

**VILLAGE OF PITTSFORD
PLANNING AND ZONING BOARD OF APPEALS**



Members

Justin Vlietstra, Chair
Joanne Shannon
Renee Stetzer
Susan Lhota
Eli Bannister

Dan Keating, Liaison

Mindy Zoghlin, Village Attorney
Linda Habeeb, Recording Secretary

PLANNING & ZONING BOARD OF APPEALS

Monday November 19, 2018 at 7:00 pm

Tentative Agenda

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

- ✓ Conflict of Interest Disclosure

ZONING BOARD

- Pamela Schickler, 15 South Main Street ~ Special Exception Use
- Michael Newcomb, 47 State Street ~ Use Variance

Minutes: 10/3/18. 10/15/18

Member Items:

- ✓ Liaison Report

VILLAGE OF PITTSFORD

SETTLED 1789 • INCORPORATED 1827



Village Hall ca 1855 (remodeled 1937)

2019 Meeting Dates

PLANNING AND ZONING BOARD OF APPEALS

Meetings are scheduled for the third Monday of each month unless otherwise noted due to a holiday. All meetings begin at 7:00 PM. There will be a workshop session to review agenda items at 6:30 pm.

MEETING DATE

APPLICATION DEADLINE DATE

January 28, 2019

December 20, 2018

February 25, 2019

January 23, 2019

March 18, 2019

February 13, 2019

April 15, 2019

March 13, 2019

May 20, 2019

April 17, 2019

June 17, 2019

May 15, 2019

July 15, 2019

June 12, 2019

August 19, 2019

July 17, 2019

September 16, 2019

August 14, 2019

October 21, 2019

September 18, 2019

November 18, 2019

October 16, 2019

December 9, 2019

November 6, 2019

APPLICATION TO THE ZONING BOARD OF APPEALS
VILLAGE OF PITTSFORD
21 NORTH MAIN ST.
PITTSFORD, N.Y. 14534

2018 OCT 17 PM 1 01
RECEIVED
VILLAGE OF PITTSFORD

Date 9/29/18 Fee \$ _____
Property address 15 S. Main St Tax account # _____
Zoning District Village Property also known as: Sea Her Shine
Property owner(s) Michael Newcomb
Newcomb Properties
Owner's address 21 Schoen Place Telephone 586-1645
_____ (evening)

Applicant Pamela Schickler
Applicant's address 15 S. Main St. Telephone 585 737 0680 (day)
(Upper) 14534 " (evening)

Applicant is: owner lessee/tenant agent other: _____
Application for: Area Variance Special Exception Use
 Use Variance Temporary Zoning Permit
 other (describe): _____

Application Information:

1) This application is for relief from or pursuant to Chapter(s) _____
_____ of the Code of the Village of Pittsford.
Building Inspector's denial dated _____ is attached.

2) Description of variance or other relief sought: _____

3) All facts showing the necessity for relief: _____

4) Difficulties or hardship that would result if this application is denied: Both Sea Lee Skin and 25 North Dance offer exceptional experiences for village residents. My clients love the services and retail that I provide. Both are essential to the success of my businesses and livelihood.

5) The following items are attached and are part of this application: My clients and families support area businesses as well. I am building community and encouraging young families to visit the village.

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 Camea Schubert Date 9/29/18

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 ZBA action _____
Approved _____ Approved w/conditions _____ Denied _____
Date of filing of decision _____

attached: dana schedule

VILLAGE OF PITTSFORD

SETTLED 1789 • INCORPORATED 1827



Schoen Place waterfront at sunrise

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 November 19, 2018 at 7:00 pm, to consider an application made by Pamela Schickler for a Special Exception Use for a recreational and instructional facility at 15 South Main Street, pursuant to Village Code §210-113B, Special exception uses.

Village of Pittsford
Zoning Board of Appeals
Linda Habeeb, Secretary
11/1/18

Linda Habeeb

From: Brozell, Sally <sbrozell@messengerpostmedia.com>
Sent: Thursday, November 01, 2018 8:12 PM
To: Linda Habeeb
Subject: 113-62799 Re: Village of Pittsford Legal Notices

Hi Linda
Legal #1 will publish Nov 08
Sally

LEGAL NOTICE VILLAGE OF PITTSFORD NOTICE OF PUBLIC HEARING

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Village of Pittsford
Zoning Board of Appeals
Linda Habeeb, Secretary
11/1/18
No 08
62799

On Tue, Oct 30, 2018 at 2:19 PM, Linda Habeeb <lhabeeb@villageofpittsford.com> wrote:

Hi Sally,

Attached are 2 legal notices for publication in the Nov. 1st BP Post.

