

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AGENDA
DECEMBER 20, 2021
7:00 PM**

PUBLIC HEARINGS FOR AN AREA VARIANCE

- 36 Meadow Cove Tax # 164.12-2-24, Applicant is requesting relief from Town Code §185 - 17 E. for a proposed garden shed located less than the required minimum side setback as well as the minimum total required setbacks. This property is zoned RN-Residential Neighborhood.
- 25 Knollwood Drive Tax # 138.13-1-5, Applicant is requesting relief from Town Code §185 - 17 B. for a proposed roofed entry encroaching into the front setback. Property is zoned RN – Residential Neighborhood District.
- 155 Sylvania Tax # 151.06-1-4, Applicant is requesting relief from Town Code §185 - 17 E. for a proposed addition located less than the required minimum side setback as well as the minimum total required setbacks. Also requesting relief from Town Code §185 -17 G. for exceeding the allowed maximum building footprint by 195 square feet. This property is zoned RN-Residential Neighborhood.
- 736 Linden Ave Tax # 138.15-1-19.1 Applicant is requesting relief from Town Code §185 - 52 C. and §185 - 53 D. (1)(2) for the proposed building encroaching into the front setbacks as well as parking area less than 40 feet from the ROW and not located behind the front line of the building. Property is zoned LI-Light Industrial.

CONTINUED PUBLIC HEARING FOR AN AREA VARIANCE

- 18 Golf Avenue, Tax # 151.15-2-45.2 Applicant is requesting relief from Town Codes §185-113 B. (1); (2); for an oversized, over height accessory structure (garage/barn, proposed to be 1440 square feet and 29 feet in height). Property zoned RN – Residential Neighborhood District.

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
November 15, 2021**

PRESENT

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

ALSO PRESENT

Cathy Koshykar, Town Board Liaison; Robert Koegel, Town Attorney; Doug DeRue, Director of Planning and Zoning; Bill Zink, Building Inspector; Susan Donnelly, Secretary to the Board

ABSENT

David Rowe

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, November 15, 2021 at 7:00 P.M. local time.

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) (16) 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 HEARINGS FOR AN AREA VARIANCE

- 9 High Street Tax # 151.14-01-55, Applicant is requesting relief from Town Code §185 – 17, I and E. and §185- 113 B. (1) for a proposed addition to an existing, non-conforming, oversized garage encroaching into the side setback and rear setback. Property is zoned RN – Residential Neighborhood.

George Dounce opened the Public Hearing.

No representative was present. Neighbors were notified by mail of the public hearing. There is a shared driveway but it is reported that no one is living there.

The existing structure is pre-existing non-conforming and located close to the property line but has been there approximately fifty years. The Town of Pittsford was alerted to this structure by an individual in the neighborhood.

There was no public comment.

Phil Castleberry moved to close the public hearing.

George Dounce seconded.

All Ayes.

- 4044 A East Avenue Tax # 151.10-1-6.1, Applicant is requesting relief from Town Code §185- 113 B. (1), (2) for the proposed additions to an existing oversized and over height garage. Property is zoned RN - Residential Neighborhood.

George Dounce opened the Public Hearing.

The homeowner, Justin Hamilton, was present.

The neighbor on the west of the home is in support of the project. Additional screening will be installed on the left side of the property.

The timeframe is that the additions will be completed by July 2022.

There was no Public Comment.

There was no further discussion by the Board

Barb Servé moved to close the public hearing.

Phil Castleberry seconded.

All Ayes.

- 8 Candlewood Circle Tax # 163.03-1-19, Applicant is requesting relief form Town Code §185 – 113 B. (3) and §185-17, E. for a proposed garden shed located forward of the rear wall of the home and located less than the required minimum side setback. This property is zoned RN-Residential Neighborhood.

George Dounce opened the public hearing.

The homeowner, Shawn Carter was present.

The variance is requested for 6.66 feet.

There was no Board discussion.

There was no public comment.

Jim Pergolizzi moved to close the public hearing.

Tom Kidera seconded.

All Ayes.

- 74 Stuyvesant Road Tax # 178.11-1-79, Applicant is requesting relief from Town Code §185 – 17, I. and §185 – 113 B. (1) for a proposed oversized accessory structure encroaching into the rear setback. Property is zoned RN – Residential Neighborhood.

George Dounce opened the public hearing.

Steve Schaefer, the homeowner, was present.

The shed will provide additional storage for the family and will be 12' x 16' and be placed 10 ft. from the property line.

The neighbors at 72 Stuyvesant Road emailed a letter of support for the project.

The timeline for construction is Spring 2022.

There was no further discussion among the Board members.

There was no public comment.

Mary Ellen Spennacchio-Wagner moved to close the public hearing.

Tom Kidera seconded.

All Ayes.

- 3 Escena Rise Tax # 178.03-4-50, Applicant is requesting relief from the minimum required setback for the proposed addition encroaching into the side setback. Property is zoned IZ-Incentive Zoning.

George Dounce opened the public hearing.

Bill Arieno, representing Pride Mark Builders, was present.

Mr. Arieno describes this as a spec house that was sold and the homeowner wants additional closet space. 1 ft. of relief will be required to accomplish this. The home is 110 ft. from Mendon Center Road and there is only one neighbor and borders Town land.

The timeframe for construction is as soon as possible.

There was no public comment.

Mary Ellen Spennacchio-Wagner moved to close the public hearing.

Barbara Servé seconded.

All Ayes.

George Dounce asked if the Town had any objection to the 1 ft. variance and there is none.

- 115 Ellingwood Drive Tax # 138.18-1-54, Applicant is requesting relief from Town Code §185- 17, I. and §185- 113 B. (1) for the proposed addition to an existing, non-conforming, oversized garage encroaching into the rear setback. Property is zoned RN- Residential Neighborhood.

George Dounce opened the Public hearing.

There was no representative present as the homeowner was unable to attend.

It was reported that the homeowner had spoken with two neighbors and there was no objection.

The structure will be rebuilt on the footprint of the previous pre-existing, non-conforming garage.

There was no public comment.

Phil Castleberry closed the public hearing.

Jim Pergolizzi seconded.

All Ayes with the exception of Barb Servé who abstained citing that the homeowners are known to her.

CONTINUED PUBLIC HEARING FOR AN AREA VARIANCE

- 18 Golf Avenue, Tax # 151.15-2-45.2 Applicant is requesting relief from Town Codes §185- 113 B. (1); (2); for an oversized, over height accessory structure (garage/barn, proposed to be 1440 square feet and 29 feet in height). Property zoned RN – Residential Neighborhood District.

This hearing is open.

No new information has been received by the Town for this application.

It was determined if no new information is received by the December meeting the Board may choose to close this public hearing.

The hearing was left open.

DECISION FOR 9 HIGH STREET – AREA VARIANCE

A written Resolution to grant the area variance for 9 High Street was moved by Phil Castleberry and seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye

Rowe absent
Kidera aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the Site map and application submitted to the Zoning Board of Appeals dated October 15, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 4044 A EAST AVENUE – AREA VARIANCE

A written Resolution to grant the area variance for 4044A East Avenue was moved by Mary Ellen Spennacchio-Wagner and seconded by George Dounce.

George Dounce called for a roll call vote.

Dounce aye
Servé aye
Pergolizzi aye
Spennacchio-Wagner aye
Castleberry aye
Rowe absent
Kidera 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 15, 2021.
2. All construction is to be completed by December 31, 2024.

DECISION FOR 8 CANDLEWOOD CIRCLE – AREA VARIANCE

A written Resolution to grant the area variance for 8 Candlewood Circle was moved by Tom Kidera and seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Dounce aye
Servé aye
Pergolizzi aye
Spennacchio-Wagner aye
Castleberry aye
Rowe absent
Kidera 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 7, 2021.
2. All construction is to be completed by December 31, 2022.

DECISION FOR 74 STUYVESANT ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 74 Stuyvesant Road was moved by George Dounce and seconded by Jim Pergolizzi.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Kidera	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 15, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 3 ESCENA RISE – AREA VARIANCE

A written Resolution to grant the area variance for 3 Escena Rise was moved by Jim Pergolizzi and seconded by Phil Castleberry.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Kidera	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 15, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 115 ELLINGWOOD DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 115 Ellingwood Drive was moved by Mary Ellen Spennacchio-Wagner and seconded by Tom Kidera.

George Dounce called for a roll call vote.

Dounce	aye
Servé	abstain
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye

**Zoning Board of Appeals
Referral Form Information**

Property Address:

36 Meadow Cove Road PITTSFORD, NY 14534

Property Owner:

Allison and Cameron Kelly
36 Meadow Cove Rd
Pittsford, NY 14534

Applicant or Agent:

Allison and Cameron Kelly
36 Meadow Cove 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:	14.3	Right Lot Line	14.3	Right Lot Line:	0.0
Left Lot Line:	10.7	Left Lot Line:	1	Left Lot Line:	9.7
Front Setback:	51	Front Setback:	50	Front Setback:	0.0
Rear Setback:	20	Rear Setback:	>20	Rear Setback:	0.0
Height:	12	Height:	8	Height:	0.0
Size:	180	Size:	96	Size:	0.0

Code Section(s): Applicant is requesting relief from Town Code §185 - 17 E. This property is zoned RN-Residential Neighborhood

Description: Garden Shed: Applicant is requesting approval to place a garden shed located 1 foot from the side property line where a setback of 10.7 feet is required and creating a total setback of 15.3 feet where 25 feet is required.

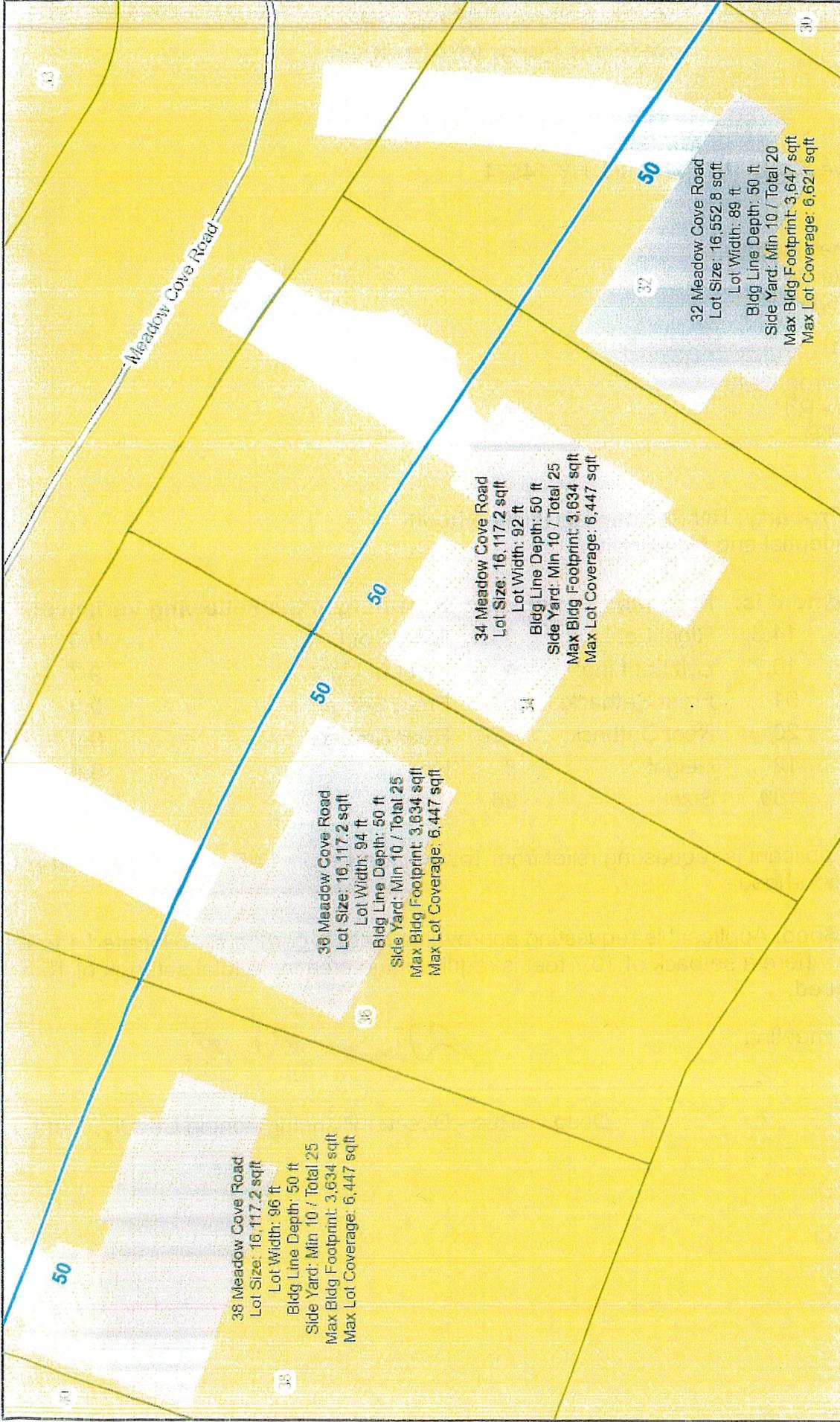
December 20, 2021 meeting



Date

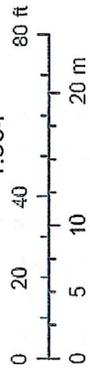
Doug DeRue - Director Planning Zoning Development

