

# VILLAGE OF PITTSFORD

SETTLED 1789 • INCORPORATED 1827



## Village of Pittsford Board of Trustees Special Meeting / Code Review Workshop Meeting December 5, 2022, 4 PM – 6 PM

**\*Tentative Agenda\***

**Board Member - Conflict of Interest Disclosure & Open Meeting Compliance  
Certification**

### **Meeting Items**

1. Bill Pay
2. Back Entrance BID Addendum
3. Code Discussion

*\*Next Scheduled Regular Meeting is December 15, 2022, and is Subject to Change Without  
Notice\**

# TREASURER'S REPORT

Submitted by

Brooklyn Thomas

12/5/2022

- Vouchers for approval – Abstract #9
  - General Fund (253-276) \$63,441.38
  - Sewer Fund (260,270) \$5747.63
  - **Total Vouchers for Approval: \$69,189.01**

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## **BID ADDENDUM #ONE**

to Contract Documents for:

### **DATE:**

November 28, 2022

### **PROJECT:**

West Basement Entrance Improvements  
Pittsford Village Office  
21 North Main Street  
Pittsford, New York  
Project #: 95577

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This Addendum forms a part of the Contract Documents and modifies the documents dated November 10, 2022. The Addendum shall be included in the Contract Documents as if bound therein. This Addendum consists of one (1) page and one (1) attachment.

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### **SPECIFICATION ITEMS**

- 1.01 SECTION 00 00 20 "NOTICE TO BIDDERS"  
OMIT: Entire SECTION 00 00 20 "NOTICE TO BIDDERS."  
ADD: Entire SECTION 00 00 20 "NOTICE TO BIDDERS," Addendum No. One, *Attachment 1*.

### **DRAWING ITEMS**

- 1.02 DRAWING CS-10 "CODE STUDY PLANS," Drawing 1, Code Study – Basement Plan  
OMIT: Note "Assumed location of electrical panel."  
ADD: Note "Electrical panel on east wall of Mechanical Room for snow melt system. For Alternate #2, Run wiring in conduit for snow melt system concealed in Basement "American Legion Meeting Room" and "Kitchen." Conduit does not need to be concealed in Basement "Storage" and "Mechanical Room."
- 1.03 DRAWING A-10 "FLOOR PLANS & DOOR SCHEDULE," Drawing 2, First Floor Plan  
OMIT: Note "Locate snow detection control equip per manufacturer's instructions regarding length of run of system and connection. Provide underground conduit to building and continue concealed to electrical panel. Coordinate pathway with Owner and Architect."  
ADD: Note "Alternate No. 2: Locate snow detection control equip per manufacturer's instructions regarding length of run of system and connection. Provide underground conduit to building and continue concealed in American Legion Room and Kitchen and exposed in Storage and Mechanical Room to electrical panel. Coordinate pathway with Owner and Architect."

**END OF ADDENDUM #ONE**

# Notice to Bidders

## ADDENDUM No. ONE

The Village of Pittsford invites bids for the West Basement Entrance Improvements project located at 21 North Main St., Pittsford, NY 14534, in accordance with Section 103 of Article 5-A of General Municipal Law. The bids shall include all labor, equipment, and materials necessary to perform the work as indicated in the Specifications, which are part of these Contract Documents.

Sealed bids will be received by the Village of Pittsford on January 5, 2023, at 2:00 p.m. at which time and place they will be publicly opened and read aloud.

Specifications and bid documents may be obtained at no charge – in electronic format (PDF) - at the office of the Village Clerk at the same address.

Bidders are required to execute certifications as part of the bid proposal including a non-collusive bid certification pursuant to Section 103-d of the general municipal law of the State of New York.

This project is financed in whole or in part through the State and Municipal Facilities Program (SAM) program administered by DASNY as a capital grant program on behalf of New York State that support community and economic development. Therefore, all federal regulations governing contracts apply, including Labor Standards Provisions and Davis-Bacon Wage Rates, Equal Employment Opportunity requirements and Section 3, Provisions.

Bids must be submitted on the prescribed forms. Each bidder must submit a complete Form of Proposal.

Bids may be held by the Owner for a period not to exceed forty-five (45) days from the date of the opening of bids before awarding any contract.

A pre-bid conference will be held at the project site on Thursday, December 8 at 9:00 a.m. All Bidders are required to visit the site and familiarize themselves with the project requirements. Additional site visits can be scheduled by contacting, Dorothea Ciccarelli, the Village Clerk.