Please confirm receipt.

There may be one more. What time on Thursday is the deadline?

**LEGAL NOTICE
VILLAGE OF PITTSFORD
NOTICE OF PUBLIC HEARING**

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Village of Pittsford
Zoning Board of Appeals
Linda Habeeb, Secretary
11/1/18
No 08
62799

VILLAGE OF PITTSFORD

SETTLED 1789 • INCORPORATED 1827



Schoen Place waterfront at sunrise

November 9, 2018

Dear Village Property Owner:

The legal notice below was published in the Brighton-Pittsford Post on November 8, 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

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 November 19, 2018 at 7:00 pm, to consider an application made by Pamela Schickler for a Special Exception Use for a recreational and instructional facility at 15 South Main Street, pursuant to Village Code §210-113B, Special exception uses.

15 S. Main

Newcomb Properties L L C
4 Schoen Pl
Pittsford NY 14534

Fox Five LLC
180 Canal View Blvd #600
Rochester NY 14623

Presbyterian Society
c/o Arc of Monroe County
2060 Brighton-Henrietta TL Rd
Rochester NY 14623

Fox Five LLC
180 Canal View Blvd Ste 600
Rochester NY 14623

Fox Five LLC
180 Canal View Blvd #600
Rochester NY 14623

Presbyterian Society
21 Church St
Pittsford NY 14534

Hartzell Thomas C Jr.
6 North Main St
Pittsford NY 14534

JPMorgan Chase BankNA
Attn:Lease Administration
Mail Code OH1-0241
1111 Polaris Pkwy Ste 1M
Columbus OH 43240

Werner Jill H
34 Church St
Pittsford NY 14534

Clifford Gerald R
2926 Monroe Ave
Rochester NY 14618

McNamara Sherri L
McNamara Michael J
24 Church St
Pittsford NY 14534

Presbyterian Society
21 Church St
Pittsford NY 14534

Clifford Gerald R
2926 Monroe Ave
Rochester NY 14618

35 State LLC
71 State St
Pittsford NY 14534

D2 Pittsford LLC
C/O Canandaigua National Bank
Attn: Accounts Payable
72 South Main St
Canandaigua NY 14424

4 North Main LLC
71 State St
Pittsford NY 14534

Jay Birnbaum-57 LLC
2850 Clover St
Pittsford NY 14534

Clifford Gerald R
2926 Monroe Ave
Rochester NY 14618

Mangione-Lindley Ardis
102 Old Stonefield Way
Pittsford NY 14534

Riley James B
Riley Pauline M
26 Church St
Pittsford NY 14534

Town Of Pittsford
11 S Main St
Pittsford NY 14534

Pittsford Properties LLC
339 Hogan Rd
Fairport NY 14450

Frank Christopher J
Frank Heather W
55 Wenham Ln
Pittsford NY 14534

Flour City Bagels LLC
585 Moseley Rd
Fairport NY 14450

Fox Five LLC
180 Canal View Blvd #600
Rochester NY 14623

LaRocca Brenda L
30 & 32 Church St
Pittsford NY 14534

34-34 1/2 State LLC
71 State St
Pittsford NY 14534

Fox Five LLC
180 Canal View Blvd #600
Rochester NY 14623

Northfield Masonic/#426
Attn: John Dudley
57 Park Rd
Pittsford NY 14534-3640

Town Of Pittsford
11 S Main St
Pittsford NY 14534

Newcomb Properties L L C
4 Schoen Pl
Pittsford NY 14534

Reynolds Michael F
Starbuck MS-RE3 Store 7294-NY
2401 Utah Ave S Ste 800
Seattle WA 98134

