VILLAGE OF PITTSFORD
PLANNING AND ZONING BOARD OF APPEALS

Members

Justin Vlietstra, Chair
Joanne Shannon
Renee Stetzer
Heather Erwin
Susan Lhota

Lili Lanphear, Liaison
Mindy Zoghlin, Village Attorney
Linda Habeeb, Recording Secretary

PLANNING & ZONING BOARD OF APPEALS

Monday February 26, 2018 at 7:00 pm
(Workshop session: 6:30 pm)

Tentative Agenda

This agenda and the order of review may change at the discretion of the Chairperson.

✓ Conflict of Interest Disclosure

ZONING BOARD

▪ Charles Clotten, 10 North Main Street ~ Temporary zoning permit

PLANNING BOARD

▪ Jon Schick, 44 Sutherland Street ~ Site Plan
▪ Pittsford Canalside Properties, LLC ~ LWRP Consistency Review

Member Items:

✓ Liaison Report
✓ PZBA Budget
✓ Pending PZBA applications
✓ Minutes: 1/22/18
APPLICATION TO THE PLANNING BOARD
VILLAGE OF PITTSFORD
21 NORTH MAIN ST.
PITTSFORD, N.Y. 14534

Date 12/14/17
Fee $__________________

Property address 10 N. Main St
Tax account #

Zoning District Property also known as: Old Tillie Lot
Property owner(s) Town of Pittsford

Owner's address 11 S. Main St Telephone ____________ (day)
Pittsford NY ____________ (evening)

Applicant

Applicant's address P.O. Box 493 Telephone ____________ (day)
Pittsford NY 14534 ____________ (evening)

Application for:

__ Site Plan Review
__ Minor Site Plan
__ Exterior Lighting
__ Subdivision
__ Change of Lot Line
__ Other (describe): Zoning

Application Information:

1) This application is for __ Temp Zoning Variance __ pursuant to Chapter 210, Zoning, Article XVII of the Code of the Village of Pittsford: Site Plan Approval.

2) Current use of property: ____________ Proposed use: Food Cart

3) Description of project: Sell food from May 1, 2018 until Oct 31, 2018 from 10:00 a.m. to 3 p.m.

Form 4001, Planning Board Application Form, Version 2, Revised 12/11/2013
4) The following items are attached and are part of this application:

SITE MAP

LETTER OF INTENT
MONROE COUNTY HEALTH

PERMIT AND INSURANCE FORMS.

Owner's Statement

I am the owner of the above property, and have read and approve this application. If the applicant is other than the owner, I authorize the applicant to proceed as agent.

Signature ___________________________ Date ______________

Applicant's Statement

I hereby certify that the information submitted is, to the best of my knowledge, true and correct.

Signature ___________________________ Date ______________

NOTE: If any additional information is required by the Board, during the meeting, it is the responsibility of the applicant to provide such information, prior to the deadline of the subsequent meeting, or it will not be heard.

FOR OFFICE USE ONLY

Public Hearing sign(s) given to applicant ____________
Notice of Public Hearing published ____________
Neighborhood notification mailed ____________
Referral to Monroe Co. Planning: yes (date) no ____________
Hearing date(s) ____________
Date of PB action ____________
Approved ____________ Approved w/conditions ____________ Denied ____________
Date of filing of decision ____________

Form 4001, Planning Board Application Form, Version 2, Revised 12/11/2013
December 13, 2017
Village of Pittsford
Zoning Board of Appeals
Letter of Intent

Property owner: Town of Pittsford
Property Address: 10 North Main Street
Applicant: Charles Clottin, President, Harladay Inc.

I am currently seeking a temporary zoning permit to set up my hot dog stand at the old Tillis lot located in the Village of Pittsford. The lot is currently owned by the Town of Pittsford and usage for the 2018 season should be approved at the Town Board meeting in January, 2018.

As in the years past, I intend to serve good quality fast food to people working, living or visiting the Village of Pittsford. I intend to operate the cart from the beginning of May until the end of October 2018, Monday through Sunday between the hours of 10 am to 3 pm. I would also like the option of occasionally opening for special events in the village. My business is fully insured and licensed with the Monroe County Health Department.

Any further questions please feel free to call me at 585 766-7120.

Thank you,

Charles Clottin
AS PROVIDED IN CHAPTER 1, PART 14 OF THE NEW YORK STATE SANITARY CODE THIS PERMIT IS GRANTED TO HARLADAY INC. TO OPERATE A FOOD SERVICE ESTABLISHMENT KNOWN AS:

HARLADAY HOTS
12 BRIMSDOWN CIRCLE
FAIRPORT NY 14450

PART 14 OF THE NEW YORK STATE SANITARY CODE REQUIRES THAT THIS PERMIT BE PROMINENTLY DISPLAYED AT EACH FOOD SERVICE ESTABLISHMENT WHERE IT CAN BE SEEN BY THE CONSUMER.

ISSUE DATE: 1/1/2018

12/31/2018
DATE OF EXPIRATION

Michael D. Mendoza, MD, MPH, MS
Commissioner of Public Health

WARNING: ANY ALTERATION INVALIDATES THIS CERTIFICATE. THIS PERMIT IS NOT TRANSFERABLE.
### NYS WORKERS' COMPENSATION INSURANCE COVERAGE

<table>
<thead>
<tr>
<th>1a. Legal Name and address of Insured (use exact address only)</th>
<th>1b. Business Telephone Number of Insured</th>
</tr>
</thead>
<tbody>
<tr>
<td>HARLADAY, INC.</td>
<td>585-766-7120</td>
</tr>
<tr>
<td>12 BRIMSDOWN CIR</td>
<td></td>
</tr>
<tr>
<td>FAIRPORT NY 14450</td>
<td></td>
</tr>
</tbody>
</table>

**Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)**

<table>
<thead>
<tr>
<th>1c. NYS Unemployment Insurance Employer Registration Number of Insured</th>
<th>1d. Federal Employer Identification Number of Insured or Social Security Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)</th>
<th>3a. Name of Insurance Carrier</th>
</tr>
</thead>
<tbody>
<tr>
<td>MONROE COUNTY DEPT OF PUBLIC HEALTH</td>
<td>Hartford Underwriters Ins Co</td>
</tr>
<tr>
<td>111 WESTFALL RD RM 1020 ROCHESTER, NY 14620</td>
<td></td>
</tr>
</tbody>
</table>

**Policy Number of Entity Listed in Box "1a":**

<table>
<thead>
<tr>
<th>3b.</th>
<th>3c. Policy effective period:</th>
</tr>
</thead>
<tbody>
<tr>
<td>76 WEG 215592</td>
<td>05/06/2017 to 05/06/2018</td>
</tr>
</tbody>
</table>

**The Proprietor, Partners or Executive Officers are**

<table>
<thead>
<tr>
<th>3d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>included. (Only check box if all partners/officers included)</td>
</tr>
<tr>
<td>all excluded or certain partners/officers excluded.</td>
</tr>
</tbody>
</table>

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. (To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy). The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

**Will the carrier notify the certificate holder within 10 days of a policy being cancelled for non-payment of premium or within 30 days if cancelled for any other reason or if the insured is otherwise eliminated from the coverage indicated on this certificate prior to the end of the policy effective period?**

<table>
<thead>
<tr>
<th>yes</th>
<th>no</th>
</tr>
</thead>
</table>

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Worker's Compensation contract of insurance only while the underlying policy is in effect.

**Please Note:** Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

**Approved by:** Danielle Clausen  
**print name of authorized representative or licensed agent of insurance carrier**

**Approved by:** Danielle Clausen  
**Signature**  
**Date:** 11/20/2017

**Title:** Operations Manager

**Telephone Number of authorized representative or licensed agent of insurance carrier:** 866-467-8730

**Please Note:** Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.

C-105.2 (9-15)  
Form WC 88 31 21 E Printed in U.S.A.  
www.wcb.ny.gov

Page 1 of 2
Workers’ Compensation Law

Section 57  Restriction on issue of permits and the entering into contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.

2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.
CERTIFICATE OF INSURANCE COVERAGE
under the NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

<table>
<thead>
<tr>
<th>1a. Legal Name and Address of Insured (Use street address only)</th>
<th>1b. Business Telephone Number Of Insured</th>
</tr>
</thead>
<tbody>
<tr>
<td>HARLADAY INC</td>
<td>766-7120</td>
</tr>
<tr>
<td>PO BOX 413</td>
<td></td>
</tr>
<tr>
<td>PITTSFORD, NY 14534</td>
<td></td>
</tr>
<tr>
<td>Work Location Of Insured (Only required If coverage Is specifically limited To certain locations In New York State, i.e., a Wrap-Up Policy)</td>
<td>1c. Federal Employer Identification Number of Insured Or Social Security Number</td>
</tr>
<tr>
<td></td>
<td>26-4683830</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)</th>
<th>3a. Name of Insurance Carrier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harladay Inc.</td>
<td>WESCO INSURANCE COMPANY</td>
</tr>
<tr>
<td>PO Box 413</td>
<td></td>
</tr>
<tr>
<td>Pittsford, NY 14534</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3b. Policy Number of entity listed in box &quot;1a.&quot;</th>
<th>3c. Policy effective period:</th>
</tr>
</thead>
<tbody>
<tr>
<td>0238163</td>
<td>12/13/2017 to 12/31/2018</td>
</tr>
</tbody>
</table>

4. Policy provides the following benefits:
   ☒ A. Both disability and paid family leave benefits.
   ☐ B. Disability benefits only.
   ☐ C. Paid family leave benefits only.

5. Policy covers:
   ☒ A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.
   ☐ B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed: 12/13/2017

[Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier]

Telephone Number: 800-535-2711

Title: Vice President

IMPORTANT: If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder. If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed: ____________________________

[Signature of Authorized NYS Workers' Compensation Board Employee]

Telephone Number: ____________________________

Title: ____________________________

Please Note: Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.

DB-120.1 (9-17)
Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in box “1.a” for disability and/or paid family leave benefits under the New York State Disability and Paid Family Leave Benefits Law. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed as the certificate holder in Box 2. The insurance carrier must notify the above certificate holder and the Workers’ Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy. This certificate may be used as evidence of a Disability and/or Paid Family Leave Benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or paid family leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of NYS Disability and/or Paid Family Leave Benefits Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Disability and Paid Family Leave Benefits Law.

DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and not withstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.
February 16, 2018

Dear Village Property Owner:

The legal notice below was published in the Brighton-Pittsford Post on February 15, 2018. As an adjacent property owner within 300 feet of the subject property, you may wish to speak for or against the application. The date and time of the hearing are mentioned in the notice. If you are unable to attend the meeting, and wish to make a statement, a letter may be sent to the Village Office to be read at the hearing. The Village Office number is 586-4332.

