

**Village of Pittsford
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – May 20, 2013 at 7:00 PM**

PRESENT:

Chairperson:	Remegia Mitchell
Members:	Meg Rubiano George Wallace Jill Crooker Joe Maxey
Attorney:	Jeff Turner (absent)
Building Inspector:	John Limbeck
Recording Secretary:	Linda Habeeb

Chairperson Mitchell called the meeting to order at 7:00 P.M.

Jack Sigrest, 21 Boughton Avenue ~ Area variances & site plan

Present: Jack Sigrest, Architect

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.5(9)(13).

The Secretary read the legal notice that was published in the May 9, 2013 edition of the Brighton Pittsford Post: *“Please take notice that a public hearing will be held before the Village of Pittsford Planning & Zoning Board of Appeals at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday, May 20, 2013 at 7:00 pm, to consider an application made by Jack Sigrist, as agent for Kendra & Andrew Evans, owners of property located at 21 Boughton Avenue, for an area variance to expand a nonconforming structure on a nonconforming lot in the R-3 Zone; said structure having a front setback of 12.5 feet where a front setback of 25 feet is required, and a side setback of 6.3 feet where 10’ is required, pursuant to Village Code § 210-15(B) & (C); and (2) Site plan approval for the construction of an addition where the total floor area exceeds 400 square feet, pursuant to Village Code § 210-83(15).”*

Discussion: The applicant presented a proposed plan for a first-floor mudroom addition, an expansion of an existing second-floor bedroom, and an addition of a master bedroom over the existing living room and bath/closet over the new mudroom. The proposed addition does not protrude further into the non-conforming front or side setback than the original portion of the structure.

Public Hearing Opened: Chairperson Mitchell opened the public hearing at this time, and the following people spoke:

Justin Vlietstra, 19 Boughton Avenue, stated his concern with a previously proposed version of the addition. Mr. Sigrist explained that he had revised that version of the addition, and Mr. Vlietstra expressed his approval of the revisions.

Public Hearing Closed: Chairperson Mitchell closed the public hearing at this time.

Motion: Member Maxey made a motion, seconded by Member Wallace, to approve the application for area variances and site plan approval, as submitted.

Vote: Rubiano – yes; Mitchell – yes; Crooker – yes; Maxey – yes; Wallace - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on May 20, 2013.

Findings of Fact:

- There are no undesirable changes that will be produced in the character of the neighborhood by approving these variances.
- The proposed additions will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
- The benefit sought cannot be achieved by some feasible method.
- This is a pre-existing non-conforming structure and lot.
- The proposed addition does not protrude farther into the non-conforming front or side setback than the original portion of the structure.

David Burrows, 11 Sutherland Street ~ Area variances & site plan

Present: Gary & Joan Morrow, Homeowners; David Burrows, Architect

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.5(9)(13).

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.5(c) #15. No further review required.

The Secretary read the legal notice that was published in the May 9, 2013 edition of the Brighton Pittsford Post: *“Please take notice that a public hearing will be held before the Village of Pittsford Planning & Zoning Board of Appeals at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday, May 20, 2013 at 7:00 pm, to consider an application made by David Burrows, as agent for Gary & Joan Morrow, owners of property located at 11 Sutherland Street for an area variance to expand a nonconforming structure on a nonconforming lot in the R-1 Zone; said structure having a front setback of 35 feet where a front setback of 70 feet is required; and said lot having an area of 60 feet where an area of 100 feet is required, pursuant to Village Code § 210-9G(B) & (F); and site plan approval for the construction of an addition where the total floor area exceeds 400 square feet, pursuant to Village Code § 210-83(15).”*

Discussion: The applicants are proposing construction of a second-floor addition for the house located at 11 Sutherland Street. The existing first-floor porch will be replaced with a finished entrance, and the steps and landing will be replaced.

Chairperson Mitchell stated that this is a preexisting, nonconforming lot, and that the proposed addition is compatible with other additions in the surrounding neighborhood. She also noted that the proposed addition will have a larger side setback than that of the existing structure.

Public Hearing Opened: Chairperson Mitchell opened the public hearing at this time.

Public Hearing Closed: Chairperson Mitchell closed the public hearing at this time, as there was no one wishing to speak for or against this application.

Motion: Chairperson Mitchell made a motion, seconded by Member Crooker, to approve the application for area variances and site plan approval, as submitted.

Vote: Rubiano – yes; Mitchell – yes; Crooker – yes; Maxey – yes; Wallace - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on May 20, 2013.

