

**AGENDA  
TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
JULY 15, 2024**

*This agenda is subject to change.*

Please take notice that the Town of Pittsford Zoning Board of Appeals will hold the following meeting on Monday, July 15, 2024, in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street, and beginning at 6:30PM local time.

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**REQUEST TO WITHDRAW APPLICATION**

**40 Van Voorhis Road – Tax ID 192.02-1-1**

Applicant is requesting relief from Town Code Sections 185-113 B. (1) and (2) for the construction of an oversized and over-height storage barn. This property is zoned Residential Neighborhood (RN).

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**NEW HEARINGS**

**6 Bragdon Drive – Tax ID 151.06-2-39.7**

Applicant is requesting relief from Town Code Sections 185-17 I. and 185-113 B. (3) for the construction of a deck forward of the rear wall of the main structure and within the rear buffer. This property is zoned Residential Neighborhood (RN).

**81 Coventry Ridge – Tax ID 177.04-1-33**

Applicant is requesting relief from Town Code Section 185-113 B. (3) for the installation of pool equipment forward of the rear wall of the main structure. This property is zoned Incentive Zoning (IZ).

**39 Knollwood Drive – Tax ID 138.13-1-9**

Applicant is requesting relief from Town Code Sections 185-17 E. and 185-113 B. (3) for the installation of an AC unit forward of the front wall of the main structure and not meeting the total side setback requirement. This property is zoned Residential Neighborhood (RN).

**8 Canal Park Place – Tax ID 150.19-1-5.5**

Applicant is requesting relief from Town Code Section 185-17 L. (1) for the installation of a generator not meeting the minimum side setback and outside of the rear yard area. This property is zoned Residential Neighborhood (RN).

**2534 Lehigh Station Road – Tax ID 177.03-2-5**

Applicant is requesting relief from Town Code Sections 185-17 B. (1), E., and I. for the construction of a garden shed forward of the building line, within the rear buffer, and not meeting the total side setback requirement. This property is zoned Residential Neighborhood (RN).

**11 Smead Road – Tax ID 150.20-2-59**

Applicant is requesting relief from Town Code Section 185-17 B. (1) for the construction of an addition and covered porch extending past the building line and façade area. This property is zoned Residential Neighborhood (RN).

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**OTHER BUSINESS**

**Approval of Minutes**

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*The next scheduled meeting is for Monday, August 19, 2024.*

Zoning Board of Appeals  
Referral Form Information

ZB24-000017

Property Address:  
6 Bragdon Drive ROCHESTER, NY 14618  
151.06-2-39.7

Property Owner/Applicant:  
Hulbert, William C  
6 Bragdon Drive (Pvt)  
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:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	20	Rear Setback:	7	Rear Setback:	13.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section: Applicant is requesting relief from Town Code Sections 185-17 I. and 185-113 B. (3) for the construction of a deck forward of the rear wall of the main structure and within the rear buffer. This property is zoned Residential Neighborhood (RN).

Staff Notes: This deck is proposed behind the exsiting garage, but not behind the rear wall of the main structure. It is alsoproposed within the rear buffer which follows the irregular rear property line.

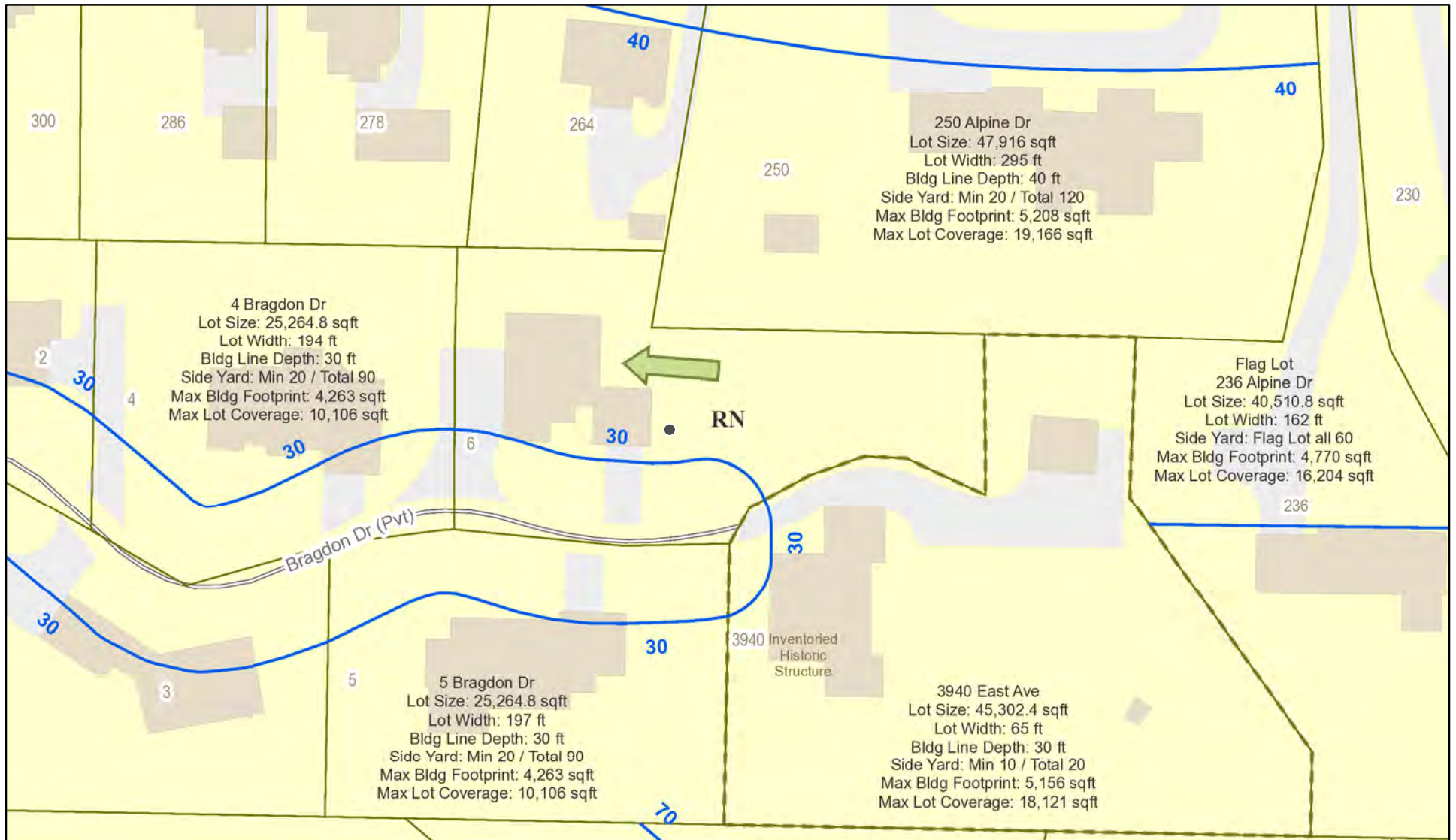
June 24, 2024

ARZ

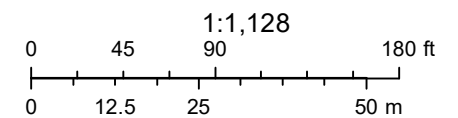
Date

April Zurowski -

# 6 Bragdon Drive



Printed June 24, 2024



Town of Pittsford GIS

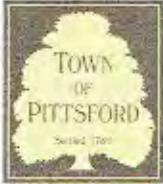
The information depicted on this map is representational and should be used for general reference purposes only. No warranties, expressed or implied, are provided for the data or its use or interpretation.



Thu Apr 25 2024

Imagery © 2024 Nearmap, HERE





# TOWN OF PITTSFORD

## ZONING BOARD OF APPEALS

### APPLICATION FOR AREA VARIANCE

Submission Date: May 23, 2024 Hearing Date: \_\_\_\_\_

Applicant: William and Leslie Hulbert

Address: 6 Bragdon Drive, Rochester, N.Y. 14618

Phone: (585) 733-1387 E-Mail: wchulbert@gmail.com

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

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

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

Property Owner: Same as above  
(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: 6 Bragdon Drive (Pvt) Current Zoning: class - 1 Family Res

Tax Map Number: 264689 151.06-2-39.7

Application For: ☒ Residential ☐ Commercial ☐ Other

Please describe, in detail, the proposed project:

Addition of a 20' x 20' deck, height 16" above grade, level with existing entry/exit 6' sliding glass door and attached to the east side of existing house. It would be situated completely behind (north side) of existing attached 2-car garage, completely hidden from the private drive, and the nearest point of the deck would be 8' - 10' from the north side of the garage wall. There would be no railing, and there would be a 6' x 6' low corner bench on the southeast corner of the deck. The variances are asked for because of: 1) the deck area being toward a side yard; 2) the deck encroaching on setback rules (odd-shaped lot).

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

W. Hulbert / Leslie Hulbert  
(Owner or Applicant Signature)

5/29/24  
(Date)

## Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Deck

(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)

Wendy Hulbert / Leslie Hulbert  
(Signature of Applicant)

May 23, 2024

(Dated)

6 Bragdon Drive

(Street Address)

Rochester, NY 14618

(City/Town, State, Zip Code)



# NEW YORK STATE

## STANDARDS FOR THE

### GRANTING OF AREA VARIANCES

#### TOWN LAW SECTION § 267-b-3(b).

#### TESTS FOR GRANTING AREA VARIANCES

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

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

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

There are 6 homes on the private drive. The low-to-the-ground deck would not be visible from any home or place on the drive, except a partial view from the north side of the home and driveway on Lot #1. There are also only two homes on Alpine Drive (adjacent street to the north) that could theoretically have their views affected by the deck. However, there is a shed, fence, and tree/plantings intervening for the home directly to the north of the deck, and the home to the northeast is approximately 150' from the deck, with intervening shed, wooded area and grassy lawn.

There is currently a 4' high, 24' x 34' split rail fence enclosing the proposed smaller deck area, and that fence will be removed.

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 20' x 20' deck is to be placed in a secluded area where a 6' sliding glass door exists for entry/exit to the house. Every location on our odd-shaped property would require an area variance to build a deck, and this location would have the least impact and would use the existing egress sliding door.

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

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

Minimal, based on location and the only 16" height above grade.

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:

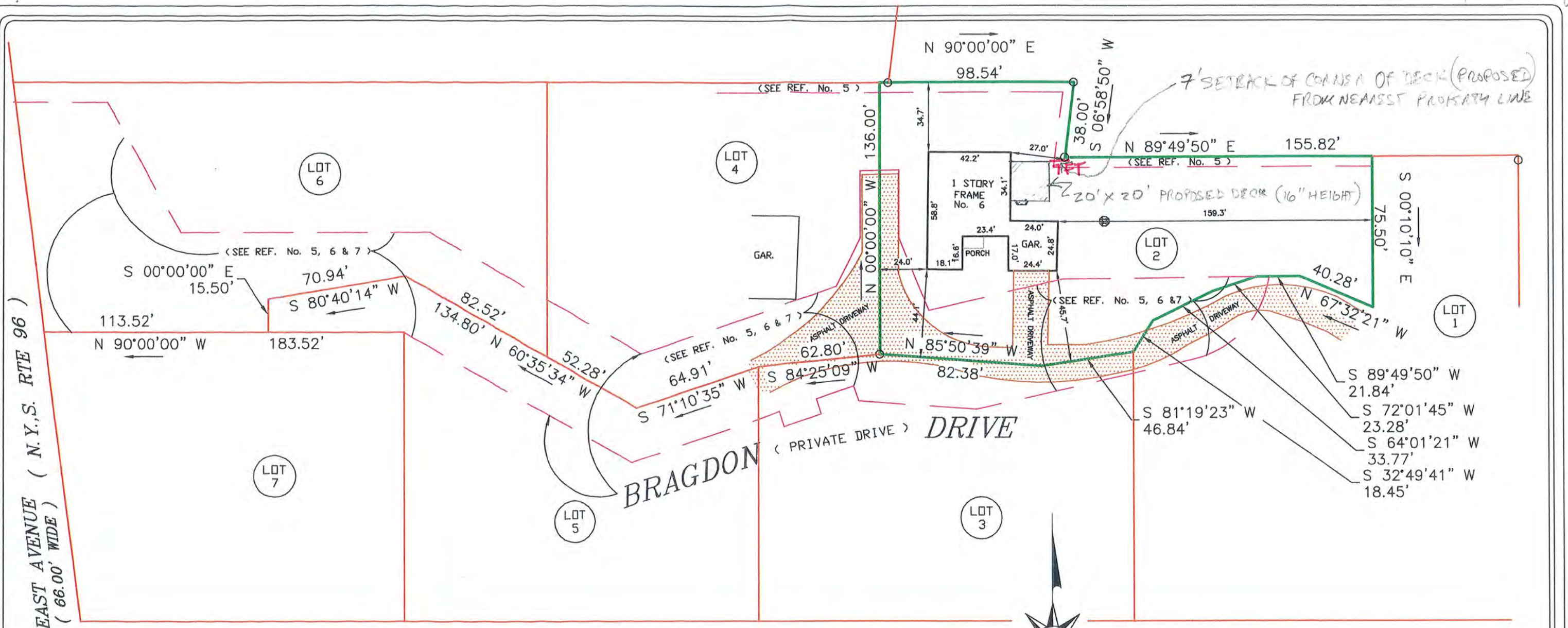
The proposed deck will not have an adverse effect. It will not have any impact on drainage; it is hidden from all but part of one lot in the subdivision, and is also essentially hidden from the adjacent two lots on Alpine Drive to the north. The finished deck will have a color that blends with the existing siding and will be finished with permanent decking and trim boards. I will be only 16" above grade, and will have no railing.