RN Residential Neighborhood Zoning



Printed December 9, 2021

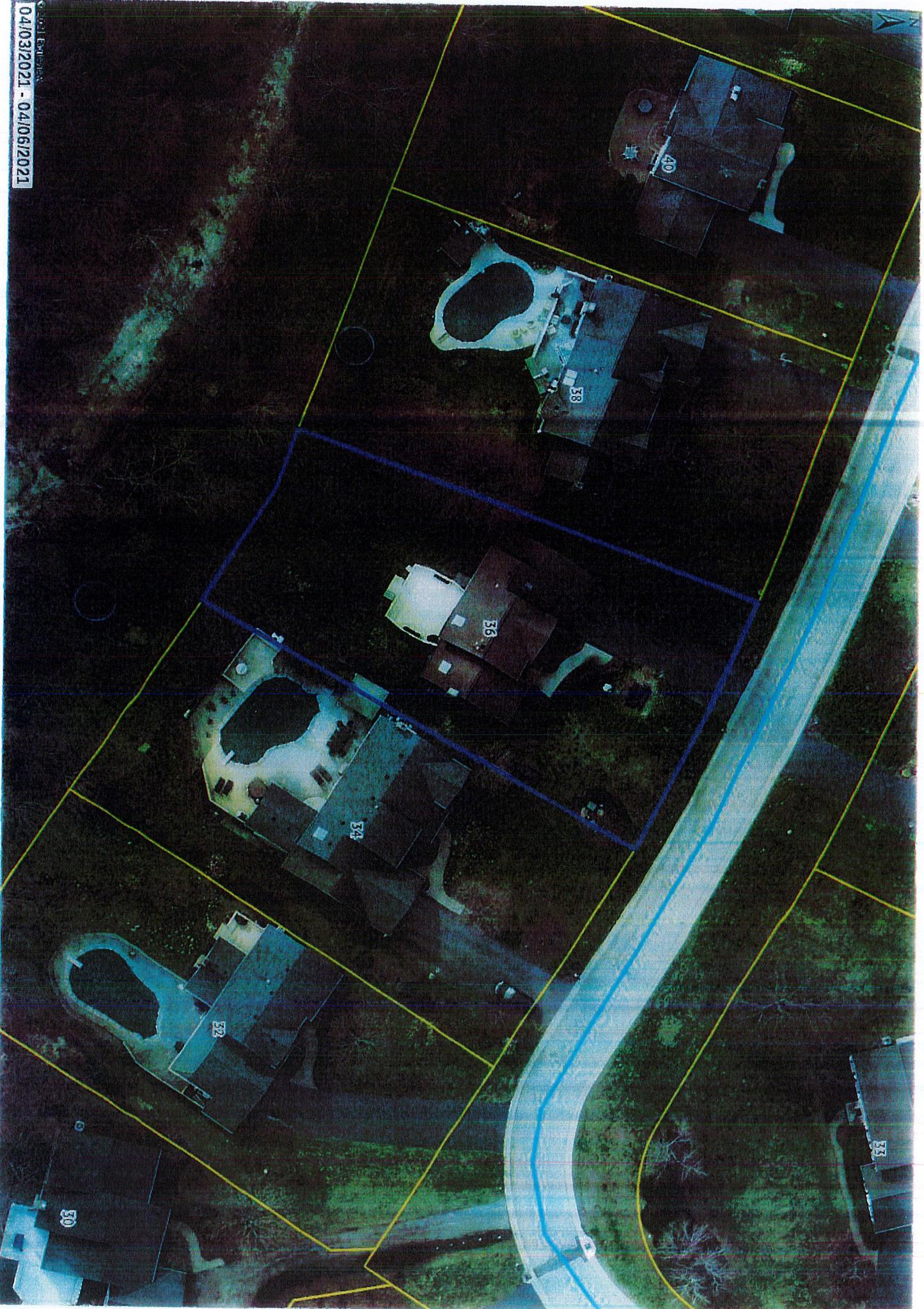
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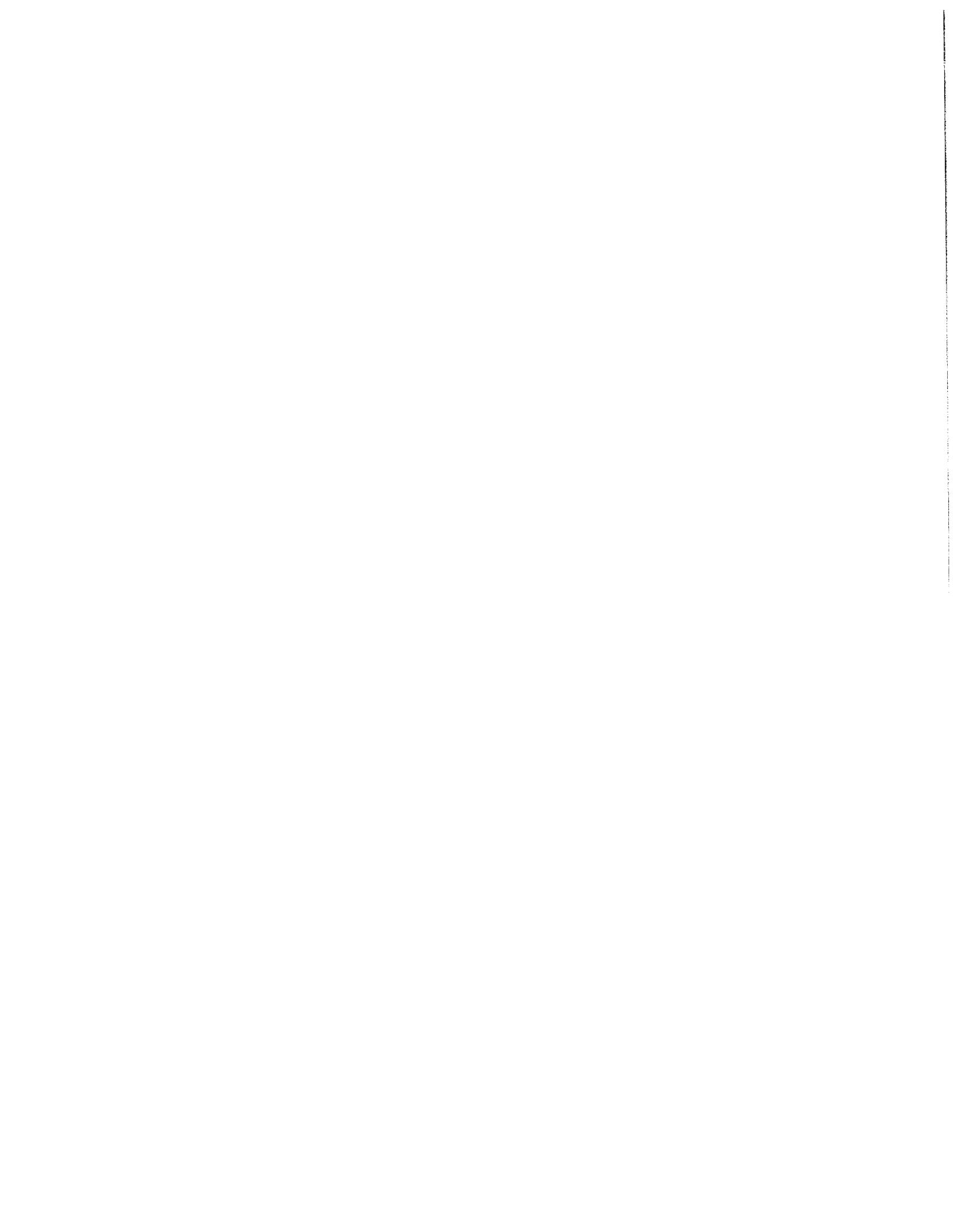


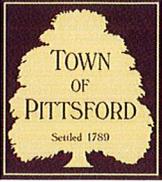
Town of Pittsford GIS

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.

04/03/2021 - 04/06/2021







TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: October 15, 2021 Hearing Date: November 15, 2021

Applicant: Allison & Cameron Kelly

Address: 36 Meadow Cove Road Pittsford, NY 14534

Phone: (585) 233-2059 E-Mail: allisonkelly674@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: 36 Meadow Cove Rd Current Zoning: RN

Tax Map Number: G-11

Application For: Residential Commercial Other

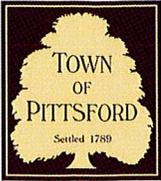
Please describe, in detail, the proposed project:

We wish to put a shed of 120 square feet or less (8x12 feet or 10x12 feet) in the backyard of 36 Meadow Cove Road within 4 feet of the side property line along the neighbor's fence of 34 Meadow Cove Road. This would put the shed in the best possible location to avoid being seen from both neighbors due to privacy vegetation and adjacent line of sight from the vantage of the neighbors at 38 Meadow Cove 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.

(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:

The requested variance to place the 120 square foot or less shed within 4 feet of the side property line will not produce an undesirable change in the character of the neighborhood because this location is least visible both from the road, and from the neighboring properties, as it is visually blocked by evergreen trees on two of its four sides as well as the neighbor's fence. This variance will not create a detriment to nearby properties as this is the least obtrusive location for the shed's placement. Placing the shed within 4 feet of the property line will allow it to blend in with the surrounding evergreen trees, making it less visible to the neighbors on both sides. The shed will be placed one foot away from the property line so as to ensure no impact to the neighboring trees or wooden fence.

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 intent is to place the shed in the least obtrusive location in the back yard. This cannot be reasonably done without an area variance as the requirements of a 120 square foot structure would not be met while prioritizing putting the shed in the least visible location, so as to minimize impact to the neighborhood and neighbors.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested area variance is minimal. The request for a variance for placement of this shed is only against one of the requirements.

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

The requested area variance will not have an adverse effect on the physical condition of the neighborhood, as it is no more of an impact to the surrounding land & community than it would be if placed in a location along this side property line not requiring a variance- there are no easements or drainage issues in this location. Placing the shed within 4 feet of the side property line would be the best location for environmental and neighborhood benefits.

- **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 alleged difficulty is self-created. The shed physically could be placed in a location that technically meets the requirements for shed placement, but we are looking out for our community, neighborhood and neighbors, and personally wish to place the shed in the most unobtrusive location, and this requires a variance.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

36 Meadow Cove Road Storage Shed

(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)

October 15, 2021

(Signature of Applicant)

(Dated)

36 Meadow Cove Road

(Street Address)

Pittsford, NY 14534

(City/Town, State, Zip Code)



NEW YORK STATE

GENERAL MUNICIPAL LAW SECTION § 809

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse or their brothers, sisters, parents, children, grandchildren or the spouse of any of them...
 - a. is the applicant, or
 - b. is an officer, director, partner or employee of the applicant, or
 - c. legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - d. is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
3. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

Section eight hundred six of the General Municipal Law added by this act, shall apply only to application, petitions or requests as described therein which are submitted on or after the effective date of this act.

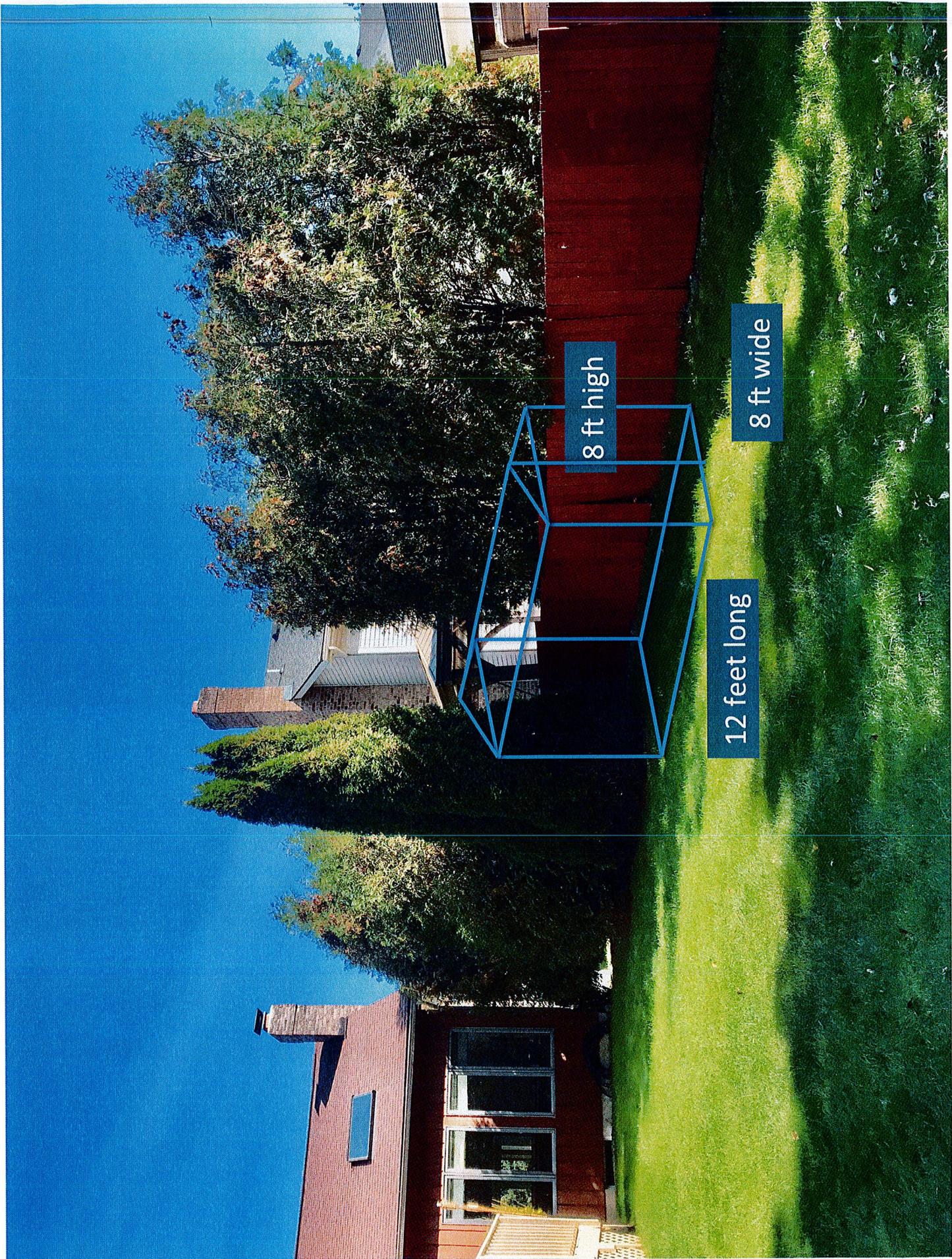
This act shall take effect September 1, 1969.



