

**Minutes of the Town of Perinton
Zoning Board of Appeals
Meeting of March 25, 2013**

Zoning Board Members present

Thomas Young, Chairman
Vincent Arcarese
Melissa L. Barrett
Robin Ward Ezell

Absent

Sam Space
John N. Moose
Seana Sartori

Conservation Board Members present

Chris Fredette
Robert Salmon

Town Officials present

John Beck, Zoning Officer
Lori Stid, Zoning Board Clerk

Absent

Robert Place, Town Attorney

Mr. Young called the meeting to order at 7:30 pm, introduced the Board and staff present, and explained the procedures. He states that this is a Board of seven and three of the members are not present. In order for a motion to carry one way or the other, all four Board members would have to vote the same way.

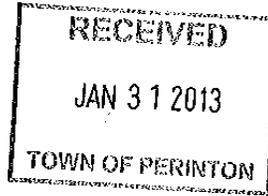
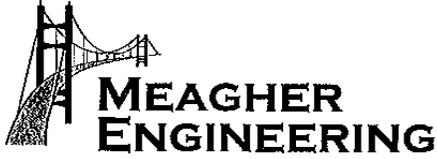
PENDING APPLICATION(S):

1. Meagher Engineering, as agent for 7278 Pittsford Palmyra Road, LLC, (David Cerrone), owner of property located at 7278 Pittsford Palmyra Road (Fitch Construction), requesting the following variances of the Town of Perinton Zoning Ordinance:

1. Section 174-9 D of the Sign Code, to allow two building mounted signs on the main showroom building in addition to the existing freestanding sign.
2. Section 174-6 D of the sign Code, to allow a proposed sign to extend 5'6" from the building face instead of 18".
3. Section 174-10 A of the Sign Code, to allow the existing freestanding sign to have a 0' front setback instead of 25 feet.

Said property being located in a Commercial District.

Ms. Meagher presented her application, as per letter of intent, as shown below:



PO BOX 76 VICTOR, NEW YORK 14564
PH (585) 924-7430 FAX (585) 924-7457

Jan. 30, 2013

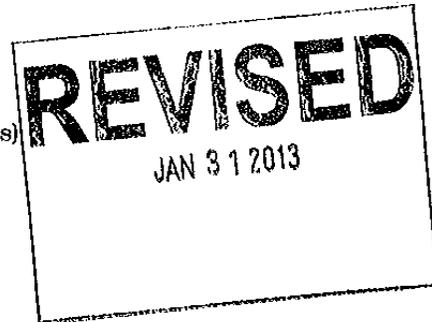
Zoning Board
Town of Perinton
1350 Turk Hill Rd
Fairport, NY 14450

RE: **Zoning Board Meeting Feb. 25th, 2013**
7278 Pittsford-Palmyra Road, LLC Site Plan
Fairport, NY 14450

Dear Chairman & Honorable Members:

We are submitting plans for review at the Zoning Board Meeting Agenda on Feb. 25th, 2013. The following is our request for the area variances of side setback of 12 ft. & front setback of 57.4 ft. for the sunroom display additions & loading dock addition, as well we are requesting a variance for the building mounted signage located at the address referenced above. Enclosed are the following:

- \$30 Review fee
- Site Plans (12 sets)
- Architectural Elevations of existing & proposed (12 sets)
- Zoning Board Application (12 sets)
- Zoning Criteria Letter (12 sets)
- SEQR Form



The building mounted signs are as follows:

Showroom/Office Building:

- Linear Footage: Building Frontage (south façade): +/-60.67 If existing, 81.67 If proposed
- Square Footage: Building Frontage (south façade): +/-1,210 sf existing, 1,435 sf proposed
- Proposed Signs: (1) South Façade: 6'-10" W x 3'-8" H (ellipse) = +/-19.33 sf
(1) East Façade: 4'-2" W x 2'-2" H (ellipse) = +/-6.97 sf

Tenant Building:

- Linear Footage: Building Frontage (south façade): +/-41.00 If existing, 41.00 If proposed
- Square Footage: Building Frontage (south façade): +/-770 sf existing, 770 sf proposed
- Proposed Signs: (1) South Façade: 6'-10" W x 3'-8" H (ellipse) = +/-19.33 sf
(1) West Façade: 6'-10" W x 3'-8" H (ellipse) = +/-19.33 sf

Zoning Letter

1

This should conclude our project for a favorable review. Please contact our office with any questions or comments.

