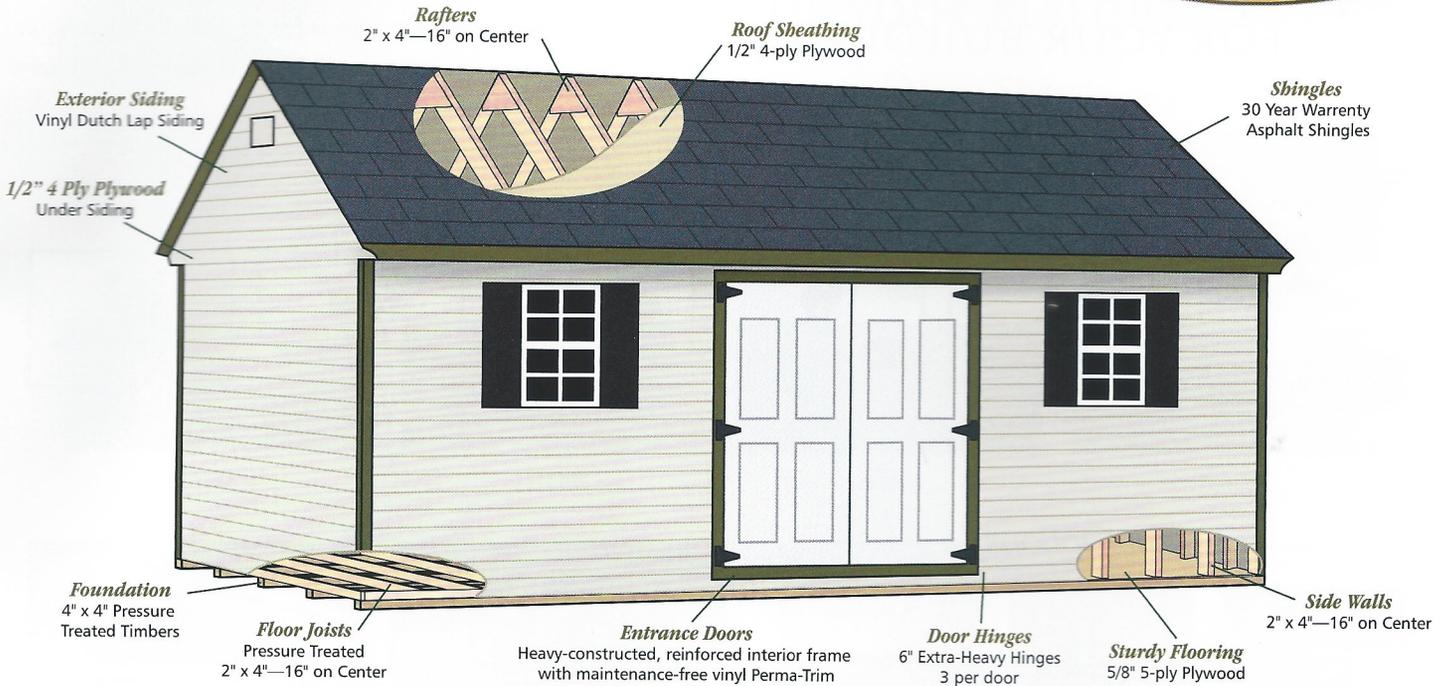
28 Butternut Drive

*(Street Address)*

Pittsford, NY 14534

*(City/Town, State, Zip Code)*

# Building FEATURES



Design and Specifications subject to change without notice. Not responsible for typographical errors or omissions.

## Notes on BUILDING SIZES

Width / Length	Villa Cape Cod	Dutch 6'6" Walls	A Frame	Quaker
6 x 6	•		•	•
8 x 8	•		•	•
8 x 8	•		•	•
8 x 10	•		•	•
8 x 12, 14, 16	•	•	•	•
10 x 10, 12, 14, 16, 18, 20, 24	•	•	•	•
12 x 12, 14, 16, 18, 20, 24	•	•	•	•
12 x 28, 30, 32, 36, 38, 40, 44, 48	•	•	•	•
14 x 20, 24, 28, 30, 32, 36, 38, 40, 44, 48	•	•	•	•

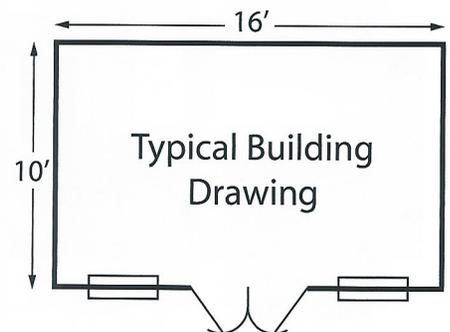
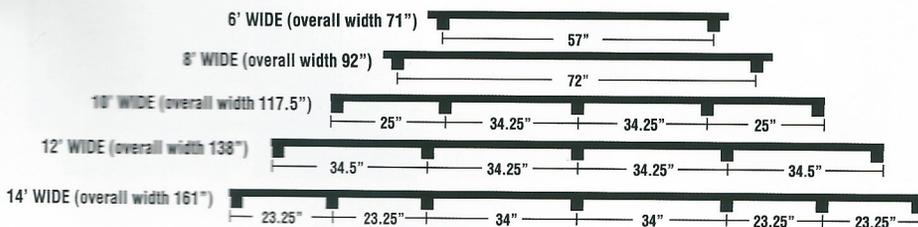
## Site Preparation

A firm, flat and level area is needed to place your building on. Crushed stone or gravel is preferred or if site is level, we will provide patio block at no charge.



