

**Village of Pittsford**  
**PLANNING and ZONING BOARD OF APPEALS**  
**Regular Meeting – September 22, 2008 at 7:00 P.M.**

**PRESENT:**

Chairperson:	Remegia Mitchell (absent)
Members:	Sally Chamberlin Lili Lanphear (absent) John Limbeck Meg Rubiano
Attorney:	John Osborn
Building Inspector:	Edward Bailey
Recording Secretary:	Linda Habeeb

Member Limbeck called the meeting to order at 7:00 pm. He began the meeting by welcoming a new member, Meg Rubiano, to the Board.

**ZONING BOARD**

**Mr. & Mrs Vanderzwaag, 31 Locust Street ~ Area variance for porch**

**Present:** Daniel Pope, Architect  
Kathy Vanderzwaag, homeowner

**The Secretary read the legal notice that was published in the September 10, 2008 edition of the Brighton Pittsford Post:** *“Please take notice that a Public Hearing will be held before the Village of Pittsford Zoning Board of Appeals at the Village Hall, 21 North Main Street, Pittsford, New York on Monday, September 22, 2008 at 7:00 pm to consider an application made by Mr. & Mrs. Vanderzwaag, owner of property located at 31 Locust Street, for the following variance: An area variance to construct a covered porch on a pre-existing nonconforming structure and lot, said structure having front setbacks of 21.6 feet and 23.6 feet where 30 feet is required, and said lot having an average depth of 117.9 feet where 150 feet is required, pursuant to Chapter 210-6 of the Code of the Village of Pittsford: Extension of nonconforming buildings, structures, lots, or uses.”*

**SEQR:** Member Limbeck stated that this is a Type II SEQR Action under SEQR § 617.13.

**Discussion:** Mr. Pope stated that the applicant is requesting an area variance for a porch addition for the house located at 31 Locust Street. He is proposing construction of a covered porch along the west side of the existing 2½-story house and an entry deck and stair along the south side of the house, as shown on the submitted drawings. He submitted documentation addressing the five criteria for granting an area variance. He noted that the proposal had received conditional approval from the APRB, contingent upon the Zoning Board’s approval of the setbacks.

**Public Hearing Opened:** Member Limbeck made a motion, seconded by Member Rubiano, to open the public hearing at this time.

**Vote:** Chamberlin – yes; Limbeck – yes; Rubiano - yes. ***Motion carried.***

The secretary stated that the Village Office had received one phone call in support of the application.

**Public Hearing Closed:** Member Limbeck made a motion, seconded by Member Chamberlin, to close the public hearing.

**Vote:** Chamberlin – yes; Limbeck – yes; Rubiano - yes. **Motion carried.**

**Motion:** Member Limbeck made a motion, seconded by Member Rubiano, to approve the application for an area variance, as submitted.

**Vote:** Chamberlin – yes; Limbeck – yes; Rubiano - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on September 22, 2008.

**Findings of fact:**

- ◆ The house is of stone construction.
- ◆ The entire structure is located in the R2 zone.
- ◆ There are no undesirable changes that will be produced in the character of the neighborhood by granting this variance.
- ◆ The benefit sought by the applicant cannot be achieved by some feasible method other than a variance.
- ◆ The requested variance is not substantial.
- ◆ The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.

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**PLANNING BOARD**

**Grain Tower, 11 Schoen Place ~ Modification to site plan**

**Present:** Michael Newcomb, owner

**Discussion:** Mr. Newcomb explained that because of a structural problem, they are proposing relocating the entrance to the building from the front to the side of the building. This will result in the entrance facing the main parking lot, and will improve the safety concern of entering and exiting the building onto Schoen Place. Mr. Osborn noted that according to Village Code, this change does not require granting of a variance. The applicants have received conditional approval from the APRB, contingent on the Planning Board's approval of the modification to the location of the entrance.

**Motion:** Member Limbeck made a motion, seconded by Member Chamberlin, to approve the rotation of the entrance 90 degrees to the east side of the structure to alleviate any potential structural underpinning at the base to facilitate tying in to the structural steel that has been added to the building, and for several safety issues, as stated by the applicant, and contingent upon:

1. the applicant's submittal of the exact dimensions of the opening and its relation to the building and parking lot,
2. the applicant's submittal of a cutsheet of the door and glass, and
3. the applicant's submittal of a final site plan showing the completion of the unfinished elements of the site plan.

**Vote:** Chamberlin – yes; Limbeck – yes; Rubiano - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on September 22, 2008.

**Motion:** Member Limbeck made a motion, seconded by Member Chamberlin, to amend the motion to require that the site plan corrections be acknowledged in writing to the Village, with a copy submitted to the Planning Board Chairperson.

**Member Items:**

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- ♦ Mr. Bailey reported that there will be a special meeting to consider variances for renovations to the house at 10 Lincoln Avenue.

**Adjournment:** Member Limbeck adjourned the meeting at 7:30 pm.

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Linda Habeeb, Recording Secretary