- **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 deck will be self-created, but will be of low impact to the views from the neighbors, and will actually cover a lesser area and be less visible than an existing split rail fence that is in the same space, and which will be removed.

SKETCH AS OF 5/24/24 WCH



- REFERENCES:
1. STEWART TITLE INSURANCE COMPANY, ABSTRACT No. 202959, LAST DATED MAY 16, 2023.
  2. LIBER 10958 OF DEEDS, PAGE 245.
  3. MAP OF THE BRAGDON ESTATES SUBDIVISION, FILED IN THE MONROE COUNTY CLERK'S OFFICE IN LIBER 216 OF MAPS, PAGE 76.
  4. SUBJECT TO AN AGREEMENT PER LIBER 6231 OF DEEDS, PAGE 316. (COVERS THE PRIVATE DRIVE)
  5. SUBJECT TO A SEWER EASEMENT PER LIBER 6136 OF DEEDS, PAGE 285.
  6. SUBJECT TO AN EASEMENT TO R.G. & E. AND R.T.C. PER LIBER 6114 OF DEEDS, PAGE 171.
  7. SUBJECT TO AN ACCESS EASEMENT TO THE TOWN OF PITTSFORD PER LIBER 5984 OF DEEDS, PAGE 333.
  8. SUBJECT TO AN EASEMENT TO THE M.C.W.A., PER LIBER 5983 OF DEEDS, PAGE 93.
  9. TAX PARCEL No. 151.06-2-39.7.

LEGEND:

- SUBJECT PROPERTY
- ADJOINING PROPERTY
- EASEMENT LINE
- = IRON PIN FOUND

MAP OF AN INSTRUMENT SURVEY OF  
**No. 6 BRAGDON DRIVE**  
BEING  
**LOT 2 of the BRAGDON ESTATES SUB'D.**  
SITUATE IN  
**TOWN OF PITTSFORD**  
**COUNTY OF MONROE STATE OF NEW YORK**  
SCALE 1 INCH = 50 FEET

JAMES BATES & ASSOCIATES  
406 WEST SPRUCE STREET  
EAST ROCHESTER, NEW YORK  
585-381-0021

DATE: JUNE 1, 2023

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

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OR THE NEW YORK STATE EDUCATION LAW.

WE, JAMES BATES & ASSOCIATES DO HEREBY CERTIFY TO THE FOLLOWING;  
1. BILL and LESLIE HULBERT;  
2. BLOCK, LONGO, LAMARCA & BRZEZINSKI, P.C.; and  
3. CHICAGO TITLE INSURANCE COMPANY,  
THAT THIS MAP WAS MADE FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED ON MAY 31, 2023.

JAMES E. BATES, Jr. LICENSE No. 49464



JDB No. 23-R203

Zoning Board of Appeals  
Referral Form Information

ZB24-000021

Property Address:  
81 Coventry Ridge PITTSFORD, NY 14534  
177.04-1-33

Property Owner/Applicant:  
Faeth, Melissa M  
81 Coventry Rdg  
Pittsford, NY 14534

Present Zoning of Property: IZ Incentive Zoning  
Area Variance - Residential and Non-Profit

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

Code Section: Applicant is requesting relief from Town Code Section 185-113 B. (3) for the installation of pool equipment forward of the rear wall of the main structure. This property is zoned Incentive Zoning (IZ).

Staff Notes: The resident is installing a pool in her backyard and is proposing to place the pool equipment on the side of the house. Town Code requires the pool equipment to be behind the rear wall of the home in the backyard area.

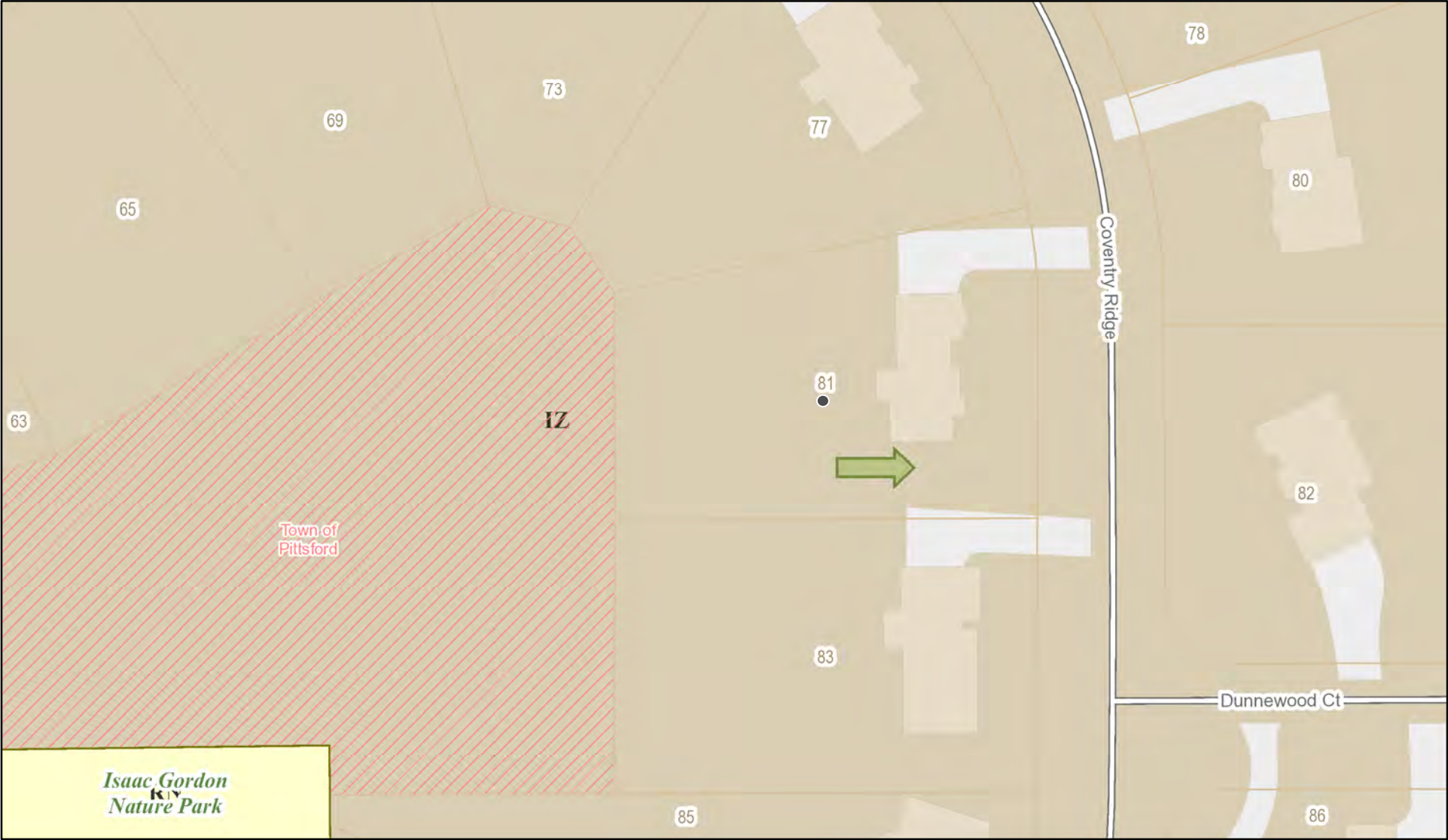
June 24, 2024

ARZ

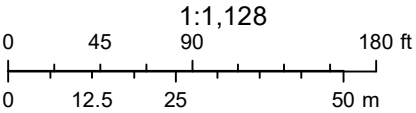
Date

April Zurowski -

81 Coventry Ridge



Printed June 24, 2024



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.



Thu Apr 25 2024

Imagery © 2024 Nearmap, HERE

20 ft

nearmap



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

Submission Date: June 12, 2024

Hearing Date: July 15, 2024

Applicant: Melissa Faeth

Address: 81 Coventry Ridge

Phone: 727-4727

E-Mail: mfaeth27@icloud.com

Agent: \_\_\_\_\_

*(if different than Applicant)*

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

Phone: \_\_\_\_\_

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

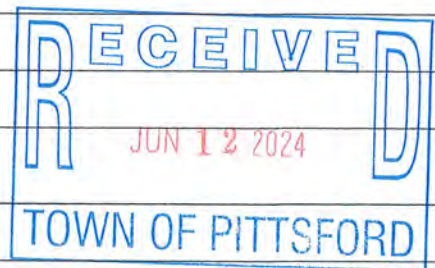
Property Owner: \_\_\_\_\_

*(if different than Applicant)*

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

Phone: \_\_\_\_\_

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



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

Property Location: \_\_\_\_\_

Current Zoning: \_\_\_\_\_

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

Application For:



Residential



Commercial



Other

Please describe, in detail, the proposed project:

We are requesting a variance to put pool equipment on the back right side of our house (close to the backyard) behind our air conditioning unit. We are asking for this due to a deck and patio taking up the back part of our house. There will be landscaping to block the pool equipment. This part of my property faces my neighbors garage. We have already spoken to them and they are alright with the pool equipment being there.

**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.

Melissa Faeth

*(Owner or Applicant Signature)*

6/12/2024

*(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 variance will not produce an undesired effect in the neighborhood because you won't be able to see it from the road. It will sit on the far back side of our house behind the air conditioning unit. In addition we will have landscaping in front and it is on my neighbor's garage side.

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

We currently have a deck that takes up one side of the back of my house and a patio will be installed on the rest of the back side, leaving no spot to put it. It was recommended by the pool company to put it on the on the far back side of our house.

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

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

The request for the variance is minimal as it is really close to the back of the house. It also will be situated behind the A/C unit and have landscaping in front.

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:

I believe this area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district because the pool equipment will be hard to see, there will be landscaping in the front, and it will be behind my A/C unit on the far back side of the house to the back yard. Other houses in the neighborhood have their pool equipment on the side and it has not impacted anything. The pool equipment will not produce undesirable noise.

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

5. Is the alleged difficulty self-created?

Yes, it is self-created.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

\_\_\_\_\_  
(Project Name)

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

☐ Town Board    ☐ Zoning Board of Appeals    ☒ Planning Board    ☐ Architectural Review Board

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

☐ change of zoning    ☐ special permit    ☐ building permit    ☐ permit    ☐ amendment

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

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

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

Name(s)

Address(es)

Melissa Feeth

(Signature of Applicant)

6/12/2024

(Dated)

81 Coventry Ridge

(Street Address)

Pittsford, NY 14534

(City/Town, State, Zip Code)

"CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS."

THIS MAP AND THE INFORMATION SHOWN HEREON IS NOT TO BE USED WITH AN "AFFIDAVIT OF NO CHANGE." BME ASSOCIATES ASSUMES NO LIABILITY TO THE PARTIES NOTED HEREON OR TO ANY FUTURE OWNER, TITLE COMPANY, GOVERNMENTAL AGENCY, ATTORNEY OR LENDING INSTITUTION IN THE EVENT THAT THIS MAP IS USED WITH AN "AFFIDAVIT OF NO CHANGE," OR SIMILAR INSTRUMENT.

COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S ORIGINAL INKED SEAL OR EMBROSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.

"UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209, OF THE NEW YORK STATE EDUCATION LAW."



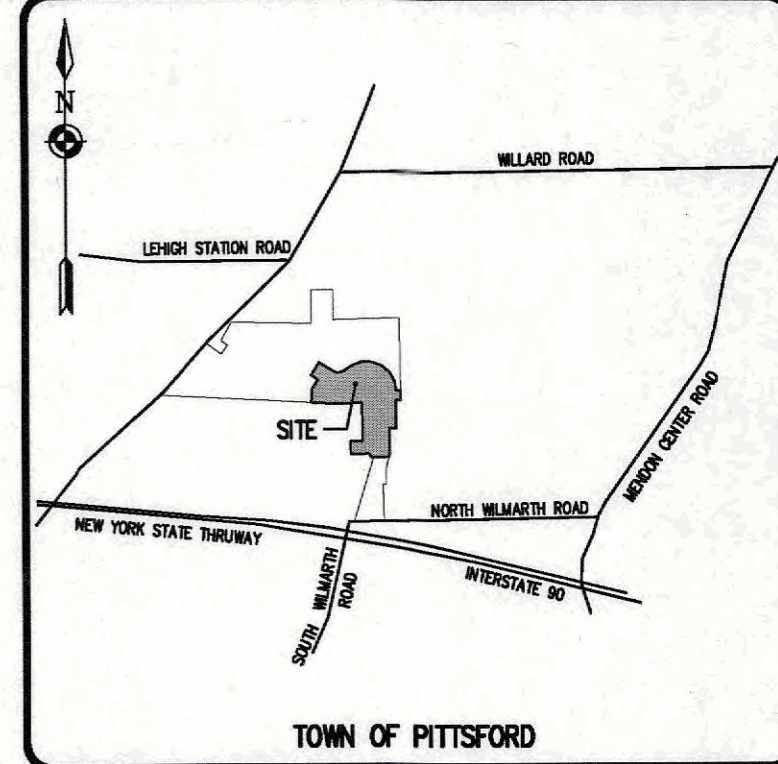
N/F  
MINDLER ANDREW B.  
77 COVENTRY RIDGE  
T.A. 177.04-1-34

N/F  
TOWN OF PITTSFORD  
T.A. No. 177.04-1-20  
OPEN SPACE C

N/F  
COVENTRY RIDGE BUILDING CORP  
81 COVENTRY RIDGE  
T.A. 177.04-1-33  
AREA=25.747 SQ FT

N/F  
GMS CAPITAL VENTURES LLC  
83 COVENTRY RIDGE  
T.A. 177.04-3-60

BOUNDARY LINE  
ADJOINER/R.O.W. LINE  
BME CAPPED REBAR FOUND  
EXISTING EASEMENT LINE  
PROPOSED EASEMENT LINE



**LOCATION MAP**  
**NOT TO SCALE**

#### REFERENCES:

1. A PLAT ENTITLED "COVENTRY RIDGE, SECTION 1, PHASE B, FINAL SUBDIVISION PLAT," PREPARED BY BME ASSOCIATES AND FILED AT THE MONROE COUNTY CLERK'S OFFICE IN LIBER 363 OF MAPS, PAGE 01.
2. ABSTRACT OF TITLE PREPARED BY STEWART TITLE INSURANCE COMPANY, HAVING ABSTRACT ORDER No. 81252218 LAST DATED FEBRUARY 25, 2022.