8 ft high

8 ft wide

12 ft long



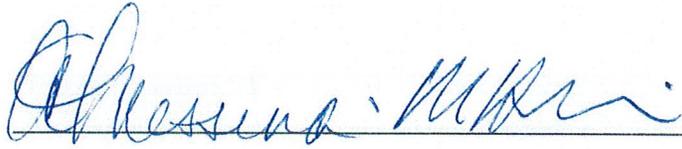
8 ft high

8 ft wide

12 feet long

To whom it may concern,

We, Mike and Alice Messina of 34 Meadow Cove Road, approve of the requested variance for Allison and Cameron Kelly to place a shed on their property of 36 Meadow Cove Road within 4 feet of our property line.

A handwritten signature in blue ink, appearing to read "Mike Messina".

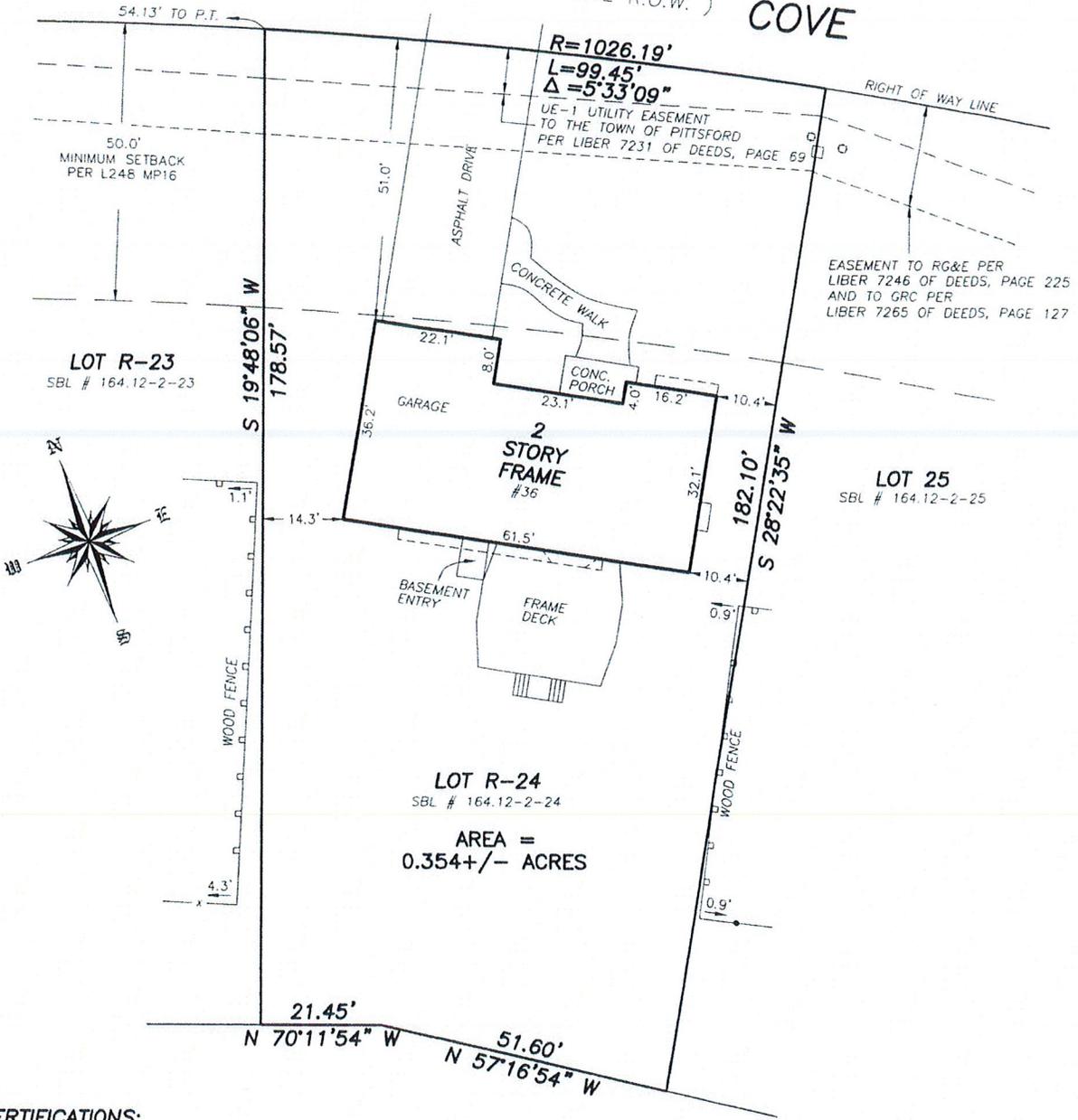
Date: 10/13/21

"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."

LEGEND

- DENOTES: TRANSFORMER BOX
- DENOTES: UTILITY PEDESTAL

MEADOW (60.0' WIDE R.O.W.) COVE



CERTIFICATIONS:

I HEREBY CERTIFY TO:
 1) ALLISON NICOLE KELLY AND CAMERON JOSEPH KELLY
 2) PRIMELENDING, A PLAINSCAPITAL COMPANY, ISAQA, ATIMA
 3) M&A TITLE AGENCY, LLC
 4) MARCHIONI & ASSOCIATES
 5) DOLLINGER ASSOCIATES
 THAT THIS MAP WAS PREPARED FROM THE NOTES OF AN INSTRUMENT SURVEY COMPLETED JUNE 28, 2021 AND REFERENCES SHOWN HEREON.

James C. Colton
 JAMES C. COLTON, L.S. #050150

REFERENCES:

- 1) ROCHESTER ABSTRACT CORPORATION, ABSTRACT # RAC55579, DATED MAY 26, 2021
- 2) LIBER 9037 OF DEEDS, PAGE 511
- 3) LIBER 250 OF MAPS, PAGE 52
- 4) LIBER 248 OF MAPS, PAGE 16

NOTES:

- 1) PARCEL SUBJECT TO A BOUNDARY LINE AGREEMENT AS SET FORTH IN LIBER 9969 OF DEEDS, PAGE 143
- 2) PARCEL SUBJECT TO DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS AS SET FORTH IN LIBER 7255 OF DEEDS, PAGE 85



MAP OF A SURVEY
 LOT R-24
 MITCHELL ESTATES SUBDIVISION
 TOWN OF PITTSFORD
 COUNTY OF MONROE, STATE OF NEW YORK

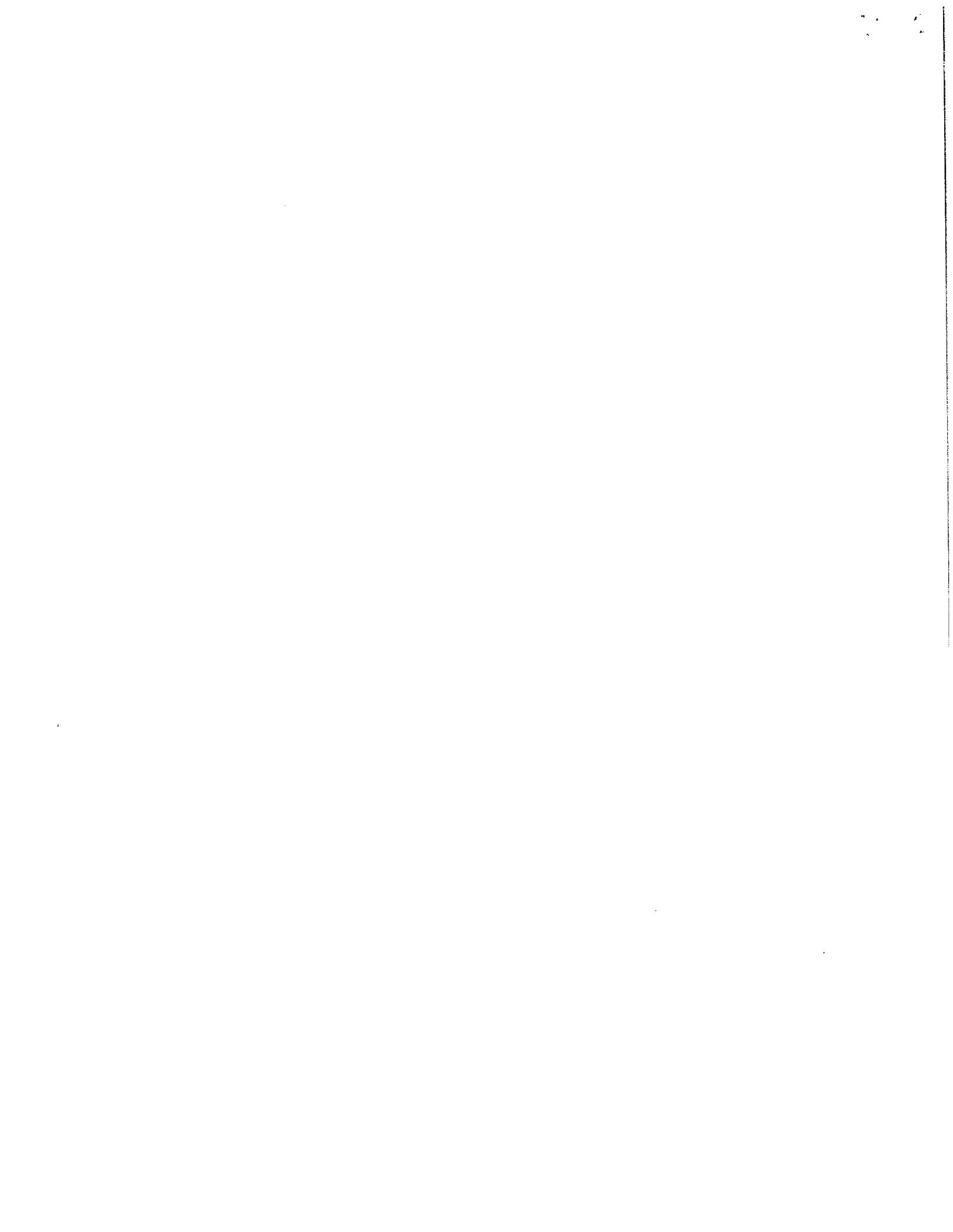
COLTON LAND SURVEYING

108 NUNDA BLVD.
 ROCHESTER, NY, 14610
 PHONE (585)244-2395
 jcolton@rochester.rr.com

JUNE 30, 2021

SCALE 1" = 20'

PROJECT NO. 21-065



**Zoning Board of Appeals
Referral Form Information**

Property Address:

25 Knollwood Drive ROCHESTER, NY 14618

Property Owner:

Senthil & Colleen Natarajan
25 Knollwood Dr
Rochester, NY 14618

Applicant or Agent:

Senthil & Colleen Natarajan
25 Knollwood Dr
Rochester, NY 14618

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

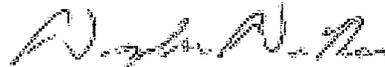
Town Code Requirement is: Proposed Conditions: Resulting in the Following Variance:

Right Lot Line:	100	Right Lot Line:	100+	Right Lot Line:	
Left Lot Line:	20	Left Lot Line:	19.8	Left Lot Line:	.2
Front Setback:	70	Front Setback:	47	Front Setback:	23
Rear Setback:	0	Rear Setback:	0	Rear Setback:	
Height:	0	Height:	0	Height:	
Size:	0	Size:	0	Size:	

Code Section(s):

Description: Applicant is requesting relief from Town Code §185 - 17 B. for a proposed roofed entry encroaching into the front setback. Property is zoned RN – Residential Neighborhood District