## Standard Door Sizes for Villa, Cape Cod, Colonial Dutch, A-Frame, Quaker

8' wide – all doors 54" • 10' wide – all doors 60" • 12' wide – all doors 72"





12X24 Shed



12X24 Shed  
Located Here

A photograph of a grassy field with a wooden fence on the right side and a line of trees in the background. The grass is green with some brown patches. The fence is made of weathered wooden planks. The trees are mostly bare, suggesting late autumn or winter. A white box with a red border contains the text "12X24 Shed".

12X24 Shed

# Zoning Board of Appeals Referral Form Information

**Property Address:**

44 Harper Drive PITTSFORD, NY 14534

**Property Owner:**

Reynolds, Jason M  
44 Harper Dr  
Pittsford, NY 14534

**Applicant or Agent:**

Reynolds, Jason M  
44 Harper Dr  
Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
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
Size:	0	Size:	0	Size:	0.0

**Code Section(s):** 185-113 B (3)

Description: Applicant is requesting relief from Town Code §185-113 B (3) to allow construction of a shed located forward of the rear wall of the home. The shed is proposed to be located in the side yard. Property is zoned RN – Residential Neighborhood District.

July 08, 2020



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Date

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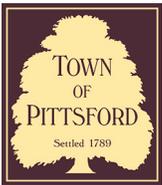
Mark Lenzi - Building Inspector CEO

File Name:

Description:

Added By:

Date Added:



# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Agent: \_\_\_\_\_  
*(if different than Applicant)*

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: \_\_\_\_\_  
*(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: \_\_\_\_\_ Current Zoning: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

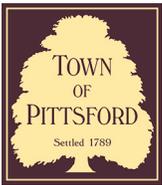
Application For:       Residential       Commercial       Other

Please describe, in detail, the proposed project:

**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)*

**5-29-20**  
\_\_\_\_\_  
*(Date)*



# TOWN OF PITTSFORD

## AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

Zoning Board of Appeals – 11 S. Main Street – Pittsford, 14534 – 248-6260

***If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.***

I, \_\_\_\_\_, the owner of the property located at:

\_\_\_\_\_  
*(Street)*

\_\_\_\_\_  
*(Town)*

\_\_\_\_\_  
*(Zip)*

Tax Parcel # \_\_\_\_\_ do hereby authorize

\_\_\_\_\_ to make application to the

Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of \_\_\_\_\_



\_\_\_\_\_  
*(Signature of Owner)*

5-28-20

\_\_\_\_\_  
*(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:

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

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

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:

- **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?

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

\_\_\_\_\_  
*(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)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

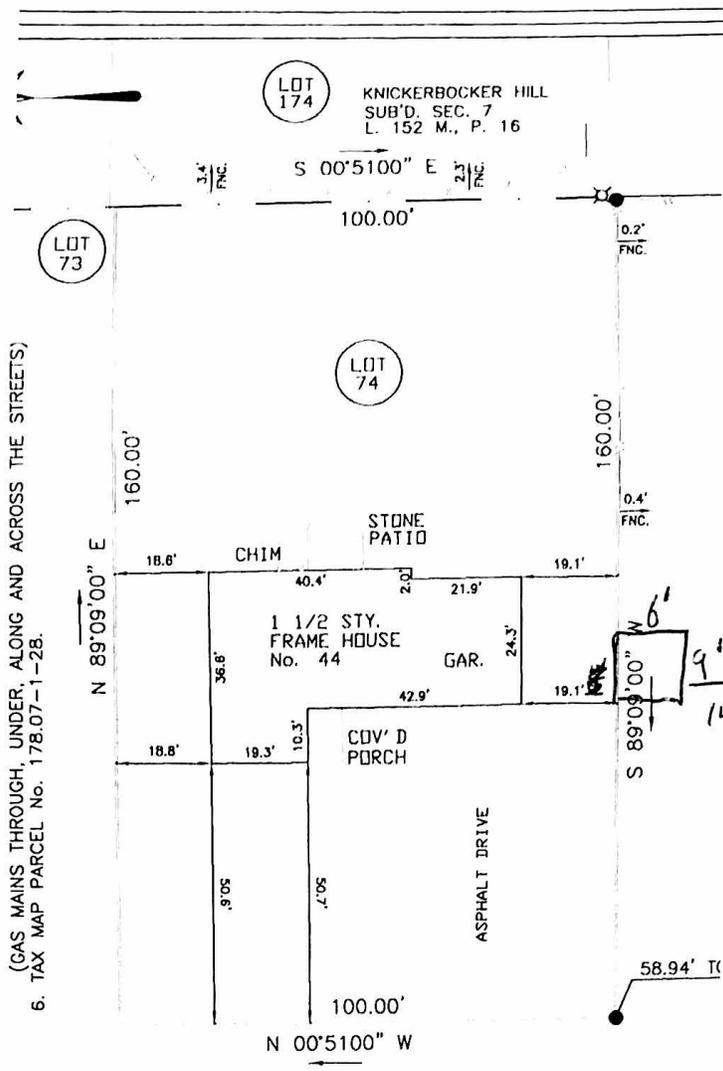


\_\_\_\_\_  
*(Signature of Applicant)*

\_\_\_\_\_  
*(Dated)*

\_\_\_\_\_  
*(Street Address)*

\_\_\_\_\_  
*(City/Town, State, Zip Code)*



(GAS MAINS THROUGH, UNDER, ALONG AND ACROSS THE STREETS)  
6. TAX MAP PARCEL No. 178.07-1-28.

4 PIN FND.  
OPEN FENCE  
LINK FENCE  
UTILITY POLE & O.H.L.  
DRAINING BOUNDARY  
EJECT BOUNDARY  
EJECT BOUNDARY

MAP OF AN INSTRUMENT SURVEY OF  
**No. 44 HARPER DRIVE**  
BEING  
**LOT No. 74 of the**

**BOCKER FARM SUBDIVISION, SECTION 2**

SITUATE IN  
TOWN OF PITTSFORD  
COUNTY OF MONROE STATE OF NEW YORK  
SCALE 1 INCH = 30 FEET

GROVER & BATES ASSOCIATES  
406 WEST SPRUCE STREET  
EAST ROCHESTER, NEW YORK  
585-781-0001

DATE: OCTOBER 10, 2012

ALTERATION OR ADDITION TO  
BEARING A LICENSED LAND  
MAP IS A VIOLATION OF SECTION  
2, OF THE NEW YORK STATE  
V.