Sincerely,

Linda Habeeb
Secretary
Planning & Zoning Board of Appeals

VILLAGE OF PITTSFORD
NOTICE OF PUBLIC HEARING

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 February 26, 2018 at 7:00 pm, to consider an application made by Charles Clottin, of Harladay Hots Inc., for a temporary zoning permit to allow the seasonal operation of a vending cart at 10 North Main Street, pursuant to Chapter 210-109, Temporary permits, of the Code of the Village of Pittsford.
<table>
<thead>
<tr>
<th>Company</th>
<th>Address 1</th>
<th>Address 2</th>
<th>City, State, Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Partners Ked</td>
<td>16 North Main Street</td>
<td>18 North Main Street LLC</td>
<td>Pittsford, NY 14534</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Town of Pittsford 11 South Main St. Pittsford, NY 14534</td>
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<td></td>
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<td>CCF Holdings LLC 16 North Main St. Pittsford NY 14534</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Gerald Clifford 2926 Monroe Ave. Rochester, NY 14618</td>
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<td></td>
<td>Robert Michaels Thomas Hartzell 6 North Main St. Pittsford, NY 14534</td>
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<td>Newcomb Properties, LLC 4 Schoen Place Pittsford, NY 14534</td>
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<td>Fleet Bank of NY Attn: Corp Real Est. BOA NC1-001-03-81 101 N. Tryon Street Charlotte NC 28255</td>
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<td></td>
<td></td>
<td>John Kircher 3 Arlington Drive Pittsford, NY 14534</td>
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<td></td>
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<td></td>
<td>Canal Lamp In LLC 143 South Main St. Pittsford, NY 14534</td>
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<td>Pittsford Fire District Attn: Thomas Heagerty 8 Monroe Avenue Pittsford, NY 14534</td>
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<td></td>
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<td>Flour City Bagels LLC 585 Moseley Road Fairport, NY 14450</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Michael Reynolds Starbuck MS-RE3 Store 7294-NY 2401 Utah Ave. S. Suite 800 Seattle, WA 98134</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>5 State Street Pittsford LLC 5 State Street Pittsford, NY 14534</td>
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<td>Ardis Mangione-Lindley 102 Stonefield Way Pittsford, NY 14534</td>
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<td>Fox Five LLC 20 N. Union St. Rochester, NY 14607</td>
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<td>Pittsford Properties LLC 339 Hogan Road Fairport, NY 14450</td>
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<td>Edgar Jump Realty Inc. 57 N. Brook Street Geneva, NY 14456</td>
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<td></td>
<td></td>
<td></td>
<td>Russell Smith Attn: Doug Smith 1875 Factory-Hollow Road Lima, NY 14485</td>
</tr>
</tbody>
</table>
VILLAGE OF PITTSFORD

Harladay Hots, Inc.
12 Brimsdown Circle
Fairport, NY 14450
Charles E. Clottin

VENDING PERMIT

The Town of Pittsford ("Town") hereby issues a vending permit to the above ("Vendor") to allow the sale of food from a small portable vending unit to be temporarily located at Town owned land at the old Tillis property on N. Main St, for the period from May 1, 2018 to October 31, 2018. The terms and conditions of this Permit are as follows:

- Vending hours shall be from 10:00 a.m. to 3:00 p.m. on Monday - Sunday at Old Tillis lot on N. Main St. The Town will provide a schedule of field use to the Vendor.
- The Vendor shall provide to the Town a valid certificate of insurance covering all of the Vendor's operations under this permit, with the Town listed as an "Additional Insured".
- The Vendor shall be responsible to obtain and provide the Town with copies of all health and safety certifications, such as licenses, inspections, and the like required to operate the Vendor's food sale operation.
- The Vendor's vending unit shall not be left unattended.
- All of the Vendor's equipment and materials shall be removed from the site at the end of each service time period. The Vendor shall be responsible for cleanup and removal of all debris generated by and/or associated with the food sale operation.
- The Vendor shall locate the vending unit in such a manner as not to inhibit maintenance of the area by Town staff. The specific location of the unit on the site shall be subject to review and approval by the Commissioner of Public Works.
- A Vending Permit Fee shall be assessed at a rate of $100.00 per month, to be payable on or before the first of each month.
- The Vendor shall protect, defend, indemnify and hold harmless the Town from any and all claims, costs, damages, liabilities and expenses (including reasonable attorneys' fees) of any nature whatsoever for injury, death to persons or property damage arising out of or in any way related to the Vendor's operations.
- The Town reserves the right to terminate this Permit at any time.

Town Supervisor: __________________________ Date: 1/18/2018

Vendor: __________________________ Date: 1/18/2018
MEMORANDUM

To: Pittsford Town Board

From: Paul Schenkel - Commissioner of Public Works

Date: December 14, 2017

Regarding: Authorize Harладay Hots, Inc. Vending Permit

For Meeting On: January 16, 2018

Charles Clottin, who does business as Harладay Hots, Inc., has requested again this year a “Food Vending Permit” to sell from a portable vending unit on the Town owned land located at 10 N. Main St. The vending unit would be operated during the hours of 10:00 a.m. through 3:00 p.m. Monday through Sunday from May 1, 2018 through October 31, 2018.

The attached proposed “Vending Permit” details the conditions of the arrangement, including a requirement that the Vendor have all necessary health and safety certifications and insurances, naming the Town as additional insured. The Village approval is also necessary for this permit. The vending fee is $100.00 per month of operation.

In the event the Town Board determines that the proposed action should be taken, the following Resolution is suggested:
2017 Minutes for 10 North Main Street

Charles Clottin, 10 North Main Street ~ Temporary Use Permit
Present: Charles Clottin, Harladay Hots, Inc.

The legal notice was published in the February 9, 2017 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 February 27, 2017 at 7:00 pm, to consider an application made by Charles Clottin, of Harladay Hots Inc., for a temporary zoning permit to allow the seasonal operation of a vending cart at 10 North Main Street, pursuant to Chapter 210-109, Temporary permits, of the Code of the Village of Pittsford.”

Discussion: Chairperson Vlietstra stated that this is a public hearing for a temporary zoning permit to operate a vending cart in the lot located at 10 North Main Street. Mr. Clottin stated that the Town of Pittsford owns the lot, and he has received permission from them to operate his vending business on the lot, contingent on his being granted a temporary zoning permit from the Village. He stated that he has the required permits from the Monroe County Health Department. He noted that he has operated his business successfully for the past seven years, with no problems. The operation this year is the same as last year.

Member Vlietstra pointed out that this is a commercial use in a residential district, but that it is temporary and this particular location is surrounded by offices, and the nearest residential houses are a good distance away and on the other side of the street. The hours and location make this use reasonable.

Member Vlietstra asked if any complaints have been received by this operation in previous years. The building inspector stated they have not received any complaints about this use.

The applicant stating that he will also operate the vending cart during special events, such as the Pittsford Regatta and the car show. The Village Building Inspector will be notified at least one week prior to operation at any special event.