**NOTES:**

1. PARCEL SUBJECT TO A WATERMAIN EASEMENT TO MONROE COUNTY WATER AUTHORITY PER LIBER 11021 OF DEEDS, PAGE 443.
2. PARCEL SUBJECT TO A UTILITY EASEMENT TO ROCHESTER GAS AND ELECTRIC CORPORATION; FRONTIER TELEPHONE OF ROCHESTER, INC.; AND TIME WARNER ENTERTAINMENT COMPANY - ADVANCE NEWHOUSE PARTNERSHIP, THROUGH ITS ROCHESTER DIVISION, D/B/A AND TIME WARNER COMMUNICATIONS PER LIBER 11489 OF DEEDS, PAGE 221. (NOT ABLE TO PLOT - VARIABLE WIDTH ALONG R.O.W.)
3. PARCEL SUBJECT TO AND BENEFITED BY A DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS PER LIBER 12533 OF DEEDS, PAGE 689.
4. LOT SETBACKS:  
FRONT 35'  
SIDE 10'  
REAR 10'
5. THE HORIZONTAL DATUM SHOWN HEREON IS REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM OF 1983, TRANSVERSE MERCATOR PROJECTION, NAD 27, WESTERN ZONE, UTILIZING GPS OBSERVATIONS FROM THE NYSDOT REFERENCE NETWORK STATION (NYPF 0032). PERIMETER AND/OR TIES TO MONUMENTS WERE MADE USING PROCEDURES NECESSARY TO ACHIEVE A HORIZONTAL ACCURACY OF 1 PART IN 10,000 (1:10,000) OR BETTER.

BEARINGS SHOWN HEREON ARE GRID  
DISTANCES SHOWN HEREON ARE GROUND  
COMBINED FACTOR = 0.9999915

WE, BME ASSOCIATES, CERTIFY TO:

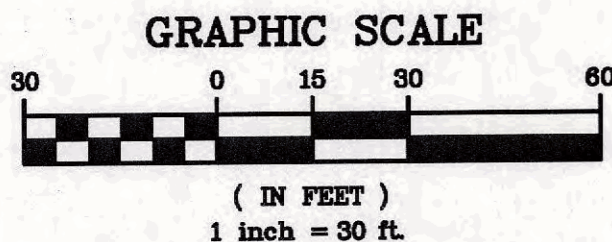
- MELISSA M. FAETH AND TODD F. DENEEN
- CNB MORTGAGE COMPANY, ISAOA/ATIMA
- KUSAK LAW
- MARCHIONI & ASSOCIATES
- M&A TITLE AGENCY

THAT THIS MAP WAS PREPARED FROM THE NOTES OF AN INSTRUMENT SURVEY COMPLETED BY US ON JANUARY 31, 2023, A FIELD EDIT COMPLETED BY US ON MAY 18, 2023 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: GREGORY D. BELL  
GREGORY D. BELL, NYSPLS NO. 050661

P:\9502D\Instrument Surveys\9502D 78 INST.dwg



**PHELPS & GORHAM PURCHASE, TOWNSHIP 12, RANGE 5, TOWN LOT 46**

PROJECT	COVENTRY RIDGE SECTION 1, PHASE B
LOCATION	TOWN OF PITTSFORD, MONROE COUNTY, NEW YORK STATE
CLIENT	SPALL HOMES CORP. 30 GROVE STREET PITTSFORD, NY 14534
DRAWING TITLE	LOT 78 MAP OF A SURVEY



**BME ASSOCIATES**  
ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

10 LIFTBRIDGE LANE EAST  
FAIRPORT, NEW YORK 14450

PHONE 585-377-7360  
WWW.BMEPC.COM

7			
6			
5			
4			
3			
2			
1	ADDED ABSTRACT REVIEW AND CERTIFICATIONS	6/5/23	BCG
	REVISIONS	DATE	BY

**Drawing Attention**

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 offer any item in any way, if on item bearing the seal of an engineer or land surveyor is altered, the dating engineer or land surveyor shall affix to the item his seal and the notation "altered by followed by the signature and the date of such alteration, and a specific description of the alteration."

Zoning Board of Appeals  
Referral Form Information

ZB24-000020

Property Address:  
39 Knollwood Drive ROCHESTER, NY 14618  
138.13-1-9

Property Owner:  
Bender, Matthew  
39 Knollwood Dr  
Rochester, NY 14618

Applicant or Agent:  
John Sigrist  
Present Zoning of Property: RN Residential Neighborhood  
Area Variance - Residential and Non-Profit

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Total Side Setback:	90	Total Side Setback:	77	Total Side Setback:	13
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

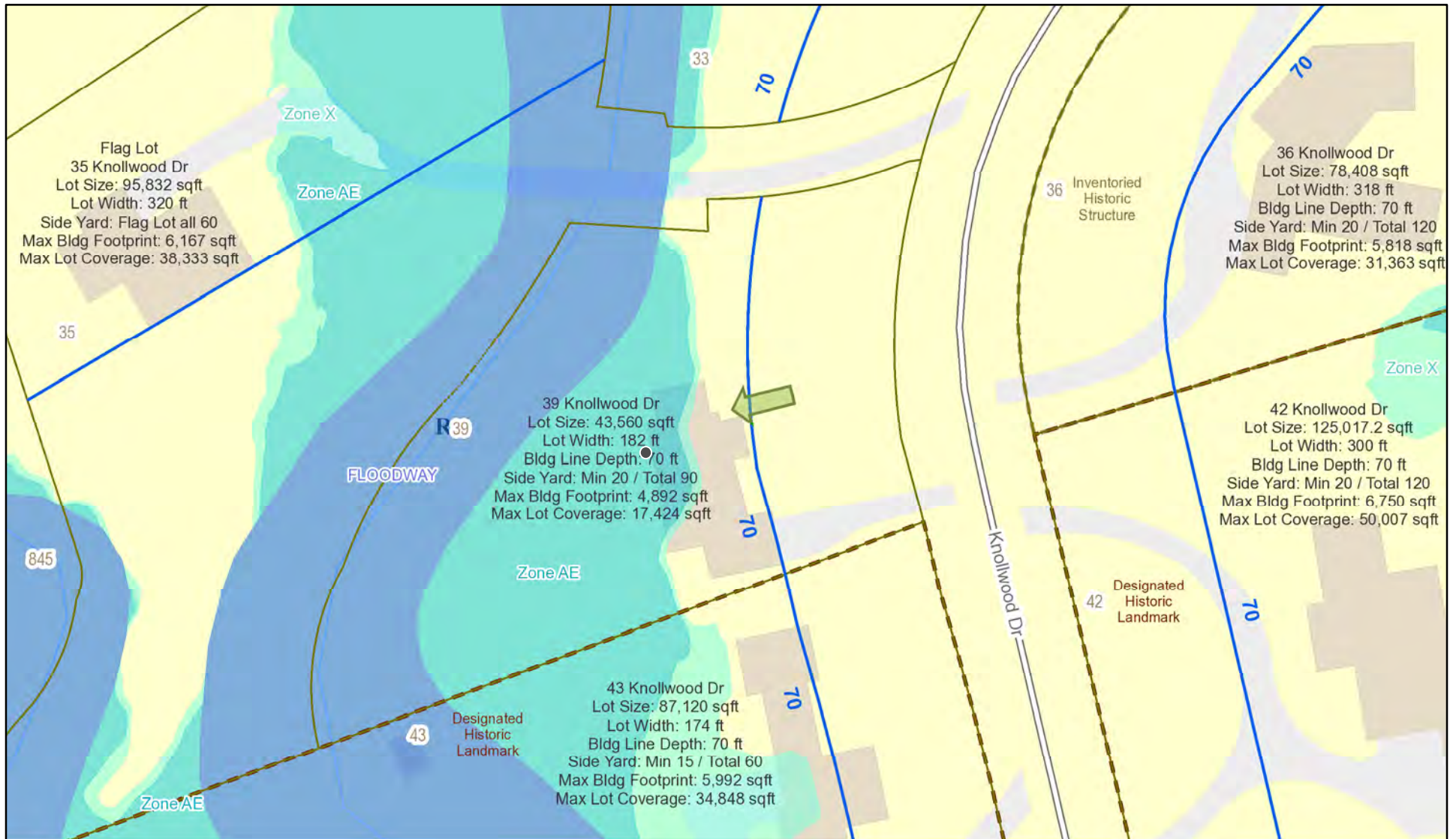
Code Sections: Applicant is requesting relief from Town Code Sections 185-17 E. and 185-113 B. (3) for the installation of an AC unit forward of the front wall of the main structure and not meeting the total side setback requirement. This property is zoned Residential Neighborhood (RN).

Staff Notes: The need for this variance was discovered when reviewing a variance for a difference AC unit. This unit, already placed and installed, is forward of the front wall of the home and is located in the front yard area. Due to the encroachment into the south side setback, the AC unit requires a variance for not meeting the total side setback requirement as well.

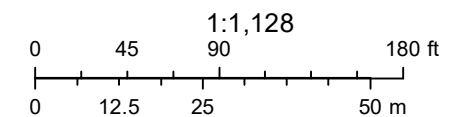
June 24, 2024ARZ

DateApril Zurowski -

# 39 Knollwood Drive



Printed June 24, 2024



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.

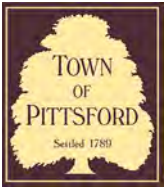


Thu Apr 25 2024

Imagery © 2024 Nearmap, HERE

20 ft

nearmap



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

Submission Date: June 7, 2024 Hearing Date: \_\_\_\_\_

Applicant: John Sigrist

Address: 99 Shoreham Drive

Phone: (585) 385-5540 E-Mail: aipc@aol.com

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

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

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

Property Owner: Matt Bender  
(if different than Applicant)

Address: 39 Knollwood Drive

Phone: (203) 668-9143 E-Mail: mtbender@gmail.com

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

Property Location: 39 Knollwood Drive Current Zoning: rn

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

Application For: ☒ Residential ☐ Commercial ☐ Other

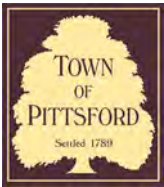
Please describe, in detail, the proposed project:

We are proposing to locate an a/c condenser unit in the front setback of the residence.

**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, Matt Bender , the owner of the property located at:  
39 Knollwood Drive, Pittsford, New York 14534  
(Street) (Town) (Zip)

Tax Parcel # 138.130-01-009 do hereby authorize  
John Sigrist to make application to the  
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of \_\_\_\_\_  
aquiring at front setback variance.

\_\_\_\_\_  
(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 unit will be placed so it will be screened from any nearby residences by a landscape buffer and placed as far from the road as possible. The color will blend in with the adjacent building and be compatible with surrounding residence. Noise will be minimal and should therefore not create a detriment to 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 location of the unit was chosen because of limitations of the Allen's Creek flood zone in the backyard. The unit cannot be placed any further to the north because of mechanical limitations of an approved generator. We will be landscaping in front of the unit to screen it from the road. This will also be an acoustics buffer to dampen any noise the unit might produce.

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

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

The unit will be placed as far back as possible from the road and as close to the house as NYS Building Code allows. Town Code does not permit a/c units in front of the front wall of the home. We believe the 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:

There will be no re-grading that will alter drainage patterns. The unit has already been placed. We believe that there are no impact on the physical or environmental condition in the neighborhood or RN zoning district.