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### Contact Information:

Village of Pittsford  
Dorothea M. Ciccarelli  
Village Clerk  
21 North Main Street  
Pittsford, NY 14534  
(585) 586-4332

Email: [villageclerk@villageofpittsford.com](mailto:villageclerk@villageofpittsford.com)

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## Codes

- 1 - 168-6-B B2 District reference
- 2 - 210-20.9 "D" Door to Doors
- 3 - 210-23.6 T.O. district chart is labelled as O.S chart and exactly the same as O.S. zoning chart
- 4 - 210-23.6 "E" 3 and 210-24.16 "C" 3 – entertainment language needs to be modified
- 5 - 210-20.4 "D" single family dwelling reference ? attached/detached
- 6 - 168-6 "B" B2 reference – should be VGB
- 7 - 168-9 R4 reference – should be LOR and in general references 168-9
- 8 - 98-1 "F" reference 210-114B(2) – should be 210-35 but 210-35 needs to be modified to tie two areas together (also reference to "special exception")
- 9 - 117-7 "B" same as above reference
- 10 - 117-10 "A" 210-109 & 210-113 "B" (4) should be 210-39
- 11 - 150-3 "I" 210-113 "B" (2) should be 210-35
- 12 - 173-6 Permitted in zones B1,B1A should be M1
- 13 - 210-15.7 and 16.7 "B" should read absent from 20% not 80%
- 14 - 176-16 & 18 change from "board of Trustees" to Building Inspector
- 15 - 9-2 Definitions Planning Board 210-115 should be changed to 210-15
- 16 - 9-2 Definitions Zoning Board 210-114 should be changed to 210-16
- 17 - Should "Yard" definitions reference residential not commercial
- 18 - 90-3 Reference to NEC should reference NFPA 2020
- 19 - Chapter 150 needs to be looked at as it has a limit of 18ft for vehicle storage and there are multiple businesses within the Village that have trucks well over 18ft and in fact anyone with a club or crew cab truck with commercial plates within the Village are illegal according to this chapter.
- 20 – Conflict for tattoo parlor allowance, allowed on the MU-EC chart under SP but then restricted under 210-24.11 - REMOVED
- 21 - 210-30.3 A 1 Village clerk should be changed to Building Insp./CEO or at least prior to Village clerk
- 22 - 210-20.6 should be modified, could modify note #2 to exempt garages, or add note #3
- 23 - Lot coverage for properties with Churches, all well over allowed coverages, every neighborhood I have surveyed for lot coverages are over the 25% requiring everyone to need a variance for any change proposed to the property

24 - Zoning change that excluded dentist office on S. Main street and why is veterinarian clinic allowed in MU-OF but not medical clinics, there are multiple doctors facilities in Village Green currently and also medical are not allowed in TDD when Doctor Rosen's office was located at 25 S. Main for many years and they are having a very hard time selling based on the zoning restriction.

25 - Change notices from 10 days to 5 days

26 - Remove requiring salons/personal care facilities to obtain a special permit to operate ?

27 – 210 - 20 (D) 8 A parking area not exceeding 9 x 25 must be located in the side or rear yard area and is subject to all other provisions of this chapter - NEW

28 - 210-34.2- A/9 add "in a non residential district" - NEW

29 - Somehow modify code so that recurring events that happen each year with no changes can be permitted administratively and also define the events that need a non-municipal permit and the ones that can be approved administratively - NEW

30 - Modify times of 173-15 B-2 currently 6pm – 6am - NEW

**§ 176-16 Consent required; guarding.**

- A. It shall be unlawful for any person to dig, or cause to be dug, into, through or across any street, alley, sidewalk or public grounds in the village, any trench, ditch or other opening for any purpose, without the consent of the Village Board of Trustees and unless under the supervision of the Highway Superintendent.
- B. All such ditches, trenches or other openings shall at all times be carefully and properly guarded and lighted at night.

**§ 176-17 Penalties for offenses.**

- A. Criminal penalty. Any person who violates any provision of this article shall, upon conviction thereof, be subject to a fine not to exceed \$250 or to imprisonment for a term not to exceed 15 days, or both.
- B. Civil penalties; construal.
  - (1) Obedience to the provisions set forth herein may be enforced by criminal information for the penalties herein prescribed, as well as by prosecution of the offender as provided in Subsection A of this section, or by civil action for a penalty or by civil remedy at law or equity by way of injunction or otherwise to abate or prevent a violation of the provisions of this article.
  - (2) Neither a judgment in nor the pendency of a criminal prosecution for an alleged violation of the provisions of this article nor a judgment in or the pendency of a civil action of law or in equity shall be a bar to the other form of proceeding.
  - (3) The imposition of a penalty for a violation of this article shall not excuse the violation or permit it to continue, and the remedies herein provided for penalties and civil action to enjoin or abate a violation shall be cumulative.