Board members noted that Mr. Clotten’s General Liability Insurance had expired, and he stated that he will renew it as soon as possible. He also stated that he will maintain Workers’ Compensation Insurance or obtain a waiver from New York State.

Ms. Zoghlin stated that the proposed action is a minor temporary use of land having negligible or no permanent impact on the environment, and therefore is a Type II action that is not subject to SEQRA Review pursuant to 6 NYCRR 617.5(c)(15). The proposed action is a temporary activity that is exempt from Monroe County Planning review pursuant to General Municipal Law section 239-m and an Agreement between Monroe County and the Village of Pittsford dated January 11, 1994. The proposed action is in a waterfront area of the Village of Pittsford but is a Type II action under SEQRA so it is not subject to a local waterfront consistency review.

Motion: Member Vlietstra made a motion, seconded by Member Bove, to open the public hearing at this time.
Vote: Shannon - yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes. Motion carried.

Motion: Member Vlietstra made a motion, seconded by Member Bove, to close the public hearing at this time, as there was no one wishing to speak for or against this application.
Vote: Shannon - yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes. Motion carried.
Motion: Chairperson Vlietstra made a motion, seconded by Member Bove, to adopt Resolution 2017-1, granting a temporary zoning permit for the seasonal operation of a vending cart at 10 North Main Street, with the following conditions:

1. The vending cart may be operated from May 1, 2017 to October 31, 2017, Monday through Sunday between the hours of 10 am and 3 pm.

2. The vending cart may be operated during "special events" approved by the Village, which will include 30 minutes prior to the event and 30 minutes after the event for setup and cleanup of the area. The Village Building Inspector shall be notified at least 1 week prior to operation at any special event.

3. The ZBA reserves the right to revoke the temporary zoning permit if operation of the business creates traffic hazards or unsafe conditions for pedestrians, or if there are health, safety or welfare concerns that are communicated to the applicant and not resolved. If there is an emergency condition, the ZBA may revoke the permit and provide the applicant with a post-revocation hearing. If there is a non-emergency condition, the ZBA shall provide the applicant with notice and an opportunity to be heard on the revocation. The ZBA shall have sole discretion to determine whether a condition constitutes an emergency.

4. The Fire Marshall shall determine that the food vending cart meets Fire Code regulations.

5. The applicant receives permission from the Town of Pittsford to operate the vending cart in the proposed location.

6. The Applicant shall maintain a liability insurance policy of at least $1,000,000 naming the Village of Pittsford as certificate holders. A copy of the insurance policy shall be provided to the Village prior to operation.

Vote: Shannon - yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes. Motion carried. The decision was filed in the Office of the Village Clerk on February 27, 2017.

RESOLUTION 2017-1
Village of Pittsford Zoning
Board of Appeals

At a regular meeting of the Village of Pittsford Zoning Board of Appeals held at the Village hall on the 27th day of February 2017 at 7:00 p.m. The meeting was called to order by Justin Vlietstra and upon roll being called, the following were present:

PRESENT: Justin Vlietstra
Jeffrey Bove
Heather Erwin
Susan Lhota
JoAnne Shannon
The following resolution was offered by Board Member Justin Vlietstra, who moved its adoption, and seconded by Board Member Erwin, to wit:

WHEREAS, the Village of Pittsford Zoning Board of Appeals received an application from Charles Clottin of Harladay Hots Inc. for a temporary zoning permit to allow the seasonal operation of a vending cart at 10 North Main Street pursuant to Chapter 210-109, Temporary permits, of the Code of the Village of Pittsford, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application, Letter of Intent, Vending Permit from the Town of Pittsford, Certificate of Insurance Coverage under the NYS Disability Benefits Law, Certificate of Workers' Compensation Insurance Coverage, Monroe County Department of Health Permit, ZBA minutes from the applicant's 2016 application for a temporary zoning permit and, held a public hearing and received comments, and

WHEREAS, The Board makes the following findings regarding review requirements for this action:

1. State Environmental Quality Review (SEQR):
The proposed action is a minor temporary use of land having negligible or no permanent impact on the environment, and therefore is a Type II action that is not subject to SEQRA Review pursuant to 6 NYCRR 617.5(c)(15).

2. Monroe County Planning Review:
The proposed action is a temporary activity that is exempt from Monroe County Planning review pursuant to General Municipal Law section 239-m and an Agreement between Monroe County and the Village of Pittsford dated January 11, 1994.

3. Waterfront Consistency Review:
The proposed action is in a waterfront area of the Village of Pittsford but is a Type II action under SEQRA so it is not subject to a local waterfront consistency review.

4. Upon issuance of this temporary zoning permit, the proposed use will comply with all regulations, requirements and applicable ordinances of the Village of Pittsford as applicable to the subject property.
WHEREAS, after review, the Zoning Board of Appeals has weighed the effects of the requested temporary zoning permit on the health, safety and welfare of the neighborhood and community, and made the following findings:

1. The proposed use is in the R-4 residential district which permits single family homes and professional offices. All adjacent properties and the properties across the street are used as professional or municipal offices. It is believed that every property currently in the R-4 district is used as an office.

2. The proposed use is not in harmony with the general purpose and intent of the Zoning Code for the R-4 district, but the chosen times, nature, intensity, and location of the use adequately limit adverse impacts on the surrounding neighborhood.

3. The proposed use will not tend to depreciate the value of adjacent property, taking into account the temporary nature of the use and possibility of screening or other protective measures.

4. The proposed use will not create a hazard to health, safety or general welfare.

5. The proposed use will not be detrimental to the flow of traffic in the vicinity.

6. The proposed use will not alter the essential character of the neighborhood nor be detrimental to the residents thereof.

NOW THEREFORE, IT IS RESOLVED that the application of Charles Clottin of Harladay Hots Inc. for a temporary zoning permit to allow the seasonal operation of a vending cart at 10 North Main Street pursuant to Chapter 210-109, Temporary permits, of the Code of the Village of Pittsford is hereby granted for the reasons stated above, subject to the following conditions:

7. The vending cart may be operated from May 1, 2017 to October 31, 2017, Monday through Sunday between the hours of 10 am and 3 pm.