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

5. Is the alleged difficulty self-created?

The difficulty is self-created by the need to expand the house and therefore the need for an additional condenser unit at that location. The a/c unit was placed without a variance and was discovered during the previous variance request for a different a/c unit.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

39 Knollwood Drive addition

(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)

June 7, 2024

(Signature of Applicant)

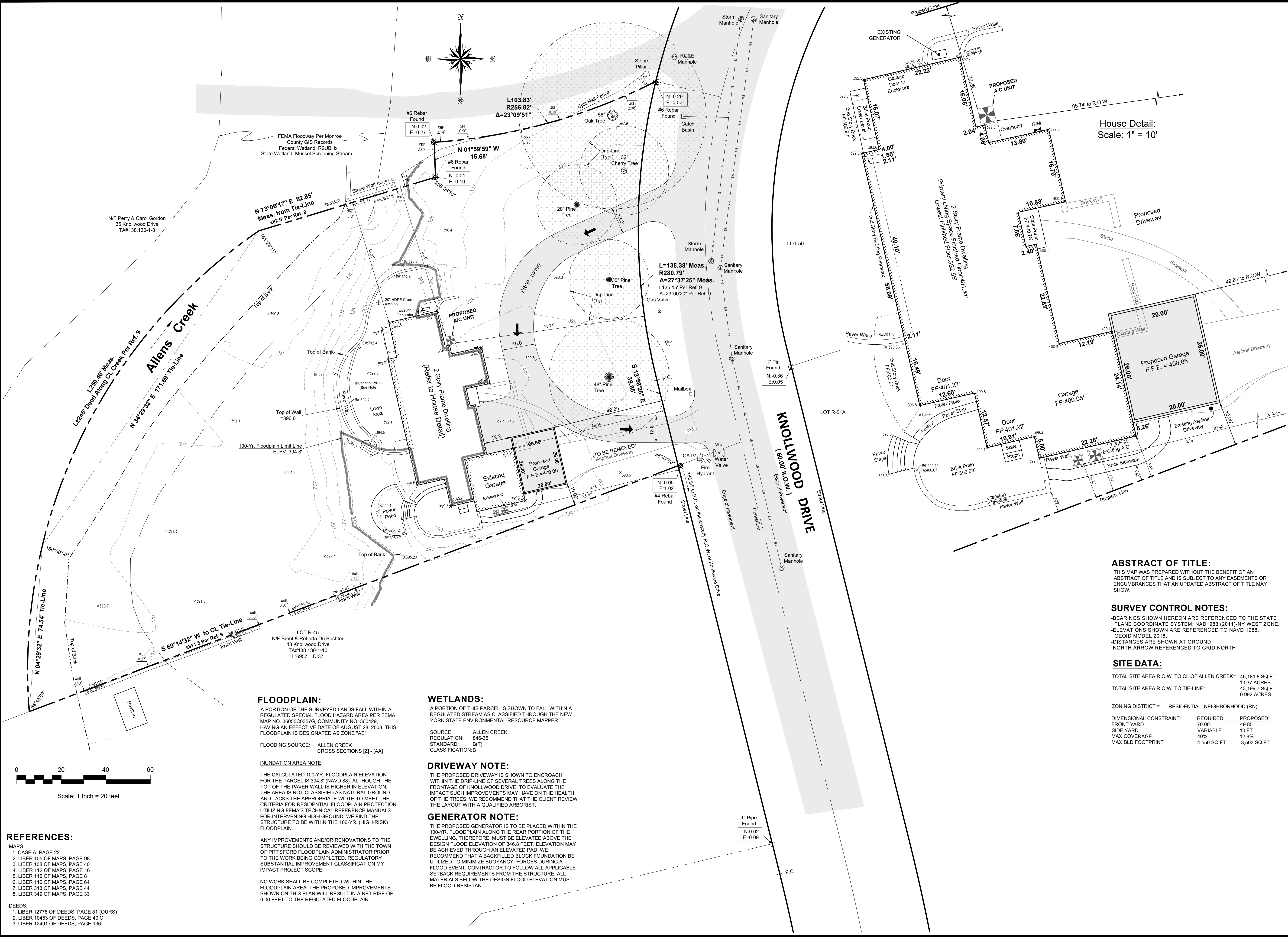
(Dated)

99 Shoreham Drive

(Street Address)

Rochester, New York 14534

(City/Town, State, Zip Code)



LOCATION SKETCH  
N.T.S

6-10-24	A/C TIE DISTANCES TO PL/ROW	ADB
6-05-24	NEW A/C UNIT & G/M LOCATIONS	ADB
4-09-24	ADD TIE DISTANCES TO A/C UNITS	ADB
3-25-24	ADDRESS ARCHITECT COMMENTS	BJW
8-28-23	REVISED GEN. LOCATION	BJW
8-14-23	REVISED GEN. LOCATION	BJW
8-7-23	REVISED PER TOWN COMMENTS	BJW
7-11-23	REVISED PER TOWN COMMENTS	BJW
6-29-23	REVISED GARAGE DIMENSIONS	ADB
6-6-23	REVISED FLOODPLAIN & NOTE	BJW
DATE	REVISIONS	BY:

McMahon LaRue  
Associates, P.C.

ENGINEERS AND LAND SURVEYORS

822 HOLT ROAD  
WEBSTER, NY 14580  
(585)-436-1080  
WWW.McMAHON-LARUE.COM

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 ENGINEER OR LAND SURVEYOR TO ALTER ANY ITEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF A LICENSED 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."

CLIENT:

JACK SIGRIST  
ARCHITECTURAL INNOVATIONS, P.C.  
69 MONROE AVE. SUITE C  
PITTSFORD, N.Y. 14534

PROJECT:

39 KNOLLWOOD DRIVE  
PITTSFORD, NEW YORK

DRAWING:

SITE PLAN FOR  
GARAGE ADDITION

PART OF TOWN LOT 69  
TOWNSHIP 12 - RANGE 5  
PHELPS AND GORHAM PURCHASE  
TOWN OF PITTSFORD, MONROE COUNTY  
STATE OF NEW YORK

DESIGNED BY: ADB

DRAWN BY: ADB

CHECKED BY: BJW, AIL

S.B.L. #: 138.13-01-09

PROJ. NO: 1313-02

DATE: APRIL 09, 2024

SCALE: 1 INCH = 20 FEET

1 SHEET OF 1

CADD FILE: 1313-02

Zoning Board of Appeals

Referral Form Information

ZB24-000022

Property Address:  
8 Canal Park Place PITTSFORD, NY 14534  
150.19-1-5.5

Property Owner/Applicant:  
Doolittle, Richard L  
8 Canal Park Pl  
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:	60	Left Lot Line:	38	Left Lot Line:	22
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section: Applicant is requesting relief from Town Code Section 185-17 L. (1) for the installation of a generator not meeting the minimum side setback and outside of the rear yard area. This property is zoned Residential Neighborhood (RN).

Staff Notes: Flag lots require 60-foot setbacks on all sides and require accessory structures to be place in the rear yard area. This owner is looking to place his generator within the side setback and in the side yard area.

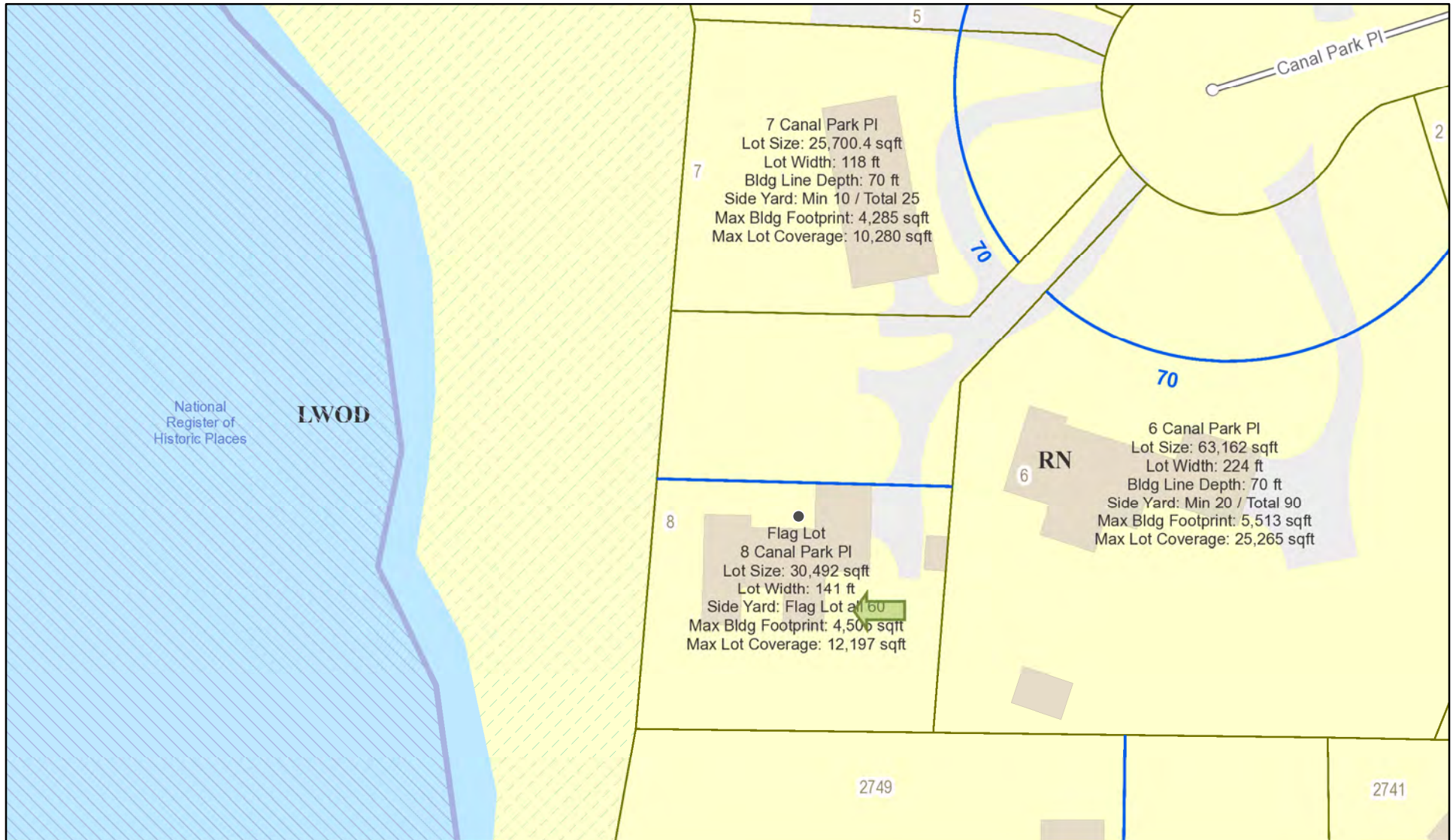
June 24, 2024

ARZ

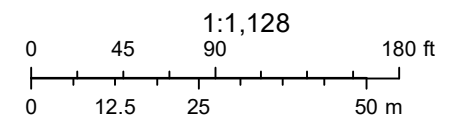
Date

April Zurowski -

# 8 Canal Park Place



Printed June 24, 2024



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.

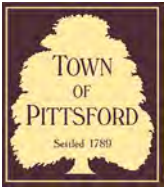


Thu Apr 25 2024

Imagery © 2024 Nearmap, HERE

20 ft

nearmap



# TOWN OF PITTSFORD

## ZONING BOARD OF APPEALS

### APPLICATION FOR AREA VARIANCE

**Submission Date:** June 14, 2024 **Hearing Date:** \_\_\_\_\_

**Applicant:** Richard L. Doolittle

**Address:** 8 Canal Park Place, Pittsford, NY 14534

**Phone:** (585) 200-0561 **E-Mail:** rldsbi@rit.edu

**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:** 8 Canal Park Place, Pittsford, NY **Current Zoning:** Residential Neighborhood

**Tax Map Number:** 150.19-1-5.5

**Application For:** ☒ **Residential** ☐ **Commercial** ☐ **Other**

Please describe, in detail, the proposed project:

We plan to place an Isaac home generator between the driveway and the house east facing wall (kitchen wall) ~5.5 ft from the house wall. The feedback received from the Town of Pittsford stated "the only place for a generator that wouldn't require a variance would be where the current deck is in the back". We are requesting a variance that allows for the generator to be installed in a more convenient location. What is proposed on the survey map is the best location relative to the natural gas piping and home electric while minimizing any undesirable impact on the neighborhood or our home structure and value.

**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)



# NEW YORK STATE

## STANDARDS FOR THE GRANTING OF AREA VARIANCES

### TOWN LAW SECTION § 267-b-3(b).

#### **TESTS FOR GRANTING AREA VARIANCES**

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

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

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

Our property and house at 8 Canal Park Place is set back and secluded from the cul-de-sac to where the proposed location of the generator will not be visible from the street. The next door neighbor to our east (#5, Cooper) has no view of our driveway and the proposed location of the generator because of trees, a 6 foot fence, and shed that block the view. The next door neighbor to the north (#7, Dixit) has only one view of our driveway (line of sight from the garage when it's open), which is also blocked by mature bush plantings on the island between our 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 feedback received from the Town of Pittsford stated "the only place for a generator that wouldn't require a variance would be where the current deck is in the back." This location would be the furthest point from the incoming gas and electric to the house and would incur significant changes to gas/electric lines, the nature of our home/property, and dramatically raise the overall cost of the project.

