

**Village of Pittsford**  
**PLANNING AND ZONING BOARD OF APPEALS**  
**Regular Meeting – November 23, 2009 at 7:00 PM**

**PRESENT:**

Chairperson:	Remegia Mitchell
Members:	Sally Chamberlin
	Meg Rubiano
	George Wallace
	Lili Lanphear
Attorney:	John Osborn
Building Inspector:	Edward Bailey
Recording Secretary:	Linda Habeeb

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

**PLANNING BOARD**

**Kristi Dellaria, 50 State Street ~ Special Use Permit**

**Discussion:** The applicant stated that she is requesting a special use permit for Dolce Cupcakery, LLC, to operate a gourmet bakery in Unit R of 50 State Street in Northfield Common. Ms. Dellaria stated that trash collection will be dumpsters shared with existing tenants, and the dumpsters will be emptied two times per week, or more, if needed. There will be ample trash receptacles for customer trash inside and outside the store, which will be emptied daily. The hours of operation will be Monday-Friday 9am - 7pm; Saturday 9am – 5pm; and Sunday 10 am – 3pm. She is requesting 15 seats for on-site consumption and children’s parties. The building inspector stated that six parking spaces are required by Code for this use, and there is ample parking in front of the store and in the surrounding areas to accommodate this business. The applicant stated that the light for the business is on a timer/sensor, and will not affect the surrounding neighborhood. The baking will be done in the rear of the store, and will not create any offensive cooking odors. The business will not create a level of noise that will adversely impact the business area.

Board members recommended that the timing of the children’s parties be further clarified with the Board of Trustees, and that the parties be held during regular hours of operation. Board members also recommended that this application be reviewed in one year. The Planning Board finds this to be an appropriate business use for the Northfield Common area.

Chairperson Mitchell explained that due to the proposed business location’s proximity to the canal, SEQR review is required, and the Board of Trustees has requested to be named as lead agency. The Board reviewed the SEQR form submitted by the applicant, and noted that on Page 9 #7 of the SEQR Form, the B-4 Waterfront District was omitted from the answer.

**Motion:** Chairperson Mitchell made a motion, seconded by Member Lanphear, to grant lead agency status to the Board of Trustees for SEQR review of 50 State Street.

**Vote:** Chamberlin – yes; Mitchell – yes; Lanphear – yes; Rubiano – yes; Wallace - yes.

**Motion carried.** The decision was filed in the Office of the Village Clerk on November 23, 2009.

**Information only:**

**Paul Zachman, 40 Sutherland Street ~ Addition**

**Discussion:** Mr. Zachman presented a proposal, for information only, for construction of an addition at 40 Sutherland Street. He presented photographs indicating that the proposed addition will be set almost entirely behind the existing property, and will be minimally visible from the public street.

The Building Inspector explained that according to Village Code § 210-83B(15), a proposal for construction of an addition to a residential unit where the total floor area exceeds 400 square feet is subject to the review and approval of the Planning Board. Chairperson Mitchell explained that the Planning Board will be concerned with such issues as drainage, access, setbacks, and visibility from the public way, among others.

This application will be placed on the December 14<sup>th</sup> PZBA meeting, after publication of a public notice and notification to neighbors within 300 feet of the subject property.

**Member Items:**

- ❖ Chairperson Mitchell noted that there are still an excessive number of cars parked at Sutherland Auto. Mr. Bailey reported that the owner is coming in for review of this usage because his approval period is nearing the end. He will contact the owners to initiate the process for their review.
- ❖ Member Lanphear noted that the sidewalk situation at Starbucks has not been corrected. Mr. Bailey stated that the owners are working on this problem.

**Minutes**

**Motion:** Chairperson Mitchell made a motion, seconded by Member Chamberlin, to approve the October 26, 2009 minutes, as drafted.

**Vote:** Chamberlin – yes; Mitchell – yes; Rubiano – yes; Wallace - yes. ***Motion carried.*** The decision was filed in the Office of the Village Clerk on November 23, 2009.

**Adjournment:** There being no further business, Chairperson Mitchell adjourned the meeting at 8:00 pm.

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Linda Habeeb, Recording Secretary