8. The vending cart may be operated during "special events" approved by the Village, which will include 30 minutes prior to the event and 30 minutes after the event for setup and cleanup of the area. The Village Building Inspector shall be notified at least 1 week prior to operation at any special event.

9. The ZBA reserves the right to revoke the temporary zoning permit if operation of the business creates traffic hazards or unsafe conditions for pedestrians, or if there are health, safety or welfare concerns that are communicated to the applicant and not resolved. If there is an emergency condition, the ZBA may revoke the permit and provide the
applicant with a post-revocation hearing. If there is a non-emergency condition, the ZBA shall provide the applicant with notice and an opportunity to be heard on the revocation. The ZBA shall have sole discretion to determine whether a condition constitutes an emergency.

10. The Fire Marshall shall determine that the food vending cart meets Fire Code regulations.

11. The applicant receives permission from the Town of Pittsford to operate the vending cart in the proposed location.

12. The Applicant shall maintain a liability insurance policy of at least $1,000,000 naming the Village of Pittsford as certificate holders. A copy of the insurance policy shall be provided to the Village prior to operation.

The question of the foregoing resolution was duly put to vote as follows:

The question of the foregoing resolution was duly put to vote as follows:

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
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<tbody>
<tr>
<td>Justin Vlietstra</td>
<td>x</td>
</tr>
<tr>
<td>Jeffrey Bove</td>
<td>x</td>
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<td>Heather Erwin</td>
<td>x</td>
</tr>
</tbody>
</table>
January 30, 2018

RE.: Response to Professional Engineering Groups Comments, REVIEW2R1 E, dated 01/22/18, & Earlier REVIEW 1 E[1], dated 04/02/17

PROJECT: Mattia Residence
44 Sutherland Street
Village of Pittsford, NY

Refer to updated Drawings, A1.1, A2.1, A2.2, C1.0, C1.1, C1.2, C1.3, light fixture cutsheets, & other enclosed documents.

*Responses from initial comments from REVIEW 1 E[1], dated 04/02/17*

**General**
1. The drawing set is compiled as requested;
   C1.0 Instrument Survey & Topographical Survey
   C1.1 Construction Site Plan & Demolition Plan
   C1.2 Proposed Site Plan
   A1.1 1st Floor Plan
   A1.2 West (Front) & South Elevations
   A2.2 East (Rear) & North Elevations
   (3) Perspective Views of Proposed Residence
2. Lineweights and graphical features have been revised and adjusted for clarity
3. Approval signatures have been added.

**Topographical & Boundary Sheet**
4. The manhole cover labeled with an ‘S’ is a cleanout, as well as, the connection of the existing and proposed sanitary lateral.
5. Existing and proposed utilities are located.
6. The manhole at the end of the driveway has been identified as a sanitary manhole. The 8” sanitary main runs through it and has been relocated on our C1.1 & C1.2.

**Site Plan (Demolition & Construction), Sheet C1.1**
7. Text conflicts generated from a software update, have been corrected.
8. Erosion control notes & restoration notes are included after general notes.
9. Straw bales are indicated.
10. Demolition notes are included in general notes.
11. The General Contractor and trained erosion control person are not yet selected.
12. Manhole type is a sanitary and the approximate invert identified. Utilities are located.
    Rim elevations are identified.
13. Stabilized Construction Entrance is shown on plan. Detail is located on C1.3
14. Silt fencing is shown parallel to contours.
15. Lineweights have been coordinated.
Site Plan (Proposed Conditions), Sheet C1.
16. Flow arrows have been added to conductor pipes.
17. Storm connection to municipal service has been eliminated. Storm water will be disposed of on site.
18. Required distance separation of utilities has been provided.
19. Elevations on neighboring lands have been added.

Letter from Bill Newman
20. Comment. No response required.

Responses from comments from REVIEW2R1 E, dated 01/22/18

General
1. Yes. The existing residence will be demolished & removed, and is now noted as such.
2. No landscaping plan is required. See; Site Restoration Notes on C1.2.
3. The Existing Conditions Sheet, otherwise known as C1.0, the Topographical Survey, was not included in the previous submission package, as directed by Mindy Zoghlin. But, is now included. The Instrument Survey has also been added to this sheet for reference.
4. Contours, spot elevations, as well as elevations of drainpipes, and discharge elevations have been revised and/or added. See C1.2.
5. Minor discrepancies between disturbance limits (construction fence has been adjusted outward, as needed) and proposed contours have been coordinated. See C1.1 & C1.2.
6. The discharge elevation of the French drain has been corrected to coordinate with the proposed contours and also to maintain a 3% slope.
7. No additional percolation tests are required. Initial shallow pit tests, performed on April 14th, 15th, & 16th of April, 2017; along with accepted known soil conditions in the immediate area provided by Scott Hater, P.E., and as verified, in testimony provided by APRB Board Member & long time neighbor Kenneth Morrow, at 48 Sutherland Street has indicated, that “the soil drains very well. Standing water has never been a problem.”
8. The French drain has been substituted for area drains and designed per directives from Mary Adelaide-Scippione, L.A. The length of the French drain is determined by spanning the length of the area where positive pitch to the backyard cannot otherwise be provided.
9. Construction Parking Area has been retitled Temporary Mobilization Area. The gravel area will be isolated from the existing soil bed with Mirafi-140N geotextile fabric, to allow for easy removal when the project is nearing the end of construction and the site restoration begins.
10. Silt fence and Construction fence locations are clearly noted on C1.2.
11. The scale of the site drawings on C1.1 & C1.2 has been changed to 1”=10’.
12. The proposed sanitary lateral connects to the existing clean out, just outside the west property line.
1. **TYP. DETAIL @ DISCHARGE OF DRAIN PIPE**