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

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

We believe the requested area variance would have minimal impact given the reasons stated above (#1) which is consistent with the fact that our neighbors have no objection to this installation. We are requesting to place the generator 38 feet from the property line, where 60 feet is required.

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

Our house is secluded and sits in a position off the cul-de-sac wherein the end of our driveway and the proposed location of the generator are well out of the line of sight from the road. The generator, even when in use, would not create a noise disruption to the neighbors.

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

5. Is the alleged difficulty self-created?

Yes, we run two pumps in the basement that run year-round and need a backup system in the event of power outages (having suffered flooding of our basement in the past while at work). We feel the proposed is the best solution and do not feel there are any negative consequences or difficulties in completing the project as proposed.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Installation of Home Generator

(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)

June 14, 2024

(Signature of Applicant)

(Dated)

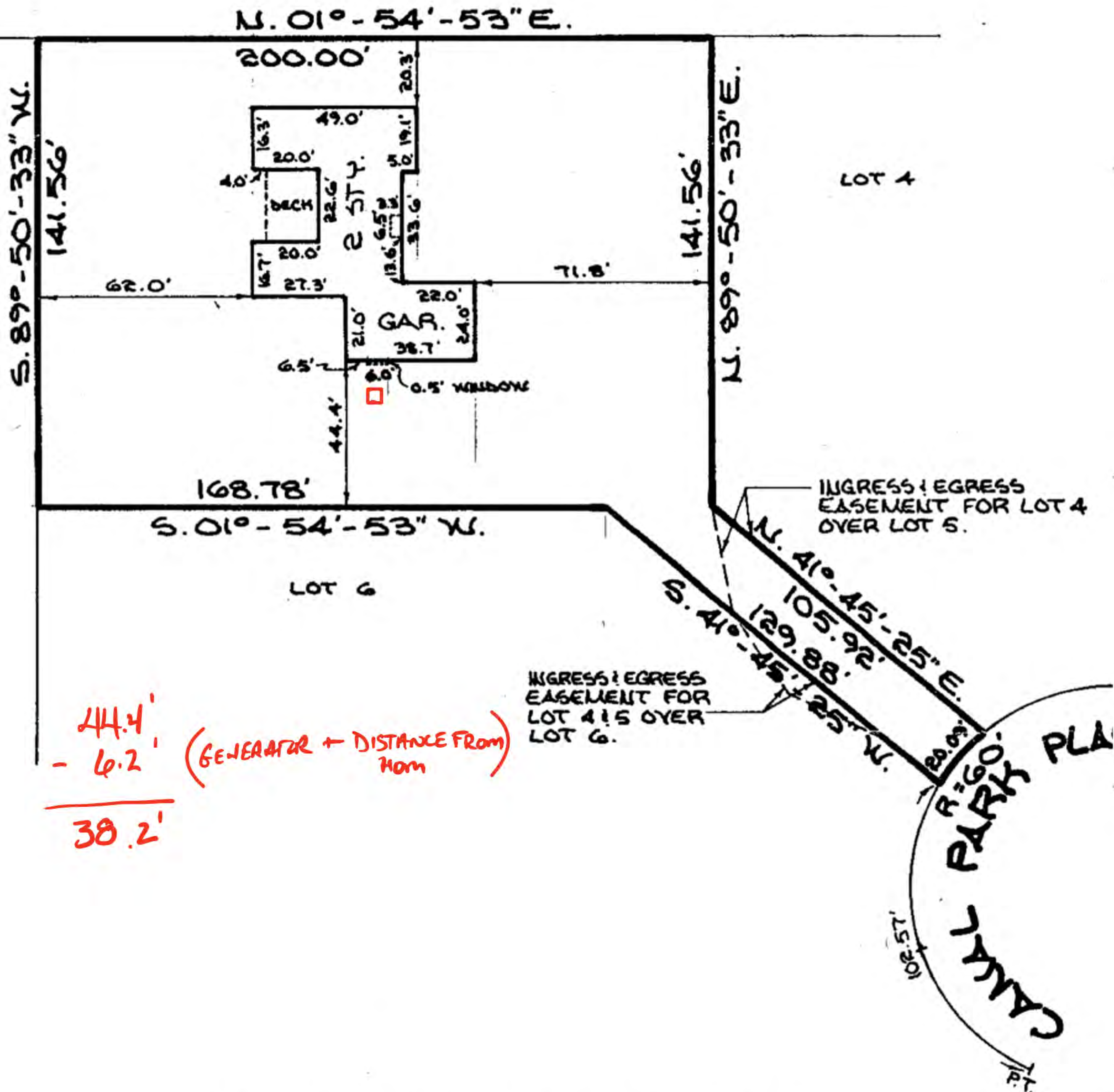
8 Canal Park Place

(Street Address)

Pittsford, NY 14534

(City/Town, State, Zip Code)

NORTH



MAP OF AN INSTRUMENT SURVEY  
OF  
**LOT 5 OF THE CANAL PARK ESTATES**  
SITUATE IN  
TOWN OF PITTSFORD MONROE CO. N.Y.  
SCALE: 1" = 50'  
SEPTEMBER 4, 1986

Zoning Board of Appeals

Referral Form Information

ZB24-000023

Property Address:  
2534 Lehigh Station Road PITTSFORD, NY 14534  
177.03-2-5

Property Owner/Applicant:  
Smith, Laurie  
2531 Woodbourne Pl  
Cape Coral, FL 33991

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Total Side Setback:	40	Total Side Setback:	31	Total Side Setback:	9
Front Setback:	70	Front Setback:	48	Front Setback:	22
Rear Setback:	20	Rear Setback:	15	Rear Setback:	5
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section: Applicant is requesting relief from Town Code Sections 185-17 B. (1), E., and I. for the construction of a garden shed forward of the building line, within the rear buffer, and not meeting the total side setback requirement. This property is zoned Residential Neighborhood (RN).

Staff Notes: The owner is requesting to install a garden shed on her property, but does not have a feasible place to locate it due to the 70-foot front setback off of Lehigh Station Road. The survey provided measures to the centerline of the road, so lot dimensions were measured using the Town's aerial photography software, approximately 75 feet. The owner is also looking to locate the shed within the rear buffer, and due to the location of the existing home, also not meeting the minimum side setback requirement.

June 24, 2024

ARZ

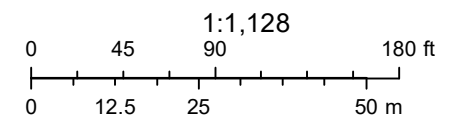
Date

April Zurowski -

# 2534 Lehigh Station Road



Printed June 24, 2024



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.



2534

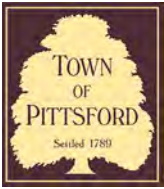
2534

253

Lehigh Station Rd

2534

253



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

**Submission Date:** June 14, 2024 **Hearing Date:** \_\_\_\_\_

**Applicant:** James and Laurie Smith \_\_\_\_\_

**Address:** 2531 Woodbourne Pl, Cape Coral, FL 33991 \_\_\_\_\_

**Phone:** (585) 747-9334 **E-Mail:** lauriecapecoralrealtor@gmail.com \_\_\_\_\_

**Agent:** N/A \_\_\_\_\_  
(if different than Applicant)

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

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

**Property Owner:** Same \_\_\_\_\_  
(if different than Applicant)

**Address:** 2534 Lehigh Station Rd, Pittsford, NY 14534 \_\_\_\_\_

**Phone:** (585) 747-9334 **E-Mail:** lauriecapecoralrealtor@gmail.com \_\_\_\_\_

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

**Property Location:** \_\_\_\_\_ **Current Zoning:** \_\_\_\_\_

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

**Application For:** ☒ Residential ☐ Commercial ☐ Other

Please describe, in detail, the proposed project:

Erect a storage shed on the North East side of the property. Will be a 10 x 12, total 120 sq ft with appropriate landscaping around it

**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)



# 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:

We will select a style of shed comparable to our home. It will blend nicely with the area. Currently we are surrounded by vacant land on all 3 sides.

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

Due to the age of the property, there is almost no storage. The basement is the size of a root cellar and difficult to access. We also have no garage to use.

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

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

This seems to be minimal. Prior to our ownership, there were 3 sheds and all are now destroyed.

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

There should be no effect on the physical or environmental conditions in the neighborhood or zoning district.

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

5. Is the alleged difficulty self-created?

The request for the shed is due to the need for additional storage. Because of the 70 Ft setback from Lehigh Station Rd, there is no other feasible place to locate it without a variance.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

2534 Lehigh Station Rd, Pittsford, NY

*(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)

None

*(Signature of Applicant)*

*(Dated)*

2531 Woodbourne Pl

*(Street Address)*

Cape Coral, FL 33991

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

MAP OF AN INSTRUMENT SURVEY OF  
**No. 2534 LEHIGH STATION ROAD**

BEING  
**LANDS OF**  
**SANDRA L. HIDER**

SITUATE IN  
**PART OF TOWN LOT 50, TOWNSHIP 12, RANGE 5**  
**TOWN OF PITTSFORD**  
**COUNTY OF MONROE, STATE OF NEW YORK**

SCALE: 1" = 30'

GROVER & BATES ASSOCIATES  
100 WEST SPARK STREET  
EAST RICHMOND, NEW YORK 11413  
516-741-4331

DATE: SEPTEMBER 21, 2001

320.8' TO THE CENTERLINE OF TOWNLINE ROAD  
WEST LINE OF L. 814, P. 378

LOOK  
O - IRON PIN FOUND  
X - POWER POLE

NUT  
STOCKP & SEEDS EXCHANGE  
L. 8016, P. 685

NUT  
SPALVIZER & INDUSTRIA  
L. 8760, P. 156

NUT  
TRAC COMPANY  
L. 9329, P. 111

SETBACKS:

**NORTH = 15'**

**EAST = 22'**

**120 TOTAL SQ (10 X 12)**

UNAUTHORIZED ALTERATION OR ADDITION TO  
A SURVEY MAP BEARING A LICENSED LAND  
SURVEYOR'S SEAL IS A VIOLATION OF SECTION  
7201, SUBDIVISION 2, OF THE NEW YORK STATE  
EVIDENTIARY LAW.

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS  
SURVEY WAS PREPARED IN ACCORDANCE WITH THE  
EXISTING CODE OF PRACTICE FOR LAND SURVEYS  
JOINTLY ADOPTED BY THE G.V.L.S.A. AND THE  
MONROE COUNTY BAR ASSOCIATION.

WE, GROVER & BATES ASSOCIATES DO HEREBY CERTIFY TO THE FOLLOWING:

1. OLIVER, KORTS, KIRBY, RUSSELL & PERICAK, LLP
2. CARRIE A. SHANNON
3. PITTSFORD FEDERAL CREDIT UNION, ITS SUCCESSORS AND/OR ASSIGNS
4. WEINER, LAURENCE, FERRIS & WALKER, P.C.
5. PETERSMAN, STEIN, CALABRESE & NEILANS, LLP and
6. THE TITLE INSURANCE COMPANY INSURING THIS MORTGAGE,

THAT THIS MAP WAS MADE FROM NOTES OF AN  
INSTRUMENT SURVEY COMPLETED ON SEPTEMBER 23, 2001.



**JAMES E. BATES, Jr., LTC No. 49464**

**NOTES & REFERENCES:**

1. LIBER 3560 OF DEEDS, PAGE 539.
2. LIBER 8846 OF DEEDS, PAGE 685.
3. LIBER 9760 OF DEEDS, PAGE 156.
4. MAP OF LAND TO BE CONVEYED BY THE MARY CLAYSON ESTATE  
PREPARED BY HARRISH & LOOKUP DATED JULY 16, 1951.
5. LIBER 9242 OF DEEDS, PAGE 13.
6. PUBLIC ABSTRACT CORPORATION, FILE 116, 11218, LAST DATED SEPT. 15, 2001.
7. SUBJECT TO AN EASEMENT TO R.G.I.E. AND R.T.C. PER L. 1759, P. 512.
8. SUBJECT TO AN EASEMENT TO R.G.I.E. PER L. 3554, P. 106.

Zoning Board of Appeals

Referral Form Information

ZB24-000018

Property Address:  
11 Smead Road PITTSFORD, NY 14534  
150.20-2-59

Property Owner:  
Goforth, Gregory L  
11 Smead Rd  
Pittsford, NY 14534

Applicant or Agent:  
BuildHappy - Lindsay Prichard-Fox  
Present Zoning of Property: RN Residential Neighborhood  
Area Variance - Residential and Non-Profit

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	50	Front Setback:	47.7	Front Setback:	2.3
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:** Applicant is requesting relief from Town Code Section 185-17 B. (1) for the construction of an addition and covered porch extending past the building line and façade area. This property is zoned Residential Neighborhood (RN).  
**Staff Notes:** The applicant has submitted two separate applications for this property. This request, for an addition/front "bump out" will be constructed. If a joint resolution is proposed for these two separate applications, I'd suggest separate construction time limitations for the bump out and the porch.

