

**Village of Pittsford  
PLANNING AND ZONING BOARD OF APPEALS  
Regular Meeting – November 28, 2012 at 7:00 PM**

**PRESENT:**

Chairperson:	Remegia Mitchell
Members:	Sally Chamberlin Meg Rubiano George Wallace Lili Lanphear
Alternate:	Jason Rosenberg
Attorney:	Jeff Turner
Recording Secretary:	Linda Habeeb

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

**PLANNING BOARD**

**John Caselli, 10 E. Jefferson Road ~ Addition**

**Present:** John Caselli

**The Secretary read the legal notice that was published in the November 15, 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 Wednesday November 28, 2012 at 7:00 pm, to consider an application made by John Caselli, owner of property located at 10 East Jefferson Road, 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)."*

**SEQR:** Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.15(c).

**Discussion:** The applicant stated that he is proposing construction of a two-story addition on the house located at 10 East Jefferson Road. He stated that this is, and will remain a single-family residence. Chairperson Mitchell noted that the house is located on a deep lot with wide side setbacks. Board members discussed the line of sight from other houses in the surrounding area and compatibility of the proposed addition with neighborhood character.

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

**Susan Brown, 6 East Jefferson Road,** requested to view the site plan.

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

**Motion:** Chairperson Mitchell made a motion, seconded by Member Wallace, to approve the application for construction of 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 November 28, 2012.

**Findings of Fact:**

- There are no undesirable changes that will be produced in the character of the neighborhood by approving this site plan.
- The proposed addition 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 proposed addition does not protrude farther into the side setback than the original portion of the structure.

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**Peter Messner, 19 Monroe Avenue ~ Sign**

**Present:** Peter Messner, business owner

**Discussion:** Chairperson Mitchell stated that this is a continuation of a public hearing to determine the height of an approved freestanding sign to be installed at the entrance of the business located at 19 Monroe Avenue. Board members visited the site to evaluate the appropriate height for the sign. Member Lanphear expressed concern with the size of the proposed sign, and stated her opinion that the installed sign should be the smallest, acceptable size.

Chairperson Mitchell stated that the public hearing will be continued at the PZBA meeting on December 17, 2012.

**Motion:** Chairperson Mitchell made a motion, seconded by Member Chamberlin, to approve the installation of a freestanding sign, the height of the sign not to exceed 3’6” above grade at the highest point of the sign when mounted on the post.

**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 28, 2012.

**Findings of Fact:**

- Safety considerations support installation of the sign.
- The business is a retail business with parking in the rear. The parking lot is minimally visible access from the street.
- The parking lot entrance is located adjacent to the public parking lot entrance. Drivers often confuse the two entrances or believe that they are connected in the rear of the Messner lot.
- There are no undesirable changes that will be produced in the character of the neighborhood by approving this variance.
- The 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 other feasible method.

**David Watkins, 23 South Main Street ~ Modifications to special use permit**

**Present:** David Watkins, business owner

**Discussion:** Mr. Watkins stated that he is requesting expansion of the special use permit to allow full liquor service at the restaurant located at 23 South Main Street. He stated that customers have requested this service. He also stated that this change will not alter the type of business that now exists. He stated that currently, the restaurant closes between 9 and 9:30 pm.

Member Lanphear stated a concern with changing the dining atmosphere of the restaurant into a tavern-type of establishment. The Board discussed the contention that this business's revenue is limited by its inability to serve liquor, which could create a competitive disadvantage with other restaurants. There was further discussion about how the layout of the counter seating area and access to the kitchen would not allow for standing area around a bar and that retaining the configuration of table seating should ensure this.

Chairperson Mitchell will submit a memo of the PZBA's findings to the Board of Trustees.

**Member Items:**

- ◆ Renovations at Starbucks
- ◆ Number of seats at the Bakery
- ◆ Additional signage may have been installed at Label 7 restaurant
- ◆ Issuance of building permits to expand residences with pre-existing, non-conforming lots and structures

**Minutes:**

**Motion:** Chairperson Mitchell made a motion, seconded by Member Lanphear, to approve the 9/26/12 meeting minutes, as written.

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

**Motion carried.**

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

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Linda Habeeb, Recording Secretary