[1] Editor's Note: For additional provisions concerning the construction of sidewalks, see Ch. 210, Zoning, § 210-81G(5).

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### § 176-18 Permission required.

Unless otherwise directed by the Village Board of Trustees, it shall be unlawful for any person or owner of property to construct, repair, replace, improve, remove, alter, refinish or otherwise change any public sidewalk, curbing or other street improvement without first obtaining the permission of said Board of Trustees.

### § 176-19 Penalties for offenses.

- A. Criminal penalty. Any person who violates any provision of this article shall, upon conviction thereof, be subject to a fine not to exceed \$250 or to imprisonment for a term not to exceed 15 days, or both.
- B. Civil penalties; construal.
  - (1) Obedience to the provisions set forth herein may be enforced by criminal information for the penalties herein prescribed, as well as by prosecution of the offender as provided in Subsection A of this section, or by civil action for a penalty or by civil remedy at law or equity by way of injunction or otherwise to abate or prevent a violation of the provisions of this article.
  - (2) Neither a judgment in nor the pendency of a criminal prosecution for an alleged violation of the provisions of this article nor a judgment in or the pendency of a civil action of law or in equity shall be a bar to the other form of proceeding.
  - (3) The imposition of a penalty for a violation of this article shall not excuse the violation or permit it to continue, and the remedies herein provided for penalties and civil action to enjoin or abate a violation shall be cumulative.



[HISTORY: Adopted by the Board of Trustees of the Village of Pittsford as indicated in article histories. Amendments noted where applicable.]

## GENERAL REFERENCES

Officers and employees — See Ch. 28.

# Article I Alternate Members of Zoning Board of Appeals, Planning Board and Historic Preservation Review Board <sup>[1]</sup>

[Adopted 11-13-2004 by L.L. No. 5-2004]

[1] *Editor's Note: All references in this article to the Architectural and Preservation Review Board were changed to references to the Historic Preservation Review Board 1-22-2019 by L.L. No. 1-2019.*

## § 9-1 Purpose.

[Amended 11-14-2006 by L.L. No. 7-2006]

For various reasons, including illnesses, vacations, and conflicts of interest, it is sometimes not possible for every member of the Zoning Board of Appeals, the Planning Board and the Historic Preservation Review Board to act at every meeting. Such inability to act at every meeting may delay or impede such Boards in meeting their responsibilities. The purpose of this article is to authorize the appointment and service of alternate members of the Zoning Board of Appeals, the Planning Board, and the Historic Preservation Review Board of the Village of Pittsford.

## § 9-2 Definitions.

As used in this article, the following terms shall have the meanings indicated:

### ALTERNATE MEMBER

An individual appointed, as provided herein, to serve on the Zoning Board of Appeals, the Planning Board or the Historic Preservation Review Board when required to replace any member of such Boards who is unable to act at any meeting for any reason.

[Amended 11-14-2006 by L.L. No. 7-2006]

### HISTORIC PRESERVATION REVIEW BOARD

The Historic Review Board of the Village of Pittsford, as established by Chapter 112 of the Village of Pittsford Code.

[Amended 1-22-2019 by L.L. No. 1-2019]

### PLANNING BOARD

The Planning Board of the Village of Pittsford, as established by § 210-115 of the Code of the Village of Pittsford.

### ZONING BOARD OF APPEALS

The Zoning Board of Appeals of the Village of Pittsford, as established by § 210-114 of the Code of the Village of Pittsford.

## § 9-3 Appointment; terms; powers; procedure; applicability of state and local laws.

- A. Alternate members shall be appointed by the Mayor, with the concurrence of the Board of Trustees. The number of alternate members shall be established by the Board of Trustees.
- B. Alternate members shall be appointed for a term of five years.
- C. In the case of an absence of a member of the Zoning Board of Appeals, the Planning Board, or the Historic Preservation Review Board, or a recusal of a member on a particular item, an alternate member, if present, shall serve, regardless of whether such alternate member is needed for a quorum. When so designated, the alternate member shall possess all the powers and responsibilities of a member of such board. If the Village Board of Trustees designates multiple alternates to any board, it will designate a First Alternate, Second Alternate, etc., and such alternates shall serve in that order.  
[Amended 11-14-2006 by L.L. No. 7-2006; 8-9-2015 by L.L. No. 9-2015]
- D. All provisions of state and local law relating to eligibility, compensation, residency, vacancy, attendance, removal, compatibility of office, and service on other Boards shall apply to alternate members.

