

**Village of Pittsford
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – April 23, 2012 at 7:00 PM**

PRESENT:

Chairperson:	Remegia Mitchell
Members:	Sally Chamberlin Meg Rubiano George Wallace Lili Lanphear
Attorney:	Jeff Turner
Building Inspector:	Edward Bailey (absent)
Recording Secretary:	Linda Habeeb

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

PLANNING BOARD

Jack Sigrist, 4 Elmbrook Drive ~ Addition

Present: Jack Sigrist, Architect

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

The Secretary read the legal notice that was published in the April 12, 2012 edition of the Brighton Pittsford Post: *“Please take notice that a public hearing will be held before the Village of Pittsford Planning Board at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday, April 23, 2012 at 7:00 pm, to consider an application made by Jack Sigrist for property located at 4 Elmbrook Drive, for site plan approval for the construction of an addition where the total floor area exceeds 400 square feet, pursuant to Village Code § 210-83B(15).”*

Discussion: The applicant presented plans for a two-story addition to be installed over an existing first story. He submitted documentation and photographs indicating the location for the proposed addition. Board members noted that the proposed addition will be partially screened from public view by the neighboring houses.

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

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

Motion: Chairperson Mitchell made a motion, seconded by Member Lanphear, to approve the site plan application for an addition, as submitted.

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 April 23, 2012.

- There will be no change in the footprint of the residential structure.

- There are no undesirable changes that will be produced in the character of the neighborhood by approving this site plan.
- The site plan 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.
- The requested site plan approval is not substantial.

Linda Brisbane/Marty Martina, 30 Locust Street ~ Addition

Present: Linda Brisbane/Marty Martina

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

The Secretary read the legal notice that was published in the April 12, 2012 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, April 23, 2012 at 7:00 pm to consider an application made by Linda Brisbane and Marty Martina for property located at 30 Locust Street, for: An area variance to expand a pre-existing non-conforming structure on a pre-existing non-conforming lot, and to construct an addition with a side setback of two feet, where 10 feet is required, pursuant to Chapter 210-12C of the Code of the Village of Pittsford..”*

Discussion: The applicants stated that they are proposing adding an addition to the west/rear side of the house, located at 30 Locust Street. The proposed addition will extend from the existing west-side extension to the rear back corner of the house. This addition would represent a side setback ranging from 3.4 feet (corner of the existing west-side extension) to 2.0 feet (the west/north corner of the addition). The applicants submitted a site map indicating the location for the proposed addition.

Chairperson Mitchell stated that the proposed addition will not extend further to the west than the existing extension. She also noted that there is a tree line along the property line, and questioned the applicants as to whether the trees will be affected by the installation of the addition. The applicants stated that if there is any damage to the trees, they will replace them with similar trees and landscaping. It was also noted that this proposal may require a variance from the State Building Code because of the close proximity to the lot line.

Board Members reviewed the five criteria for issuance of an area variance.

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

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

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

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 April 23, 2012.

- The side set back of the residential structure to the west is approximately 45 feet.

- The proposed addition will not extend further to the west than the existing extension.
- There are no undesirable changes that will be produced in the character of the neighborhood by approving this area variance.
- The area variance 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. The only other location for a kitchen addition would require removal of a side-rear porch that is considered an historical architectural element of the structure.
- The difficulty is self-created, but this does not preclude approval.

Information only:

Peter Messner, 19 Monroe Avenue

Discussion: Mr. Messner explained that he has a concern that his customers are unable to locate the parking lot for his business. He is interested in installing a sign on the west side of the entrance to direct customers to the parking lot. He said that there is a safety concern with cars entering the parking lot, and then making an abrupt turn to drive out, damaging parked autos and possibly injuring customers exiting the store.

Chairperson Mitchell stated that free-standing signs are not customarily permitted in this district. She said that the Building Inspector will need to be consulted to determine what has historically been permitted in this situation.

Liaison Report:

Mr. Galli reported that:

- ◆ The Board of Trustees will be adopting the 2012-13 Village budget.
- ◆ There have been a number of incidents of vandalism in the Village; residents are encouraged to call 911 to report these incidents.
- ◆ The Village has developed a Speed Hump Policy.
- ◆ Temporary speed humps will be installed on the southern portion of Rand Place.
- ◆ The SEQR process for 75 Monroe Avenue is continuing.

Mr. Galli introduced Jason Rosenberg, a resident of Boughton Avenue, who will be appointed as an alternate PZBA Board member.

Member Items:

Member Lanphear noted that:

- ◆ There are an increasing number of service-type businesses in the Village, and fewer retail businesses. She stated that retail stores encourage pedestrian traffic.
- ◆ A Gelato Ice Cream store has opened in Schoen Place. This use was not reviewed by the PZBA.

- ◆ The Bakery is not complying with the conditions of the special use permit approval.

Minutes:

Motion: Chairperson Mitchell made a motion, seconded by Member Rubiano, to approve the 2/13/12 meeting minutes, as revised.

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

Motion carried.

Motion: Chairperson Mitchell made a motion, seconded by Member Lanphear, to approve the 3/26/12 meeting minutes, as drafted.

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

Adjournment: There being no further business, Chairperson Mitchell adjourned the meeting at 8:30 pm.

Linda Habeeb, Recording Secretary