CERTIFICATIONS LISTED HEREON SINCE  
SURVEY WAS PREPARED IN ACCORDANCE WITH  
EXISTING CODE OF PRACTICE FOR LAND SURVEYING  
ADOPTED BY THE G.V.L.S.A. AND THE  
COUNTY BAR ASSOCIATION.

GROVER & BATES ASSOCIATES DO HEREBY CERTIFY TO THE FOLLOWING;









# Zoning Board of Appeals Referral Form Information

**Property Address:**

393 Thornell Road PITTSFORD, NY 14534

**Property Owner:**

Kleindienst, Steven J  
393 Thornell Rd  
Pittsford, NY 14534

**Applicant or Agent:**

Kleindienst, Steven J  
393 Thornell Rd  
Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
Right Lot Line:	60	Right Lot Line:	5	Right Lot Line:	55
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
Size:	180	Size:	192	Size:	-12.0

**Code Section(s):** 185-113 B (1) & (6)

Description: Applicant is requesting relief from Town Code §185- 113 B (1) & (6) and §185 – 17 L for the construction of an oversized accessory structure (Storage Shed) located in side yard and encroaching into the side setback. The structure is proposed to be approximately 192 Sq. Ft. Property is zoned RN- Residential Neighborhood District.

July 08, 2020



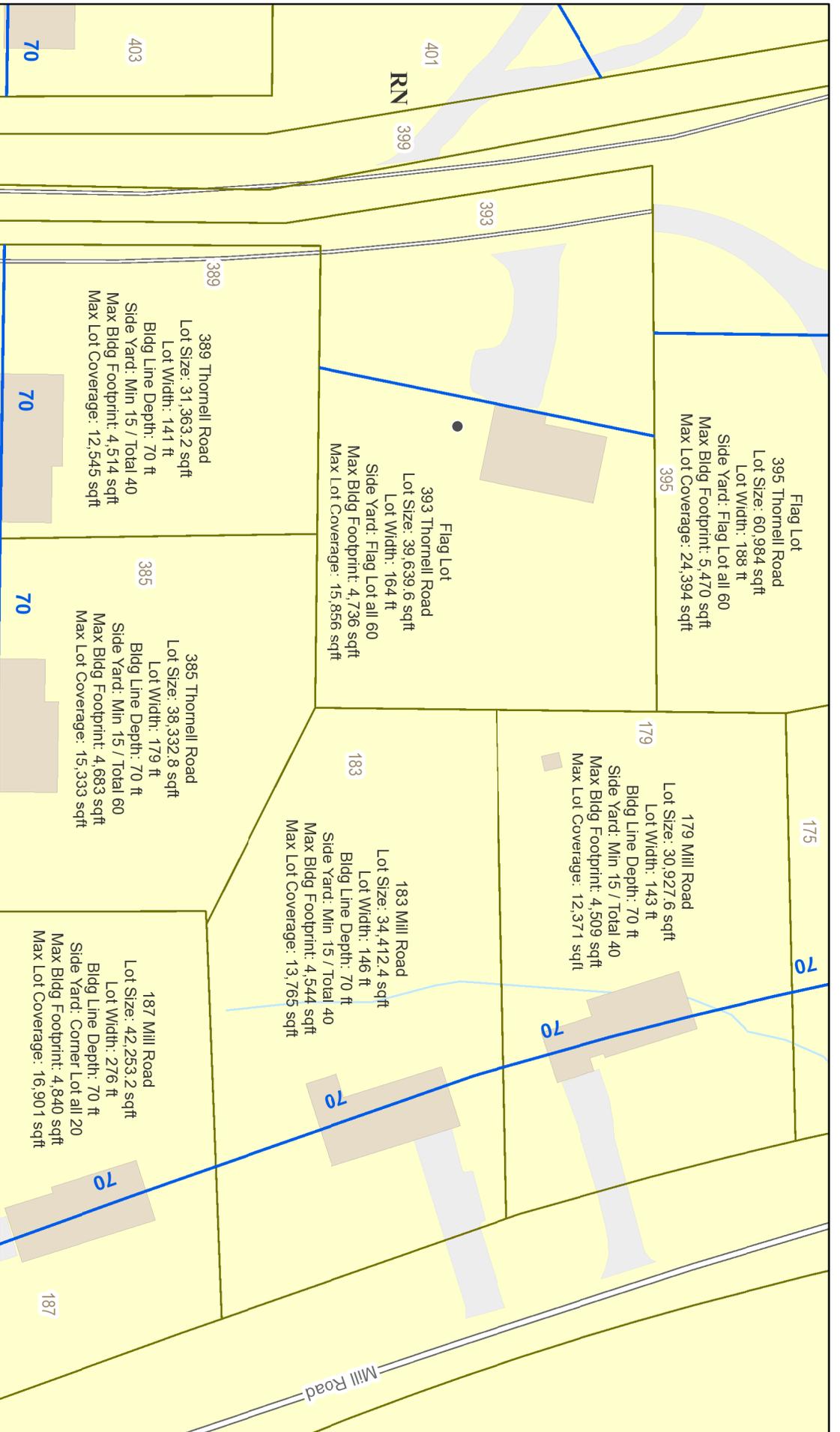
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Date

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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning

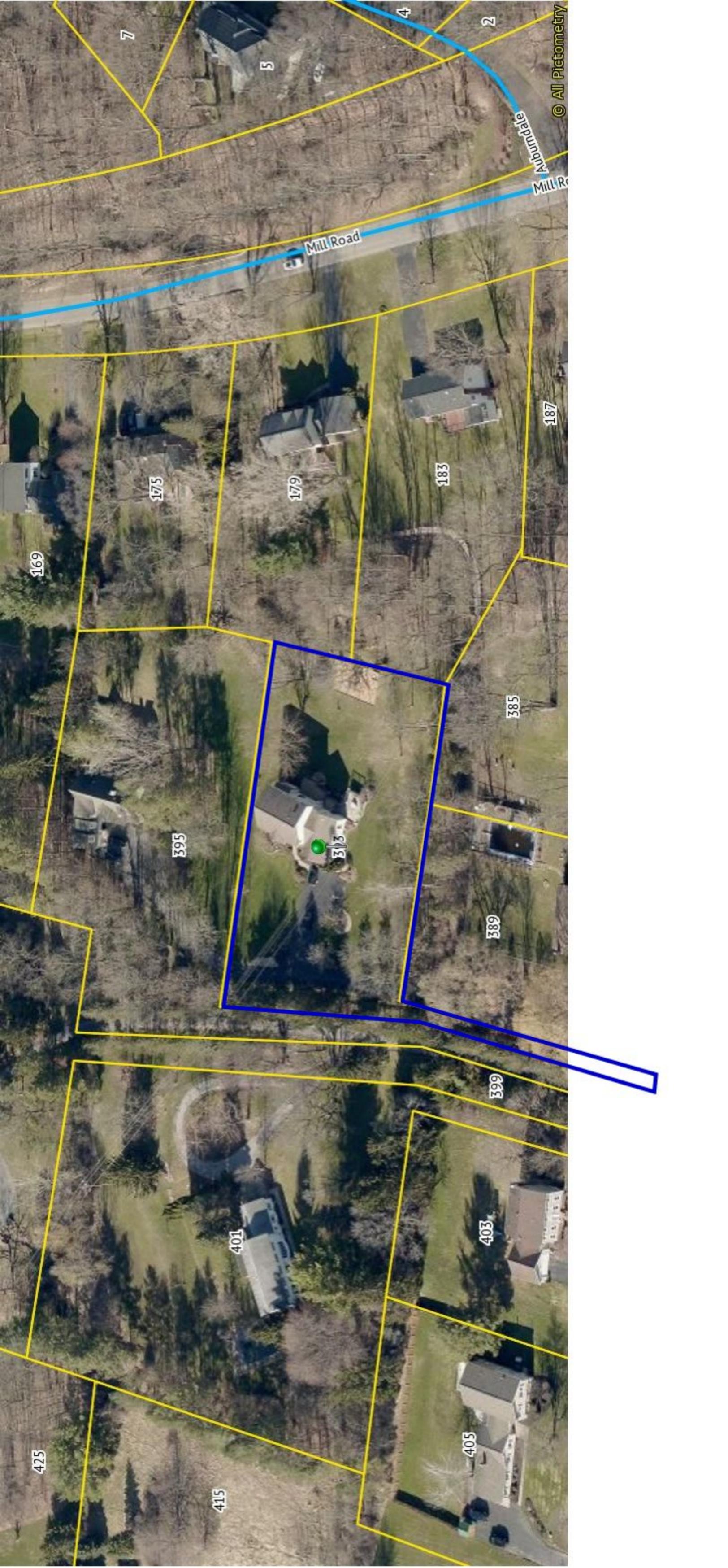


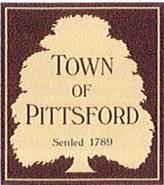
Printed June 2, 2020



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: 4/24/2020 Hearing Date: \_\_\_\_\_

Applicant: STEVEN KLEINDIENST

Address: 393 THORNELL RD

Phone: 585-662-9745 E-Mail: SKLEINDI393@GMAIL

Agent: \_\_\_\_\_  
*(if different than Applicant)*

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: \_\_\_\_\_  
*(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: 393 THORNELL RD Current Zoning: RESIDENTIAL

Tax Map Number: 178.04-1-59.1

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

I would like to build a 12' x 16' FOOT UTILITY SHED IN THE REAR LEFT (North/EAST) CORNER OF THE LOT.

**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.

[Signature]  
(Owner or Applicant Signature)

4/24/2020  
(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:

I HAVE AN ALMOST SQUARE LOT WITH NATURAL BOUNDARIES GIVING PRIVACY. THE UTILITY SHED WILL HOUSE A UTILITY TRAILER AND PATIO FURNITURE WHICH CURRENTLY NEED TO BE TARPED WHEN NOT IN USE IN THE SAME LOCATION. THE SHED WILL ADD TO PROPERTY APPEARANCE AND ORGANIZATION

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 PROPERTY IS A FLAG LOT REQUIRING 60' SET BACKS. THIS WOULD FORCE THE LOCATION OF AN OUTBUILDING INTO AN UNNATURAL LOCATION ON THE PROPERTY. CURRENT APPLICATION FOR VARIANCE WILL FIT BUILDING 5-10' OFF PROPERTY LINE INTO A NATURAL LOCATION.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

MINIMAL - THE LOT IS LARGE ENOUGH TO FIT A SHED. THE LOCATION WILL HAVE MINIMAL VISUAL IMPACT ON NEIGHBORS, SEVERAL OF WHICH ALSO HAVE SHEDS

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 STRUCTURE WILL BE LOCATED IN AN AREA ALREADY CLEAR OF TREES; BUSHES. IT WILL ALSO BE USED TO STORE YARD/OUTDOOR EQUIPMENT MORE SECURELY; AESTHETICALLY PLEASINGLY

- **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?