2. **RETAINING WALL DETAIL**

3. **COMMON UTILITY TRENCH DETAIL**

4. **ECT. TRENCH DETAIL**

5. **FRENCH DRAIN DETAIL**

6. **STABILIZED CONSTRUCTION ENTRANCE PLAN/SECTION**

7. **ASPHALT PAVING**

8. **STRAW BALE DETAIL**

9. **SILT FENCE DETAIL**
HADLEY 1624KZ
BUCKEYE BRONZE

| WIDTH:  | 9.0" |
| HEIGHT: | 12.5" |
| WEIGHT: | 4.0 LBS |
| MATERIAL: | ALUMINUM |
| GLASS: | CLEAR SEEDY |
| BACKPLATE WIDTH: | 4.8" |
| BACKPLATE HEIGHT: | 7.3" |
| SOCKET: | 1-100W MED |
| EXTENSION: | 10.0" |
| TTO: | 3.8" |
| CERTIFICATION: | C-US WET RATED |
| VOLTAGE: | 120V |
| UPC: | 640665162400 |

At Hinkley, we embrace the design philosophy that you can merge together the lighting, furniture, art, colors and accessories you love into a beautiful environment that defines your own personal style. We hope you will be inspired by our commitment to keep your ‘Life Aglow.’

life Aglow®
NOX-431 / NOX-432  4” Onyx Round Retrofit Downlight
Source: LED, 10.5 Watts, 650 Lumens

PRODUCT DESCRIPTION
The Onyx 4” Round Series is suitable for use with most 4” recessed housings. Die-cast aluminum construction provides clean sharp edges. Deep regressed optics and round aperture delivers even and glare-free illumination. Available in multiple color temperatures and 90+ CRI. Onyx Round is cULus wet label and ENERGY STAR listed.

FEATURES
- 650 lumens
- High color rendition: 90+ CRI
- 120V / 10.5 Watts max
- 2700K, 3000K and 4000K
- Integral driver
- Dimmable
- Includes medium base socket adaptor for easy retrofitting in 4” recessed housings
- Quick connector is compatible with Nora NHIC-4LMRAT and NHRC-4LMRAT dedicated LED housings.
- LED Dedicated housings are required by some codes in recessed can applications or to meet energy rebate program requirements.
- ENERGY STAR and cULus Wet Label listed

SPECIFICATION
Trim: One piece, die-cast aluminum construction dissipates heat and extends life. Unitized Thermal Management, UTM, provides exceptional cool operation.
Housings: Compatible with most 4” IC and non-IC housings by Nora and others.
Mounting: Two steel, spring mounting blades allow for easy and secure mounting in most 4” housings.
Optics: Nora specified and designed precision-molded lens for optimal lumen output and even distribution. The white polymer lens diffuser evenly distributes the light.
Finishes: Available in white finish.

ELECTRICAL
Voltage: 120V
Lumens: 650lm
CRI: 90+ CRI
Wattage: 10.5 Watts
Light Source: Samsung LED
Driver: Built-in driver, 104mA
Operating Temp: 0°C to 45°C ambient temperature
Dimming: 5% with electronic low voltage dimmer or 10% with 2-wire dimmer

Click Here or check complete dimmer list at www.NoraLighting.com in the “Compatibility” page under “Resources” tab.

COMPATIBLE HOUSINGS
Fire Box
- # NFBIC-4LMRAT* 4” ICAT Dedicated LED Fire Box
New Construction
- NSIC-401QAT 4” ICAT Line Voltage
- NS-401QAT 4” AT Line Voltage
- NHIC-4G24AT 4” ICAT GU24
- NHIC-4LMRAT* 4” ICAT Dedicated LED
- NHIC-4LMRAT/277* 4” ICAT Dedicated LED, 277V
- NHIC-427LMRAT* 4” ICAT Shallow Dedicated LED
Remodel
- NSR-404AT 4” AT Line Voltage
- NHIC-4G24AT 4” ICAT GU24
- NHRC-4LMRAT* 4” ICAT Dedicated LED

* Nora LED dedicated housings are cULus listed for use only with Nora Diamond/Cobalt/Onyx Series LED Retrofit.

LABELS AND LISTINGS
ENERGY STAR Listed
cULus Wet Listed
Meets ASTM-E283 Air-Tight requirements
5 Year / 50,000 Hour Limited Warranty

PRODUCT IMAGES AND DIMENSIONS

NOX-431 4” Onyx Reflector
- Diameter: 5"
- Aperture: 3-3/4"
- Height: 3"
- Lens Depth: 7/8"

NOX-432 4” Onyx Baffle
- Diameter: 5"
- Aperture: 3-3/4"
- Height: 3"
- Lens Depth: 7/8"

NRA-211SM
Medium Base screw-in socket included for retrofitting into existing Medium Base downlight housings

NRA-212SM
Socket adapter for use with GU24 base housings

4” Onyx Round LED Retrofit

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Example: NOX-43640WW  4” Onyx Square LED Retrofit, 3000K, White finish.
NOX-431 / NOX-432 4” Onyx Round Retrofit Downlight
Source: LED, 10.5 Watts, 650 Lumens

COEFFICIENTS OF UTILIZATION - ZONAL CAVITY METHOD
Effective Floor Cavity Reflectance 0.20

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POLAR GRAPH

ZONAL LUMEN SUMMARY

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Maximum Candela = 321.31 Located At Horizontal Angle = 90, Vertical Angle = 1
# 1 - Vertical Plane Through Horizontal Angles (90 - 270) (Through Max. Cd.)
# 2 - Horizontal Cone Through Vertical Angle (1) (Through Max. Cd.)
Designers Fountain PH218S-06 Signature White Outdoor Motion Detector

$53.93 PER EACH

Starting at $10/month with affirm. Learn more

Original List Price: $107.85 (You Save 49.00%)
Designers Fountain PH218S-06 Signature White Outdoor Motion Detector

Have a question about this product? Ask us!

- Backplate/Canopy Length: 4.25 in.
- Weight: 1.80 lb.