Sincerely,
MEAGHER ENGINEERING, PLLC

Wendy L. Meagher, PE

Encl.

The retail is on the west side and the warehouse, where the owner keeps his products and supplies is on the right. Over half of the property is existing mitigated wetlands. The only location to place any additional parking is in the front of the site. They proposed an additional 12 parking spaces to create a total of 27 spaces. The monument sign is located in the same location as the existing monument sign. They are only proposing to replace the sign face. Because the state took some land for the highway a number of years ago, they cannot meet the front setback for the signs. As far as the signs, they are only requesting the monument sign and the two building mounted signs on the retail. They are not asking for the warehouse building signs; they are withdrawing that request. According to the Planning Board, because they don't have a specific tenant in mind for this warehouse building, they are not going to apply for that signage at this time. She states that at the 2/25/13 meeting, she showed the Board photos of other businesses in Town that have both building mounted and ground mounted, as well as photos of other businesses that don't have building mounted signs that have a lot of lettering in their windows which takes away from the building. There are two buildings on this property and the idea is to keep trucks and traffic to one area and customers coming to another area. They would like the building mounted signs to direct folks what entrance to come to for the retail. They feel that their signage is attractive and is more professional than lettering on windows that currently exists in other buildings in the area, and the proposed signs are more in keeping with the historic district. The HAC Board has approved this proposed signage.

At the 2/25/13 meeting, the ZBA granted variances of the Town of Perinton Zoning Ordinance Section 208-42 D, to allow the front setback for a proposed sunroom display addition to set 57 feet from the front property line instead of 85 feet, and further to allow an additional proposed sunroom display addition to set 14 feet from the west side property line and to allow a proposed loading dock to set 12 feet from the east side property line, both instead of 30 feet. At this meeting, the applicant formally requested of the Zoning Board to remove from the original application request, the two building mounted signs on the warehouse building. The ZBA deferred decision until tonight's meeting to allow time for the Planning Board to make a determination on the sign application that was submitted to the Planning Board, as the Board members that were present at the 2/6/13 meeting had mixed views on these items and could not reach a final determination due to the lack of 2 Planning Board members at the meeting. At the next Planning Board meeting on 3/6/13, the Planning Board granted monument signage approval for Fitch Construction for sign application received by the Town on 1/23/13, as submitted, subject to the following conditions:

1. This is a replacement monument sign (previously Sunbeam Pool & Spa) at current location facing Route 31.
2. This signage is to be externally lit; not internally lit.
3. Applicant to provide catalog cut sheet for external lighting to Office of Code Enforcement & Development for review and approval.
4. Signage to read Fitch Construction, Inc. & 7278
5. This signage includes logo as submitted to the Town as part of the application.

As far as the building mounted signage, there were two motions that failed, as there was a mixed view on the remaining requests.

Some of the Planning Board members suggested that they put a 2 sq ft sign in the grass in front of the entrance door, and with the snow that happens in this area; that is not realistic and is it a matter of safety for their customers to have them enter the building safely.

Mr. Cerrone states that it is time to move this along. They are trying to improve this location within the Town, and in order to do that, they have to get past the signage. They have been back and forth between a number of Boards over these signs. This is a very small request as compared to the improvements that will be seen in this property once he has approval for signage, he will be able to move on to the next step of improving the site. He is afraid that he will lose an entire season if this keeps going the way it has been.

Mr. Young states that the Planning Board issued comments for tonight's ZBA meeting as follows:

The Planning Board has mixed views regarding the following variances (Planning Board votes were 4 in favor of denial and 2 in favor of approval)

1. **Section 174-9 D of the Sign Code, to allow two building mounted signs on the main showroom building in addition to the existing freestanding sign.**
2. **Section 174-6 D of the sign Code, to allow a proposed sign to extend 5'6" from the building face instead of 18".**

The Planning Board members that recommend denial of the requests feel that there would be too many signs on the main showroom building along with the potential of 2 more requested future signs on the storage building. They feel that the monument sign at the road only is the proper application for identification of the business. They feel there is no need for the building mounted signs and the request does not conform to the code. In addition, the adjacent properties have not received Town zoning approval for additional building mounted signs. They feel the approval of this variance would set precedence and lead to the proliferation of building mounted signs, in addition to the monument sign, in this area.

The Planning Board members that recommend approval of the requests feel that the request is minor, considering the applicant is performing a major renovation to the showroom building and the signs will fit nicely with the architecture and are functional. They feel the signs are simple and would identify entrances to the building by using the business name instead of the word "entrance". In addition, approval of this variance would eliminate the improper painting of the business name on the windows in a non-professional way (i.e. the adjacent neighbors Design Pool, Chakara...etc) and would allow for a simple professional made sign.