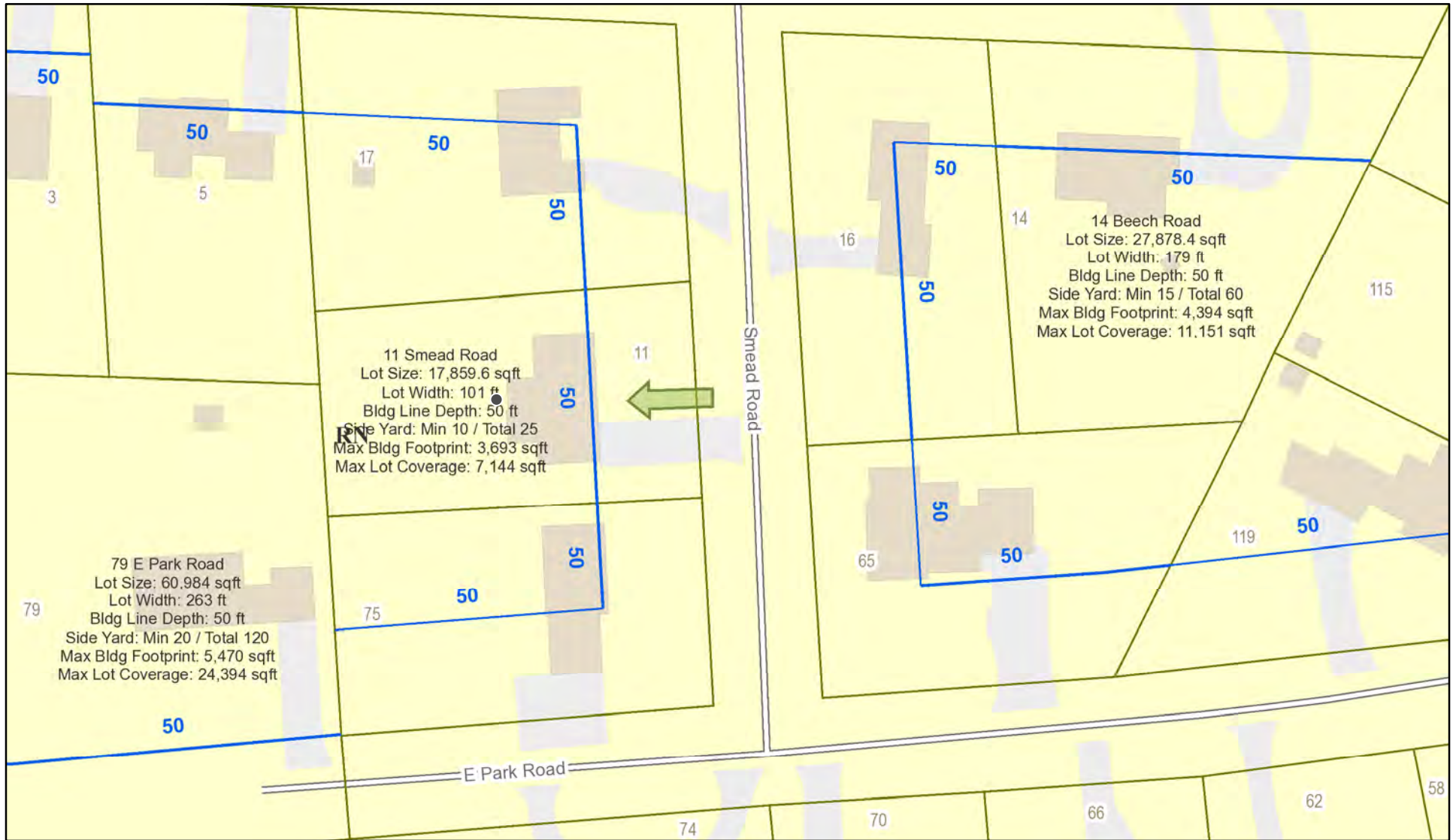
June 24, 2024

ARZ

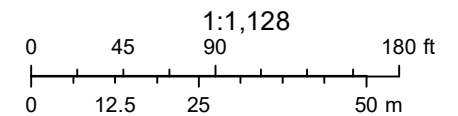
Date

April Zurowski -

# 11 Smead Road



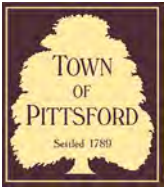
Printed June 24, 2024



Town of Pittsford GIS

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





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

Submission Date: June 14, 2024 Hearing Date: July 15, 2024

Applicant: Kelly + Greg Goforth

Address: 11 Smead Road, Pittsford, NY 14534

Phone: (970) 331-5950 E-Mail: goforthka@gmail.com, ggoforth@goforthelectric.com

Agent: BuildHappy (Lindsay-Prichard Fox)  
(if different than Applicant)

Address: 50 State St, Pittsford, NY 14534

Phone: (585) 623-3979 E-Mail: team@buildhappy.com

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: Town of Pittsford Current Zoning: Shoen and Smead Tract

Tax Map Number: Lot 6

Application For: ☒ Residential ☐ Commercial ☐ Other

Please describe, in detail, the proposed project:

Small front addition - entry door bump out

**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.

Kelly Goforth

(Owner or Applicant Signature)

(Date)



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

## TESTS FOR GRANTING AREA VARIANCES

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

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

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

The bump out for the front entry will allow for a new front door and more interior space in our home. The bump out will not be obtrusive because it does not project past the existing stoop. The new siding material, for our home, as approved by the DRB, will continue across the bump out, therefore improving the curb appeal of our home, adding value to our 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 current front elevation does not provide adequate entry space for our family.

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

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

Minimal - The bump out will not be obtrusive because it does not project past the existing stoop.

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 bump out does not exceed past the existing stoop.

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

5. Is the alleged difficulty self-created?

Yes, the desire for the bump out is to improve the use of our home.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

11 Smead Rd - Front Addition

(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)

_____	_____
_____	_____
_____	_____
_____	_____

*Kelly Goforth*

(Signature of Applicant)

(Dated)

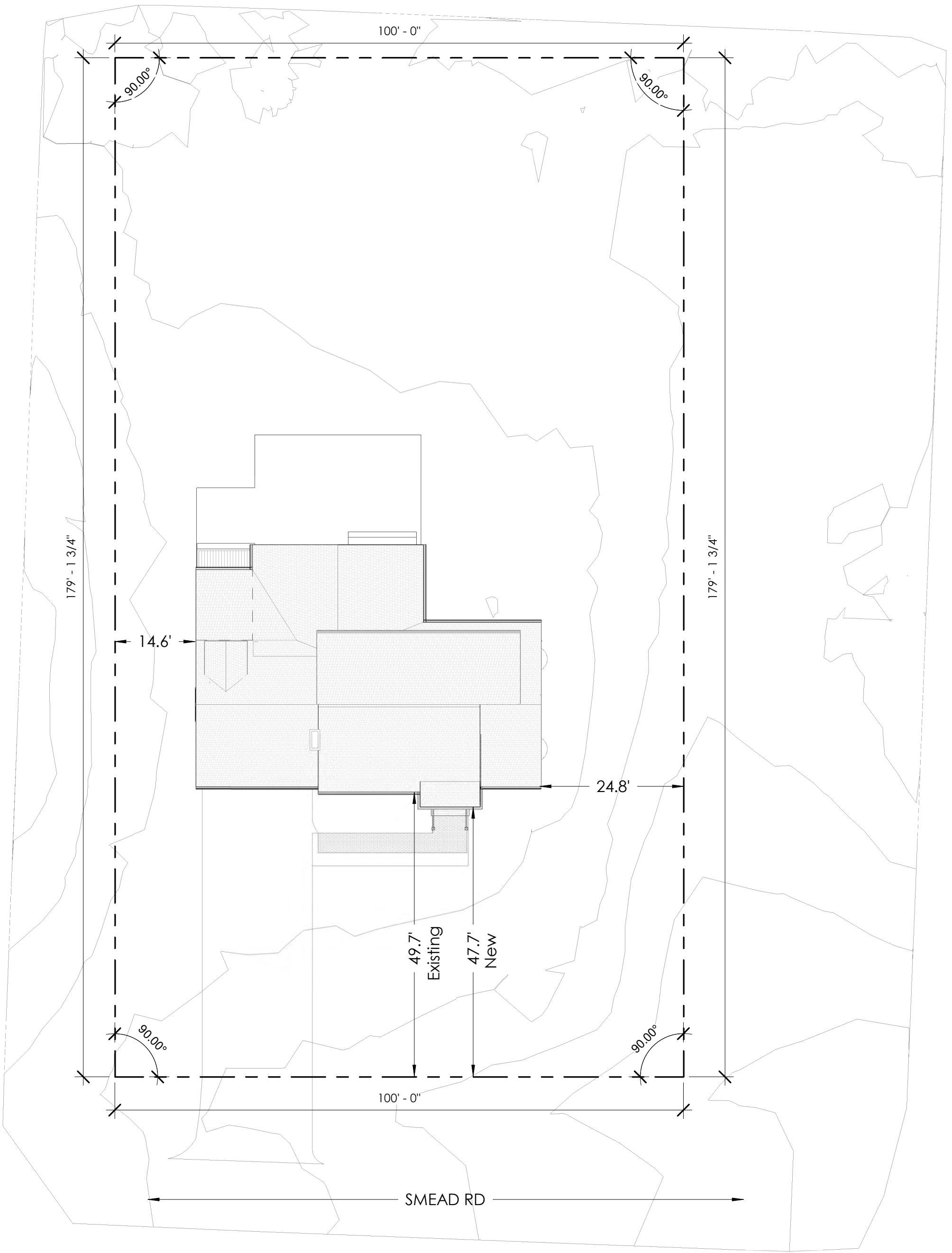
11 Smead Rd

(Street Address)

Pittsford, NY 14534

(City/Town, State, Zip Code)





1 | SITE PLAN - NEW - DESIGN REVIEW (BA)  
1/16" = 1'-0"



Digital Design + Construction

50 STATE ST BUILDING R  
PITTSFORD, NY 14534

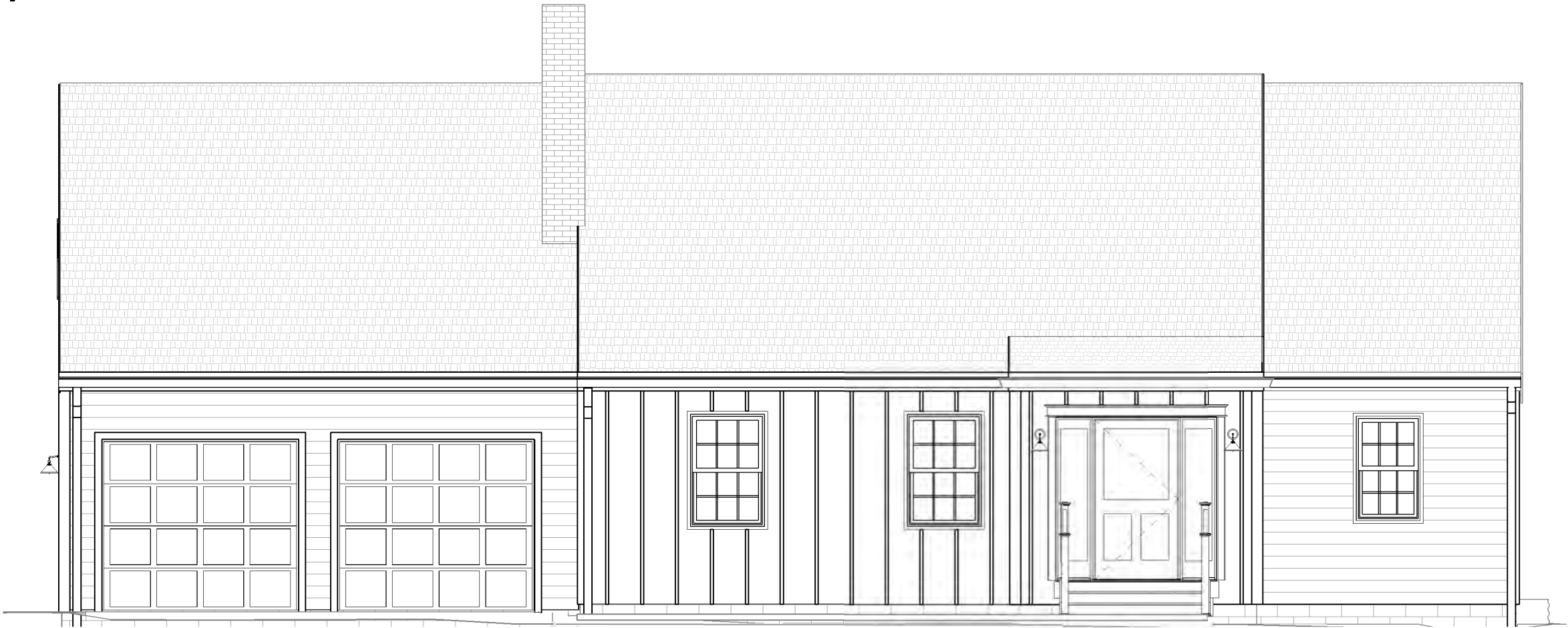
FOR PERMIT

DR01BA-100

Front Elevation - DRB - Back  
Addition



1 | FRONT ELEVATION EXISTING - DESIGN REVIEW (BA)  
3/16" = 1'-0"



2 | FRONT ELEVATION NEW - DESIGN REVIEW (BA)  
3/16" = 1'-0"

11KGS

DRAWN BY: BuildHappy

CHECKED BY: Checker

PROJECT STATUS: PLAN02



Digital Design + Construction

50 STATE ST BUILDING R  
PITTSFORD, NY 14534

FOR PERMIT

DR01BA-101

Left Elevation - DRB - Back  
Addition



1 | LEFT ELEVATION EXISTING - DESIGN REVIEW (BA)  
3/16" = 1'-0"



2 | LEFT ELEVATION NEW - DESIGN REVIEW (BA)  
3/16" = 1'-0"

11KGS

DRAWN BY: BuildHappy

CHECKED BY: Checker

PROJECT STATUS: PLAN02



Digital Design + Construction

50 STATE ST BUILDING R  
PITTSFORD, NY 14534

FOR PERMIT

DR01BA-103

Right Elevation - DRB - Back  
Addition



1 | RIGHT ELEVATION EXISTING - DESIGN REVIEW (BA)  
3/16" = 1'-0"



2 | RIGHT ELEVATION NEW - DESIGN REVIEW (BA)  
3/16" = 1'-0"

Zoning Board of Appeals

Referral Form Information

ZB24-000019

Property Address:  
11 Smead Road PITTSFORD, NY 14534  
150.20-2-59

Property Owner:  
Goforth, Gregory L  
11 Smead Rd  
Pittsford, NY 14534

Applicant or Agent:  
BuildHappy - Lindsay Prichard-Fox  
Present Zoning of Property: RN Residential Neighborhood  
Area Variance - Residential and Non-Profit

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	50	Front Setback:	43.5	Front Setback:	6.5
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: Applicant is requesting relief from Town Code Section 185-17 B. (1) for the construction of an addition and covered porch extending past the building line and façade area. This property is zoned Residential Neighborhood (RN).