## § 9-4 Supersession of Village Law.

This article is hereby adopted pursuant to the provisions of § 10 of the New York State Municipal Home Rule Law and § 10 of the New York Statute of Local Governments. It is the intent of the Village Board of Trustees, pursuant to § 10 of the New York State Municipal Home Rule Law, to supersede the provisions of:

- A. Section 7-712 of the Village Law relating to the appointment of members to Village Zoning Boards of Appeal.
- B. Section 7-718 of the Village Law relating to the appointment of members to Village Planning Boards.

**§ 9-5 Severability.**

If any provisions of this article are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the article shall remain in effect.

**§ 9-6 When effective.**

This article shall take effect upon filing with the Secretary of State.

### § 210-15.1 Establishment.

Per § 7-718 of New York State Village Law, the Planning Board previously established under local law and still in existence at the time of this chapter's enactment shall hereby be continued.

### § 210-15.2 Membership.

#### A. Membership and terms.

- (1) The Planning Board shall consist of five members appointed by the Mayor and confirmed by the Village Board.
- (2) The terms of the members of the Planning Board shall be five years.

#### B. Qualifications of members.

- (1) Planning Board members are required to be residents of the Village with the exception of one member who may reside outside of the Village, provided such member is a resident of the Town of Pittsford, Monroe County, wherein the Village is located.
- (2) No current Trustee of the Village of Pittsford may serve as a member of the Planning Board.

#### C. Chairperson.

- (1) The Mayor shall, pursuant to New York State Village Law, designate the Chairperson of the Planning Board. The Chairperson shall be designated from the existing members of the Planning Board. Such designation may be changed at any time by the Village Board.
- (2) In the absence of such designation, the Chairperson of the Planning Board shall be designated from amongst the members by an affirmative vote of a majority of the members, and may be changed at any time by an affirmative vote of a majority of the members.
- (3) The Chairperson shall have the right to vote on all matters before the Planning Board. In the Chairperson's absence, the Board may designate an acting Chairperson by affirmative vote of a majority of the Planning Board.

#### D. Vacancies. Vacancies occurring other than by expiration of a term of office shall be filled by appointment of the Mayor pursuant to New York State Village Law. Any such appointment shall be for the unexpired portion of the term of the replaced member.

#### E. Alternate members.

- (1) The Village Board may confirm up to two alternate Planning Board members upon appointment of such by the Mayor. Alternate members shall be automatically called to serve in the event that a regular member is absent, has a conflict of interest, or is otherwise unable to fulfill their duties.
- (2) Alternate members shall attend all meetings of the Planning Board. When serving, alternate members shall have all the powers and responsibilities of a full-time member.
- (3) All member requirements relating to training, attendance, conflicts of interest, compensation, eligibility, vacancy, removal, and service shall also apply to alternate members.

### § 210-15.3 Member training requirements.

- A. Each member of the Planning Board shall complete, at a minimum, four hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four hours in any one year may be carried over by the member into succeeding years in order to meet this requirement.
- B. Such training shall be approved by the Village Board and may include, but not be limited to, training provided by a municipality, regional or county planning office or board, county planning federation, state agency, statewide municipal association, college or other similar entity. Training may be provided in a variety of formats, including, but not limited to, electronic media, video, distance learning, and traditional classroom training.
- C. To be eligible for reappointment to the Planning Board, a member shall have completed the training approved as set forth above.
- D. The training may be waived or modified by resolution of the Village Board when, in the judgment of the Village Board, it is in the best interest to do so.
- E. No decision of the Planning Board shall be voided or declared invalid because of a failure to comply with the training requirements herein.

### § 210-15.4 Compensation.

The Village Board may provide for the compensation of Planning Board members by resolution. The manner and amount of such compensation shall be subject to review and approval by the Village Board as part of the annual budgeting process.