The Planning Board recommends approval of the following variance because it is preexisting and non-conforming.

- 3. Section 174-10 A of the Sign Code, to allow the existing freestanding sign to have a 0' front setback instead of 25 feet.**

Mr. Young and Mr. Arcarese have no questions or comments.

Ms. Barrett asks if there is a benefit that this business will receive from the proposed signage. Mr. Cerrone states that it gives customers a focal point on where to enter the appropriate building as there are two buildings on site. They want to keep the customers safe. Ms. Barrett asks if they feel that the signage will increase the number of customers. Mr. Cerrone states that he hopes so.

Ms. Ezell thanks the applicant for working with the various Boards. She prefers this building mounted signage as opposed to the day glow paint in the windows on a number of other businesses in the area. She supports the signage request. She asks if both signs are over entrances, and the applicant states yes; there will be parking for customers in both of those areas. Ms. Meagher states that they are limited to parking because of the wetlands on the site.

Mr. Young asked for questions or comments from CED.

Mr. Beck states that Attorney Place is out of Town, and a SEQR determination is required.

Mr. Beck states that the DPW had no comments on this application.

Mr. Beck states that CED issued comments as follows:

Freestanding Sign (request # 3)

- a. A variance was granted on 12/22/84 to allow the existing freestanding sign to have maximum height of 7 feet (instead of 5 feet); the maximum area to be 32 sq ft; and to set 15 feet (instead of 25 feet) from the front property line.
- b. The proposed sign replaces the existing sign face (32 sq. ft.).
- c. HAC approved this sign at the their February 12th, 2013 meeting, the Planning Board approved this sign on March 6th, 2013 both with the condition that the sign be externally illuminated, and a catalog cut sheet of the lights be submitted to the appropriate board, a cut sheet needs to be provided to the CED Dept. for review prior to issuing a sign permit.
- d. The CED Dept. has no concerns with the replacement sign. A sign permit is to be issued within six months.

Proposed Building-Mounted Signs for Main Showroom Building (request # 1&2)

- a. The total area of signage allowed on this building is 90 sq. ft. The applicant is proposing two signs: one elliptical sign (6'10" x 3'8" or 25 sq. ft.) on the south elevation and one e sign (4'2" x 2'2" or 9 sq. ft.) on the east elevation. The total area of signage proposed is 34 sq. ft.
- b. HAC approved these signs on February 12, 2013.
- c. The applicant appeared before the Planning Board on February 6th, 2013; the Planning Board did not approve any building mounted signs because there was not a majority vote. The applicant appeared again before the Planning Board on March 6, 2013; the Planning Board did not approve any building mounted signs as the motion to approve failed.
- d. The applicant is proposing significant improvement to the exterior of the existing building, the CED Dept. feels the proposed two new building mounted signs will enhance the look of the building, and therefore we recommend approval of this variance.
- e. A sign permit to be issued.

Mr. Young asked for questions or comments from the audience, and there were none.

Ms. Ezell made a motion to grant a Negative Declaration of SEQR.

The proposed signs will not alter the view of adjacent property. There will not be any adverse physical or environmental effects caused by granting these variances. This signage will be an improvement to the site and to the neighborhood as the proposed signage is very tasteful, and will be an improvement to the area that already has hand painted signage in windows on a number of businesses. Granting this signage will not lend to a depreciation of this site or to nearby properties. There will not be a negative impact to this property or nearby property, and will improve the site for safety and the neighborhood as they are tasteful. There will not be any hazard to health, safety, or general welfare to this site or nearby properties and will not alter the flow of traffic safety, and will improve traffic safety, as people will know where to go on the site.

Mr. Arcarese seconds the motion.

Motion carries 4 – 0.