I FEEL THIS WILL BE AN ENHANCEMENT / INVESTMENT INTO THE NEIGHBORHOODS. NOT A DIFFICULTY

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

UTILITY SHED - 393 THORNEILL RD  
(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)

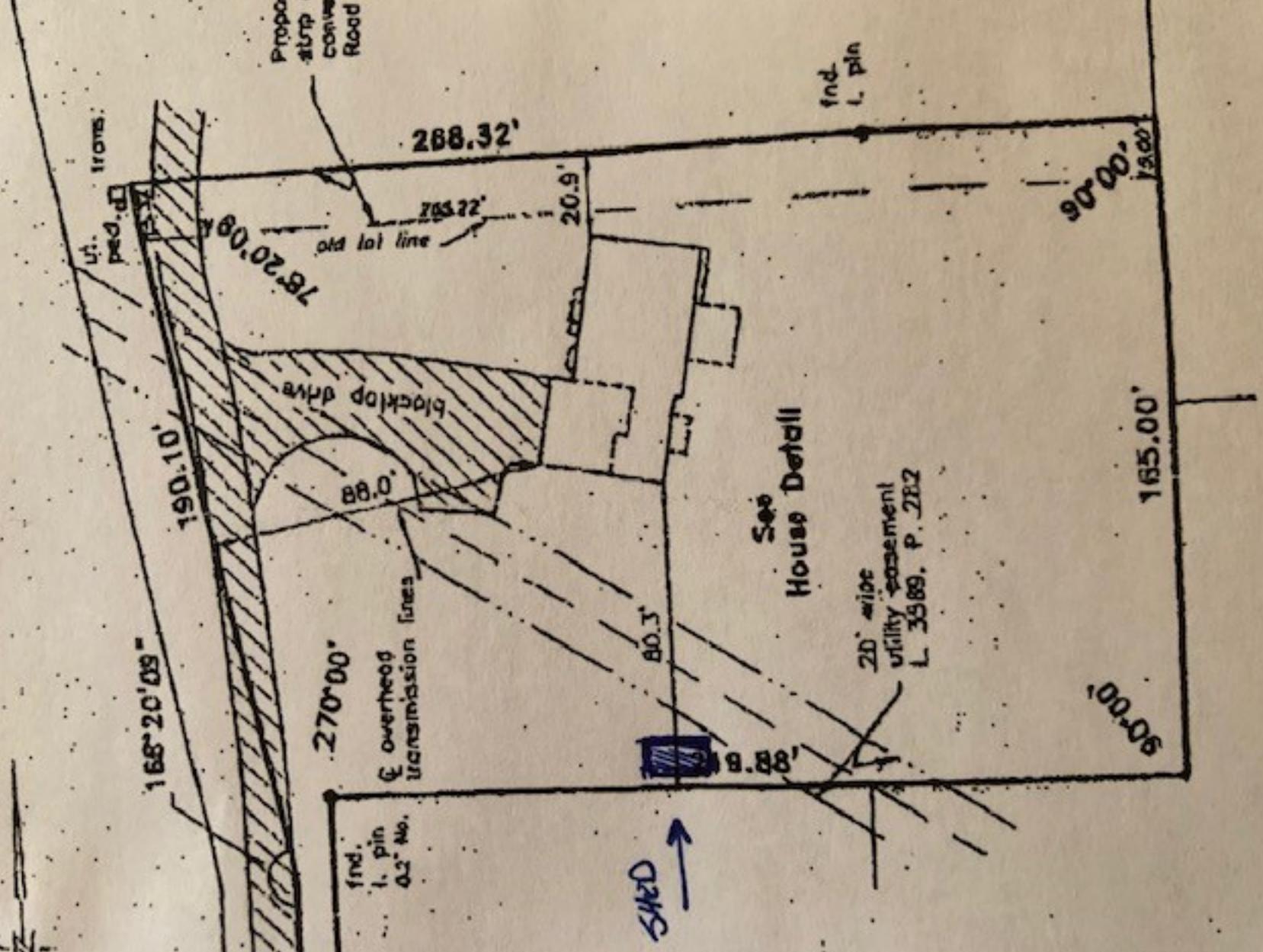
Address(es)

  
(Signature of Applicant)

4/24/2020  
(Dated)

393 THORNEILL RD  
(Street Address)

PITTSFORD, NY 14534  
(City/Town, State, Zip Code)



Proposed  
strip of  
convey  
Road

Ind.  
L. pin

ut. ped. d.  
Trans.

288.32'

90' 00" 1300'

78' 20" 08'

765.72'  
old lat line

20.9'

blocktop drive

88.0'

165' 20' 09"

190' 10'

270' 00"

