

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AGENDA
November 18, 2019**

PUBLIC HEARING FOR AN AREA VARIANCE – NEW

- **4040 East Ave**, Tax # 151.10-1-2. Applicant is requesting relief from Town Code §185-113 (B) (1) (2) (3) & (6) and §185-17 E to construct an addition to an existing detached garage. The Proposed garage will be located to the east of the existing garage. The existing garage has a side setback of roughly 10' and the proposed addition will have a side setback of approximately 18'. The addition of 586 Sq. Ft. will bring the total square footage of the garage to 1123 +- Sq. Ft. The structure is proposed to be approximately 14' in height. Property is zoned RN – Residential Neighborhood District.
- **22 E. Park Road**, Tax # 151.17-3-13. Applicant is requesting relief from Town Code §185 – 17 (E) & 185 -17 (B) (1) for the construction of a master bedroom and garage addition with a front setback of approximately 42' and a left side setback of approximately 9'. Town Code requires a 50' minimum front setback and 10' minimum side setback. Property is zoned RN – Residential Neighborhood District.

OTHER

- Review and Approval of the October 21, 2019 Minutes

Zoning Board of Appeals Referral Form Information

Property Address:

4040 East Avenue ROCHESTER, NY 14618

Property Owner:

Ralph, Steven T
4040 East Ave
Rochester, NY 14618

Applicant or Agent:

Ralph, Steven T
4040 East Ave
Rochester, NY 14618

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	20	Left Lot Line:	18	Left Lot Line:	2.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	14	Height:	-2.0
Size:	180	Size:	1123	Size:	-943.0

Code Section(s): 185-B (1) 185-B (2) 185-B (3) 185-17 E 185-113 (B) (6)

Description: Applicant is requesting relief from Town Code to construct an addition to an existing detached garage. The Proposed garage will be located to the east of the existing garage. The existing garage has a side setback of roughly 10' and the proposed addition will have a side setback of approximately 18'. The addition of 586 Sq. Ft. will bring the total square footage of the garage to 1123 +/- Sq. Ft. The structure is proposed to be approximately 14' in height.

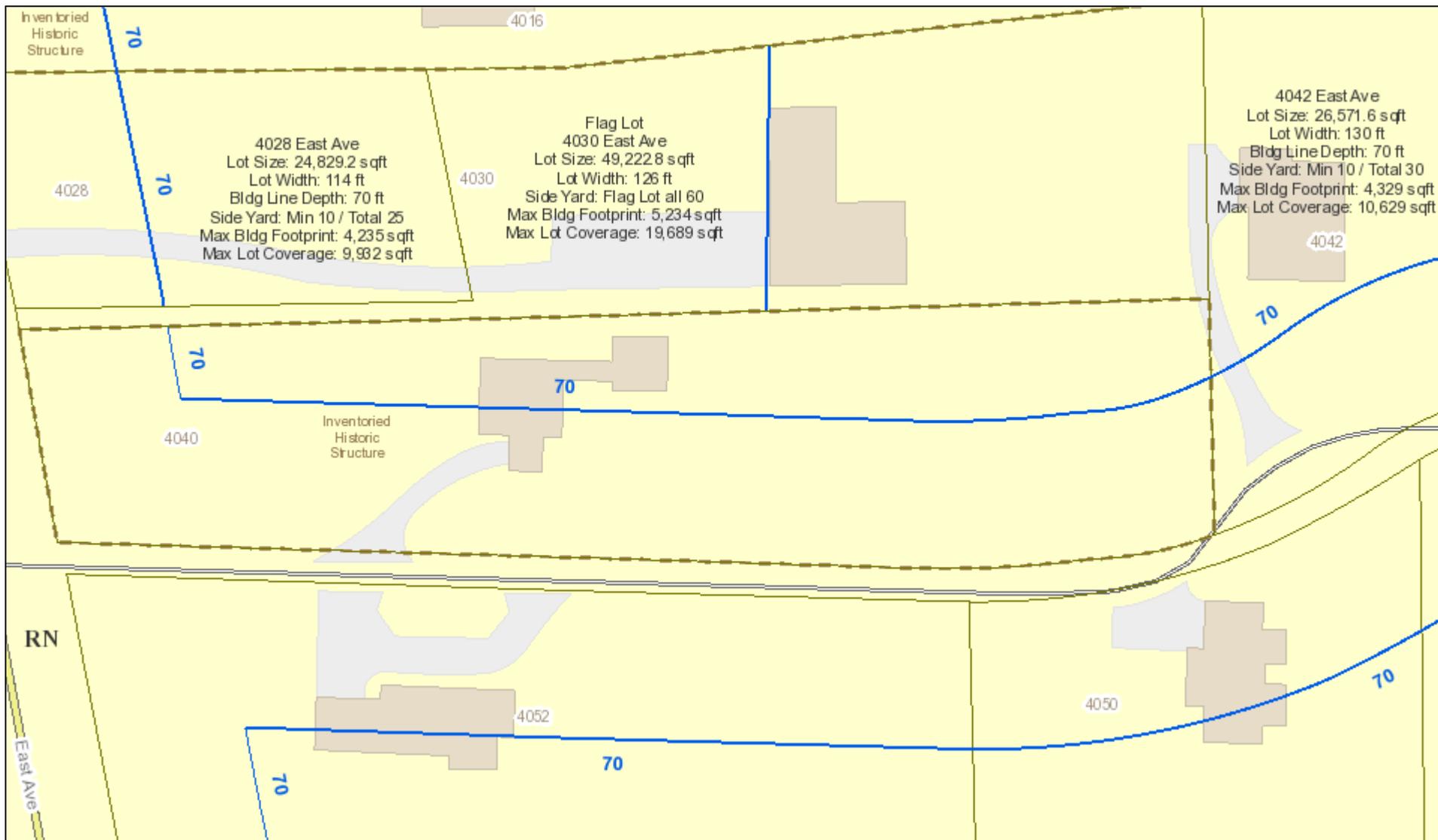
November 06, 2019



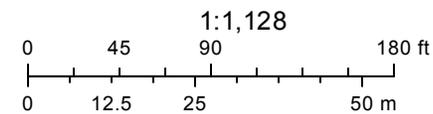
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning

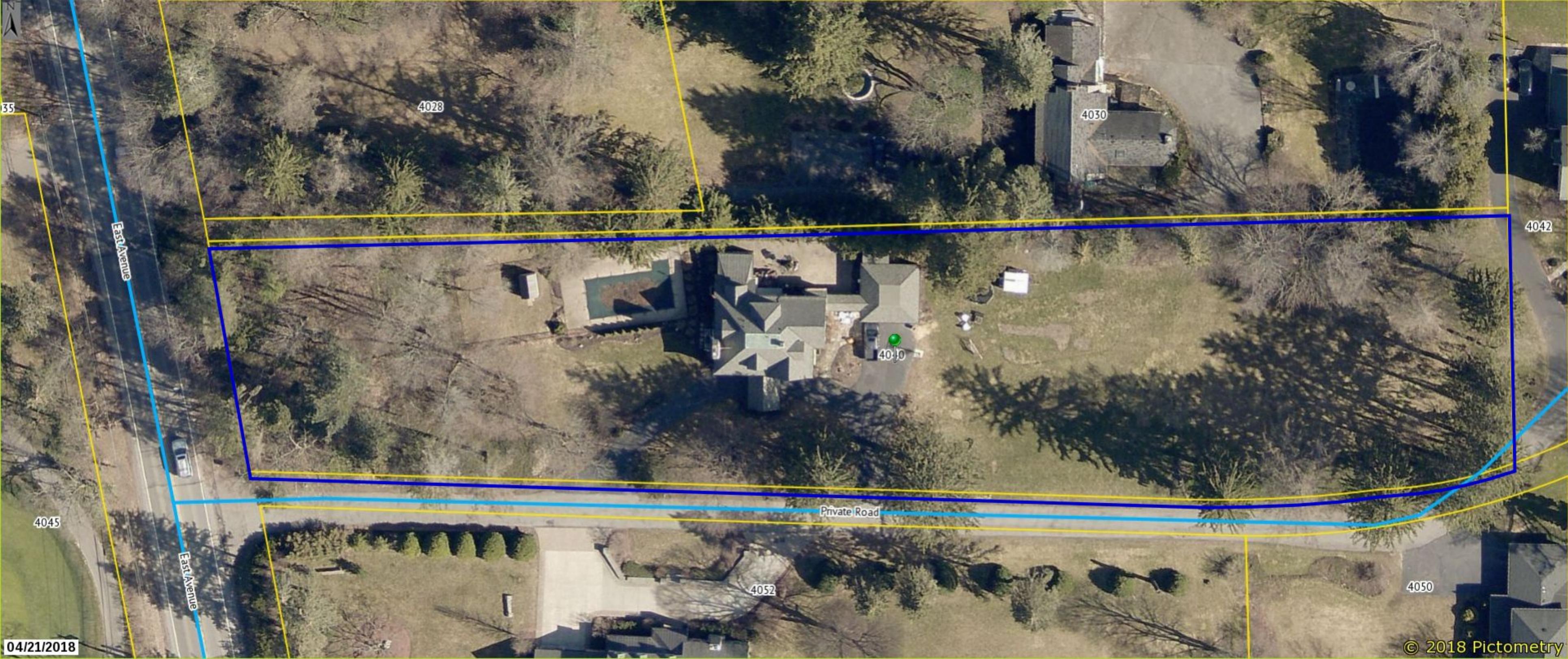


Printed November 6, 2019



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.



35

4028

4030

4042

4010

4045

Private Road

East Avenue

4052

4050

04/21/2018

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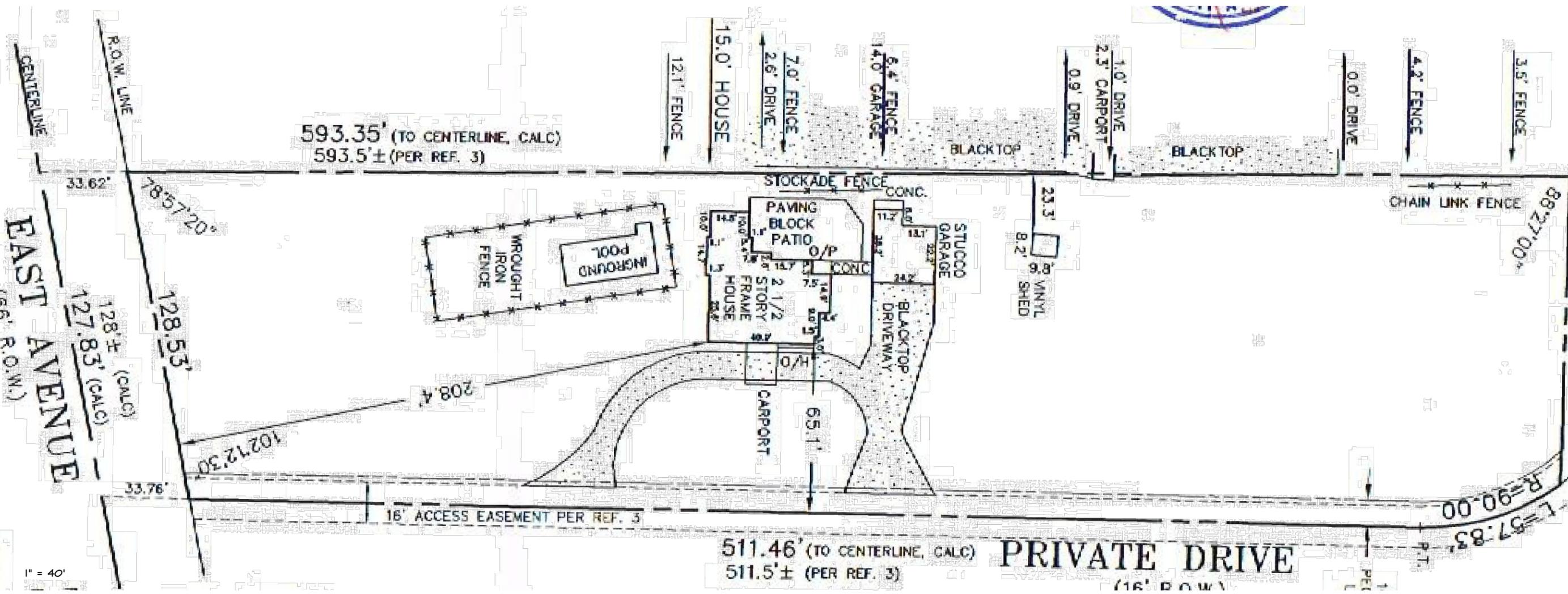
EAST AVENUE
(66' R.O.W.)

SITE SURVEY

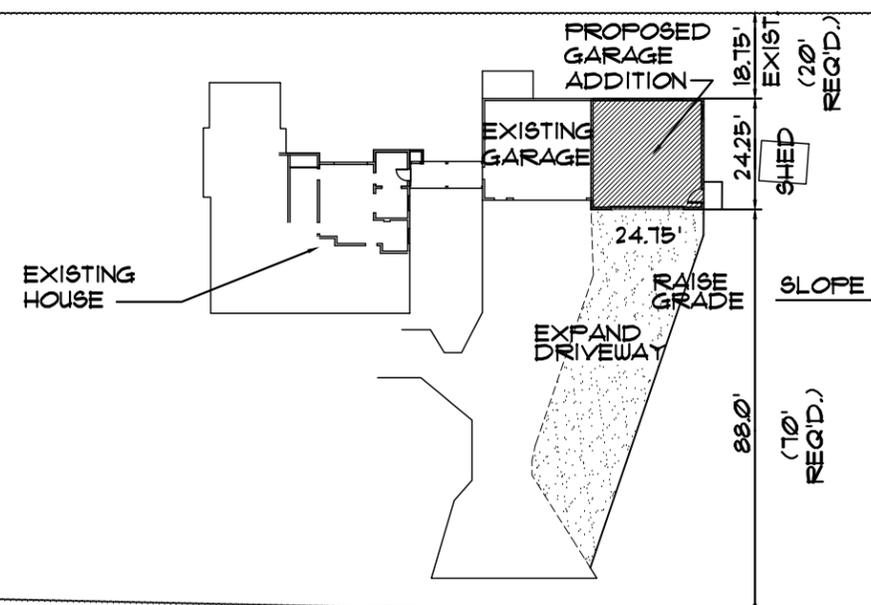
1" = 40'

SITE PLAN

1" = 40'