Ms. Ezell made a motion to grant the following variances of the Town of Perinton Zoning Ordinance:

1. Section 174-9 D of the Sign Code, to allow two building mounted signs on the main showroom building in addition to the existing freestanding sign.
2. Section 174-6 D of the sign Code, to allow a proposed sign to extend 5'6" from the building face instead of 18".
3. Section 174-10 A of the Sign Code, to allow the existing freestanding sign to have a 0' front setback instead of 25 feet,

all subject to the following conditions:

- a. Existing freestanding sign replaces the existing sign face (32 sq. ft.).
- b. Existing freestanding sign to be externally illuminated, and a catalog cut sheet of the lighting for freestanding sign is to be submitted to CED Dept. for review prior to issuing a sign permit.
- c. Building mounted signage - the total area of signage allowed on this building is 90 sq. ft. The applicant is proposing two signs: one elliptical sign (6'10" x 3'8" or 25 sq. ft.) on the south elevation and one e sign (4'2" x 2'2" or 9 sq. ft.) on the east elevation. The total area of signage proposed is 34 sq. ft.
- d. A sign permit for each sign is to be issued within 6 months from meeting date. If you do not obtain your sign permit prior to this date, the variance(s) are null and void. If you decide that you are no longer going through with the proposal that required the variance on the property, please notify the Town (Zoning Board of Appeals Clerk) in writing of your decision, and we will mark the variance null & void.
- e. There is to be no painted signage in the windows.

This applicant has worked with the Historic Architecture Commission, which has approved this signage which helps to maintain the sense of a historic district. The site plan that was recently approved by the Planning Board will be a great improvement to the property. The building mounted signage will help to improve safety within the site so that customers know where to enter the building, and the applicant feels that there business may increase as a result of this signage. The free standing sign (monument sign) is a replacement sign. A variance was granted on 12/22/84 to allow the freestanding sign to have a maximum height of 7 feet (instead of 5 feet); the maximum area to be 32 sq ft; and to set 15 feet (instead of 25 feet) from the front property line. Since that time the State has done a taking of roadway, which is why the front setback is now at 0' for the free standing sign.

Mr. Arcarese seconds the motion.

Motion carries 4 – 0.

NEW APPLICATION(S):

1. Vocon, as agent for KeyBank National Association, owner of property located at 6716 Pittsford Palmyra Road, requesting the following variances of the Town of Perinton Zoning Ordinance:

1. Section 208-14 E (2), to allow a proposed building canopy to set 67 feet from pavement edge (Pittsford Palmyra Road) instead of 100 feet.
2. Section 208-42 H, to allow the front landscaping buffer area to be 31.7 ft. instead of 50 feet.
3. Section 208-16 B (1), to allow 18 parking spaces instead of 19 parking spaces.
4. Section 208-16 (11), to allow 12 reservoir parking spaces (4 per lane) instead of 30 reservoir parking spaces (10 per lane).

Said property being located in a Commercial District.

Mr. Wallenhorst presents the application to the Board as per letter of intent, as shown below. He submits updated drawings into the record to reflect the comments from the Planning Board meeting of 3/6/13. In addition they are formally withdrawing their request item #3 - Section 208-16 B (1), to allow 18 parking spaces instead of 19 parking spaces, as they have modified the plans and they no longer need a variance for that, as they will be able to meet Code. He reviewed with the Board the changes that have been made to the site plan.

vocon.

5-13

cleveland
3142 Prospect Ave E
Cleveland, Ohio 44115
216.588.0800 p

new york
340 Madison Avenue, 19th Floor
New York, NY, 10173
212-220-9314 p

vocon.com

orig

February 20, 2013

Town of Perinton Zoning Board Member
Town of Perinton
1350 Turk Hill Road
Fairport, NY 14450
585.223.0770



RE: Keybank – Perinton
Project No.: 130565.00
6716 Pittsford-Palmyra Road

To whom it may concern,

KeyBank is looking to make modifications to its current location at 6716 Pittsford-Palmyra Road that will require several variances. They include a 36'-0" front yard setback variance from Pittsford-Palmyra Road, a 17'-10" landscaping setback variance from Pittsford-Palmyra Road, a one stall parking variance, and a 6 car per lane stacking variance for the drive-thru.

The front yard setback variance is required due to the addition of one VAT lane and one bypass lane to the current drive-thru canopy. We feel this request is minor as the building sits down from the main road by approx. 10'-0" + and that the canopy does not have the same effect as a building since it is open from three sides. The addition of this canopy is critical to meet KeyBanks business model, along with providing equal services as their competitors in the area. The current canopy is set back 61'-2" from the ROW. The proposed canopy addition would be set back 49'-0" from the ROW. Current zoning requires 85'-0".

The landscape setback variance on Pittsford-Palmyra road is due to the additional drive-up and bypass lane being proposed on Pittsford-Palmyra Road. The setback is required to be 50'-0" and we are proposing 32'-2". We feel that this request is appropriate as additional landscaping will be provided around the site to help offset the landscaping buffer variance.