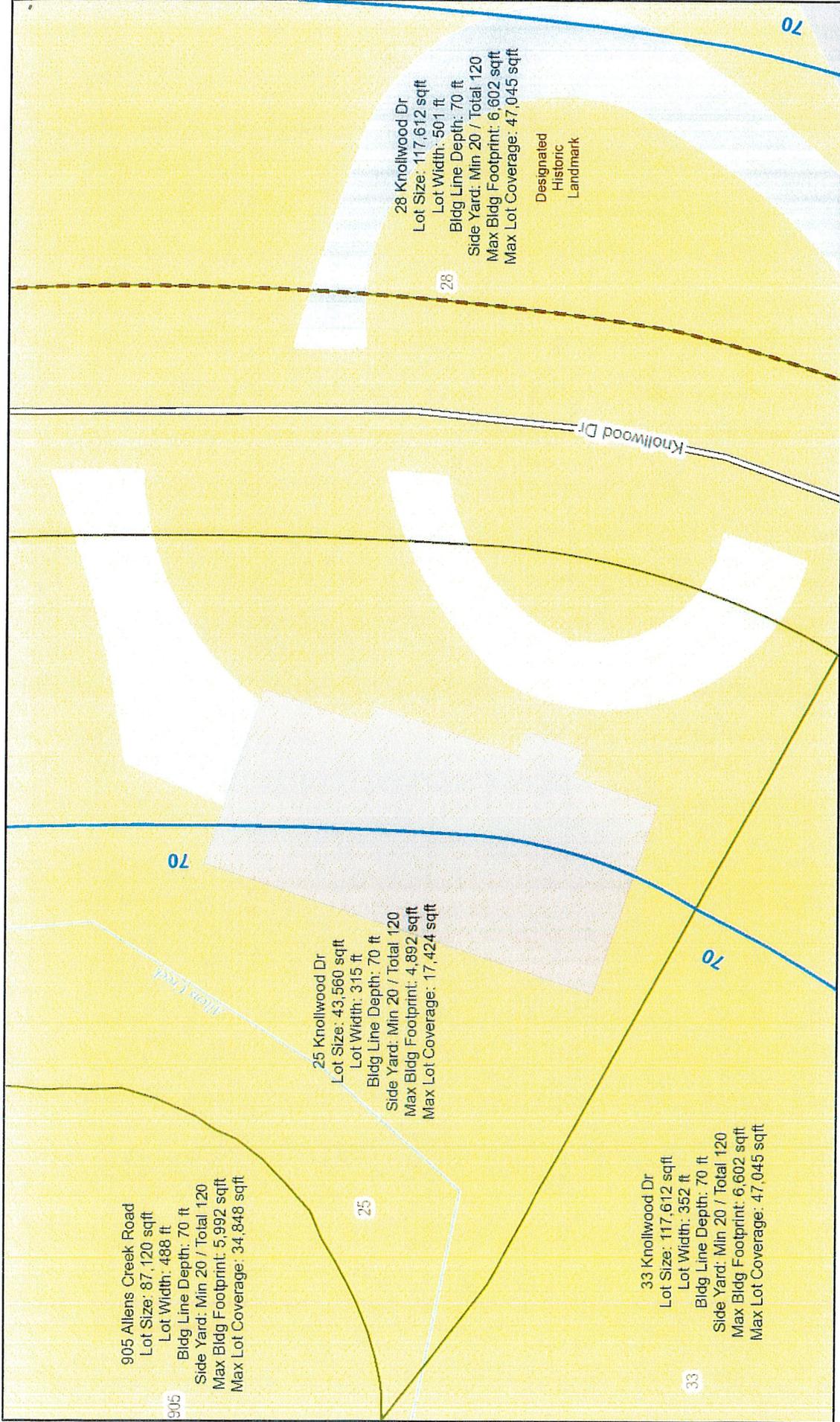
December 20, 2021



Date

Doug DeRue - Director Planning Zoning Development

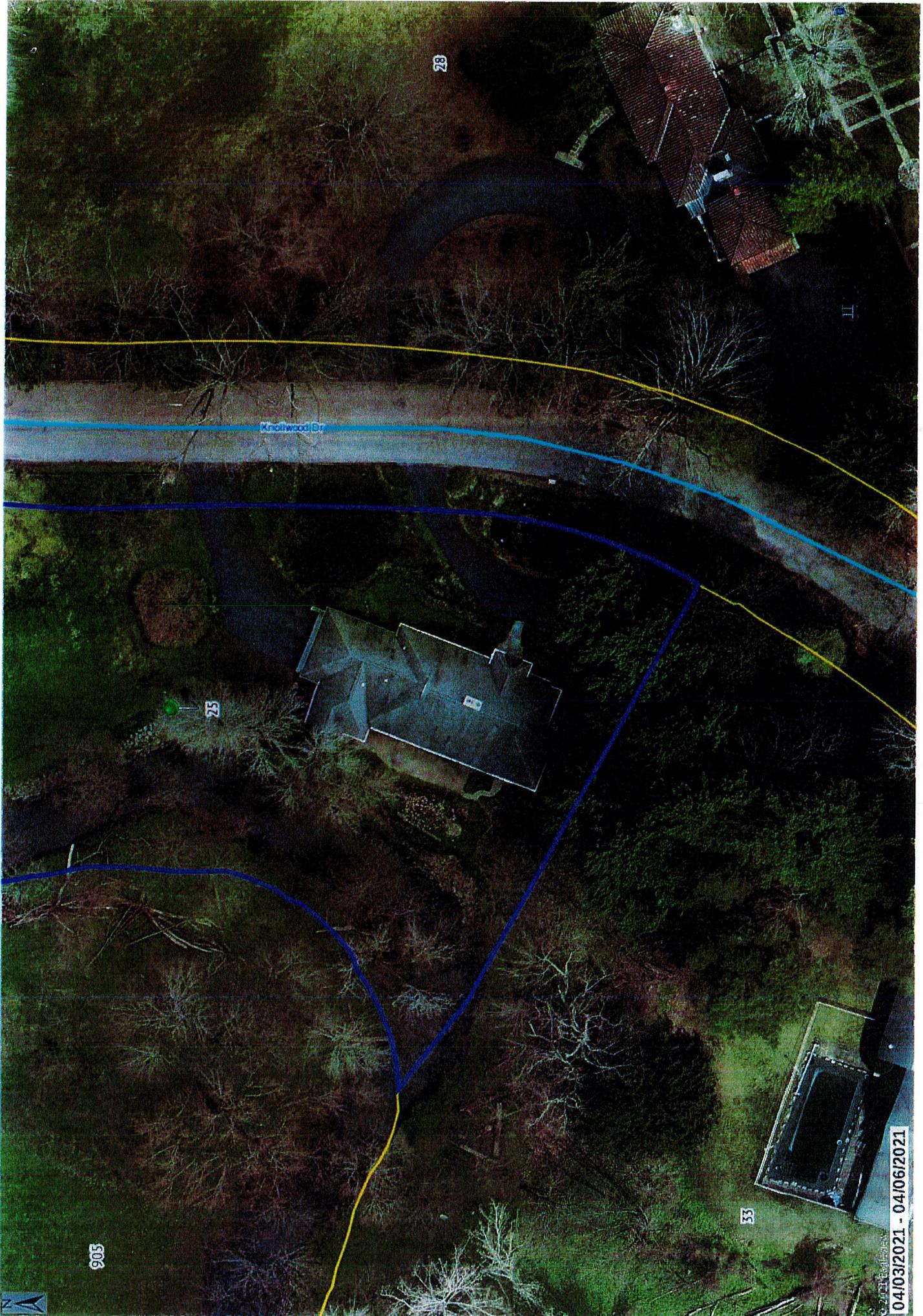
RN Residential Neighborhood Zoning



Printed December 9, 2021

Town of Pittsford GIS

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



28

Knollwood Dr

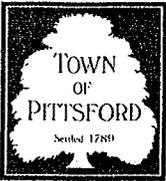
25

II

33

905

04/03/2021 - 04/06/2021



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 10.15.21 Hearing Date: 11.15.21

Applicant: CHRIS HENNESSEY

Address: 1501 PITTSFORD VICTOR RD., SUITE 100, VICTOR, N.Y. 14564

Phone: (585) 249-1334 E-Mail: CKHENNESSEY@FRONTIERNET.NET

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: SENTHIL & COLEEN NATARAJAN
(if different than Applicant)

Address: 25 KNOWWOOD DR., PITTSFORD, N.Y. 14534

Phone: _____ E-Mail: SENTHIL_NATARAJAN@HOTMAIL.COM

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

Property Location: 25 KNOWWOOD DR. Current Zoning: RESIDENTIAL

Tax Map Number: 138.13-1-5

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

ENLARGE & UPDATE THE CURRENT FRONT COVERED PORCH/ENTRY

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.

Chris Hennessey
(Owner or Applicant Signature)

10.17.21
(Date)



TOWN OF PITTSFORD

AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

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

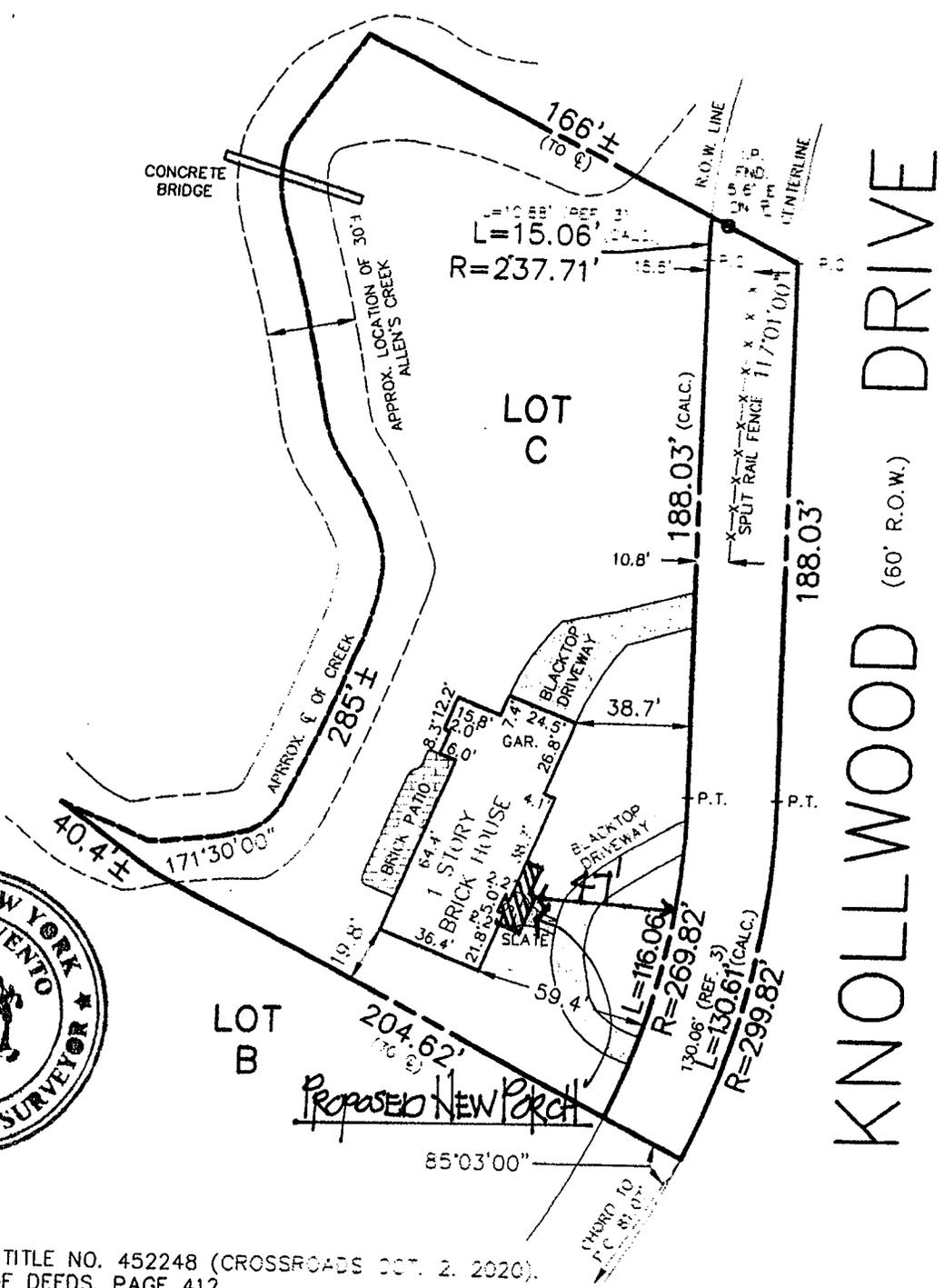
If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.

SENTHIL & LOUBEN NATARAJAN, the owner of the property located at:
25 KNOWWOOD DR. PITTSFORD N.Y. 14534
(Street) (Town) (Zip)

Tax Parcel # 138.13-1-5 do hereby authorize
CHRIS HENNESSEY to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of
OBTAINING A VARIANCE FOR AN ENLARGED FRONT PORCH

Wileen Natarajan
(Signature of Owner)

10.14.21
(Date)



KNOLLWOOD DRIVE (60' R.O.W.)

REFERENCES:

ABSTRACT OF TITLE NO. 452248 (CROSSROADS OCT. 2, 2020).
 LIBER 10057 OF DEEDS, PAGE 412.
 LIBER 116 OF MAPS, PAGE 64.
 MAP PREPARED BY EDWARD FREEMAN DATED JUL. 12, 1995.
 RESTRICTIONS PER L-1263D, P-423; L-1959D, P-462.
 PARCEL MAY BE SUBJECT TO EASEMENT PER L-1386D, P-600 (EASEMENT NOT RECORDED IN ABSTRACT OF TITLE PROVIDED).