### § 210-15.5 Conduct.

- A. **By-laws.** The Planning Board may approve by-laws that are consistent with the regulations adopted by the Village Board.
- B. **Quorum.** A simple majority of the Planning Board members shall constitute a quorum for the transaction of business. An affirmative vote of a majority of the full Planning Board is required to approve any resolution, motion, or other matter before the Planning Board.
- C. **Meetings.** Meetings may be held at any time on the written request of any two Planning Board members or at the call of the Chairperson.
- D. **Public meeting and hearings.** The Planning Board shall hold public meetings and hearings as required by this chapter and decisions shall be voted upon at public sessions. The Planning Board may otherwise hold executive sessions in accordance with the New York State Open Meetings Law.
- E. **Recommendations.** The Planning Board may seek recommendations from the Village Board, Historic Preservation Board, Zoning Board of Appeals, Village officials or departments, or other agencies as it deems appropriate.
- F. **Attendance.** All members are required to attend and take an active part in all scheduled meetings. If a member is unable to attend a meeting, they must notify the secretary so that an alternate member can be called upon to attend.

### § 210-15.6 Staff and records.

- A. **Secretary and staff.** The Village Board shall confirm a secretary to serve at the pleasure of the Planning Board, upon appointment of such by the Mayor. At the time of service, the secretary shall not also serve as member of the Planning Board. The secretary shall keep a record of all resolutions proceedings, and actions of the Planning Board, as well as attendance of Planning Board members.
- B. **Voting records.** The Planning Board is subject to the New York State Freedom of Information Law and the Open Meetings Law. The vote or failure to vote of each Planning Board member shall be recorded. If any Planning Board member abstains from voting based on a conflict of interest or otherwise, the member must also state his or her reason(s) or ground(s) for doing so on the record.
- C. **Minutes.** Planning Board meeting minutes, including a record of the Planning Board's decisions and determinations, shall be filed with the Village Clerk as they are completed.

### § 210-15.7 Member removal.

The Village Board shall have the power to remove, after public hearing, any member of the Planning Board for cause. Cause for such removal shall include, but not be limited to:

- A. Absence from three consecutive regular or special meetings other than for illness or valid personal reasons substantiated by documented evidence;
- B. Absence from 80% of the regularly scheduled meetings within any twelve-month period other than for illness or valid personal reasons substantiated by documented evidence; or
- C. Failure to obtain and comply with the training requirements as set forth in this chapter.

### § 210-15.8 Powers and duties.

- A. **Final decision authority.** Pursuant to this article and New York State Village Law, the Planning Board is hereby authorized and empowered with final decision authority to approve, approve with modifications or conditions, or deny applications for the following:
  - (1) Site plan review; and
  - (2) Subdivision (Chapter 212 of the Village Code).
- B. **Advisory authority.** Pursuant to this article and New York State Village Law, the Planning Board is hereby authorized and empowered with review and advisory authority for the following actions:
  - (1) Amendments to the text and/or map of this chapter (rezonings);
  - (2) Planned development districts; and
  - (3) Special use permits.
- C. **Additional powers.** The Planning Board may exercise additional powers as directed by the Village Board, as may be described elsewhere in this chapter, and as permitted by New York State Village Law.

### § 210-16.1 Establishment.

Per § 7-712 of New York State Village Law, the Zoning Board of Appeals (ZBA) previously established under local law and still in existence at the time of this chapter's enactment shall hereby be continued.

### § 210-16.2 Membership.

- A. Membership and terms.
- (1) The ZBA shall consist of five members confirmed by the Village Board upon appointment by the Mayor.
  - (2) The terms of the members of the ZBA shall be five years.
- B. Qualifications of members.
- (1) ZBA members are required to be residents of the Village with the exception of one member who may reside outside of the Village, provided such member is a resident of the Town of Pittsford, Monroe County, wherein the Village is located.
  - (2) No current Trustee of the Village of Pittsford may serve as a member of the ZBA.
- C. Chairperson.
- (1) The Mayor shall, pursuant to New York State Village Law, designate the Chairperson of the ZBA. The Chairperson shall be designated from the existing members of the ZBA. Such designation may be changed at any time by the Village Board.
  - (2) In the absence of such designation, the Chairperson of the ZBA shall be designated from amongst the members by an affirmative vote of a majority of the members, and may be changed at any time by an affirmative vote of a majority of the members.
  - (3) The Chairperson shall have the right to vote on all matters before the ZBA. In the Chairperson's absence, the board may designate an acting Chairperson by affirmative vote of a majority of the ZBA.
- D. Vacancies. Vacancies occurring other than by expiration of a term of office shall be filled by appointment of the Mayor pursuant to New York State Village Law. Any such appointment shall be for the unexpired portion of the term of the replaced member.
- E. Alternate members.
- (1) The Village Board may confirm up to two alternate ZBA members upon appointment of such by the Mayor. Alternate members shall be automatically called to serve in the event that a regular member is absent, has a conflict of interest, or is otherwise unable to fulfill their duties.
  - (2) When serving, alternate members shall have all the powers and responsibilities of a full-time member.
  - (3) All member requirements relating to training, attendance, conflicts of interest, compensation, eligibility, vacancy, removal, and service shall also apply to alternate members.