We are also seeking a parking variance. Zoning code requires 19 stalls whereas 18 are proposed. Site constraints prevent the addition of the last required stall, as it will likely create an awkward situation for customer vehicle maneuverability and cause us to not meet the Green Space requirement for sites.

The final variance is for the drive-thru stacking. Code requires 10 cars per lane of stacking and we currently provide 4 cars per lane. The 10 cars per lane is quite excessive for the banks needs, and is more than what they typically see on a daily basis. Typically banking uses do not require the same amount of drive-thru stacking as a more-intensive use like a fast-food restaurant. If absolutely necessary cars could wait on the side of the building behind the angled parking spaces for lanes to free up.

Please find a complete package of drawings attached for your reference to the project. I look forward to presenting this project to you at the March 25th Zoning Board meeting and hearing your comments on the proposed project. Your consideration is greatly appreciated.

Please contact me with any questions.

Sincerely,

Scott D. Wallenhorst
Project Manager

Messrs. Young and Arcarese had no questions or comments, and are prepared to move forward.

Ms. Barrett had no questions or comments, and is prepared to move forward.

Ms. Ezell had questions regarding the bypass lane. The applicant states that the canopy is at 67' off of the edge of pavement from Pittsford-Palmyra Road and the landscaping is measured from the ROW which is 31.7'. From the edge of the canopy to the edge of the curb is 17'2", enough to get a garbage truck or perhaps a fire engine past it

Mr. Young states that the Planning Board issued comments as follows:

Section 208-14 E (2), to allow a proposed building canopy to set 67 feet from pavement edge (Pittsford Palmyra Road) instead of 100 feet.

2. **Section 208-42 H, to allow the front landscaping buffer area to be 31.7 ft. instead of 50 feet.**
3. **Section 208-16 B (1), to allow 18 parking spaces instead of 19 parking spaces.**
4. **Section 208-16 (11), to allow 12 reservoir parking spaces (4 per lane) instead of 30 reservoir parking spaces (10 per lane).**

The Planning Board recommends approval of the aforementioned variances for the following reasons:

- (1) **This request is minor and the setback is measured from the stand alone added canopy, not the main building. This added canopy works well with the overall approved site plan.**
- (2) **The applicant is providing additional landscaping to the site in general. There is also a 5 FT +/- grade difference from the road to the site. In addition, they are providing a handicap accessible ramp from the sidewalk on Pittsford Palmyra Road to the site. The Board looks favorably upon this pedestrian traffic site access and this ramp will help mitigate the reduced buffer area.**
- (3) **The applicant has added the 19th parking space on the approved site plan; therefore this request should be removed from the application.**
- (4) **The request to allow 12 stacking spaces instead of 30 stacking spaces for a drive-in teller is minimal and will work well with the proposed traffic flow and site design. In addition, most banks in Town have received a similar variance.**

Mr. Young states that the building sits down from the main road approximately 10', so the canopy doesn't have the same effect as the building since it is open from three sides.

Mr. Young asked for questions or comments from the Conservation Board. Ms. Fredette states that the Planning Board granted preliminary and final site plan approval for this project on 3/20/13.

Mr. Young asked for questions or comments from CED.

Mr. Beck states that Attorney Place is out of Town, and a SEQR determination is required.

Mr. Beck states that the DPW had no comments on this application.

Mr. Beck states that CED issued comments as follows:

The applicant received site plan approval on March 20, 2013, the proposed approved site plan dated 3/20/13 provides for the required number of parking spaces, therefore variance request # 3 in not required.

The CED Dept. has no concerns regarding this application.

A building permit is to be issued with one year.

Mr. Young asked for questions or comments from the audience, and there were none.

Mr. Arcarese made a motion to grant a Negative Declaration of SEQR. The proposed use will not prevent the orderly and reasonable use of adjacent property. The public health, safety, and general welfare of the Town will not be adversely affected by this application. The use is in general harmony and will promote the general purposes of the most recent Town Comprehensive Plan of the Town of Perinton. The physical characteristics of the proposed site make it suitable for the proposed use. The use provides sufficient landscaping and other forms of buffering to protect surrounding land uses.

Ms. Barrett seconds the motion.

Motion carries 4 – 0.