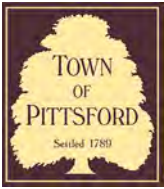
Staff Notes: The applicant has submitted two separate applications for this property. This request, for a front porch forward of the facade area and building line, is applied for as a possible project and the applicant is unsure if the front porch will be built. The addition/front "bump out" will be constructed. If a joint resolution is proposed for these two separate applications, I'd suggest separate construction time limitations for the bump out and the porch.

June 24, 2024

ARZ

Date

April Zurowski -



# TOWN OF PITTSFORD

## ZONING BOARD OF APPEALS

### APPLICATION FOR AREA VARIANCE

Submission Date: June 14, 2024 Hearing Date: July 15, 2024

Applicant: Kelly + Greg Goforth

Address: 11 Smead Road, Pittsford, NY 14534

Phone: (970) 331-5950 E-Mail: goforthka@gmail.com, ggoforth@goforthelectric.com

Agent: BuildHappy (Lindsay-Prichard Fox)  
(if different than Applicant)

Address: 50 State St, Pittsford, NY 14534

Phone: (585) 623-3979 E-Mail: team@buildhappy.com

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: Town of Pittsford Current Zoning: Shoen and Smead Tract

Tax Map Number: Lot 6

Application For: ☒ Residential ☐ Commercial ☐ Other

Please describe, in detail, the proposed project:

New covered front porch

**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.

Kelly Goforth

(Owner or Applicant Signature)

(Date)



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

## TESTS FOR GRANTING AREA VARIANCES

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

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

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

The new covered front porch will add new outdoor space for our family. The entry into our home will be more adequate than the existing front stoop. It will also improve the curb appeal of our home, adding value to our 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 current front elevation is flat and there is no covering over our existing front door. The new covered front porch will allow for better access into our home, as well as improving the look of the front elevation.

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

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

Minimal in terms of it will not be overly projecting into the front facade area  
Substantial in terms of it will change the overall look front elevation

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 front porch will not be disrupting the existing front wall of the house.

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

5. Is the alleged difficulty self-created?

Yes, the desire for the covered front porch is to improve the use of our home.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

11 Smead Rd - Front Addition

(Project Name)

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

☐ Town Board ☒ Zoning Board of Appeals ☐ Planning Board ☐ Architectural Review Board

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

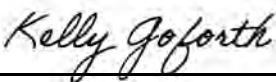
☐ change of zoning ☐ special permit ☐ building permit ☐ permit ☐ amendment  
☒ variance ☐ approval of a plat ☐ exemption from a plat or official map

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

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

Name(s)

Address(es)



(Signature of Applicant)

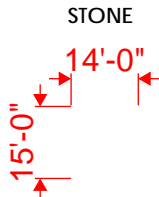
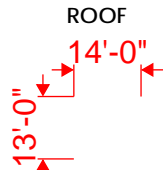
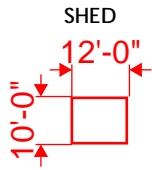
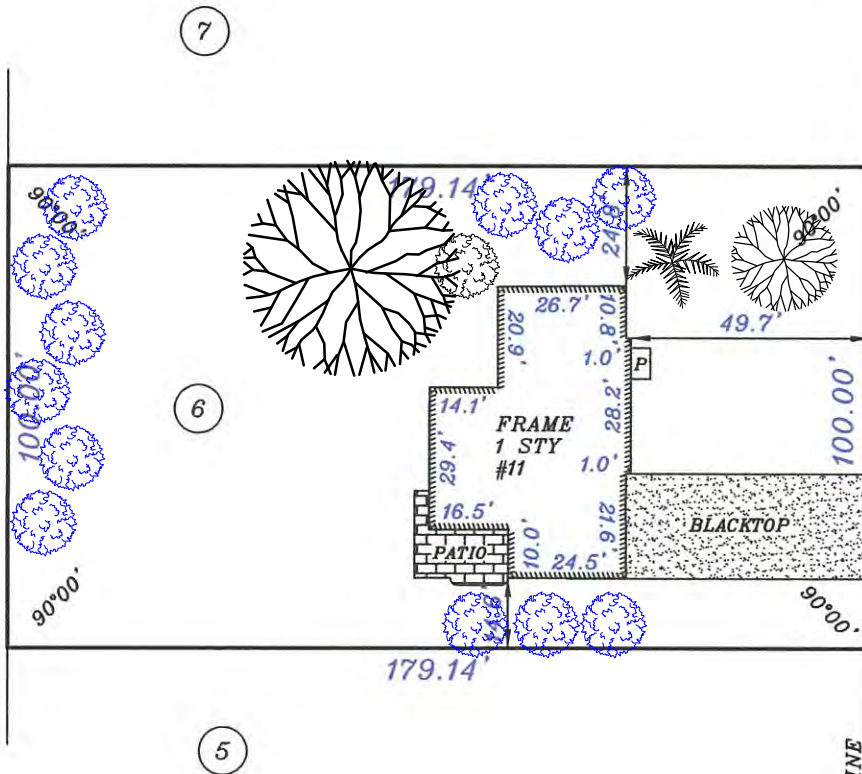
(Dated)

11 Smead Rd

(Street Address)

Pittsford, NY 14534

(City/Town, State, Zip Code)



**REFERENCE**

- 1.) LIBER 6054 OF DEEDS, PAGE 325
- 2.) LIBER 95 OF MAPS, PAGE 74
- 3.) CHICAGO ABSTRACT #1316-02193 DATED 7-16-2013
- 4.) T.A.#150.20-2-59

**CERTIFICATIONS**

- 1.) GREGORY L. GOFORTH & KELLY A. GOFORTH
- 2.) ESL FEDERAL CREDIT UNION, ITS SUCCESSORS AND/OR ASSIGNS
- 3.) THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE
- 4.) ERNEST F. FERULLO, ESQ.
- 5.) ADAMS BELL ADAMS, P.C.

"COPIES OF THIS MAP NOT BEARING THE LAND SURVEYORS INKED OR EMBOSSED SEAL SHALL NOT BE CONSIDERED A TRUE AND VALID COPY"  
"UNAUTHORIZED ALTERATION AND/OR ADDITION TO A MAP BEARING A LICENSED LAND SURVEYORS SEAL IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW"  
"CERTIFICATIONS LISTED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY WAS PREPARED, AND ON HIS/HER BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO ASSIGNEES OF THE LENDING INSTITUTION, CERTIFICATIONS ARE NOT TRANSFERRABLE TO SUBSEQUENT OWNERS OR THEIR INSTITUTIONS"  
"UNLESS SHOWN OR NOTED, THE LOCATION OF LANDSCAPING FEATURES WAS NOT DETERMINED BY THIS SURVEY"  
"THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY AND REFERENCES LISTED, THIS MAP IS SUBJECT TO ANY INSTRUMENTS OF RECORD NOT REFERENCED"  
"UNLESS NOTED MISSING/LOST CORNERS NOT SET AS PART OF THIS PROJECT"

I, WILLIAM A. SEYMOUR, LS#050465 CERTIFY  
THIS MAP WAS MADE AUGUST 22, 2013  
FROM NOTES OF AN INSTRUMENT SURVEY  
COMPLETED ON AUGUST 22, 2013

**INSTRUMENT SURVEY MAP**  
**#11 SMEAD ROAD**

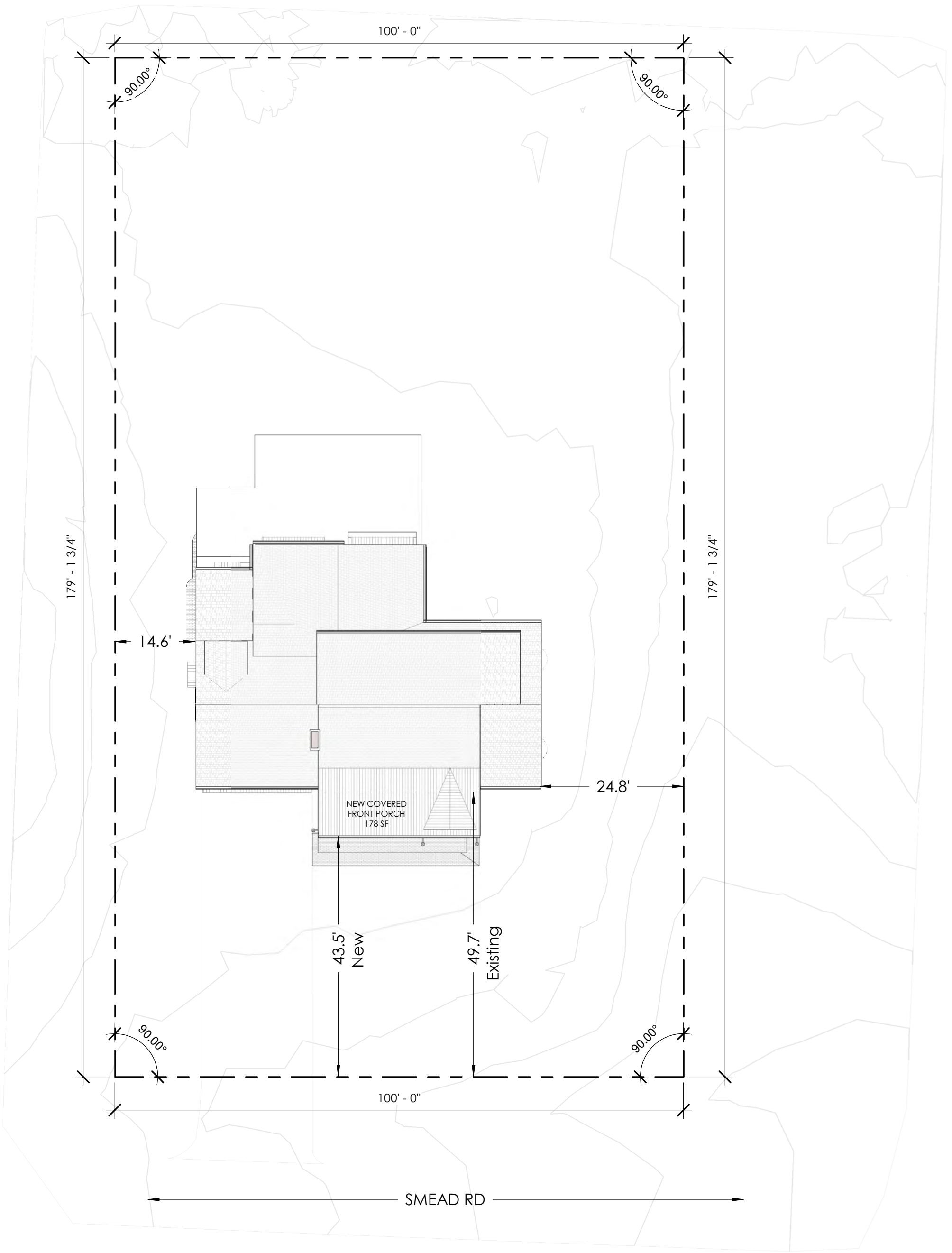
BEING LOT 6, SCHOEN AND SMEAD TRACT, FIRST ADDITION  
TOWN OF PITTSFORD  
MONROE COUNTY, NEW YORK STATE

FILE: 2013-3409

SCALE: 1"=40'

WILLIAM A. SEYMOUR, LICENSED LAND SURVEYOR  
2055 KENYON ROAD, ONTARIO, NEW YORK 14519  
TEL: 1-315-524-9073 FAX: 1-315-524-8954





1 | SITE PLAN - NEW - DESIGN REVIEW (FP)  
1/16" = 1'-0"



buildhappy

Design • Plan • Live.