Overhead  
transmission lines

See  
House Detail

20' wide  
utility easement  
L. 3589, P. 282

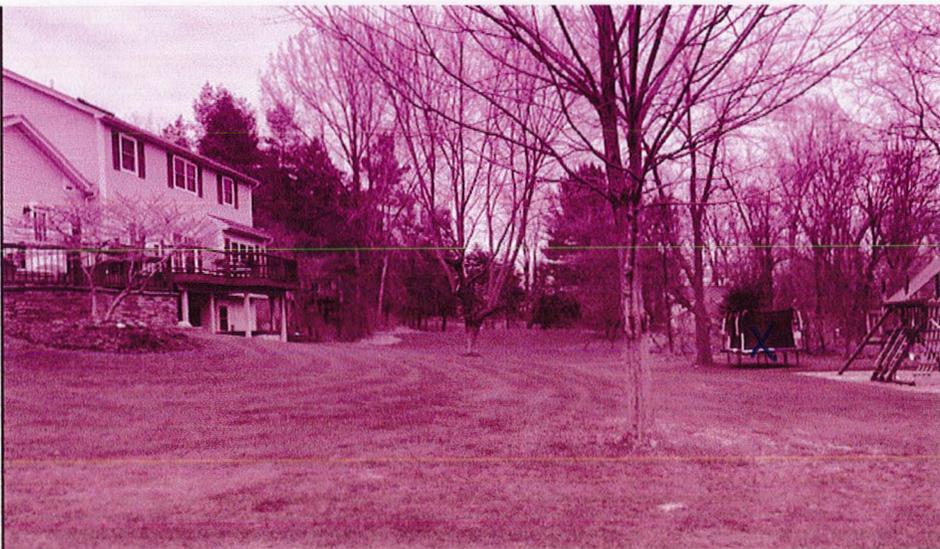
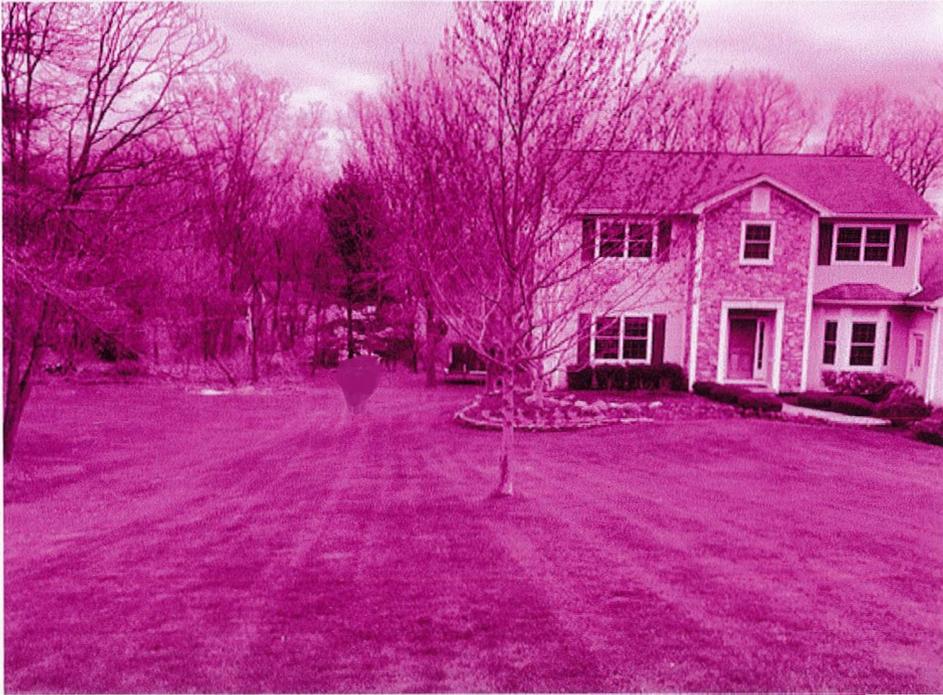
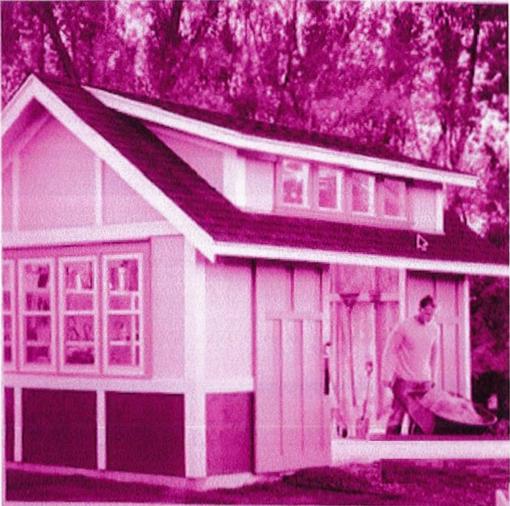
165.00'

90' 00" 1300'

80.3'  
87.8'

Ind.  
L. pin  
0.2" No.

SHED →



# Zoning Board of Appeals Referral Form Information

**Property Address:**

40 Skylight Trail Pittsford, NY 14534

**Property Owner:**

Morrell Builders

**Applicant or Agent:**

Morrell Builders

**Present Zoning of Property:**

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:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	16.5	Height:	-4.5
Size:	180	Size:	800	Size:	-620.0

**Code Section(s):** 185- 113 B (1) & (2)

Description: Applicant is requesting relief from Town Code §185- 113 B (1) & (2) for the construction of an oversized accessory structure (Community Garden Building) located in the Alpine Ridge Subdivision. Property is zoned RN- Residential Neighborhood District.

July 08, 2020

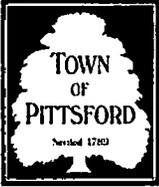


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Date

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Mark Lenzi - Building Inspector CEO



# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: May 15, 2020 Hearing Date: June 15<sup>th</sup>, 2020

Applicant: Morrell Builders

Address: 1501 Pittsford Victor Rd

Phone: (585) 755-4606 E-Mail: jeff.morrell@morrellbuilders.com

Agent: \_\_\_\_\_  
*(if different than Applicant)*

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: \_\_\_\_\_  
*(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: Mendon Rd Current Zoning: RRAA

Tax Map Number: 192.01-1-6.1

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

Construction of Community Greenhouse within the HOA designated park area to support community garden functions as previously approved by Planning Board through site subdivision process.

**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)*

5-15-20  
*(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:

The Alpine Community is a new community construction project with the tone and character of the community to be developed with common construction styles and themes that are fully integrated into the community (e.g. All first floor townhomes, with arts and crafts style front elevations, color schemes per-coordinated with DRB guidance, setting within a rural character surrounding). The community Green House is located within specific HOA lands and acts as a centralized focal point for the residents, with surrounding community garden elements. Community garden functions as agricultural gardening for the neighborhood with plantings of various vegetables that support farm to table concepts. The Green House is a functioning space that allows for traditional green house functions (seeding, planting, storage of materials, etc.) that neccistate the function of a community garden

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

Area variance is required as current Pittsford zoning does not appropriately contemplate HOA functional spaces, as a result, this facility is considered an accessory structure instead of a more similar park pavillioin type structure.