Mr. Arcarese made a motion to grant the following variances of the Town of Perinton Zoning Ordinance:

1. Section 208-14 E (2), to allow a proposed building canopy to set 67 feet from pavement edge (Pittsford Palmyra Road) instead of 100 feet.
2. Section 208-42 H, to allow the front landscaping buffer area to be 31.7 ft. instead of 50 feet.
3. Section 208-16 (11), to allow 12 reservoir parking spaces (4 per lane) instead of 30 reservoir parking spaces (10 per lane), all subject to the following conditions:

1. This approval does not include the original request for Section 208-16 B (1), to allow 18 parking spaces instead of 19 parking spaces, as the proposed approved site plan dated 3/20/13 provides for the required number of parking spaces, therefore variance request # 3 is not required.

2. Applicant to obtain building permit within one year from meeting date. If you do not obtain your sign permit prior to this date, the variance(s) are null and void. If you decide that you are no longer going through with the proposal that required the variance on the property, please notify the Town (Zoning Board of Appeals Clerk) in writing of your decision, and we will mark the variance null & void.

There is no other way to obtain the benefit being sought. This is a good plan that has been approved by the Planning Board. There will not be an undesirable change to the character of the neighborhood. This will be an enhancement to the property. There will not be any adverse physical or environmental effects caused by granting this variance.

Ms. Barrett seconds the motion.

Motion carries 4 – 0.

2. Robert Stowe, as agent for Jeff and Lynn Hartline, owners of property located at 12 Blandford Lane, requesting the following variances of the Town of Perinton Zoning Ordinance:

1. Section 208-31 D (1), to allow a proposed garage addition (10'x21') to set 59.9 feet from the front property line, and to allow a proposed front porch to set 63 feet from the front property line, both instead of 70 feet.

Said property being located in a Residential A District.

Mr. Stowe states that he is doing the construction work on this project. They are renovating their home. They have lived there for a long time and have put a lot of money into the landscape and the exterior of the home and wish to incorporate a mudroom/laundry room on the first floor and that will give them a long term possible stay in this home. They wish to push out the front entry area, and this will give them more closet area and façade for exterior with a covered porch. There is a swimming pool and a retaining wall in the back, and that is what triggers this variance request.

The Board members all agreed that the request is attractive and the plans are straight forward and they are prepared to move forward.

Mr. Young asked for questions or comments from the Conservation Board.

Mr. Salmon states that the Conservation Board issued comments as follows:

The site for the proposed garage and proposed porch additions is basically a flat surface. There doesn't appear to be any storm sewers, so new gutters will have to discharge to the ground.

Mr. Young asked for questions or comments from CED.

Mr. Beck states that CED issued comments as follows:

- 1. The CED Dept. has no concerns with this application, a building permit to be issued within one year.**
- 2. The applicant has indicated that a portion of the existing house will be demolished; a demo permit needs to be issued.**

Mr. Beck states that DPW had no comments on this application.

Mr. Beck states that Town Attorney issued comments as follows:

- 1. You might want to require the applicants to construct their porch and garage addition according to the elevations which they submitted.**

Mr. Young asked for questions or comments from the audience, and there were none.

Ms. Barrett made a motion to grant the following variances of the Town of Perinton Zoning Ordinance:

1. Section 208-31 D (1), to allow a proposed garage addition (10'x21') to set 59.9 feet from the front property line, and to allow a proposed front porch to set 63 feet from the front property line, both instead of 70 feet, subject to the following conditions:

1. A portion of the existing house will be demolished; a demo permit is required to be issued.
2. Applicant to obtain a building permit within one year from meeting date. If you do not obtain your building permit prior to this date, the variance(s) are null and void. If you decide that you are no longer going through with

the proposal that required the variance on the property, please notify the Town (Zoning Board of Appeals Clerk) in writing of your decision, and we will mark the variance null & void.

3. Applicant to build as per specs submitted.

This request is minimal, and will enhance the property and the neighborhood. There is no other way to obtain the benefit being sought. There will not be an undesirable change to the character of the neighborhood by granting this variance. There will not be any adverse effect to the public health, safety or general welfare. This is self-created, however, that is outweighed by the benefit that will be obtained.

Mr. Arcarese seconds the motion.

Motion carries 4 - 0

3. Edwin Beale, owner of property located at 21 Hanford Way, requesting the following variances of the Town of Perinton Zoning Ordinance:

1. Section 208-32 D (3), to allow a proposed garage addition (20' X 24') to set 8.6 feet from the side property line instead of 12 feet.
 2. Section 208-14 R (2), to allow the total garage area to be 788 sq. ft. (proposed new 480 sq. ft. to existing 308 sq. ft.) instead of 600 sq. ft.
- Said property being located in a Residential B District.

