

Village of Pittsford Zoning Board Special Meeting

Monday, October 13, 2008 at 5:30 PM

Area Variances for 10 Lincoln Avenue

Members Present:

Remegia Mitchell, Chair
Sally Chamberlin
Lili Lanphear
John Limbeck
Meg Rubiano

Present for the Application:

Michael Newcomb, Jr., Owner
Gene Cardamone, Applicant
Joe O'Donnell, Project Architect
The meeting was called to order at 5:33 PM.

Chairperson Mitchell 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, October 13, 2008 at 5:30 pm to consider an application made by Gene Cardamone, as agent for Newcomb Properties, LLC, owner of property located at 10 Lincoln Avenue, for front, side, and rear setback variances, lot coverage, and expansion of a nonconforming structure on a nonconforming lot.*

SEQR: This application is a SEQR Type II action under Article 617.5C, #12 and #13.

Discussion: The Project Architect, Joe O'Donnell, presented the application to the Board. He made a particular point of identifying that the proposed wrap-around porch was incorporated in order to mitigate the attached garage issues that have caused the Board problems in the past.

Questions from the Board Members:

Sally Chamberlin:

Where will the adjacent (easterly) driveway be located?

The driveway will be directly adjacent to the one shown for this property. The owner is willing to place a green area between them and discuss various textures (Stamped concrete or asphalt). It was also noted that the new driveway for the easterly residence will extend back approximately 2 car lengths from the sidewalk.

Lili Lanphear:

Will the 2 trees, marked with an orange "X" be removed, and whose property are they located on?

The trees are on this property and will be removed to make room for the relocated house.

Remegia Mitchell:

Clarified the location of the driveway and initiated a discussion relative to the new width of this lot, subsequent to the installation of the easterly drive way. The new width of this lot will be 44.79 feet and not the 54.79 feet shown on the site plan. It was noted for the neighbors present that this will remain a non-conforming structure on a non-conforming lot.

Lili Lanphear:

Is there a different setback requirement for a detached garage than what is required for an attached garage?

Yes. A detached garage would require a 10' setback.

Remegia Mitchell:

Explained the differences between the proposed attached garage in this application and the one that was proposed on a previous application where it was felt that the entire dwelling was inappropriate for this neighborhood setting.

John Limbeck:

Asked the Architect if he had contacted New York State about the required sprinklers.

The Architect will contact the State to resolve and if required, will install sprinklers where mandated.

Chairperson Mitchell opened the public hearing and asked if anyone in the audience would like to comment: (Approximately 5:47 PM)

David Weir, 19 Lincoln Avenue, supports the proposed plan. This is a definite improvement.

Susan Judson, 25 Washington Avenue, agrees with Mr. Weir; however, has seen rats at this property and feels that it is her civic duty to call the Board of Health. She also feels that this Board should have worked harder with other applicants on this property. (Chairperson Mitchell clarified what other applications had entailed and why they failed or had been withdrawn.) Ms. Judson wanted to discuss other properties that were not up to her level of Realtor quality in the Village and was thanked for her comments.

Tom Grant, 17 Lincoln Avenue

Felt the property should be repaired or knocked down. He supports "something" being done.

Public comments were closed at 5:55 PM.

Lili Lanphear:

Reiterated that this would be a residential use.

Remegia Mitchell:

Reminded the applicant that they still required approval of the APRB. They are scheduled to present at the 11/3/08 APRB Meeting.

Public Hearing was closed at 6:00 PM.

Remegia Mitchell made a motion to approve the variances for:

1. Front setback of 10 feet where 30 feet is required.
2. Side setback of 1 foot where 10 feet is required.
3. Rear setback of 1 foot where 30 feet is required.
4. Lot area of 2463.45 sq. ft. where 10,500 sq. ft. is required.
5. Lot width of 44.79 feet where 70 feet is required.
6. Lot length of 55 feet where 150 feet is required.
7. Lot coverage of 44% where 25% is allowed
8. Area variance to expand a non-conforming structure on a non-conforming lot,
with the following condition: the driveway landscaping must be approved by the Planning Board prior to issuance of a building permit.

The motion was seconded by John Limbeck.

Discussion on the motion:

Lili Lanphear:

Asked if the findings of fact would clearly state why this application was being approved, so as not to set future precedents in the Village. Chairperson Mitchell explained that they would.

Findings of fact will be drafted for Zoning board review and approval

The vote was unanimous in support of the motion.

Notes recorded by J. Limbeck