MAX FOOTPRINT	=	5,652 SF
PROPOSED	=	3,060 SF
REQUIRED VARIANCES		
MIN. SIDE SETBACK	=	20 FT
PROPOSED	=	18.75 FT
MAX AREA	=	180 SF
PROPOSED AREA	=	1,123 SF
MAX HEIGHT	=	12 FT
PROPOSED HEIGHT	=	14 FT



DAVID M. BURROWS
ARCHITECT
64 ERIE CRESCENT
FAIRPORT, NEW YORK 14450
(585) 766-8220
burrowsarchitect@yahoo.com

GARAGE ADDITION FOR
Steven and Heather RALPH
4040 EAST AVENUE
ROCHESTER, NEW YORK 14618

10/08/19
REVISIONS

1923

S-1
OF 1

PRELIMINARY -
NOT FOR CONSTRUCTION

PRELIMINARY -
NOT FOR CONSTRUCTION

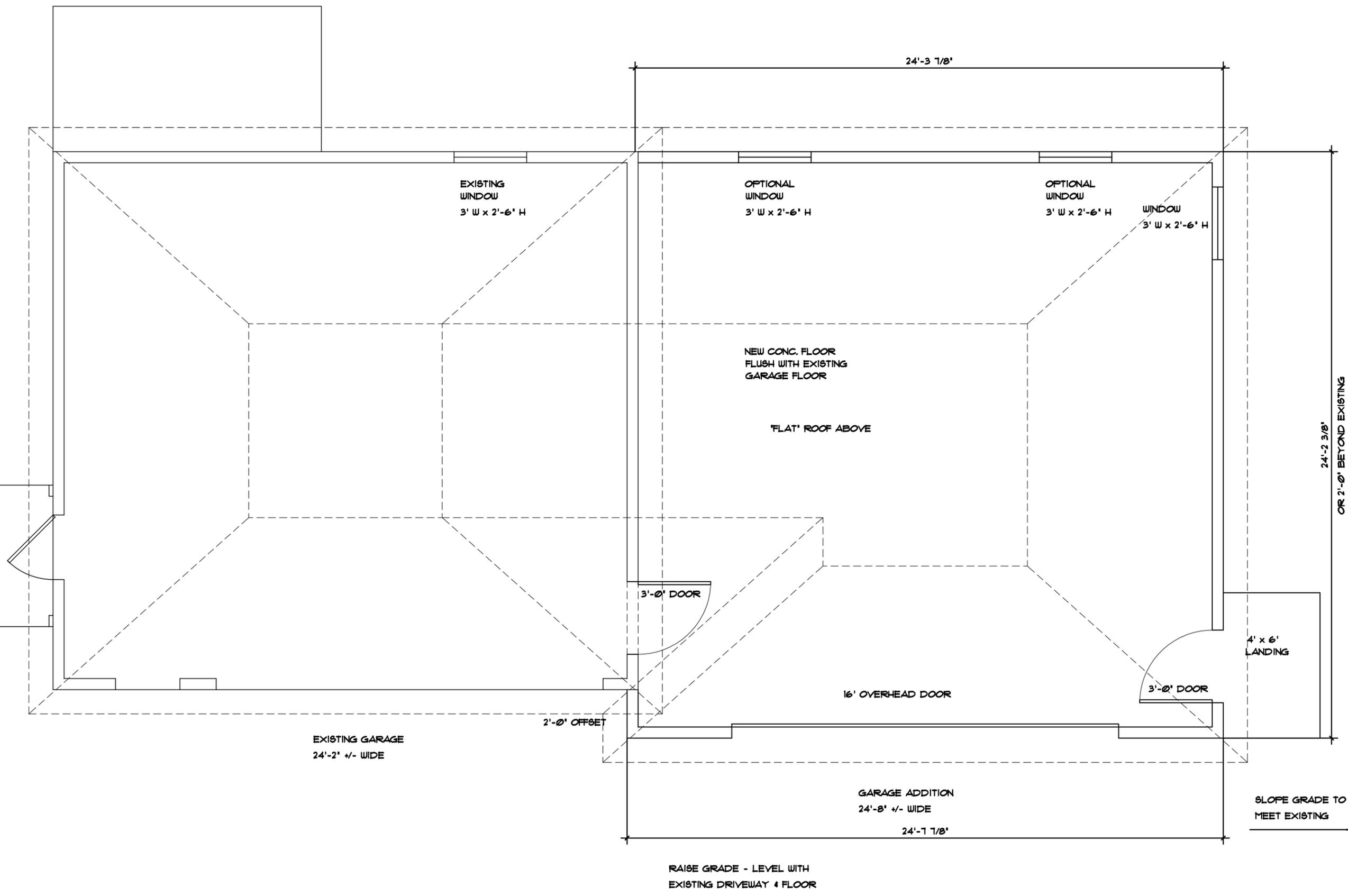
DAVID M. BURROWS
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GARAGE ADDITION FOR
Steven and Heather RALPH
4040 EAST AVENUE
ROCHESTER, NEW YORK 14618