Mr. Beale presents his application to the Board. With him is the contractor, John Micca, Antetomaso Homes, who is available to answer any construction questions. He wishes to have a two car garage. They wish to have both cars parked in the garage. This is the most aesthetically pleasing way to accomplish this. They staked out the limits of the request, and the neighbors have no issue with the request as proposed. They intend to tie the downspouts into the storm drains.

Mr. Young asks what happens to the current garage. The applicant states that they will use the existing garage space as storage. He drives a large truck and his wife drives a medium sized vehicle, and that is why they will use the current space for garage storage. In addition, he has a workshop.

Ms. Ezell asks if they plan to add some landscaping screening. The applicant states that they have not thought of doing that. The neighbor is aware of this request, and has not objected; they are friends.

Mr. Young states that the slope of the bank is not going to leave a lot of room. The applicant states that area will be a pass way.

Mr. Young asked for questions or comments from the Conservation Board. Mr. Salmon states that the Conservation Board issued comments as follows:

Proposed site is a flat surface. Looks like there are storm sewers to the property, new gutters can be connected to storm sewer modifications / extensions.

Mr. Young asked for questions or comments from CED.

Mr. Beck states that DPW issued comments as follows:

The ground to the north of the proposed addition rises up to the neighboring property, thus directing stormwater runoff towards the addition. The Town's Design Criteria requires runoff to be directed away from the structure in a swale. The applicant should demonstrate how this will be accomplished at the time of building permit. New downspouts should be connected to the storm sewer. A downspout conductor and final grade inspection should be part of the building permit.

Mr. Beck states that Attorney Place issued comments as follows:

You may want to require some landscaping or architectural enhancements to soften the impact caused by the incursion into the side setback.

Mr. Young asked for questions or comments from the audience, and there were none.

Mr. Young made a motion to grant the following variances of the Town of Perinton Zoning Ordinance:

1. Section 208-32 D (3), to allow a proposed garage addition (20' X 24') to set 8.6 feet from the side property line instead of 12 feet.
2. Section 208-14 R (2), to allow the total garage area to be 788 sq. ft. (proposed new 480 sq. ft. to existing 308 sq. ft.) instead of 600 sq. ft., all subject to the following conditions:

1. The ground to the north of the proposed addition rises up to the neighboring property, thus directing stormwater runoff towards the addition. The Town's Design Criteria requires runoff to be directed away from the structure in a swale. The applicant should demonstrate how this will be accomplished at the time of building permit.
2. New downspouts are to be connected to the storm sewer.
3. A downspout conductor and final grade inspection are to be part of the building permit.

4. Applicant to obtain a building permit within one year from meeting date. If you do not obtain your building permit prior to this date, the variance(s) are null and void. If you decide that you are no longer going through with the proposal that required the variance on the property, please notify the Town (Zoning Board of Appeals Clerk) in writing of your decision, and we will mark the variance null & void.
5. Applicant to build as per specs submitted.

There will not be an undesirable change to the character of the neighborhood; this will enhance the property and the neighborhood. There is no other way to obtain the benefit being sought without a variance, as the applicant wishes to have a two car garage and needs the storage space. This is not a substantial request and will fit in with the neighborhood. There will not be any adverse effects to the health, safety, or general welfare of the neighborhood created by granting this request.

Ms. Ezell seconds the motion.

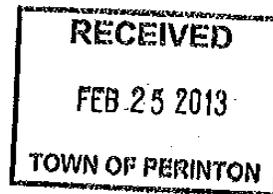
Motion carries 4 - 0

4. Norbut Renovations, as agent for Richard Webb, owner of property located at 51 Hunters Pointe, requesting a variance of the Town of Perinton Zoning Ordinance Section 208-14 R (2), to allow a 383 sq. ft. garage/workshop addition to the existing 484 sq. ft. garage; the total garage to be 867 sq. ft. instead of 765 sq. ft. Said property being located in a Residential A District.

Dave Norbut presented the application to the Board, as per letter of intent as shown below.



2/13



February 25, 2013.

Town of Perinton
1350 Turk Hill Road
Fairport NY 14450

Attention Building Dept:

This letter provides details regarding the nature of our request for a variance for our client Richard Webb, residing at 51 Hunter's Pointe; Pittsford 14534. It is part of the packet of forms and required materials to support our variance application.

Our variance request is for a garage addition to our client's home, including a workshop area. The garage addition is 102 square feet over the allowed code requirements.

The addition of the garage area has been carefully considered with several perspectives in mind. Our goal is to make the addition blend well with the existing home and the surrounding neighborhood.