Newcomb Properties L L C
4 Schoen Pl
Pittsford NY 14534

5 State Street Pittsford LLC
5 State St
Pittsford NY 14534

Newcomb Properties L L C
4 Schoen Pl
Pittsford NY 14534

Fox Five LLC
180 Canal View Blvd #600
Rochester NY 14623

Williams Christopher T
3810 East Ave
Rochester NY 14618

APPLICATION TO THE ZONING BOARD OF APPEALS
VILLAGE OF PITTSFORD
21 NORTH MAIN ST.
PITTSFORD, N.Y. 14534

2018 OCT 24 AM 10 26
RECEIVED
VILLAGE OF PITTSFORD

Date 10/22 Fee \$ _____

Property address 47 State St. Tax account # _____

Zoning District _____ Property also known as: _____

Property owner(s) Newcom's Properties

Owner's address 4 Schoen Pl Telephone 586-1645 (day)
Pittsford NY (evening)

Applicant Same

Applicant's address Same Telephone _____ (day)
_____ (evening)

Applicant is: owner _____ lessee/tenant _____ agent _____ other: _____

Application for: _____ Area Variance _____ Special Exception Use
 Use Variance _____ Temporary Zoning Permit
_____ other (describe): _____

Application Information:

1) This application is for relief from or pursuant to Chapter(s) _____
_____ of the Code of the Village of Pittsford.
Building Inspector's denial dated _____ is attached.

2) Description of variance or other relief sought: Change single family
building to 2 Family building

3) All facts showing the necessity for relief: See letter

4) Difficulties or hardship that would result if this application is denied: _____

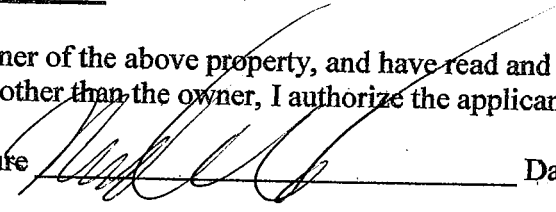
See Letter

5) The following items are attached and are part of this application: _____

Letter

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 ZBA action _____
Approved _____ Approved w/conditions _____ Denied _____
Date of filing of decision _____

(1) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence:

This house is large, over 2,100 square feet, (5 bedrooms, eat-in kitchen, living room, dining room, family room, 1st floor laundry, 2 bathrooms). It is on a busy street. It does not have a garage. It is hard to keep it rented because the size appeals to a family but the location does not. It has been for rent for several months and there have been no takers. In the past, it has taken several months to rent. The interior is in good condition but we feel the outside could be upgraded and look much nicer.

(2) that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood:

There are 5 houses on State Street that have not been converted to commercial use between Main Street and the Canal. Every one of them other than the small one at 39 State Street is a 2 family home. Across the street is commercial. This is the only house on State Street, across from commercial property, large enough to be a 2 family that is not.

(3) that the requested use variance, if granted, will not alter the essential character of the neighborhood:

We would make the house a 2 family without changing the outside nature of the home. Being that there are already apartments in the immediate neighborhood, it will not change the character of the area.

(4) that the alleged hardship has not been self-created:

We have owned this house for over 35 years. The street has gotten much busier and the other houses changed to 2 family residences during the time we have owned it. We have kept the house in good condition.

VILLAGE OF PITTSFORD
2018 OCT 9 PM 1 33
RECEIVED

§ 210-113B (2)

Special exception uses.

(a)

After due notice and public hearing, the Board of Appeals may grant a special exception use permit upon the findings that the special exception use permit will:

Comply with all regulations and requirements of this chapter and all other applicable ordinances of the Village of Pittsford as applicable to the subject property.

[2]

Be in harmony with the general purpose and intent of this chapter, taking into account the location and size of the use, the nature and intensity of the operations involved or conducted in connection with it and the size of the site with respect to the streets giving access thereto.

[3]

Not tend to depreciate the value of adjacent property, taking into account the possibility of screening or other protective measures.

[4]

Not create a hazard to health, safety or general welfare.

[5]

Not be detrimental to the flow of traffic in the vicinity.

[6]

Not alter the essential character of the neighborhood nor be detrimental to the residents thereof.