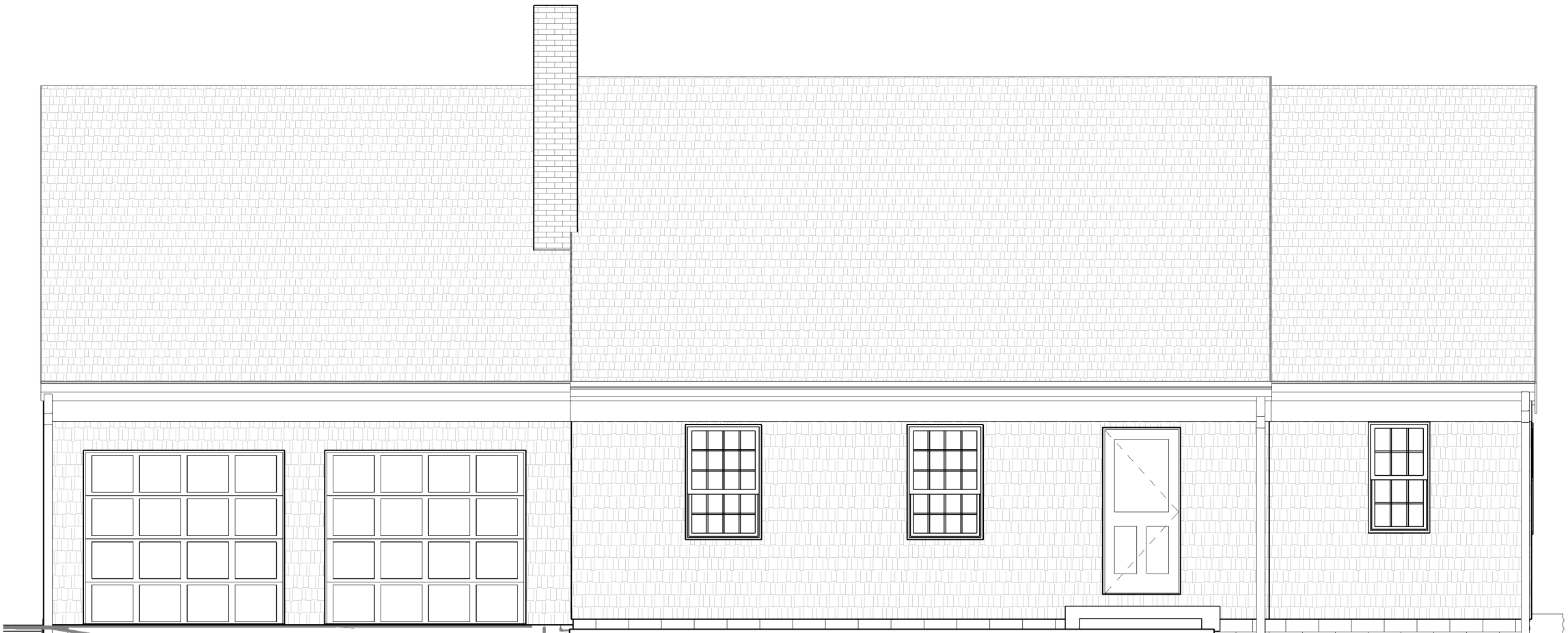
Digital Design + Construction

50 STATE ST BUILDING R  
PITTSFORD, NY 14534

NOT FOR CONSTRUCTION

DR01FP-100

Front Elevation - DRB - New Front  
Porch



1 | FRONT ELEVATION EXISTING - DESIGN REVIEW (FP)  
3/16" = 1'-0"



2 | FRONT ELEVATION NEW - DESIGN REVIEW (FP)  
3/16" = 1'-0"

11KGS

DRAWN BY: BuildHappy

CHECKED BY: Checker

PROJECT STATUS: PLAN02



Digital Design + Construction

50 STATE ST BUILDING R  
PITTSFORD, NY 14534

NOT FOR CONSTRUCTION

DR01FP-101

Left Elevation - DRB - New Front  
Porch



1 | LEFT ELEVATION EXISTING - DESIGN REVIEW (FP)  
3/16" = 1'-0"



2 | LEFT ELEVATION NEW - DESIGN REVIEW (FP)  
3/16" = 1'-0"

11KGS

DRAWN BY: BuildHappy

CHECKED BY: Checker

PROJECT STATUS: PLAN02



Digital Design + Construction

50 STATE ST BUILDING R  
PITTSFORD, NY 14534

NOT FOR CONSTRUCTION

DR01FP-103

Right Elevation - DRB - New Front  
Porch



1 | RIGHT ELEVATION EXISTING - DESIGN REVIEW (FP)  
3/16" = 1'-0"



2 | RIGHT ELEVATION NEW - DESIGN REVIEW (FP)  
3/16" = 1'-0"

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
JUNE 17, 2024**

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on June 17, 2024 at 6:30PM local time. The meeting took place in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street.

**PRESENT:** George Dounce, Mary Ellen Spennacchio-Wagner, Jim Pergolizzi, Barbara Servé, Phil Castleberry, Jennifer Iacobucci, Tom Kidera

**ABSENT:** None

**ALSO PRESENT:** April Zurowski, Planning Assistant; Bill Zink, Building Inspector; Naveen Havannavar, Town Board Liaison

**ATTENDANCE:** There were 12 members of the public present.

Chairman George Dounce called the meeting to order at 6:31PM.

**NEW PUBLIC HEARINGS:**

**39 Rosewood Drive – Tax ID 178.20-2-3**

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

Chairman Dounce opened the public hearing.

Chris Hennessey, as architect for the project, introduced the application. She stated that the applicant is requesting to construct a third bay onto the existing two bay garage with an office space above. The variance is requested in efforts to save available backyard space.

Vice Chairperson Servé asked if the applicant spoke with the most affected neighbor. Ms. Hennessey heard of no neighbor opposition from the applicant. Ms. Zurowski confirmed no comments were received by the Town. Vice Chairperson Servé stated that this addition will extend farther towards the road than other homes in the neighborhood.

Chairman Dounce asked for public comments. Hearing none, Board Member Kidera moved to close the public hearing, seconded by Vice Chairperson Servé, all ayes, none opposed.

A written resolution to grant the area variance for 39 Rosewood Drive was moved by Vice Chairperson Servé, seconded by Chairman Dounce. The resolution was unanimously approved.

**9 Forestwood Lane – Tax ID 179.05-1-17**

Applicant is requesting relief from Town Code Section 185-113 B. (1) for the construction of an oversized pergola. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Vaidotas Jasinevicius, of 9 Forestwood Lane, introduced the application. He stated that the summer months make using his existing deck difficult, so a pergola with a retractable sunshade is preferred. His variance request is to allow a pergola large enough to cover the entirety of the deck.

Chairman Dounce asked the applicant when he plans to complete construction. Mr. Jasinevicius stated that he plans to complete the pergola this summer.

Town Board Member Havannavar asked the applicant how he was alerted to the need for a variance. Ms. Zurowski stated that the Town denied a building permit request, as the application did not meet Town Zoning Code.

Chairman Dounce asked for public comment. Hearing none, Board Member Pergolizzi motioned to close the public hearing, seconded by Board Member Castleberry, all ayes, none opposed.

A written resolution to grant the area variance for 9 Forestwood Lane was moved by Board Member Spennacchio-Wagner, seconded by Vice Chairperson Servé. The resolution was unanimously approved.

**3070 Clover Street – Tax ID 163.04-1-43**

Applicant is requesting relief from Town Code Section 185-121 A. for the installation of a 4-foot-tall fence in front of the front setback on Abbey Woods. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Rebecca Younis, of 3070 Clover Street, introduced the application. She is requesting a 4-foot-tall fence in the front setback to protect her children and future pets from the road and create a safe space to play. The neighbor at 3 Abbey Woods confirmed their support with Ms. Younis. The neighbor at 9 Abbey Woods remained neutral. Ms. Zurowski stated that no comments were submitted to the Town.

Vice Chairperson Servé stated that the fence is proposed to be board-on-board untreated wood. She asked if the wood is to be stained. Ms. Younis stated that the fence company recommended the wood stay untreated for a while before staining. Ms. Younis plans to stain the fence at a later date.

Chairman Dounce asked the applicant when she plans to complete construction. Ms. Younis stated that installation of the fence is proposed for this summer.

Chairman Dounce asked for public comment. Board Member Kiderra motioned to close the public hearing, seconded by Board Member Spennacchio-Wagner, all ayes, none opposed.

A written resolution to grant the area variance for 3070 Clover Street was moved by Board Member Castleberry, seconded by Board Member Pergolizzi. The resolution was unanimously approved.

**751 Linden Avenue – Tax ID 138.15-1-25**

Applicant is requesting relief from Town Code Section 185-52 C. for the construction of an addition within the side setback. This property is zoned Light Industrial (LI).

Chairman Dounce opened the public hearing.

Steve Schultz and Alan Guidera, of MRB Group, and Ben Lee, of Schoen Auto, introduced the application. Mr. Schultz stated that the applicant would like to construct a 625 square foot addition to the west side of the building to be used as office space, lobby expansion, and break room expansion. This application will require a variance from the Zoning Board of Appeals to encroach in the side setback. There is existing vegetation and screening from adjacent properties. The most affected neighbor at 739 Linden Avenue submitted a letter in support. Chairman Dounce asked the applicant when he plans to begin construction. Mr. Guidera stated that the project is planned to begin this fall.

Chairman Dounce asked for public comment. Hearing none, Board Member Castleberry motioned to close the public hearing, seconded by Board Member Spennacchio-Wagner, all ayes, none opposed.

A written resolution to grant the area variance for 751 Linden Avenue was moved by Chairman Dounce, seconded by Board Member Castleberry. The resolution was unanimously approved.

### **3 Fitzmot Glen – Tax ID 164.03-1-2.2**

Applicant is requesting relief from Town Code Sections 185-113 B. (1), (2), and (3) and 185-17 B. for the construction of an oversized and over-height storage barn forward of the rear wall of the main structure and extending past the building line. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Aaron Beyler, of BME Associates, and Dennis Wilmot, of 3 Fitzmot Glen, introduced the application. Mr. Beyler stated that the applicant is requesting four variances to construct a detached garage with gardening area and bathroom. Originally, the application included a second floor, which has now been removed. Two letters of support were submitted.

Board Member Iacobucci asked if the height of the proposed structure could be reduced. Mr. Wilmot stated that the height was slightly reduced when plans were amended to remove the second floor, but because of the slope of the roof and the cupola, the height cannot be reduced. Board Member Iacobucci expressed her concern for the proposed height and size of the structure. Chairman Dounce asked if the cupola could be removed to reduce the height of the structure. Mr. Wilmot stated that the cupola is a design feature he does not wish to lose. Board Members Pergolizzi and Castleberry were not opposed to the added height from the cupola. Chairman Dounce and Board Member Iacobucci were opposed to the added height from the cupola.

Chairman Dounce asked the applicant when he plans to complete construction. Mr. Wilmot stated that construction is planned to begin this fall.

The Board asked Mr. Wilmot to return with an application for the placement of his chickens, which currently do not meet the Town Zoning Code.

Chairman Dounce asked for public comment. Vice Chairperson Servé motioned to close the public hearing, seconded by Board Member Pergolizzi, all ayes, none opposed.

A written resolution to grant the area variance for 3 Fitzmot Glen was moved by Board Member Pergolizzi, seconded by Board Member Kidera. The resolution was voted on as follows:

Phil Castleberry	Aye
James Pergolizzi	Aye
Barbara Servé	Aye
Thomas Kidera	Aye
Mary Ellen Spennacchio-Wagner	Aye
Jennifer Iacobucci	Aye
George Dounce	No

### **40 Van Voorhis Road – Tax ID 192.02-1-1**

Applicant is requesting relief from Town Code Sections 185-113 B. (1) and (2) for the construction of an oversized and over-height storage barn. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Todd Brockmann, of 40 Van Voorhis Road, introduced his application. He is looking to construct a 2,764 square foot storage barn. He has met with Zoning Board members on site and has heard their hesitancy for the project. He plans to resubmit for a 1,536 square foot barn and may choose an alternate location on his property. He stated that two letters of support were submitted for the project.

Board Member Iacobucci stated that the residents at 30 Van Voorhis Rad have retracted their letter and submitted a letter in opposition for the project. She stated her concerns for the size and use of the building. She asked the applicant of his proposed use of the barn. Mr. Brockmann stated that he plans to use the barn for storage of his contracting equipment and for his belongings that are currently contained within temporary storage tents on his property.

Board Member Iacobucci asked if the existing elevated shed, pool house, and new rear addition are permitted. Ms. Zurowski confirmed that these improvements do not have permits on file with the Town.

Board Member Spennacchio-Wagner asked if this would require re-grading of the yard. Mr. Brockmann confirmed.

Chairman Dounce asked Mr. Brockmann to return next month with a revised plan.

Chairman Dounce asked for public comment. Hearing none, Board Member Spennacchio-Wagner motioned to hold over the public hearing, seconded by Board Member Iacobucci, all ayes, none opposed.

**OTHER DISCUSSION:**

Chairman Dounce motioned to approve the minutes of May 20, 2024. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman George Dounce closed the meeting at 8:15PM.

Respectfully submitted,

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April Zurowski  
Planning Assistant

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