As the homeowner wants the addition to be as unobtrusive as possible, the addition has been designed to have little to no impact on his neighbors. Other areas for the garage and workshop addition on the property have been considered. They have been found unacceptable with this guiding factor as a primary consideration.

Key points to consider for the variance application are as follows.

- The view will maintain the impression of a single-family home.
- The addition as proposed will blend well with the existing architecture of the home.
- There is a minimum of exposure to the view of the addition by the neighbors of the property.
- The needs of the homeowner for workshop space will be met by the layout created specifically for him and his needs.

Thank you for your review of this request. If there are questions regarding the variance application, please direct them to me for a prompt reply.

Sincerely yours,

Dave Norbut

Encl.

1230 East Avenue, Rochester, New York 14610 • 585-426-4200 • Fax 585-426-2517 • www.norbutconstruction.com

The property owner wishes to add a workshop to build go-carts, which is his hobby. He tried to do it in his basement, but he can't get them up the stairs. They looked at different locations on the property, and this is the best place, as it gives privacy as it is right behind the existing garage. They have spoken to the neighbors to the left and to the right, and neither have a concern. The neighbor to the north has patio going out further than the actual garage, and it gives privacy to both in their backyards. They clipped a corner of the addition location to save a tree.

Mr. Young feels that this be unobtrusive and will blend well. The way this is proposed will minimize any impact to neighbors.

The remaining Board members feel that this will look nice when it is complete.

Mr. Young asked for questions or comments from the Conservation Board. Ms. Fredette states that the Conservation Board issued comments as follows:

Proposed site is a flat surface. Existing storm sewer to the property will allow for gutters on the addition to be connected following modifications / extensions.

Mr. Young asked for questions or comments from CED.

Mr. Beck states that the DPW had no comments on this application.

Mr. Beck states that Attorney Place submitted comments as follows:

1. **You may want to require the applicant to construct the addition according to his submitted elevations.**

Mr. Beck states that CED issued comments as follows:

The CED Dept. has no concerns with this application, a building permit to be issued within one year.

Mr. Young asked for questions or comments from the audience, and there were none.

Mr. Arcarese made a motion to grant a variance of the Town of Perinton Zoning Ordinance Section 208-14 R (2), to allow a 383 sq. ft. garage/ workshop addition to the existing 484 sq. ft. garage; the total garage to be 867 sq. ft. instead of 765 sq. ft, subject to the following conditions:

1. Applicant to obtain a building permit within one year from meeting date. If you do not obtain your building permit prior to this date, the variance(s) are null and void. If you decide that you are no longer going through with the proposal that required the variance on the property, please notify the Town (Zoning Board of Appeals Clerk) in writing of your decision, and we will mark the variance null & void.
2. Applicant to build as per specs submitted.

There is no other way to obtain the benefit being sought. This will not produce an undesirable change to the property or nearby properties. It is not a substantial request, and will be unobtrusive. There will not be any adverse physical or environmental effects caused by granting this variance. It is self-created, however the applicant wishes to have a workshop for his hobby, and the plans show that the workshop addition will look very nice and will fit in well with the property and the neighborhood.

Ms. Ezell seconds the motion.

Motion carries 4 – 0.

5. Clark, Patterson, Lee, Design Professionals, as agent for Southeast Quadrant Mobile Critical Care Unit, Inc., owner of property located at 2527 Baird Road, requesting the following variances of the Town of Perinton Zoning Ordinance:

1. Section 208-27 – **withdrawn - not yet rescheduled** ~~Industrial District~~ **Special Circumstances**:
 - a. To allow the lot width to be 118 feet instead of 250 feet.
 - b. To allow the lot area to be 21,300 sq. ft. instead of 100,000 sq. ft.
 - c. To allow the front setback for the existing building to be 73 feet and for the proposed garage/office addition to be 61.5 feet instead of 100 feet.
 - d. To allow the side setback for the garage / office addition to be 29 feet and the rear setback to be 34 feet instead of 80 feet.
2. Section 208- 14 B, to allow 9 parking spaces instead of 11 parking spaces.
Said property being located in an Industrial District.

Discussion:

Minutes – 2/25/13

Mr. Young made a motion to approve the minutes of 2/25/13 as submitted.

Mr. Arcarese seconds the motion.

Motion carries 3 – 0, with one abstention of Ms. Barrett, due to absence.

There being no further business before the Board, the meeting adjourned at 8:30 PM.

Respectfully Submitted,

Lori L. Stid, Clerk