Linda Habeeb

From: Brozell, Sally <sbrozell@messengerpostmedia.com>
Sent: Thursday, November 01, 2018 8:16 PM
To: Linda Habeeb
Subject: 113-62800 Re: Village of Pittsford Legal Notices

And legal #2 will also publish on Nov 08

**LEGAL NOTICE
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 November 19, 2018 at 7:00 pm, to consider an application made by Michael Newcomb for a use variance, pursuant to NY Village Law 7-712-B, to use the property as a 2-family home in an R-3 district where section 210-14 of the Zoning Law does not permit this use.

Village of Pittsford
Zoning Board of Appeals
Linda Habeeb, Secretary
11/1/18
No 08
62800

On Tue, Oct 30, 2018 at 2:19 PM, Linda Habeeb <lhabeeb@villageofpittsford.com> wrote:

Hi Sally,

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Village of Pittsford
Zoning Board of Appeals
Linda Habeeb, Secretary
11/1/18
No 08
62800

VILLAGE OF PITTSFORD

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Schoen Place waterfront at sunrise

November 9, 2018

Dear Village Property Owner:

The legal notice below was published in the Brighton-Pittsford Post on November 8, 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

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 November 19, 2018 at 7:00 pm, to consider an application made by Michael Newcomb, owner of property located at 47 State Street, for a use variance, pursuant to NY Village Law 7-712-B, to use the property as a 2-family home in an R-3 district where section 210-14 of the Zoning Law does not permit this use.

47 State

Schuyler Eugene L LivTrust
c/o Patty Schuyler
PO Box 778
Old Forge NY 13420

Jones Dennis
12 Boughton Ave
Pittsford NY 14534

Zombek Benjamin
Zombek Kimberly A
11 Wood St
Pittsford NY 14534

MAV Property Holdings LLC
PO Box 23794
Rochester NY 14692-3794

Juszkiewicz Ricardo
38 State St
Pittsford NY 14534

Lawrenz Barry A
Lawrenz Cassandra
9 Wood St
Pittsford NY 14534

Cooper Timothy
Cooper Cynthia
5 Boughton Ave
Pittsford NY 14534

Madigan Mark J
Madigan Amanda K
9 Boughton Ave
Pittsford NY 14534

Gulfside Resort Group
c/o Tim Borshoff
15 S Pittsford Hill Ln
Pittsford NY 14534

Reynolds Janet G
35 Church St
Pittsford NY 14534

40 State LLC
71 State St
Pittsford NY 14534

Bryant Scott D
Kowalski Rachael F
20 South St
Pittsford NY 14534

Newcomb Properties L L C
4 Schoen Pl
Pittsford NY 14534

Hollenbeck Jessie R
8 Wood St
Pittsford NY 14534

Frank John
3560 Otetiana Pt
Canandaigua NY 14424

Seymour Cynthia A
6 Boughton Ave
Pittsford NY 14534

Gibbon James T
21 South St
Pittsford NY 14534

Newcomb Properties L L C
4 Schoen Pl
Pittsford NY 14534

Pierson Mitchell Jr.
Pierson Louisa H
14 South St
Pittsford NY 14534

Moyer Kristen J
14 Boughton Ave
Pittsford NY 14534

Werner Jill H
34 Church St
Pittsford NY 14534

Cargill Marilyn E
Cargill Jack
8 Boughton Ave
Pittsford NY 14534

JPMorgan Chase BankNA
Attn:Lease Administration
Mail Code OH1-0241
1111 Polaris Pkwy Ste 1M
Columbus OH 43240

Chatman Marc A
2 Boughton Ave
Pittsford NY 14534

Boynton Michael
Boynton Emily Marion
7 Boughton Ave
Pittsford NY 14534

Conti Marcia L
16 Boughton Ave
Pittsford NY 14534

Pierson Mitchell III
Pierson Ani T
10 South St
Pittsford NY 14534

Burbank Paul Whittaker
21 Arlington Dr
Pittsford NY 14534

35 State LLC
71 State St
Pittsford NY 14534

NorthfieldCommonsHoldingsLLC
180 Canal View Blvd #600
Rochester NY 14623

Powers Schoen Place Assoc LL
91 Golf Ave
Pittsford NY 14534

34-34 1/2 State LLC
71 State St
Pittsford NY 14534

Town Of Pittsford
11 S Main St
Pittsford NY 14534