## **TESTS FOR GRANTING AREA VARIANCES (Continued)**

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

Area variance is minimal in the context of only being allowed on HOA specific property, previously reviewed and approved via the Town Planning Board. All approved site plans have the Greenhouse designation on the filed subdivisions plans, approved also by Town Engineer, and all setbacks (side, front, & rear) are maintained for the corresponding structure within the context of the neighborhood.

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:

Per Test #1 and Test #3, the requested area variance will have no adverse impact on the physical or environmental condition of the neighborhood or zoning district. The Greenhouse was discussed and reviewed and approved throughout the public hearing process to ensure appropriate disclosures, and all appropriate lot area requirements which are designated as part of the filed community plan.

- **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 was self-created only in the context that the designation of the Greenhouse as an "accessory structure" is required and a variance application must be submitted as the final step in the approval process according to Town Code. The difficulty was not self-created in the context of proper planning for the Greenhouse structure in the terms of a Town Law 278 Clustering provision which gives the Planning Board broad flexibility in modifying zoning parameters within site plans to accommodate this structure.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Alpine Ridge Greenhouse Structure

(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)

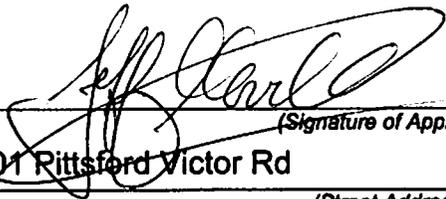
Address(es)

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(Signature of Applicant)

May 15, 2020

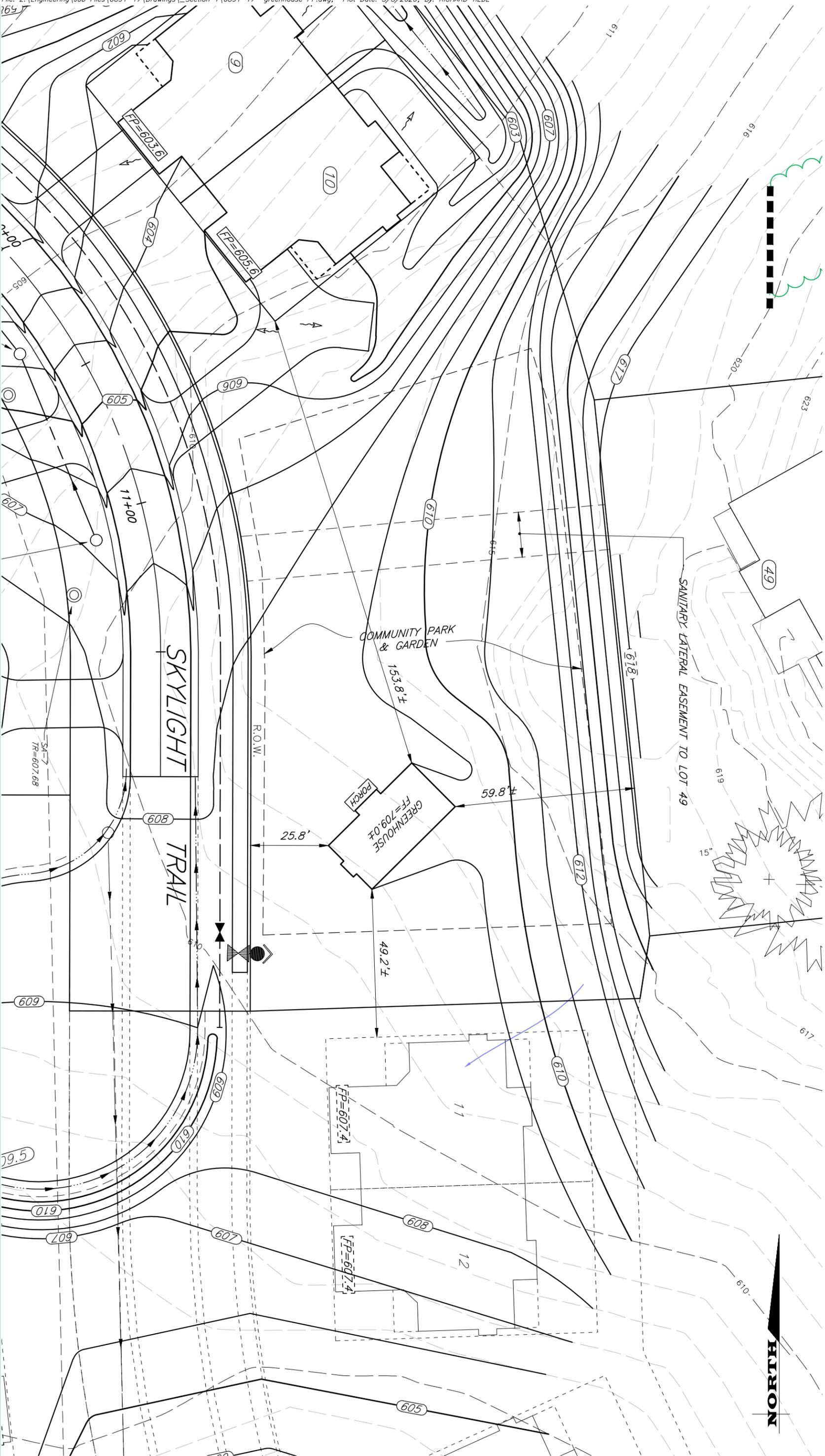
(Dated)

1501 Pittsford Victor Rd

(Street Address)