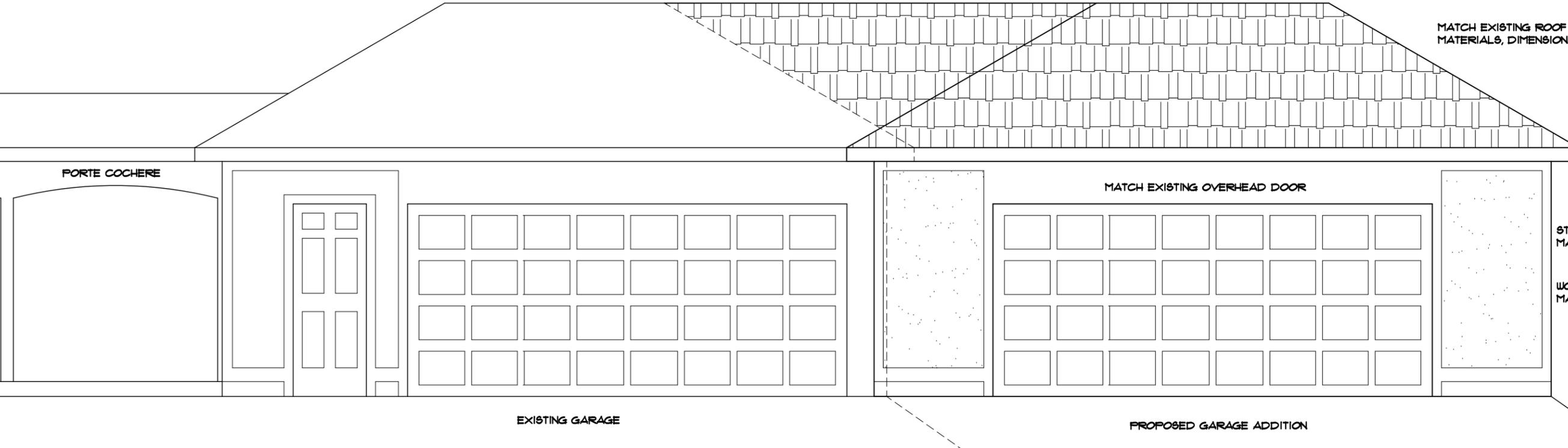
10/08/19
REVISIONS

1923

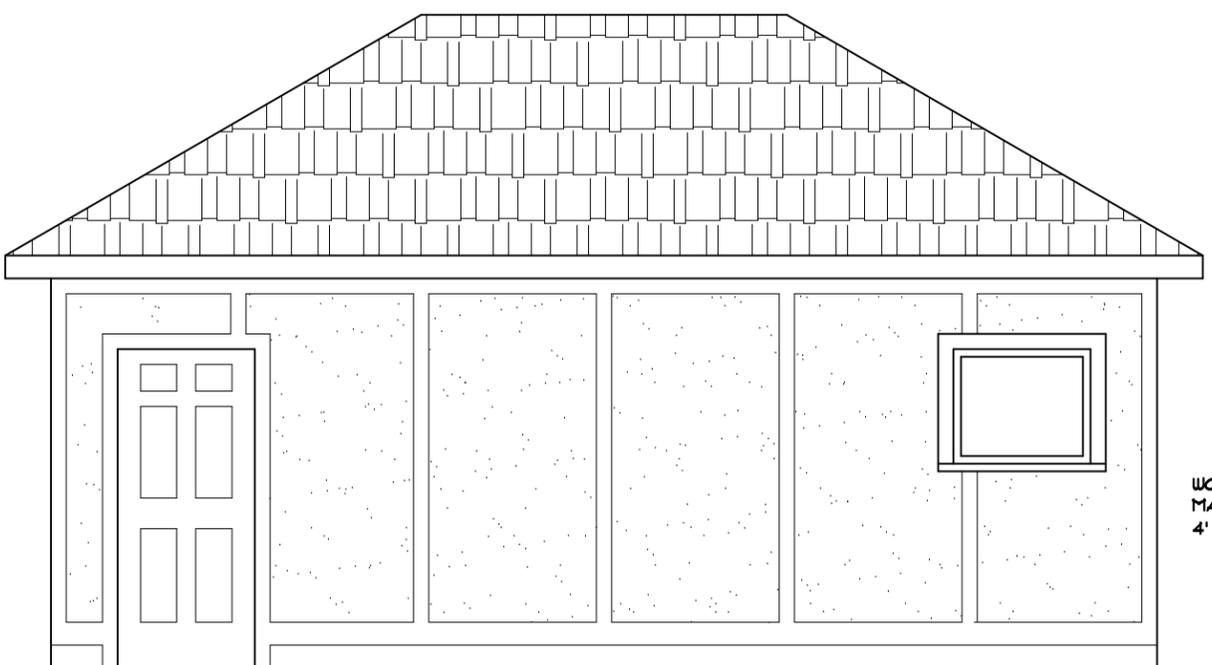
A-1
OF 3



FLOOR PLAN
1" = 40'



SOUTH ELEVATION
1/4" = 1'-0"



EAST ELEVATION
1/4" = 1'-0"

MATCH EXISTING ROOF PITCH,
MATERIALS, DIMENSIONS

PORTE COCHERE

MATCH EXISTING OVERHEAD DOOR

STUCCO SIDING TO
MATCH EXISTING

WOOD TRIM TO
MATCH EXISTING

EXISTING GARAGE

PROPOSED GARAGE ADDITION

WOOD TRIM TO
MATCH EXISTING
4' ON CENTER

PRELIMINARY -
NOT FOR CONSTRUCTION

DAVID M. BURROWS
ARCHITECT
64 ERIE CRESCENT
FAIRPORT, NEW YORK 14450
(585) 766-8220
burrowsarchitect@yahoo.com

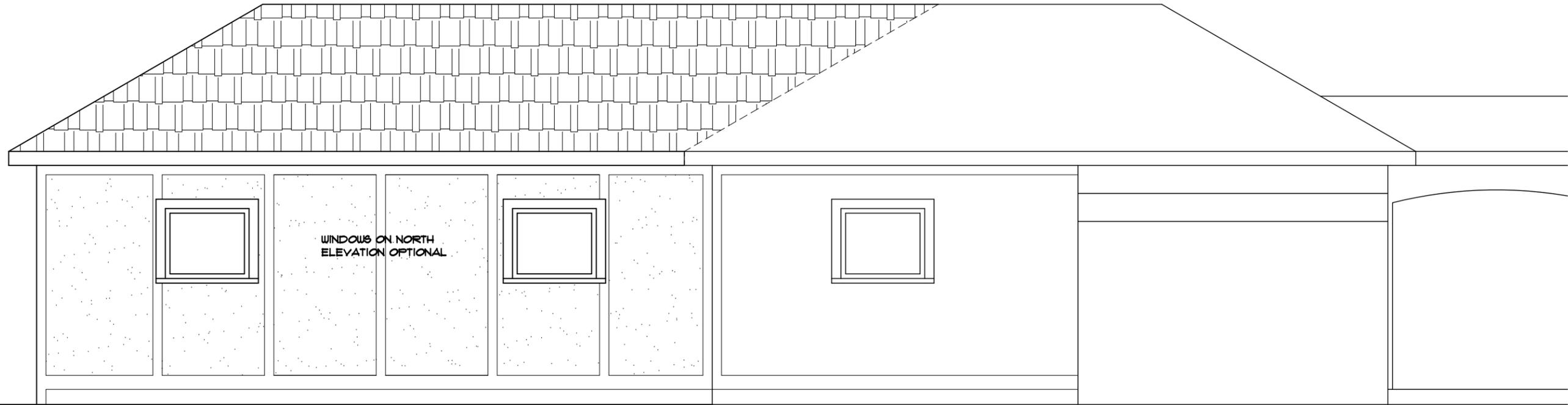
GARAGE ADDITION FOR
Steven and Heather RALPH
4040 EAST AVENUE
ROCHESTER, NEW YORK 14618

10/08/19
REVISIONS

1923

A-2

OF 3



PROPOSED GARAGE ADDITION

EXISTING GARAGE

NORTH ELEVATION

1/4" = 1'-0"

PRELIMINARY -
NOT FOR CONSTRUCTION

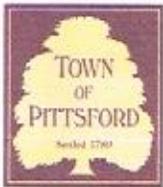
DAVID M. BURROWS
ARCHITECT
64 ERIE CRESCENT
FAIRPORT, NEW YORK 14450
(585) 766-8220
burrowsarchitect@yahoo.com

GARAGE ADDITION FOR
Steven and Heather RALPH
4040 EAST AVENUE
ROCHESTER, NEW YORK 14618

10/08/19
REVISIONS

1923

A-3
OF 3



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: _____ Hearing Date: NOV. 18 2019

Applicant: DAVID M. BURROWS, ARCHITECT

Address: 64 ERIE CRESCENT, FAIRPORT, NY 14450

Phone: 585 766 8220 E-Mail: burrowsarchitect@yahoo.com

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: STEVEN & HEATHER RALPH
(if different than Applicant)

Address: 4040 EAST AVENUE, ROCHESTER, NY 14618

Phone: 585 748 2779 HEATHER CELL E-Mail: heather.valpha@icloud.com

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

Property Location: 4040 EAST AVENUE Current Zoning: RN

Tax Map Number: 151.10-1-2

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Construct 24' x 24' +/- 2-car garage addition joined to existing 22' x 24' 2-car garage. Existing garage is detached, accessory structure 537 SF in area. An open portico connects the house to the garage. Addition will match existing in style, form, and materials and will continue rear wall and rooflines. Addition will continue existing non-conforming 18.75' side setback (20' required), will exceed 12' maximum height (14' existing/proposed), and will exceed maximum 180 SF area for accessory structure (1123 SF total garage area proposed).