CERTIFICATION:

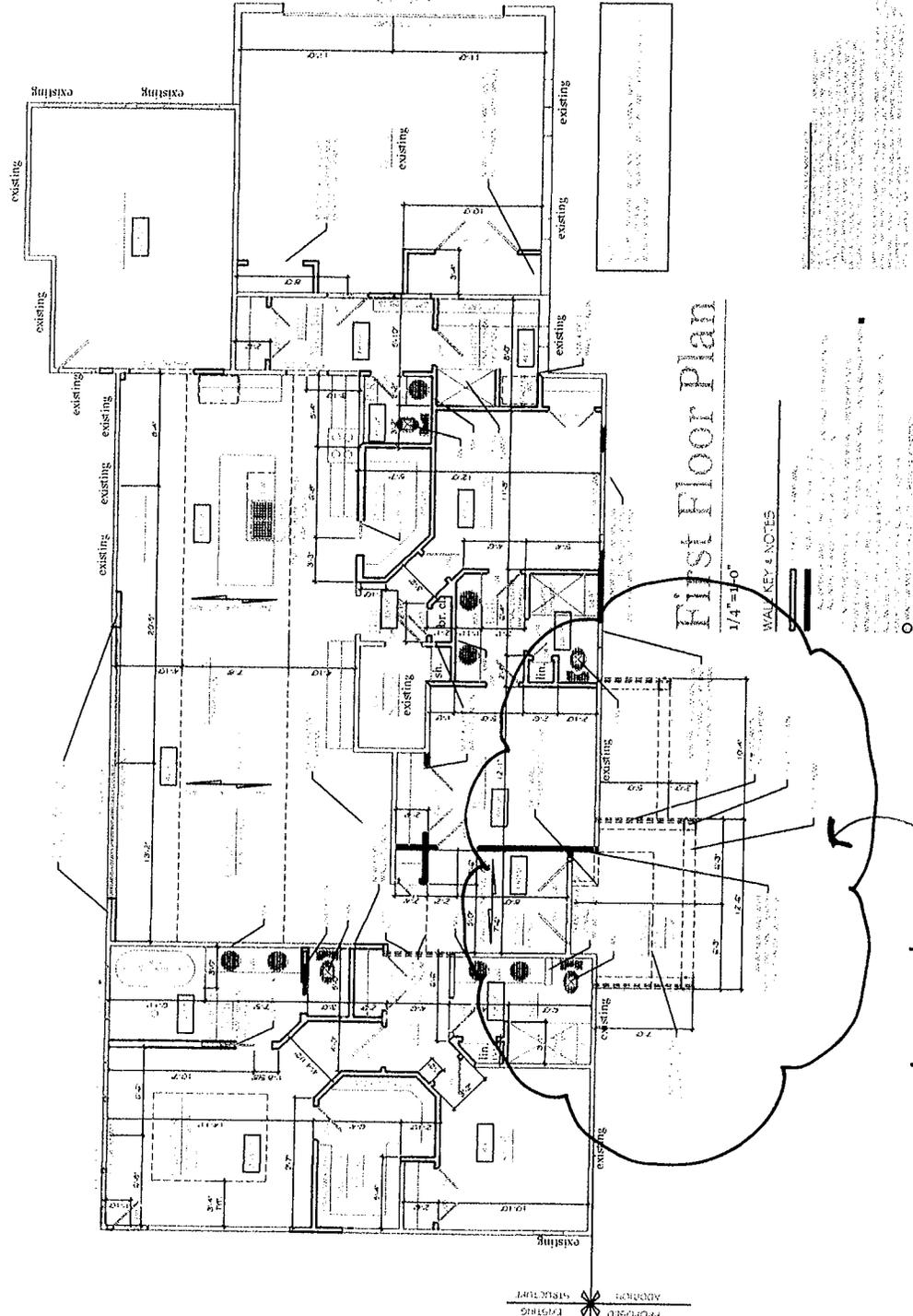
PASSERO ASSOCIATES, CERTIFY THAT THIS MAP WAS PREPARED USING PORTIONS OF THE REFERENCE MATERIAL AS LISTED HEREON AND FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED OCT. 20, 2020. THIS MAP IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD. NO CERTIFICATION IS EXTENDED TO INFORMATION NOT REFERENCED.
 JERRICK A. SPATORICO, ESQ.
 STEWART TITLE INSURANCE COMPANY
 COLLEEN NATARAJAN

SCALE: 1" = 60'

Robert A. Vento

C:\ACAD\20202769.1130.DWG 10/29/2020 12:06 PM James Kidston

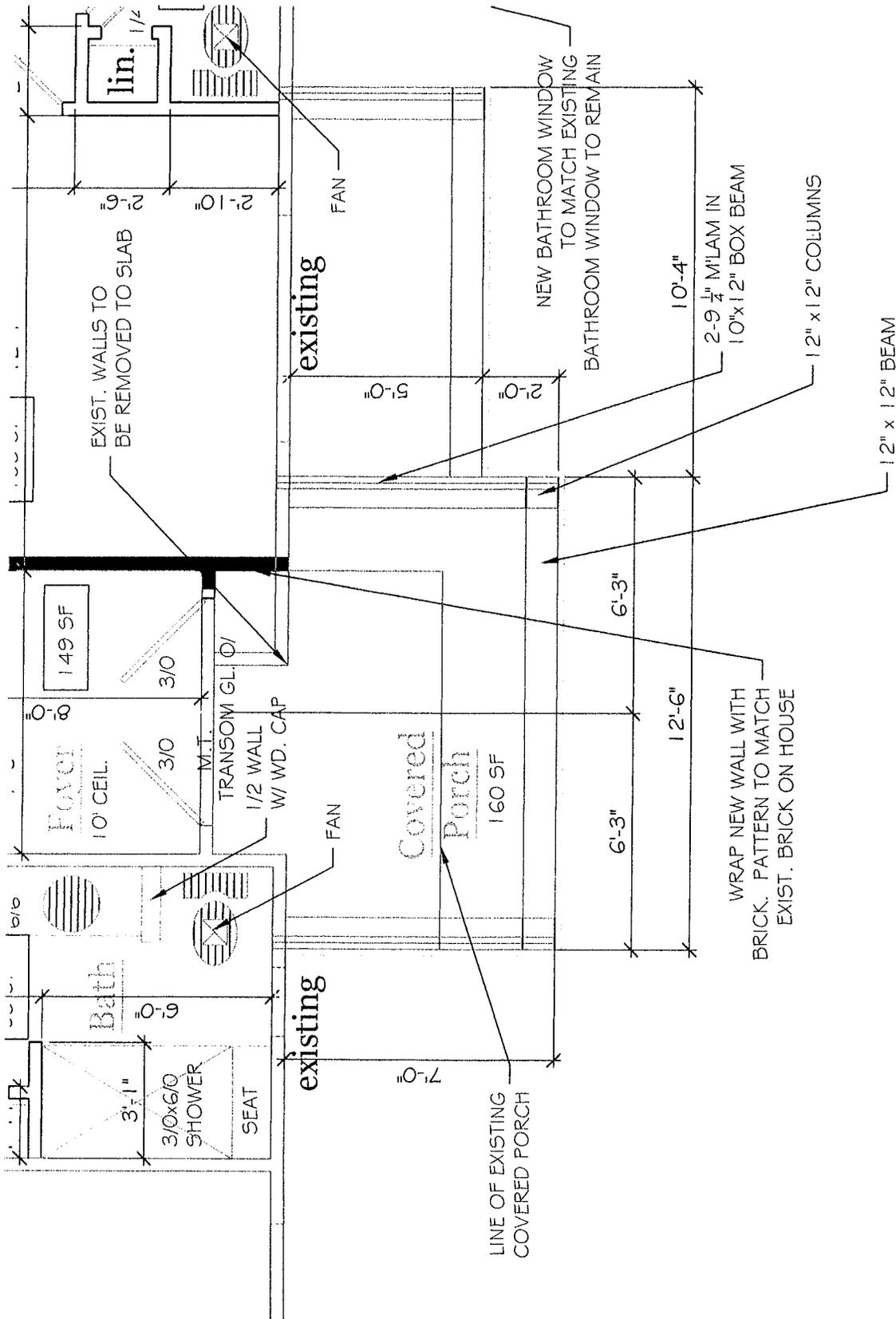
Project Name: 25 Knollwood Drive
 Client: Senthil & Colleen Natarajan
 Date: 10/11/11
 Scale: 1/4" = 1'-0"



SEE SCALED PLAN -
 NEXT SHEET

WALK KEY & NOTES

PROPOSED EXISTING
 ADDRESS STRUCTURE



First Floor Plan

1/4" = 1'-0"



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 REQUESTED VARIANCE WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD BECAUSE THE RENOVATION OF THE CURRENT FRONT PORCH WILL UPDATE THE EXISTING PORCH TO ONE THAT IS MORE CURRENT WITH ITS DESIGN, BALANCES THE LONG FACADE WITH A LARGER PORCH, & FITS IN WITH THE ~~RENOVATION~~ VARIOUS HOUSE TYPES IN THE NEIGHBORHOOD.

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 EXISTING HOME SITS ON A LONG NARROW SITE WHERE THE ENTIRE HOME IS IN THE SETBACK. ANY ADDITION OR RENOVATION WILL REQUIRE A VARIANCE.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

THE REQUESTED VARIANCE IS MINIMAL IN THAT THE OWNERS WISH TO UPDATE & ENLARGE THE OPEN COVERED PORCH FROM WHAT CURRENTLY EXISTS.

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

THE REQUESTED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT ON THE NEIGHBORHOOD AS THE NEW FRONT PORCH WILL UPDATE THE FRONT ELEVATION OF THE HOME WHILE STILL MAINTAINING AN OPEN CONCEPT.

- **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?

IT IS NOT. THE CURRENT HOME IS SITTING ON THE LOT IN THE 75' SETBACK LINE. INCREASING THE SIZE OF THE FRONT PORCH IS IN THE 75' SETBACK LINE AS WELL AND CAN NOT BE CHANGED WITHOUT A VARIANCE.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

25 KNOLLWOOD DRIVE

(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)

Chris Hennessey

(Signature of Applicant)

10.14.21

(Dated)

25 KNOLLWOOD DR.

(Street Address)

PITTSFORD, N.Y. 14534

(City/Town, State, Zip Code)

Zoning Board of Appeals Referral Form Information

Property Address:

155 Sylvania Road ROCHESTER, NY 14618

Property Owner:

Herrema, Erik S
155 Sylvania Rd
Rochester, NY 14618

Applicant or Agent:

Herrema, Erik S
155 Sylvania Rd
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:	10.3	Right Lot Line:	10.3	Right Lot Line:	
Left Lot Line:	14.7	Left Lot Line:	7	Left Lot Line:	7.7
Front Setback:	70	Front Setback:	82.9	Front Setback:	
Rear Setback:	20	Rear Setback:	20+	Rear Setback:	
Height:	30	Height:		Height:	
Max footprint:	4548	Max Footprint	4743	Footprint	195

Code Section(s): Applicant is requesting relief from Town Code §185 - 17 E. for a proposed addition located less than the required minimum side setback as well as the minimum total required setbacks. Also requesting relief from Town Code §185 -17 G. for exceeding the allowed maximum building footprint by 195 square feet. This property is zoned RN-Residential Neighborhood.

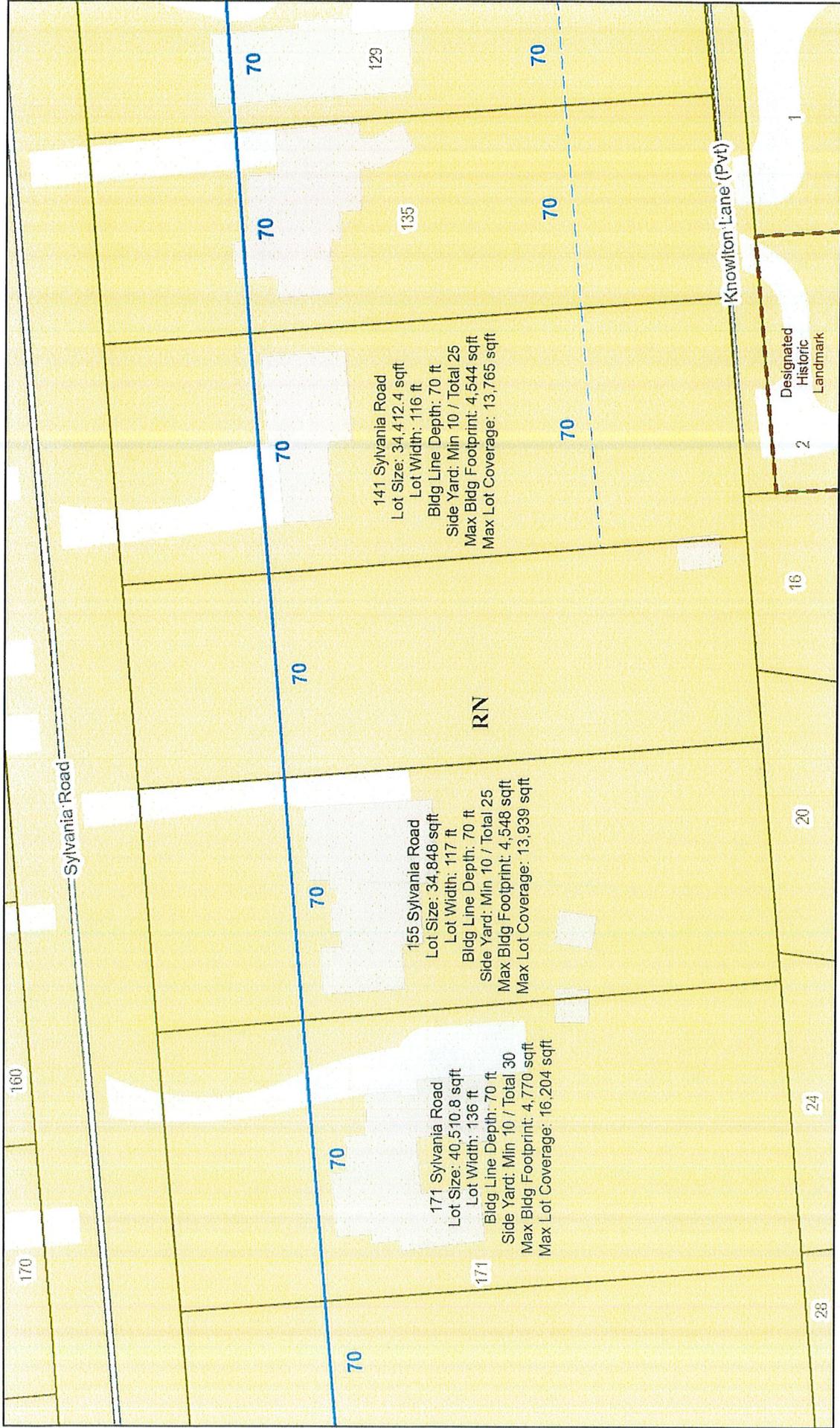
December 20, 2021



Date

Doug DeRue - Director Planning Zoning Development

RN Residential Neighborhood Zoning



Printed December 9, 2021

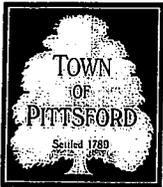


Town of Pittsford GIS

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.