Findings of Fact:

- There are no undesirable changes that will be produced in the character of the neighborhood by approving these variances.
- The proposed additions will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
- The benefit sought cannot be achieved by some feasible method.
- This is a preexisting non-conforming structure and lot.

St. Louis Church, 21 Rand Place ~ Area Variance

Present: Sally Schrecker, Operations Manager; John Mancuso, Harris Beach; Kayanne Gsellmeier, LaBella Associates

Discussion: Mr. Mancuso stated that at the August 22, 2011 PZBA meeting, St. Louis received partial approval for a preliminary site plan that included certain elements of the proposed plan and denied other elements of the plan. St. Louis Church challenged the approval, which was denied by the Supreme Court. A Notice of Appeal has been filed, but St. Louis is proceeding with the final site plan approval process with those elements that were approved by the Board in 2011.

Chairperson Mitchell stated that the SEQR process was completed in 2011, the Planning Board was granted lead agency status, and a negative declaration was issued.

The applicants are proposing realigning the current 6-foot wooden fence along the south property line parallel to the existing driveway off Rand Place to facilitate installation of the walkway. This fence is presently installed at an angle up to 3 feet inside of the property line. Also proposed is installation of a wooden fence on the brick wall, so that it will be a consistent 6 feet in height. The brick wall will be reduced in length to the 30-foot setback line. Chairperson Mitchell stated that the applicants will be required to submit a landscaping plan to include the sizes of the proposed landscaping at planting. She also stated that the size of the plantings at installation should be significant enough to provide screening.

Board members questioned the applicants as to the snow removal plan for the site. Ms. Schrecker stated that any amount of snow that exceeds the limits of the designated area for snow will be trucked to another location on site. Also proposed is the installation of three lights: one on the north side of the walk and two on the south side of the walk. Chairperson

Mitchell stated that the Planning Board will determine the height of the lights, and the APRB will determine the style of the fixtures.

Ms. Schrecker also stated that there is a drainage problem at the main entrance of the elementary school, where water pools and freezes in the winter. She stated that they are proposing installing a drainage unit in the tree lawn area to connect to the nearest storm drain at the driveway. Chairperson Mitchell stated that the Village Engineer will review the proposed site plan, and that the cost for the review will be charged back to the applicants.

Public Hearing Opened: Chairperson Mitchell opened the public hearing at this time, and the following people spoke:

Robert Corby, 7 Washington Avenue, raised a question about the driveway apron, and a discussion followed about the turning radius for buses.

Ms. Schrecker stated that there is curbing inside the sidewalk.

Collette Yon, 27 Rand Place, stated that the appearance of the wood panels on top of the brick wall would not be appropriate.

Hendrina Schindler, Rand Place, stated her opinion that the plan presented is a reasonable plan.

Chairperson Mitchell stated that the public hearing will remain open and will be continued at the June 24th PZBA meeting. The Village Engineer will review the proposed site plan, and the applicants will provide additional information about the landscaping plan, the width of the driveway apron and required turning radius for school buses, the lighting plan with photometrics, the snow storage plan, and the fence on the brick wall.

Member Items:

Frank Galusha, Boughton Avenue, requested a review of the status of the 75 Monroe Avenue project.

Building Inspector's Report:

Mr. Limbeck reported that:

- ◆ He has requested a site plan for the Powers' property that includes plans to improve deteriorating buildings on the property.
- ◆ He has requested a site plan from the owners of Northfield Common that includes dumpster locations.
- ◆ He is working on having the fences at the Pittsford Village Green repaired.

Member Crooker reported that some of the windows at Tess & Carlos and the former Great Northern Pizza are covered with paper.

Trustee Report:

Mr. Galli reported that:

- ◆ The Board of Trustees is revising the site plan portions of the Village Code.
- ◆ A speed-hump survey was sent to residents of the Rand Place extension.
- ◆ Village officials are participating in a collaborative effort involving the school and the Town of Pittsford.

Minutes:

Motion: Chairperson Mitchell made a motion, seconded by Member Wallace, to approve the 4/8/13 meeting minutes, as revised.

Vote: Rubiano – yes; Mitchell – yes; Crooker – yes; Rosenberg – yes; Wallace - yes. **Motion carried.**

Motion: Chairperson Mitchell made a motion, seconded by Member Wallace, to approve the 4/29/13 meeting minutes, as revised.

Vote: Rubiano – yes; Mitchell – yes; Crooker – yes; Maxey– yes; Wallace - yes. **Motion carried.**

Adjournment: There being no further business, Chairperson Mitchell adjourned the meeting at 9:00 pm.

Linda Habeeb, Recording Secretary