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.

David Burrows
(Owner or Applicant Signature)

10.3.2019
(Date)

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

Rear setback requested variance of 18.75' where 20' is required is minimal; height variance of 14' where 12' is required is also minimal and is needed to align with existing. Existing detached garage (accessory structure) is 537 SF; proposed addition is 586 SF, proportional to existing, with added depth as needed for parking family vehicle.

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:

Addition will continue and will align with existing established garage. Style, proportions, details and materials will match existing to preserve architectural appearance.

- **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?

Difficulty is self-created, but existing 2-car garage is undersized for practical use (too shallow to easily park a minivan) and lacks storage space for size of lot (70,124 SF). Proposed addition will accommodate family vehicles and lawn and yard care equipment while maintaining architectural character and residential setting.



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:

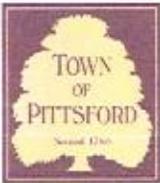
(Please answer the following questions to the best of your knowledge)

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:

Variations Requested (RN District): Rear setback 20' required, 18.75' requested' in order to align with existing garage wall at side yard; accessory structure maximum size variance requested (180 SF required, 1123 SF requested); maximum height variance requested (12' maximum, 14' requested). Proposed garage addition will continue style and form of existing garage, designed to be compatible with original house. View of garage is obscured from view by evergreens and neighbors' own garages. Proposed building footprint of 3,060 SF is well under maximum allowable 5,652 SF.

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

Best practical location for garage addition is adjacent to existing; proposed location is best use of lot, and will allow cars to park inside rather than on driveway.



TOWN OF PITTSFORD

AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

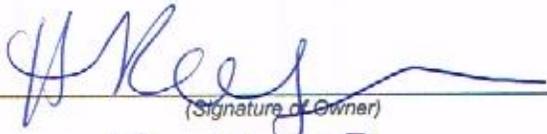
Zoning Board of Appeals – 11 S. Main Street – Pittsford, 14534 – 248-6260

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

I, Heather Ralph, the owner of the property located at:
4046 EAST AVENUE ROCHESTER NY 14618
(Street) (Town) (Zip)

Tax Parcel # 151.10-1-2 do hereby authorize
DAVID M. BURROWS, ARCHITECT to make application to the

Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of
ADD 2-CAR GARAGE ATTACHED TO EXISTING 2-CAR GARAGE


(Signature of Owner)
10-4-19
(Date)

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

GARAGE ADDITION FOR STEVEN AND HEATHER RALPH

(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)

DAVID M. BURROWS

David M. Burrows

(Signature of Applicant)

Oct-3, 2019

(Dated)

64 ERIE CRESCENT

(Street Address)

FAIRPORT, NY 14450

(City/Town, State, Zip Code)

Zoning Board of Appeals Referral Form Information

Property Address:

22 East Park Road PITTSFORD, NY 14534

Property Owner:

Wolf, Bruno
22 East Park Rd
Pittsford, NY 14534

Applicant or Agent:

Wolf, Bruno
22 East Park Rd
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	10	Left Lot Line:	9	Left Lot Line:	1.0
Front Setback:	50	Front Setback:	42	Front Setback:	8.0
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): 185-17 E & 185-17 (B) (1)

Description: Applicant is requesting relief from Town Code for the construction of a master bedroom and garage addition with a front setback of approximately 42' and a left side setback of approximately 9'. Town Code requires a 50' minimum front setback and 10' minimum side setback

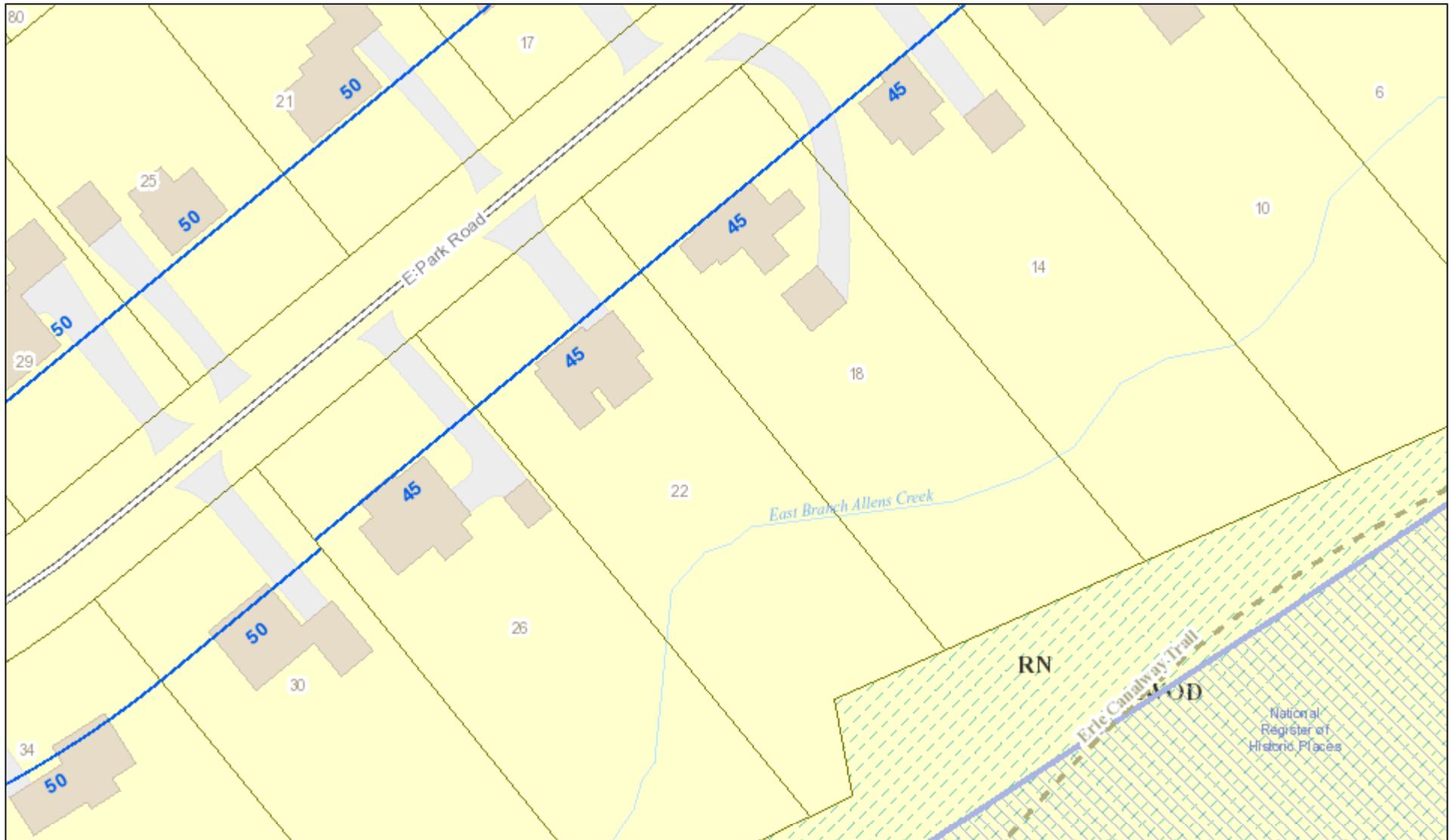
November 06, 2019



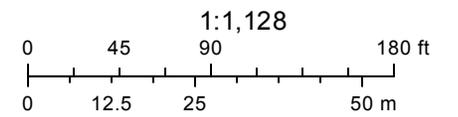
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning



Printed November 6, 2019



Town of Pittsford GIS

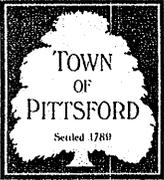
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East Park Road

04/21/2018

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TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 10.24.19 Hearing Date: 11.18.19

Applicant: BRUND & LAURA WOLF

Address: 22 EAST PARK RD. PITTSFORD, N.Y. 14534

Phone: (585) 381-0432 E-Mail: BRUND_WOLF@HOTMAIL.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: 22 EAST PARK RD. Current Zoning: RESIDENTIAL

Tax Map Number: _____

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

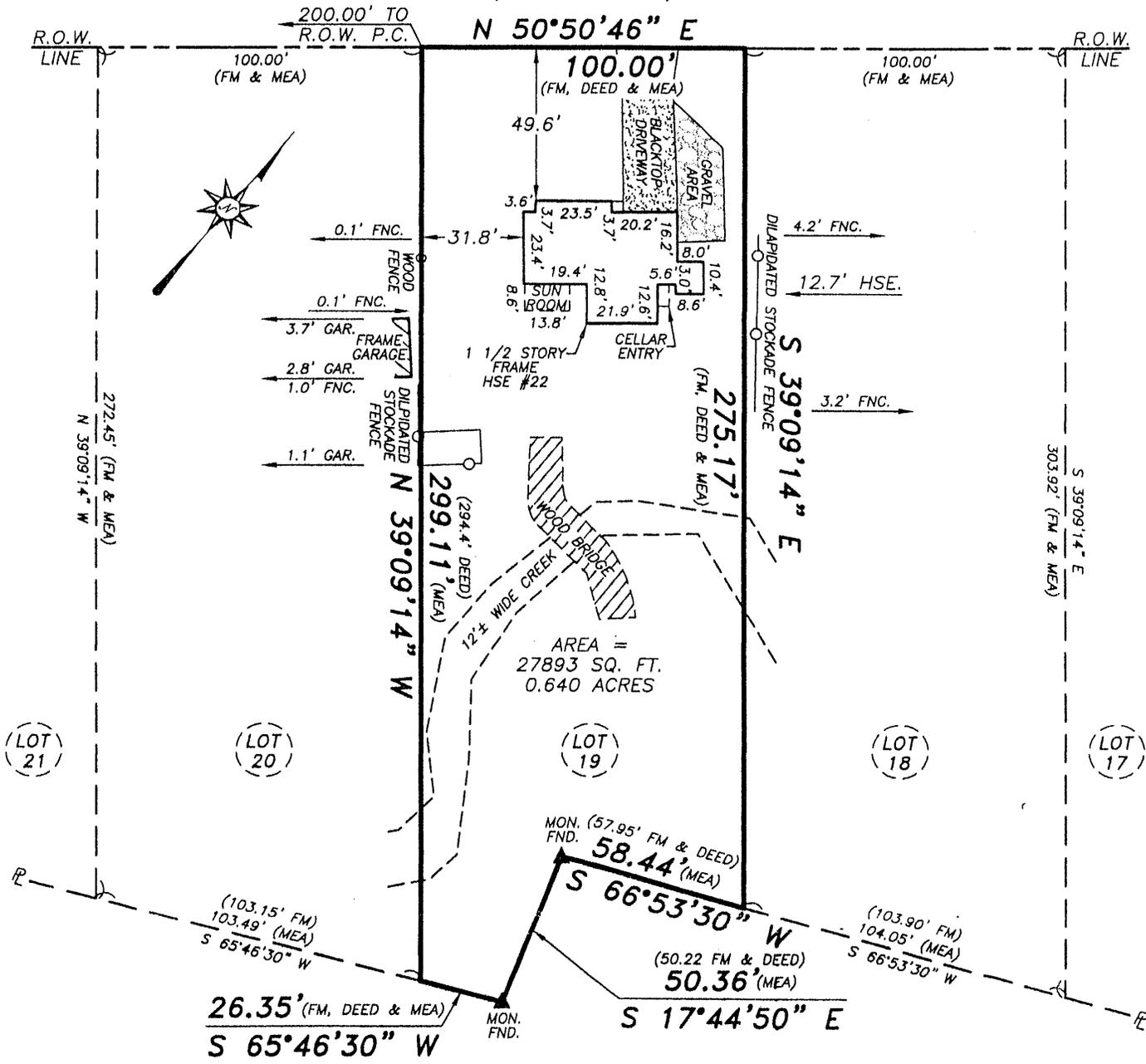
AN ADDITION TO EXISTING RESIDENCE INCLUDING:
GARAGE & MASTER SUITE ENLARGED, KITCHEN ADDITION, ENLARGE GREAT ROOM.

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.

Bruno Wolf
(Owner of Applicant Signature)

10.24.19
(Date)

EAST PARK ROAD
(50' WIDE R.O.W.)



CERTIFICATION:

I, ANDREW M. HODGE, HEREBY CERTIFY TO:

- BRUNO WOLF
- JP MORGAN CHASE BANK, N.A., ITS SUCCESSORS AND/OR ASSIGNS
- STEWART TITLE INSURANCE COMPANY
- DOLLINGER ASSOCIATES, P.C.
- WOODS OVIATT GILMAN, LLP

THAT THIS MAP WAS MADE APRIL 19, 2012 FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 3, 2012 AND REFERENCES LISTED HEREON.

[Signature]
N.Y.S.R.L.S. No. 50819 DATE

REFERENCES:

- 1.) CASE "A-27" OF MAPS.
- 2.) LIBER 4131 OF DEEDS, PAGE 572.
- 3.) ABSTRACT OF TITLE No. 370988 (FIRST AMERICAN).
- 4.) EASEMENT TO R.G.&E. & R.T.C. PER LIBER 1455 OF DEEDS, PAGE 595. (ALONG SIDE & REAR PROPERTY LINES)