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04/03/2021 - 04/06/2021



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: _____ Hearing Date: 12/20/21

Applicant: James Fahy of James Fahy Design Associates

Address: 202A W. Henrietta Rd. Ste 3k Rochester, NY 14623

Phone: 585 272-1650 E-Mail: jrfahy@jamesfahy.com

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: Coryn & Erik Herrema
(if different than Applicant)

Address: 155 Sylvania Rd. Pittsford, NY 14618

Phone: _____ E-Mail: coryandrik@aol.com

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

Property Location: 155 Sylvania Road Current Zoning: RN

Tax Map Number: 151.06-1-4

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Additions and renovations to an existing single family residence. Additions to include a third car garage bay along with an rear yard pool cabana adjoining the existing dwelling. Floor plan and exterior elevation modifications are planned within the existing footprint of the home. Area variances for side yard setback and maximum building coverage will be requested as summarized herein.

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)

10/15/21
(Date)

Tests for Granting Variances

Project:

Herrema Residence
155 Sylvania Road
Pittsford, New York

Variances Requested:

- A. Side Yard Setback
- B. Building Coverage

A. Side Yard Setback

Town Code Section: 185-17E

Required: 10-foot minimum; 25-foot total both sides

Existing: 19.0' (East side), 29.3' total both sides

Proposed: 7-foot (East side), 17.3-foot total both sides

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 character of the Sylvania Road neighborhood is eclectic in scale, massing and style of the existing homes. Several properties on Sylvania Road have side yard setbacks closer than that being requested. The requested setback of 7-feet where 10-feet is required will only be along the east side of the single car garage addition. Additionally, the lot immediately adjacent to the east is vacant and therefore the proposed setback encroachment will have no effect on any existing dwelling. The west side of the existing home will not be altered, maintaining the existing side setback of 10.3-feet. We, therefore, believe the requested variance will not produce any undesirable change in the character of the neighborhood or pose a detriment to nearby properties.

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 third car garage bay could not be added to the existing dwelling in any way that would not require an area variance request. We have purposely designed the width of the garage addition to the minimum necessary for proper function in effort to correspondingly minimize the variance requested.

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

Understanding that a number of homes in the neighborhood have side yard setbacks less than that requested and that we have designed the garage addition width to the minimum required for proper function, we believe the resulting variance request is 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:*

As previously stated, the physical character of the Sylvania Road neighborhood is somewhat eclectic with a mix of ranch, cape and two-story homes exhibiting a diverse range in frontage widths of the homes. Our proposed addition will not create any disharmony to the existing physical character of the neighborhood or zoning district.

5. *Is the alleged difficulty self-created?*

Although the alleged difficulty is self-created, we believe the proposed third car garage bay is integral to our design program and a reflection of thoughtful long-term planning for the home and property.

B. Maximum Building Footprint on Lot

Town Code Section: 185-17G

Allowed: 4548 s.f. (13.1% of lot area)

Proposed: 4743 s.f. (13.6% of lot area)

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 requested building coverage exceeds that allowed by only 219 s.f. which corresponds to a 0.5 percent increase in lot coverage over that allowed. The requested variance is principally due to a covered pool cabana addition proposed at the southeast corner of the existing home. The pool cabana, located in the rear yard will be an open style structure over a slab-on-grade foundation with little to no visual impact from the street.

The minimal increase in building coverage created by the cabana is believed to be offset by our overall lot coverage which is almost 10 percent less than that allowed. We therefore believe the requested variance will not produce any undesirable change in the character of the neighborhood or pose a detriment to nearby properties.

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

Covered indoor-outdoor entertaining space is an integral design element in most new upscale homes. There currently is no covered outdoor entertaining space and the proposed pool cabana provides that link from indoor to outdoor living for the renovated home. Direct access from the main dwelling to the pool cabana is critical to the overall function of the space.

Therefore, the requested minimal increase in allowable building coverage is believed to be necessary to provide this important improvement to the home.

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

The allowable building coverage of 4548 s.f. for the property is 13.1 percent of the lot area. Our proposed building area of 4743, including the third car bay and pool cabana results in a 13.6 percent coverage of the lot. The resulting 0.5 percent increase in overall lot coverage due to the proposed additions is 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 character of the Sylvania Road neighborhood is varied with a mix of ranch, cape and two-story homes with a diversity in frontage widths of the homes. Our proposed additions and renovations reflect a major improvement to the physical character of the home and its presentation to the neighborhood. We strongly believe our proposed renovation requiring the requested area variance will have a positive impact on the physical and environmental conditions within the neighborhood and zoning district.

5. *Is the alleged difficulty self-created?*

Although the alleged difficulty is self-created, we believe the proposed building coverage increase was necessary to address critical design elements of the renovation and to protect the future value of the property.

From: James Fahy jrfahy@jamesfahy.com
Subject: Owner's Authorization
Date: Oct 15, 2021 at 12:14:28 PM
To: Cory coryandrik@aol.com



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, Coryn Herrema, the owner of the property located at:
155 Sylvania Road Pittsford 14618
(Street) (Town) (Zip)

Tax Parcel # 151.06-1-4 do hereby authorize
James Fahy of James Fahy Design Associates to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of
an area variance for a side yard setback

Coryn R. Herrema
(Signature of Owner)
10/15/21
(Date)



Herrema Residence
155 Sylvania Road
Rochester, NY

Front Elevation



James Fahy Design Associates
Architecture & Engineering P.C.
Rochester, NY



proposed front elevation
 scale: 1/8"=1'-0"

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REVISIONS:

NO.	DATE	BY	DESCRIPTION

PROJECT:
 HERREMA RENOVATION
 155 SYLVANIA ROAD
 ROCHESTER, NEW YORK

CLIENT:
 RIK & CORY HERREMA

DRAWING TITLE:
 PROPOSED FRONT ELEVATION

PHASE:
 PRELIMINARY PLAN

JOB NO.
 A21-060

PROJECT NO.
 RENOVATION

DRAWN BY:
 KAD

DRAWING NO:

CHECKED BY:
 JRF

1 of 4

DATE:
 10-15-2021



James Fahy Design

2024 W. Henrietta Rd. Suite 3K
 Rochester, New York 14623
 (585) 272-1650 Fax (585) 272-1008
 e-mail: info@jamesfahy.com
 website: www.jamesfahy.com

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 STATE EDUCATION LAW, ARTICLE 145, SECTION
 7209.

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REVISIONS:			
NO.	DATE	BY	DESCRIPTION

PROJECT:
 HERREMA RENOVATION
 155 SYLVANIA ROAD
 ROCHESTER, NEW YORK

CLIENT:
 RIK & CORY HERREMA

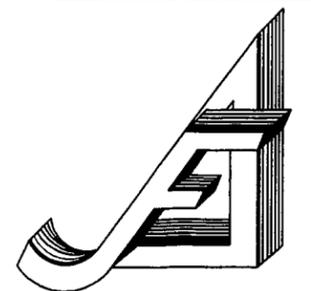
DRAWING TITLE:
 PROPOSED REAR ELEVATION

PHASE:
 PRELIMINARY PLAN

JOB NO. A21-060	PROJECT NO. RENOVATION
DRAWN BY: KAD	DRAWING NO: 2 of 4
CHECKED BY: JRF	
DATE: 10-15-2021	



proposed rear elevation
 scale: 1/8"=1'-0"



James Fahy Design

2024 W. Henrietta Rd. Suite 3K
 Rochester, New York 14623
 (585) 272-1650 Fax (585) 272-1008
 e-mail: info@jamesfahy.com
 website: www.jamesfahy.com



proposed right side elevation
 scale: 1/8"=1'-0"

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REVISIONS:			
NO.	DATE	BY	DESCRIPTION

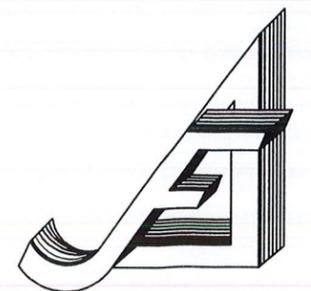
PROJECT:
 HERREMA RENOVATION
 155 SYLVANIA ROAD
 ROCHESTER, NEW YORK

CLIENT:
 RIK & CORY HERREMA

DRAWING TITLE:
 PROPOSED RIGHT ELEVATION

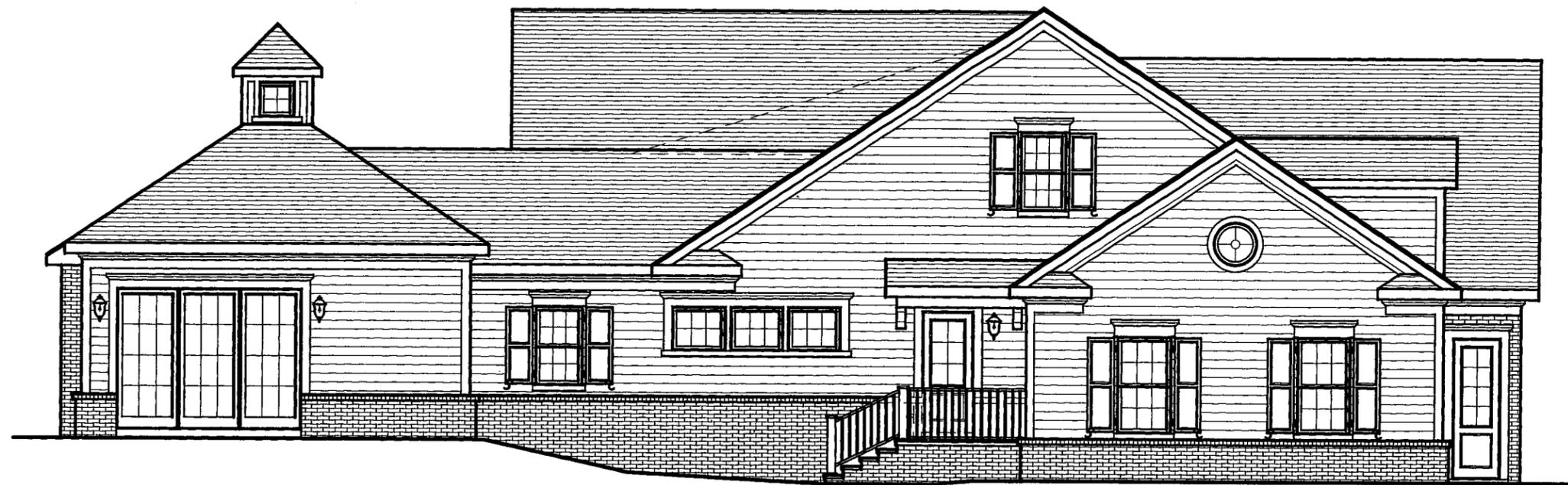
PHASE:
 PRELIMINARY PLAN

JOB NO. A21-060	PROJECT NO. RENOVATION
DRAWN BY: KAD	DRAWING NO: 3 of 4
CHECKED BY: JRF	
DATE: 10-15-2021	



James Fahy Design

2024 W. Henrietta Rd. Suite 3K
 Rochester, New York 14623
 (585) 272-1650 Fax (585) 272-1008
 e-mail: info@jamesfahy.com
 website: www.jamesfahy.com



proposed left side elevation
 scale: 1/8"=1'-0"

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REVISIONS:			
NO.	DATE	BY	DESCRIPTION