Victor, NY 14564

(City/Town, State, Zip Code)

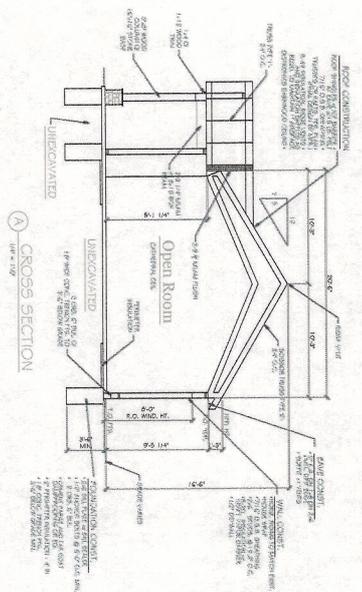


JOB NO: 0891-18  
SCALE: 1" = 30'  
DRAWN: RJT  
DESIGNED: RJT  
DATE: 5/8/20

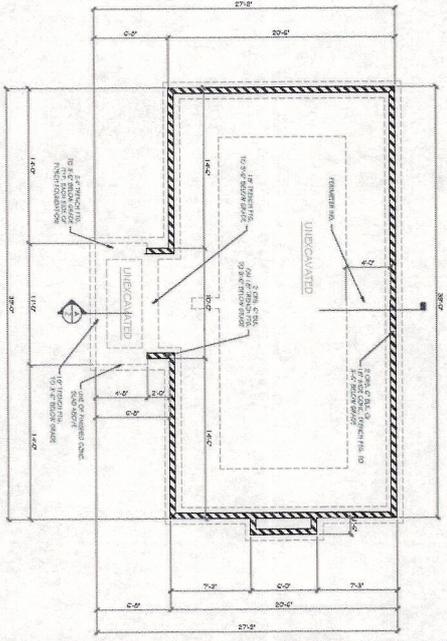
SETBACK	REQUIRED	PROVIDED
FRONT	25'	25.8'

TITLE:  
**PLOT PLAN - HOA GREENHOUSE**  
**ALPINE RIDGE - SECTION 1**  
TOWN OF PITTSFORD MONROE COUNTY NEW YORK

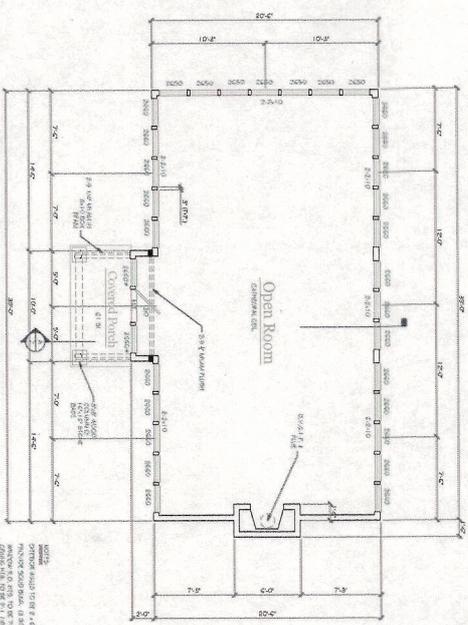




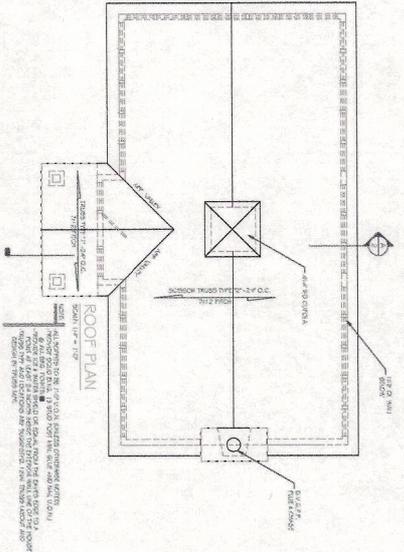
**A-A CROSS SECTION**  
 1/4" = 1'-0"



**FOUNDATION PLAN**  
 1/4" = 1'-0"



**First Floor Plan**  
 8/32 square feet



**ROOF PLAN**  
 1/4" = 1'-0"

Sheet No. **A-2**

**CKH**  
 architecture  
 1160 Rockland Hotel Blvd  
 Suite 200  
 Yonkers, New York 14544  
 Phone: (914) 338-2118  
 Fax: (914) 338-2131  
 www.ckharch.com

PROJECT: **Alpine Ridge Greenhouse  
 Pittsford, N.Y.**  
 CLIENT: **Morrell Builders**  
 DRAWING NO.: **A1.8-004**  
 DATE: **May 2020**

DESIGNED BY: **Foundation Plan, First Floor Plan,  
 Roof Plan & Section**  
 PREPARED BY: **Construction Documents**

NO.	DATE	DESCRIPTION

NOTES:  
 1. These plans are a submission of architectural and engineering drawings for construction purposes only. They do not constitute a contract. The contractor shall be responsible for obtaining all necessary permits and for verifying all field conditions before construction.  
 2. The contractor shall be responsible for verifying all field conditions before construction.  
 3. All dimensions are in feet and inches unless otherwise noted.  
 4. All materials shall be of standard quality unless otherwise noted.  
 5. All work shall be in accordance with the latest editions of the International Building Code and the International Residential Code.  
 6. The architect and engineer shall not be responsible for construction methods or details not shown on these drawings.  
 7. The architect and engineer shall not be responsible for construction methods or details not shown on these drawings.  
 8. The architect and engineer shall not be responsible for construction methods or details not shown on these drawings.  
 9. The architect and engineer shall not be responsible for construction methods or details not shown on these drawings.  
 10. The architect and engineer shall not be responsible for construction methods or details not shown on these drawings.