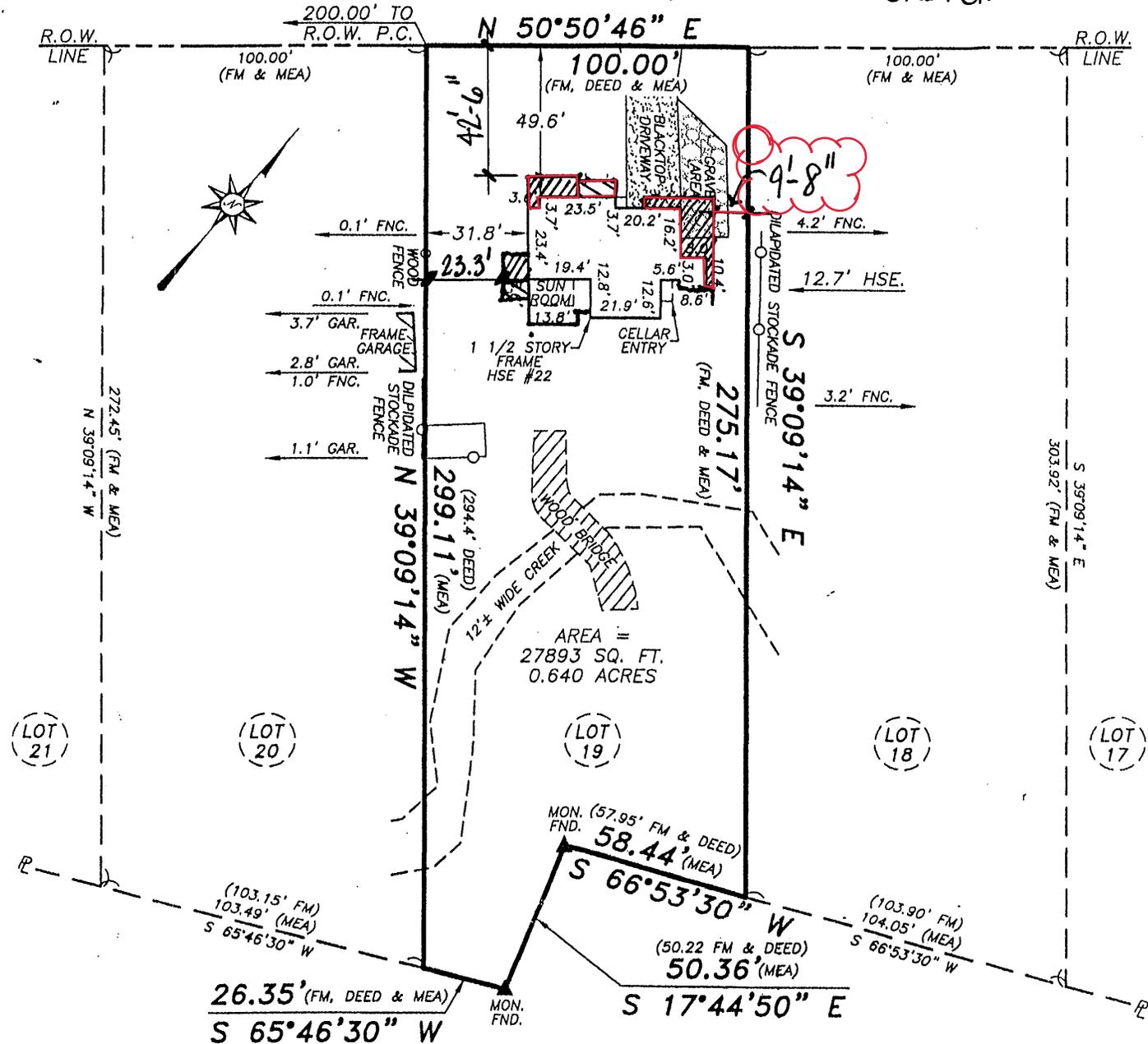
NOTE: PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD.

TITLE: **INSTRUMENT SURVEY MAP**

22 EAST PARK ROAD
BEING LOT No 19 OF THE SCHOEN & SMEAD SUBDIVISION

EAST PARK ROAD
(50' WIDE R.O.W.)

— SKETCH —



CERTIFICATION:

I, ANDREW M. HODGE, HEREBY CERTIFY TO:

- BRUNO WOLF
- JP MORGAN CHASE BANK, N.A., ITS SUCCESSORS AND/OR ASSIGNS
- STEWART TITLE INSURANCE COMPANY
- DOLLINGER ASSOCIATES, P.C.
- WOODS OVIATT OILMAN, LLP

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[Signature]

N.Y.S.R.L.S. No. 50618 DATE

NOTE: PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD.

TITLE: INSTRUMENT SURVEY MAP

22 EAST PARK ROAD
BEING LOT No. 19 OF THE SCHOEN & SHEAD SUBDIVISION



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 SIDE VARIANCE REQUESTED IS 4" OVER WHAT IS AVAILABLE FOR A SETBACK (10' REQUIRED, 9'-8" REQUESTED)

THE FRONT SETBACK IS 45', WE ARE REQUESTING A 2'-6" VARIANCE FOR A 42'-6" SETBACK.

THERE IS HEAVY VEGETATION ON BOTH SIDES OF THE PROPERTY SO NEIGHBORS SITE LINES WILL NOT BE CHANGED. THE ADDITION THAT FALLS WITHIN THE FRONT SETBACK IS CLOSEST TO THE NEIGHBORS DRIVEWAY, NOT THEIR HOUSE WHICH IS FURTHER AWAY FROM THE PROPOSED ADDITION.

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 SIDE VARIANCE IS REQUESTED TO ALLOW AN EXPANSION OF THE CURRENT GARAGE, CREATING SPACE FOR AN AT GRADE MUD ROOM/ENTRY. CURRENTLY ONE MUST CLIMB A SET OF EXTERIOR STAIRS TO REACH THE MAIN LEVEL OF THE HOUSE. THE NEW ENTRY WOULD ALLOW ACCESS TO THE INTERIOR STAIR FOR SAFELY MOVING FROM THE GROUND TO FIRST FLOOR. THE KITCHEN CURRENTLY SITS IN THE CENTER OF THE HOME BORDERED BY STAIRS & A FIREPLACE. IN ORDER TO EXPAND THE KITCHEN & CONNECT IT WITH THE LIVING SPACES, IT WILL MOVE TO THE ~~NORTH~~ NORTHWEST CORNER OF THE HOME. THIS WOULD ALSO ALLOW FOR A COVERED PORCH AT THE FRONT DOOR, WHERE CURRENTLY THERE IS NONE.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

THE REQUESTED VARIANCES ARE MINIMAL

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 ADDITIONS PROPOSED ARE IN KEEPING WITH THE STYLE OF THE HOME AND ARE THE MINIMUM SIZES TO ACHIEVE A NEW GARAGE & A COMFORTABLE KITCHEN.

- **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 EXISTING HOME IS SITUATED CLOSER TO THE EAST WHERE THE CURRENT GARAGE SITS. IN ORDER TO GET GROUND LEVEL ACCESS TO THE HOME THE GARAGE NEEDS TO BE ENLARGED TOWARD THE EAST. ~~ST~~ THIS DIFFICULTY IS NOT SELF-CREATED.

THE KITCHEN ADDITION IS PROPOSED TO BE SITUATED ON THE WEST SIDE OF THE HOME WHERE THE DINING & LIVING ROOMS WILL BE. THE PROPOSED KITCHEN IS NOT EXCESSIVE IN SIZE BUT COMFORTABLE FOR 2 PEOPLE COOKING TOGETHER. SCALING BACK THE SIZE OF THE SPACE TO FALL WITHIN THE SETBACK WOULD MINIMIZE SPACE IN THE DINING & LIVING ROOMS. THIS IS ALSO NOT SELF-CREATED.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

BRUNO & LAURA WOLF

(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)

Bruno Wolf

(Signature of Applicant)

10.24.19

(Dated)

22 EAST PARK RD.

(Street Address)

PITTSFORD, N.Y. 14534

(City/Town, State, Zip Code)

draft
**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
October 21, 2019**

PRESENT

George Dounce, Chairperson; Mary Ellen Spennacchio-Wagner, Jaime Waldman, Phil Castleberry, David Rowe, Mike Rose, Barbara Servé

ALSO PRESENT

Stephanie Townsend, Town Board Liaison; Robert Koegel, Town Attorney; Mark Lenzi, Building Inspector; Doug DeRue, Director of Planning and Zoning;

ABSENT

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

Mark Lenzi indicated that the applications before the Board this evening with the exception of 5611 Palmyra Road are Type II Actions under 6-NYCRR §617.5(c) (7) or (12) & (13) and, therefore, are 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 – RETURNING

- 5611 Palmyra Road, Pittsford, Tax # 164.12-1-66, The applicant is requesting a modification to a use variance previously granted on February 17, 2014. The requested modification will allow a change from a Karate studio to a Dentist office. Property zoned RN – Residential Neighborhood District

Chairman George Dounce announced that this hearing remained open from the previous meeting.