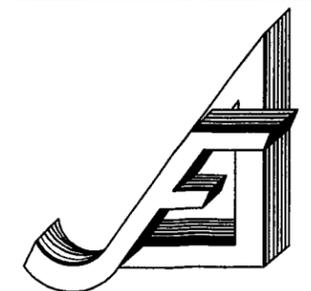
PROJECT:
 HERREMA RENOVATION
 155 SYLVANIA ROAD
 ROCHESTER, NEW YORK

CLIENT:
 RIK & CORY HERREMA

DRAWING TITLE:
 PROPOSED LEFT ELEVATION

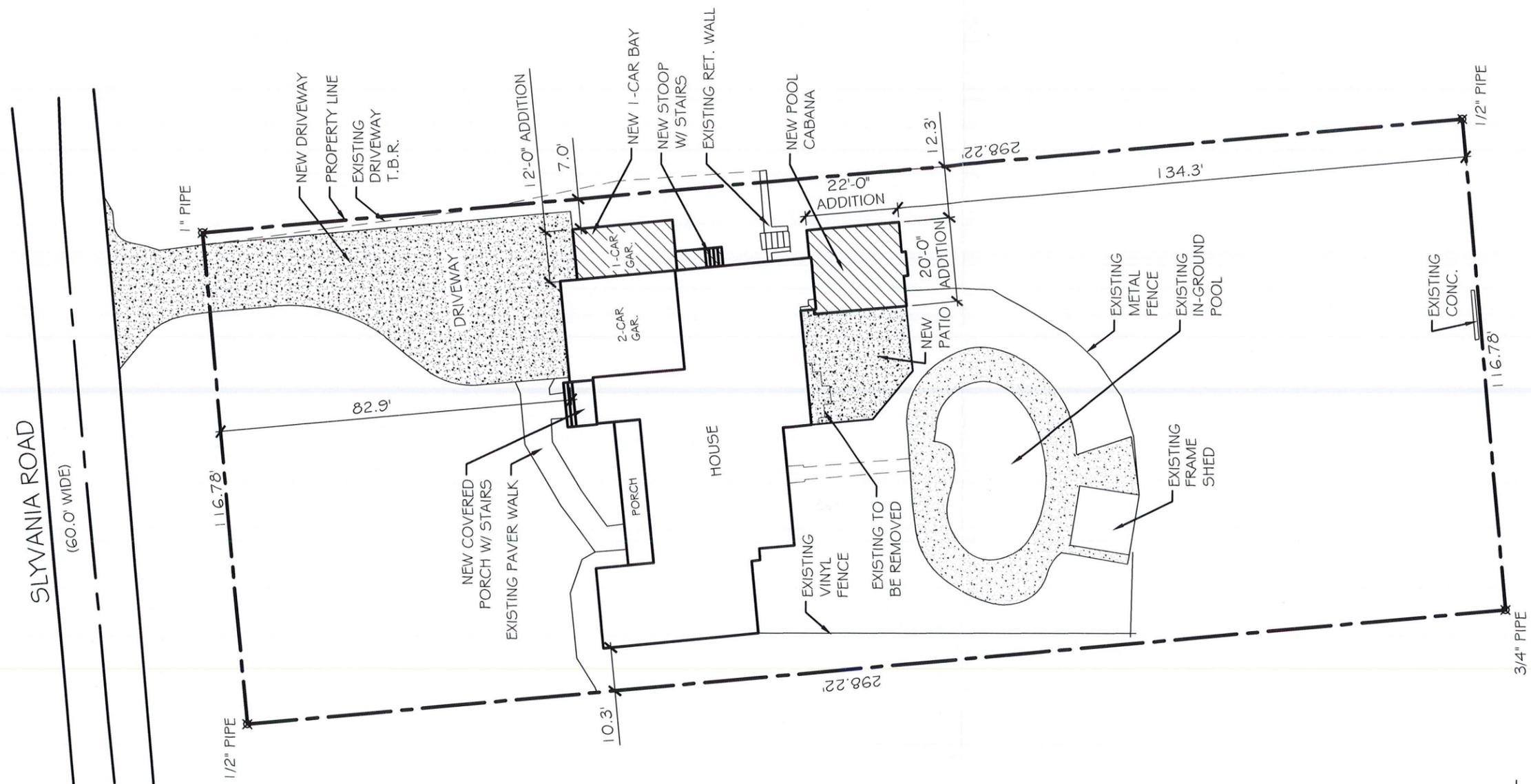
PHASE:
 PRELIMINARY PLAN

JOB NO. A21-060	PROJECT NO. RENOVATION
DRAWN BY: KAD	DRAWING NO.: 4 of 4
CHECKED BY: JRF	
DATE: 10-15-2021	



James Fahy Design
 2024 W. Henrietta Rd. Suite 3K
 Rochester, New York 14623
 (585) 272-1650 Fax (585) 272-1008
 e-mail: info@jamesfahy.com
 website: www.jamesfahy.com

SLYVANIA ROAD
(60.0' WIDE)



PLOT PLAN
SCALE: 1" = 30'-0"

**115 SLYVANIA ROAD,
CORYN HERREMA**

TOWN OF PITTSFORD, MONROE COUNTY, NEW YORK
RENOVATION / A21-060 / OCT. 20, 2021

REF. MAP: BME ASSOCIATES
PROJECT NO. 8901-461
DATE: AUG. 18, 2021

A MODERN APPROACH TO TIMELESS ARCHITECTURAL DESIGN



JAMES FAHY DESIGN ASSOCIATES
ARCHITECTURE & ENGINEERING P.C.

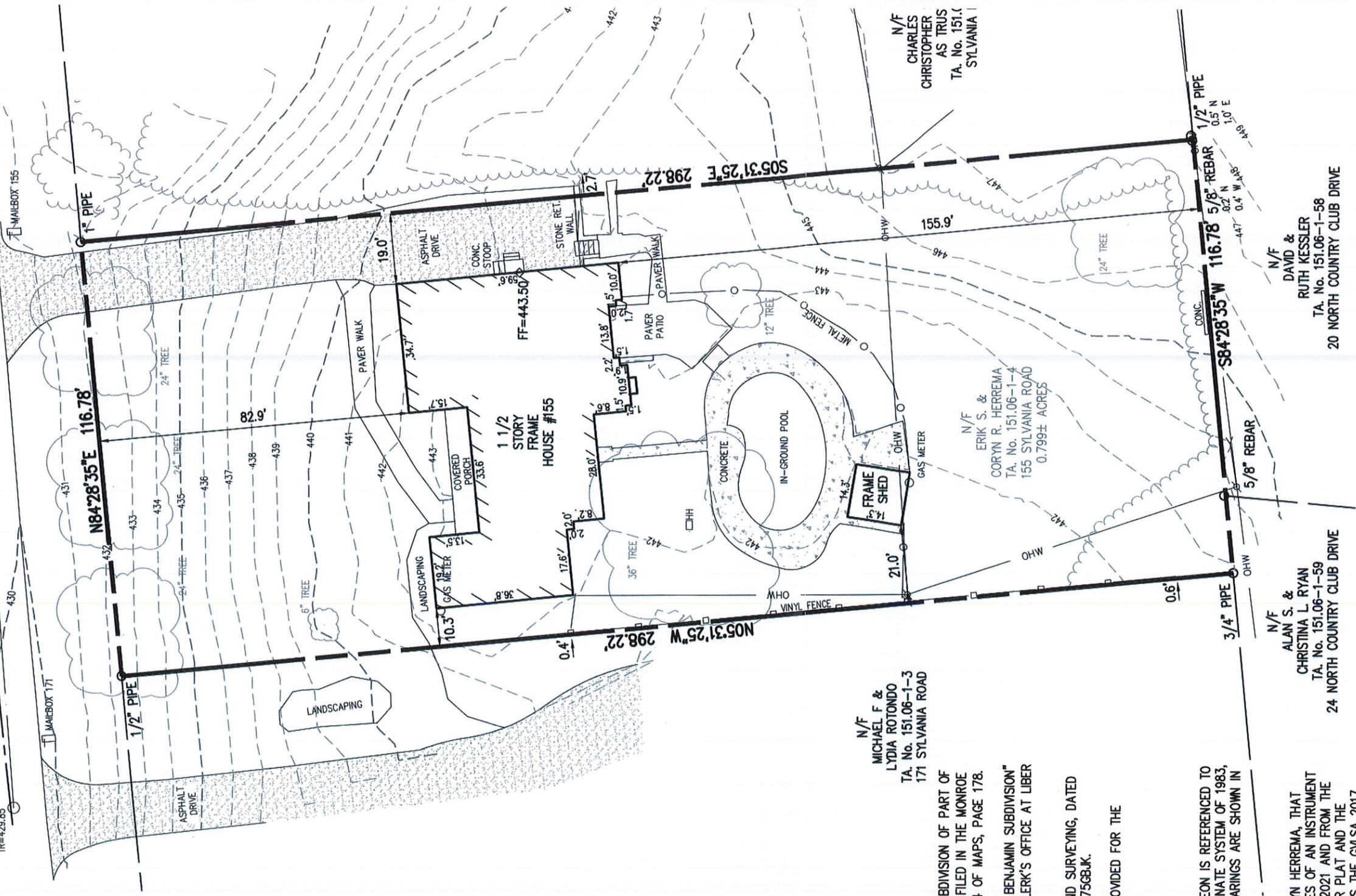
2024 w. henrietta rd. | suite 3k | rochester, ny 14623
tel (585) 272.1650 | fax (585) 272.1008
info@jamesfahy.com | www.jamesfahy.com

SYLVANIA ROAD

(60' RIGHT-OF-WAY)

SAN MH
TR=430.97

SAN MH
TR=429.85



N/F
MICHAEL F &
LYDIA ROTONDO
TA. No. 151.06-1-3
171 SYLVANIA ROAD

N/F
ERIK S. &
CORYN R. HERREMA
TA. No. 151.06-1-4
155 SYLVANIA ROAD
0.7999± ACRES

N/F
CHARLES
CHRISTOPHER
AS TRUS
TA. No. 151.0
SYLVANIA I

N/F
ALAN S. &
CHRISTINA L. RYAN
TA. No. 151.06-1-59
24 NORTH COUNTRY CLUB DRIVE

N/F
DAVID &
RUTH KESSLER
TA. No. 151.06-1-58
20 NORTH COUNTRY CLUB DRIVE

REFERENCES:

1. A PLAN ENTITLED "MAP OF A RE-SUBDIVISION OF PART OF THE J.A. BENJAMIN SUBDIVISION" AS FILED IN THE MONROE COUNTY CLERK'S OFFICE AT LIBER 94 OF MAPS, PAGE 178.
2. A PLAN ENTITLED "MAP OF THE J.A. BENJAMIN SUBDIVISION" AS FILED IN THE MONROE COUNTY CLERK'S OFFICE AT LIBER 33 OF MAPS, PAGE 29.
3. SURVEY PERFORMED BY BILESCHI LAND SURVEYING, DATED SEPTEMBER 24, 2007, FILE NO. 000475G8JK.
4. AN ABSTRACT OF TITLE WAS NOT PROVIDED FOR THE COMPLETION OF THIS SURVEY.

NOTES:

1. THE HORIZONTAL DATUM SHOWN HEREON IS REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM OF 1983, WESTERN ZONE, NAD 83. RECORD BEARINGS ARE SHOWN IN PARENTHESES.

WE: BME ASSOCIATES, CERTIFY TO: CORYN HERREMA, THAT THIS MAP WAS PREPARED FROM THE NOTES OF AN INSTRUMENT SURVEY COMPLETED BY US ON JULY 30, 2021 AND FROM THE REFERENCES NOTED HEREON. THIS MAP OR PLAT AND THE SURVEY UPON WHICH IT WAS BASED MEETS THE GVLSA 2017 MINIMUM STANDARDS FOR A SURVEY MAP.

THIS MAP IS SUBJECT TO ANY FACTS THAT MAY BE REVEALED BY SOURCES OTHER THAN THOSE REFERENCED HEREON.

BY: MATTHEW R. PALMER, NYSPLS NO. 050964

Drawing Alteration The following is an excerpt from the New York State Education Law Article 145 Section 7209 and applies to this drawing: "It is a violation of this law for any person, unless he is acting under the direction of a licensed professional engineer or land surveyor to alter any item in any way, if an item bearing the seal of an engineer or land surveyor is altered, the altering engineer or land surveyor shall affix to the item his seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration."

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

155 SYLVANIA ROAD

TOWN OF PITTSFORD, MONROE COUNTY, NEW YORK

CORYN HERREMA
155 SYLVANIA ROAD
ROCHESTER, NY 14618

PROJECT
LOCATION
CLIENT
DRAWING TITLE

PROJECT MANAGER	DATE
GO BELL	
PROJECT SURVEYOR	DATE
MR PALMER	
DRAWN BY	DATE
MR PALMER	
SCALE	DATE ISSUED
1" = 30'	AUGUST 18, 2021
PROJECT NO.	

DRAWING NO. **8901**
461



BME ASSOCIATES
ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

10 LIFT BRIDGE LANE EAST
FAIRPORT, NEW YORK 14450
WWW.BMEPC.COM

PHONE 585-377-7360
FAX 585-377-7309

Zoning Board of Appeals Referral Form Information

Property Address:

736 Linden Avenue ROCHESTER, NY 14625

Property Owner:

Longwell, Alden D
11 Schoen Pl
Pittsford, NY 14534

Applicant or Agent:

Longwell, Alden D
11 Schoen Pl
Pittsford, NY 14534

Present Zoning of Property: LI Light Industrial
Area Variance - Non-Residential

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Front Setback building Rt 441	50	Front Setback building	44.9	Front Setback building	6.1
Front Setback building Linden Av	50	Front Setback building	28	Front Setback building	22
Front Setback Building Old Linden	50	Front Setback building	30	Front Setback building	20
Front Setback Parking	40	Front Setback Parking	15	Front Setback Parking	25
Height:	40	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section(s):

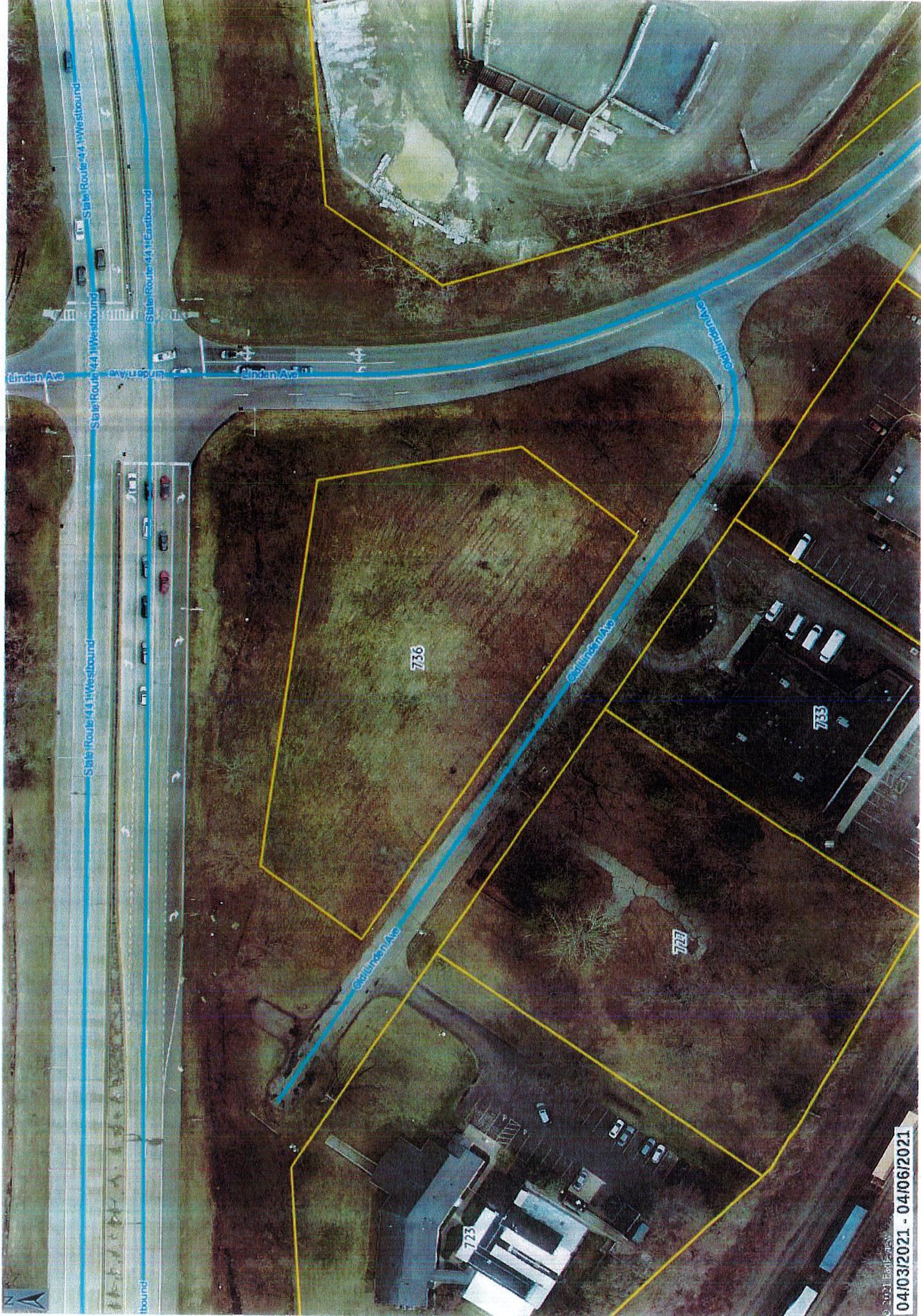
Description: Area variance for building and parking setbacks - Commercial, Applicant is requesting relief from Town Code §185 - 52 C. and §185 - 53 D. (1)(2) for the proposed building encroaching into the three front setbacks as well as parking area less than 40 feet from the ROW in two locations and not located behind the front line of the building.