Other Specifications
- Ships Via: Ground (FREE SHIPPING)
- Warranty: 1yr

Additional Details
- Description: 180 Degree Motion Detector Quartz Halogen Twin Lig
  Notes: 2 quartz halogen lamp, 100 W. Max.
  Bulbs Included: Yes
  Wire Length: 0
  Hanging Weight: 0
  Safety Rating: UL/CUL
- Motion Sensor
- Safety Rating: UL/CUL Wet

Documents
- Install Sheet: P218C_P224C_PH218S.pdf

Designers Fountain's Catalogs

Click on the catalog to view the PDF in your browser or right-click and hit "Save As" to save the PDF to your computer.

Customer Reviews

Product Questions

Questions about Designers Fountain PH218S-06

Ask us a question...

Be the first to ask a question about this product!

Sign up to receive special offers by email from Lighting New York!

Enter Email Address

Sign Up

Feel Secure Shopping at Designers Fountain Lighting Lights

Payment Accepted

Customer Care
My Account
Payment Accepted

Shop Now
Shop Rooms
Shop Styles
Shop Categories
Shop Collections
Contact Us
Shipping
Ordering Info
Guarantee
Log In (Sign Up)
My Orders & Quotes
My Lists
My Addresses

Log In  (Sign Up)
My Orders & Quotes
My Lists
My Addresses

GoDaddy

TRANSMITTAL

To: VILLAGE PLANNING AND ZONING BOARD OF APPEALS
From: BRYAN G. POWERS, P.E.
Cc:
Date: 1/29/18
Re: WESTPORT CROSSING (75 MONROE AVE) – PZBA APPROVED FINAL SITE PLANS
WITH THE LATEST PROPOSED BUILDING OVERLAID ON THEM

As requested, at your Monday January 22, 2018 Planning and Zoning Board of Appeals, attached please find the following:

1. 8 copies of the 40 scale Final Site Plans, drawings 2240 – 02F and 03F reflecting the final site plans as were approved by the Planning and Zoning Board of Appeals, and revised multiple times to address the Village Engineer comments, with the latest building footprints as revised per the Architectural and Preservation Review Board overlaid in red. These plans are also stamped and signed by a New York State Licensed Engineer.

If you have any questions or require any additional information please contact Chris DiMarzo or me.

Thank you,

Bryan G. Powers, P.E
Senior Project Manager
Mark IV Enterprises
301 Exchange Blvd.
Rochester, NY 14608
P: (585) 232-1760 ext 146
F: (585) 232-7220
C: (585) 766-1614
e-mail: bpowers@markiventerprises.com

X:bpower\75 Monroe Avenue\Final Plans\LT011-Village Planning Board and Zoning Board of Appeals 1-29-18
A. INSTRUCTIONS (please print or type all answers):

1. Applicants or, in the case of direct actions, town and/or village agencies, shall complete this CAF for proposed actions which are subject to the LWRP consistency review law of the municipality wherein the action is proposed. This assessment is intended to supplement other information used by an agency in making a determination of consistency with the Town and Village of Pittsford Joint Local Waterfront Revitalization Program.

2. Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Town and Village of Pittsford Joint Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the Town’s Department of Public Works office or in the Village Clerk’s office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront area.

3. If any question in Section C on this form is answered “yes”, then the proposed action may affect the achievement of the LWRP policy standards and principles, as well as conditions contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that an action is consistent to the maximum extent practicable with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Type of Town (Village agency) action (check appropriate response):
   a. Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction)
   b. Financial assistance (e.g. grant, loan, subsidy)
   c. Permit, approval, license, certification
   d. Agency undertaking action:

2. Describe Nature and Extent of Action:

3. Location of Action: Village of Pittsford

4. Street or Site Description: 75 Market Ave.
Site is Located in: (circle one) Town Village Both
a. Size of Site: ...... 7.39 AC ......
b. Present Land Use: ...... VACANT ......

5. Present Zoning Classification(s): T-5

6. Describe any Unique or Unusual Land Forms on the Project Site (i.e. bluffs, ground depressions, other geological formations): None

7. Percentage of site which contains slopes of 15% or greater: 17.6%

8. Streams, Ponds or Wetlands Existing Within or Contiguous to the Project Area: Yes
   a. Name: NA
   b. Size (in acres): NA

9. If an Application for the Proposed Action has been filed with the Town/Village Agency, the following information shall be provided
   a. Name of Applicant: PITTSFORD COMMUNITY PROPERTIES LLC
   b. Mailing Address: 301 EXCHANGE PL. RD., RINGGOLD, IA. 14403
   c. Telephone Number: Area Code (563) 231-760
   d. Application Number, if any: NA

10. Will the Action be Directly Undertaken, Require Funding, or Approval by a State or Federal Agency? Yes No
    □ ☑

If yes, which State or Federal Agency? NA

11. Will Action Require Consistency Review of:
    (circle one) Town Village Both

C. WATERFRONT ASSESSMENT (Check either “yes” or “no” for each of the following questions)

1. Will the Proposed Action have a Significant Effect Upon:
   YES NO
   a. Commercial or recreational use of fish and wildlife resources? □ ☑
   b. Scenic quality of the waterfront environment? □ ☑
   c. Development of future, or existing water dependent uses? □ ☑
   d. Stability of the shoreline? □ ☑
   e. Surface or groundwater quality? □ ☑
   f. Existing or potential public recreation opportunities? □ ☑
   g. Structures, sites or district of historic, archeological or cultural
significance to the Town, Village, State or Nation?

2. Will Proposed Action Involve or Result in any of the Following:  
   a. Physical alteration of land along the shoreline, land under water or coastal waters?  
   b. Physical alteration of two(2) acres or more land located elsewhere in the waterfront area?  
   c. Expansion of existing public services or infrastructure in underdeveloped or low density areas of the waterfront area?  
   d. Energy facility not subject to Article VII or VIII of the Public Service Law?  
   e. Mining, excavation, filling or dredging?  
   f. Reduction of existing or potential public access to or along the shore?  
   g. Sale or change in use of publicly-owned lands located on the shoreline or under water?  
   h. Development within designated flood hazard area?  
   i. Development on a natural feature that provides protection against flooding or erosion?  
   j. Diminished surface or groundwater quality?  
   k. Removal of ground cover from the site?  