Betsy Brugg, of Woods Oviatt Gilman, presented a brief review of the application for those in attendance on behalf of the applicant.

There was no public comment.

Jaime Waldman moved to close the Public Hearing and Mike Rose seconded.

All Ayes.

PUBLIC HEARING FOR AN AREA VARIANCE – NEW

- 651 Mendon Road, Tax # 192.01-1-6. Applicant is requesting relief from Town Code §185-134 D (5) to construct a stone structure approximately 7' tall for the placement of a 5 Sq. Ft. subdivision identification sign (Alpine Ridge). Property zoned RRAA – Rural Residential District.

Chairman George Dounce opened the Public Hearing.

Melanie Portland, with Morrell Builders, explained that they were in front of the board seeking an area variance for the monument sign at the entrance into Alpine Ridge. This is to aid in site recognition due to the location of the entrance along with volume of traffic on Mendon Road.

Barbara Servé asked for clarification if they were reviewing the size of sign itself or the post. It was confirmed that the application was for the height of the post. Mike Rose asked about the proposed lighting of the sign and MaryEllen Spennacchio-Wagner inquired if there would be more than one sign.

Chairman George Dounce asked for public comment.

Steven Smeulders, 640 Mendon Road, cited traffic and line of sight concerns as why he was in opposition to the sign. He asked if the sign could be placed further back and across the road, similar to other signage on the road. Doug DeRue, Director of Planning and Zoning, confirmed that the proposed placement is outside of the State ROW.

David Rowe asked if a turning lane had been considered. Mr. DeRue commented that NYS DOT said no.

Mike Rose questioned if adding a street light was part of the proposed design.

Kevin Ryan, 619 Mendon Road, commented that they were at the meeting to see the design and is in favor of it. He additionally commented that he would prefer there be no street light added.

Phil Castleberry moved to close the Public Hearing and David Rowe seconded.

All Ayes.

- 137 Caversham Woods, Tax # 163.20-2-44. Applicant is requesting relief from Town Code §185 – 17 B (1) for the placement of a shed encroaching approximately 18’ into the front setback of Calkins Road. Property is zoned RN – Residential Neighborhood District.

Chairman George Dounce opened the Public Hearing.

Tom Brennan, the property owner, was present at the meeting to discuss the application.

Mr. Brennan discussed that he was seek the variance to allow for the placement of a 10x8 shed in the rear of his property with the visual impact minimized to both Calkins Road and Caversham Woods by both a wood fence and placement adjacent to a row of pine trees.

There was no public comment.

Mike Rose moved to close the Public Hearing and Barbara Servé seconded.

All Ayes.

DECISION FOR SPECIAL USE PERMIT– AREA VARIANCE

A written Resolution to grant a special use permit for 5611 Palmyra Road was moved by Chairman George Dounce and seconded by Jaime Waldman.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	Aye
Barbara Servé voted	Aye
Jaime Waldman voted	Aye
David Rowe voted	Abstained
Mary Ellen Spennacchio-Wagner voted	Aye
George Dounce voted	Aye
Phil Castleberry voted	Aye

The approved Resolution contains the following Specific Conditions:

1. Existing Use Variance condition #1 shall be modified as follows: The variance is modified to allow use of the property as a dental office, open for business between Monday through Friday, 8:00 am-5:30 pm, although patient emergencies may be seen outside of regular business hours, and employees may arrive before or leave after regular business hours.
2. Existing Use Variance condition #2 shall be modified as follows: The parking area must continue to be screened to prevent light spillage onto adjoining residential properties, utilizing fencing and/or plantings.
3. Existing Use Variance condition #3 is moot because the dilapidated barn has been demolished.
4. Existing Use Variance condition #4 shall be modified as follows: The variance is modified to allow installation of a new business identification sign not to exceed 10 square ft. in size and 4'6" in height. The sign will comply with the terms of existing Use Variance condition #4 with respect to location, but the lighting of the sign is limited to 7 am to 7 pm, and the sign may not be internally lit.
5. Existing Use Variance condition #5 adjusted slightly in italics: Any exterior modifications/reconstruction, and/or signage is to be approved by the Design Review and Historic Preservation Board.
6. Existing Use Variance condition #6 shall be modified specifically as follows: The applicant is to apply for and receive a Building Permit and subsequent Certificate of Occupancy from the Town's Building Department and is subject to full compliance with New York State Building and Fire Code requirements.
7. Existing Use Variance condition# 7 remains the same; specifically as follows: Any expansion or relocation of the existing parking lot or structure would require an approved modification of the Use Variance by the ZBA.
8. As offered by the Applicant, lighting will be turned off when the office is closed and the building is not occupied, except as needed to comply with applicable codes or for safety and security. Further, the Town of Pittsford Code Enforcement Officer can require shielding or lighting adjustments if unreasonable impacts occur to residential properties or public rights of way.
9. The wooded area to the southwest of the fence is to be left in a reasonably natural state, and the clearing of any trees is subject to review and approval of the Department of Public Works.
10. The use as outlined by the application is limited to the first floor square footages indicated in the application (3830 sq. ft. + 560 sq. ft.). Existing or future basement areas cannot be occupied as work space, and may only be used for storage.
11. The storage garage is subject to approval of a Site Plan application to the Planning Board, pursuant to Article XXIX of Town Code.

12. Prior to the Building Department issuing a permit for work on site, the Monroe County Health Department must confirm in writing that the existing septic system is adequate for the dentist office use.

DECISION FOR 651 MENDON ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 651 Mendon Road was moved by David Rowe and seconded by George Dounce.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	Aye
Barbara Servé voted	Aye
Jaime Waldman voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
George Dounce voted	Aye
Phil Castleberry 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 3, 2019.
2. All construction is to be completed by December 31, 2021.
3. The application is subject to approval of the Design Review and Historic Preservation Board.
4. Sign to be located a minimum of 25' from the edge of the pavement.

DECISION FOR 137 CAVERSHAM WOODS – AREA VARIANCE

A written Resolution to grant the area variance for 137 Caversham Woods was moved by Phil Castleberry and seconded by Barbara Servé.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	Aye
Barbara Servé voted	Aye
Jaime Waldman voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
George Dounce voted	Aye
Phil Castleberry 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 3, 2019.
2. All construction is to be completed by December 31, 2020.

POINT PERSONS FOR NOVEMBER 18, 2019 MEETING

4040 East Avenue – Mary Ellen Spennacchio-Wagner

REVIEW OF THE SEPTEMBER 16, 2019 MINUTES

George Dounce moved to approve the minutes of the September 16, 2019 meeting as written.

All Ayes.

MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 8:18 pm.

Respectfully submitted,

Renee McQuillen
Acting Secretary to the Zoning Board of Appeals

DRAFT