December 20, 2021



Date

Doug DeRue - Director Planning Zoning Development



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04/03/2021 - 04/06/2021



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: October 15, 2021 Hearing Date: November 15, 2021

Applicant: Rochester Oral Surgery

Address: 200 Linden Oaks, #200, Pittsford, NY 14625

Phone: (585) 414-6463 E-Mail: jcplash@rochester.rr.com

Agent: T.Y. Lin International Engineering & Architecture, P.C.
(if different than Applicant)

Address: 255 East Avenue, Rochester, NY 14604

Phone: (585) 490-1551 E-Mail: randy.bebout@tylin.com

Property Owner: Todd Longwell
(if different than Applicant)

Address: 11 Schoen Place, Pittsford, NY 14534

Phone: (585) 721-6679 E-Mail: todd@longwellbuilders.com

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

Property Location: 736 Linden Avenue Current Zoning: LI - Light Industrial

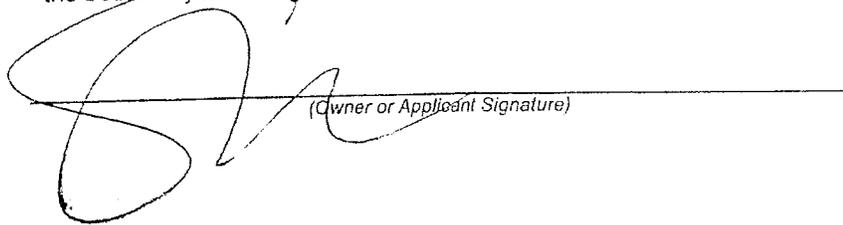
Tax Map Number: 138.15-1-19.1

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Proposed construction of an approx. 8,050 sq. ft. medical building with approx. (51) parking spaces. Preferred layout requires area variances for building and parking setbacks. Site is unique in that it has three frontages, NYS Route 441, Linden Avenue and Old Linden Avenue.

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)

10/15/2021
(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 requested area variances will not result in any undesirable change in the character of the neighborhood or a detriment to nearby properties given the width of the R.O.W.s on NYS Route 441 and Linden Avenue. In addition, there is existing mature trees that can remain that will help buffer the project view.

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 benefit sought by the applicant cannot be achieved by any other means given the site constraints and having three road frontages. The proposed use is a permitted and suitable use for this site and will result in an aesthetically pleasing structure. There was previously an office building approved for this site with variances of greater relief than is currently being requested.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested area variance is the minimum needed to be able to provide the necessary building size and associated parking to ensure the operation is sufficient. The building setback variance is less than 50% and on the main frontages (NYS Route 441 & Linden Avenue) is less significant. The parking setback is substantial being greater than 50% relief requested, but the side along NYS Route 441 has a wide R.O.W. and is mitigated on both sides with the ex. landscaping.

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

The requested area variances will not have an adverse impact on the physical or environmental condition of the neighborhood. The increase in runoff from the new impervious areas will be mitigated prior to discharge to the public storm sewer system(s). Site lighting will be dark sky compliant and light spill will be limited to the property lines. Once construction is completed, traffic will be limited to passenger vehicles with the exception of an occasional box trucks with deliveries.

- **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 alleged difficulty is not self created and is the result of the property having three road frontages. If the project was to be designed without variances, the bldg. sq. ft. would be limited to about 6.5K sq. ft. and parking to about (26) spaces, which is insufficient for the business operation proposed. The site is desirable for the practice given it's proximity to NYS Route 441 and 490.



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, Todd Longwell, the owner of the property located at:
736 Linden Ave. Pittsford 14534
(Street) (Town) (Zip)

Tax Parcel # 138.15-1-19.1 do hereby authorize
Rochester Oral Surgery to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of _____
requesting area variances for building and parking setbacks to allow construction of the proposed medical building.

Todd Longwell
(Signature of Owner)
10/14/2021
(Date)

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Medical Building

(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)

JOLLY M. CARLASH

[Signature]
(Signature of Applicant)

10/15/2021
(Date)

200 Linden Park Drive
(Street Address)
Rochester, NY 14625
(City/Town, State, Zip Code)

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Proposed Medical Building			
Project Location (describe, and attach a location map): 736 Linden Avenue, Town of Pittsford, Monroe County			
Brief Description of Proposed Action: Construction of an approx. 8,050 sq. ft. medical building and associated site improvements consisting of new utility services, asphalt parking lot, sidewalks, site lighting and landscaping.			
Name of Applicant or Sponsor: Rochester Oral Surgery		Telephone: (585) 414-6463 E-Mail: jcaplash@rochester.rr.com	
Address: 200 Linden Oaks, #200			
City/PO: Rochester		State: NY	Zip Code: 14625
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Village - Building Permits, sewer permit, NYSDEC - Notice of Intent, NYSDOH - public watermain			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.27 acres	
b. Total acreage to be physically disturbed?		0.9 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.27 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ storm water mitigation, approx. 1/8 acre	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: T.Y. Lin International Engineering & Architecture, P.C.		Date: 10/15/21
Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

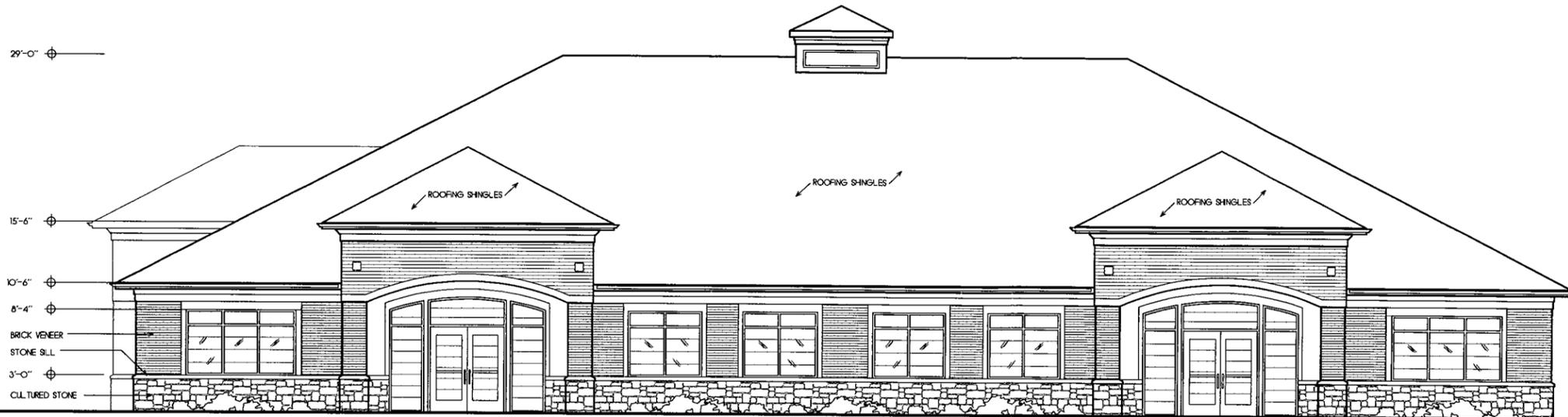
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

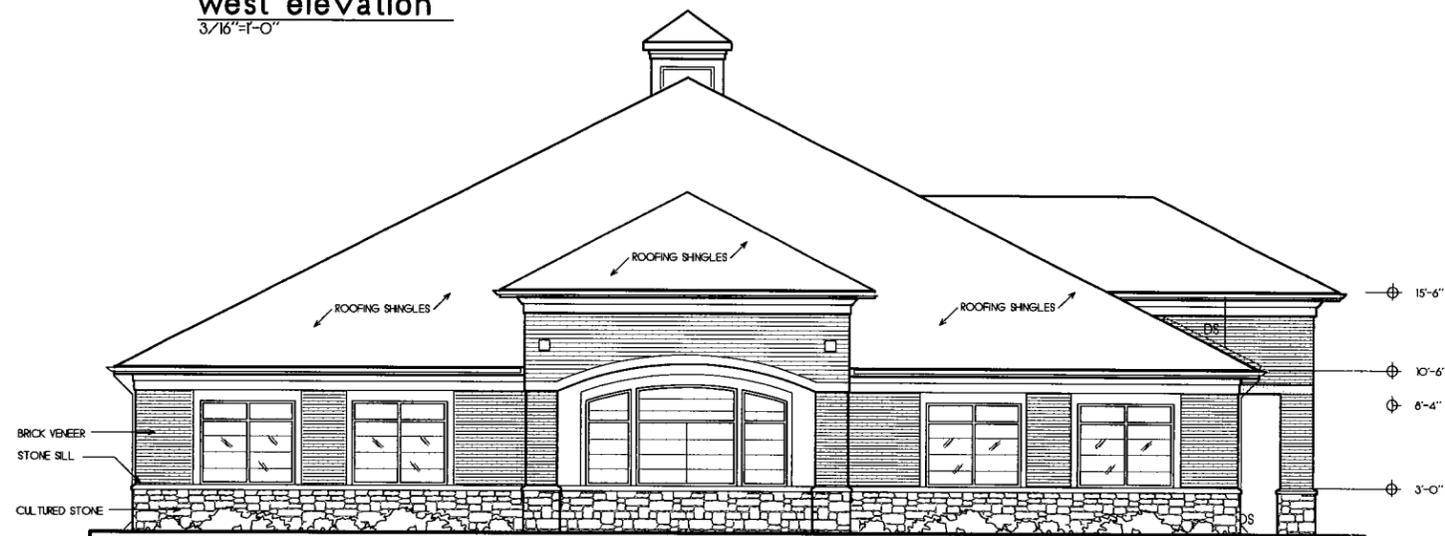
Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

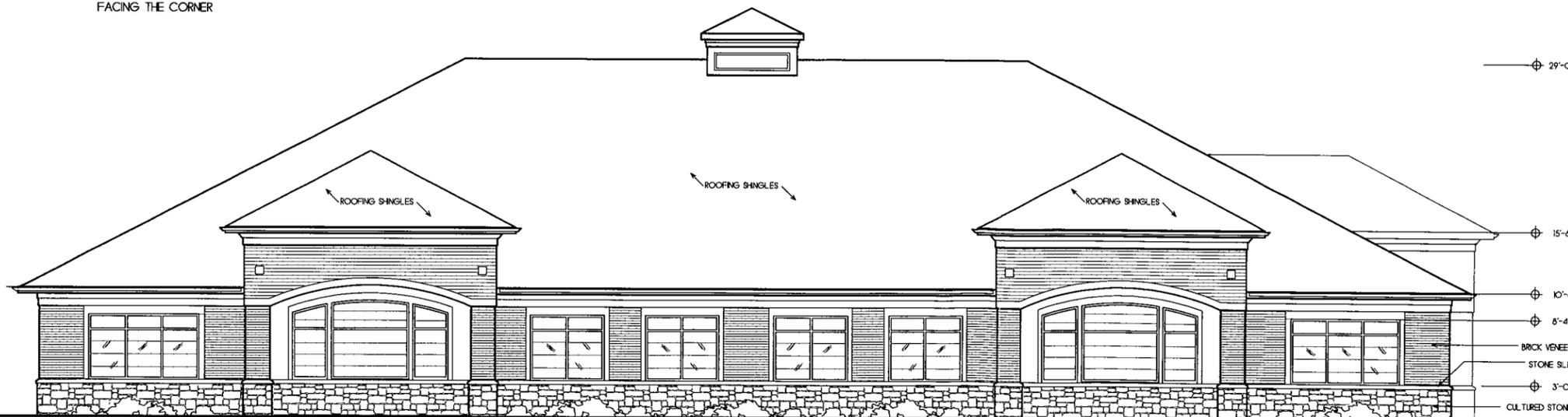
PRINT



west elevation
3/16"=1'-0"



north elevation
3/16"=1'-0"
FACING THE CORNER



east elevation
3/16"=1'-0"

REVISIONS	No.	DATE	DESCRIPTION

JOB NO. CAPLASH

A-1

OCT. 10, 2021