8. Project YES NO  
   a. If project is to be located adjacent to shore:  
      (1) Will water-related recreation be provided?  
      (2) Will public access to the shoreline be provided?  
      (3) Does the project require a waterfront site?  
      (4) Will it supplant a recreational or maritime use?  
      (5) Do essential public services and facilities presently exist at or near the site?  
      (6) Is it located in a flood prone area?  
      (7) Is it located in an area of high erosion?  
   b. If the project site is publicly owned:
(1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?

(2) If located in the foreshore, will access to those and adjacent lands be provided?

(3) Will it involve the siting and construction of major energy facilities?

(4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into a waterway?

b. Is the project site presently used by the community as an open space or recreation area?

d. Does the present site offer or include scenic views or vistas known to be important to the community?

e. Will the surface area of any waterways or wetland areas be increased or decreased by the proposal?

f. Will the project involve any waste discharges?

g. Does the project involve transport, storage, treatment or disposal of solid waste or hazardous material?

h. Does the project involve shipment or storage of petroleum products?

i. Does the project involve discharge of toxics, hazardous substances or other pollutants?

j. Will the project affect any area designated as a freshwater wetland?

k. Will the project alter drainage flow, patterns or surface water runoff on or from the site?

l. Will best management practices be utilized to control storm water runoff into waterways?

m. Will the project cause emissions which exceed federal or State air quality standards or generate significant amounts of nitrates or sulfates?
D. REMARKS OR ADDITIONAL INFORMATION (Add any additional sheets necessary to complete this form.)

If assistance or further information is needed to complete this form, depending on project location, please contact:

Town of Pittsford Department of Public Works at (585) 248-6250 or
Village of Pittsford Village Clerk’s office at (585) 586-4332

Preparer’s Name: RAY G. POKOES, P.E.
Telephone Number: (585) 236-1760 Title: SR. PROJECT MANAGER
Agency: HALT, INC. ENTERPRISES Date: 1/22/10
BE IT ENACTED BY THE
TOWN BOARD OF THE TOWN OF PITTSFORD
NEW YORK
AS FOLLOWS:
LOCAL LAW No. 3 of 2005:
ESTABLISHMENT OF LOCAL WATERFRONT
OVERLAY DISTRICT

Section 1: Title

This Local Law shall be known as "Local Law No. 3 of 2005: Establishment of Local Waterfront Overlay District"

Section 2: Amendment to Zoning Law

The Pittsford Town Code, Chapter 185, shall be amended to add the following:

ARTICLE XIVA
Local Waterfront Overlay District

§ 185-78.1. Establishment of District.

The purpose of the Local Waterfront Overlay District (LWOD) is to provide special controls to guide land use and development within the waterfront areas of the Town of Pittsford. The regulations are designed to protect the sensitive waterfront areas, and to maintain consistent land use the Town and Village of Pittsford's Local Waterfront Revitalization Program (LWRP). The LWOD regulations are not intended to be substituted for other zoning district provisions.

The overlay district is to be superimposed on the principal zoning district provisions and should be considered as additional requirements to be met in establishing a use within the respective principal zoning district.

B. Pursuant §185-5, the Official Zoning Map of the Town of Pittsford is amended and revised to establish and include the Local Waterfront Overlay District, as described in exhibit A and depicted in exhibit B.
§185-78.2 Permitted Uses

Those uses otherwise permitted in the underlying districts shall be permitted in accordance with the regulations applicable thereto.

In addition to any other provisions of this chapter applying to them, lots, lands and structures in the Local Waterfront Overlay District shall be subject to the policy standards, conditions and design guidelines contained in the Town and Village of Pittsford’s Local Waterfront Revitalization Program as such document may be amended from time to time, as well as the Town of Pittsford Waterfront Consistency Law.

Sec. 3 Severability

If any section, sentence, clause or phrase of this Local Law is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining provisions of this Local Law.

Sec. 4 Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.
NOTICE OF PUBLIC HEARING
VILLAGE OF PITTSFORD

Please take notice that a joint public hearing will be held before the Village of Pittsford Board of Trustees and the Town of Pittsford Council Members on Tuesday, November 15, 2005 at 7:00 PM at the Pittsford Community Library, 24 State Street, Pittsford, NY, to consider the adoption of Proposed Local Law #9 of 2005, which local law would amend the Code of the Village of Pittsford as follows:

ADD:

ARTICLE XI A
LOCAL WATERFRONT OVERLAY DISTRICT

§ 210-45.1. Establishment of District

A. The purpose of the Local Waterfront Overlay District (LWOD) is to provide special controls to guide land use and development within the waterfront areas of the Village of Pittsford. The regulations are designed to protect the sensitive waterfront areas, and to maintain consistent land use of the Town and Village of Pittsford’s Local waterfront Revitalization Program (LWRP). The LWOD regulations are not intended to be substituted for other zoning district provisions. The overlay is to be superimposed on the principal zoning district provisions and should be considered as additional requirements to be met in establishing a use within the respective principal zoning district.

B. Pursuant to §210-4. the Zoning Map of the Village of Pittsford is amended and revised to establish and include the Local Waterfront Overlay District as described in the LWRP as adopted by the Village of Pittsford.

§ 210-45.2. Permitted Uses

A. Those uses otherwise permitted in the underlying districts shall be permitted in accordance with the regulations applicable thereto.

B. In addition to any other provisions of this chapter applying to them, lots, lands and structures in the Local Waterfront Overlay District shall be subject to the policy standards, conditions and design guidelines
contained in the Village of Pittsford's Local Waterfront Revitalization Program as such document may be amended from time to time, as well
as the Village of Pittsford Chapter 121, Local Waterfront Consistency.

Acct. 1168

Village of Pittsford
Board of Trustees
Anne Z. Hartsig, Secretary
10/26/05  1 tcp