### § 210-16.3 Member training requirements.

- A. Each member of the ZBA shall complete, at a minimum, four hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four hours in any one year may be carried over by the member into succeeding years in order to meet this requirement.
- B. Such training shall be approved by the Village Board and may include, but not be limited to, training provided by a municipality, regional or county planning office or board, county planning federation, state agency, statewide municipal association, college or other similar entity. Training may be provided in a variety of formats, including, but not limited to, electronic media, video, distance learning, and traditional classroom training.
- C. To be eligible for reappointment to the ZBA, a member shall have completed the training approved as set forth above.
- D. The training may be waived or modified by resolution of the Village Board when, in the judgment of the Village Board, it is in the best interest to do so.
- E. No decision of the ZBA shall be voided or declared invalid because of a failure to comply with the training requirements herein.

### § 210-16.4 Compensation.

The Village Board may provide for the compensation of ZBA members by resolution. The manner and amount of such compensation shall be subject to review and approval by the Village Board as part of the annual budgeting process.

### § 210-16.5 Conduct.

- A. By-laws. The ZBA may approve by-laws that are consistent with the regulations adopted by the Village Board.

- B. **Quorum.** A simple majority of the ZBA members shall constitute a quorum for the transaction of business. An affirmative vote of a majority of the full ZBA is required to approve any resolution, motion, or other matter before the ZBA.
- C. **Meetings.** Meetings may be held at any time on the written request of any two ZBA members or at the call of the Chairperson.
- D. **Public hearings.** The ZBA shall hold public hearings as required by this chapter and decisions shall be voted upon at public sessions. The ZBA may otherwise hold executive sessions in accordance with the New York State Open Meetings Law.
- E. **Recommendations.** The ZBA may seek recommendations from the Village Board, Historic Preservation Board, Planning Board, Village officials or departments, or other agencies as it deems appropriate.
- F. **Attendance.** All members are required to attend and take an active part in all scheduled meetings. If a member is unable to attend a meeting, they must notify the secretary so that an alternate member can be called upon to attend.

#### **§ 210-16.6 Staff and records.**

- A. **Secretary and staff.** The Village Board shall confirm a secretary to serve at the pleasure of the ZBA, upon appointment of such by the Mayor. At the time of service, the secretary shall not also serve as member of the ZBA. The secretary shall keep a record of all resolutions proceedings, and actions of the ZBA, as well as attendance of ZBA members.
- B. **Voting records.** The ZBA is subject to the New York State Freedom of Information Law and the Open Meetings Law. The vote or failure to vote of each ZBA member shall be recorded. If any ZBA member abstains from voting based on a conflict of interest or otherwise, the member must also state his or her reason(s) or ground(s) for doing so on the record.
- C. **Minutes.** ZBA meeting minutes, including a record of the ZBA's decisions and determinations, shall be filed with the Village Clerk as they are completed.

#### **§ 210-16.7 Member removal.**

The Village Board shall have the power to remove, after public hearing, any member of the ZBA for cause. Cause for such removal shall include, but not be limited to:

- A. Absence from three consecutive regular or special meetings other than for illness or valid personal reasons substantiated by documented evidence;
- B. Absence from 80% of the regularly scheduled meetings within any twelve-month period other than for illness or valid personal reasons substantiated by documented evidence; or
- C. Failure to obtain and comply with the training requirements as set forth in this chapter.

#### **§ 210-16.8 Powers and duties.**

- A. **Final decision authority.** Pursuant to this article and New York State Village Law, the ZBA is hereby authorized and empowered with final decision authority to approve, approve with modifications or conditions, or deny applications for the following:
  - (1) Variances;
  - (2) Appeals; and
  - (3) Temporary zoning permits.
- B. **Additional powers.** The ZBA may exercise additional powers as may be described elsewhere in this chapter and as permitted by New York State Village Law.

**VEHICLE SERVICE OR REPAIR SHOP**

A commercial establishment offering vehicle repair or maintenance services, such as adjustments, painting, replacement of parts, or other parts thereof.

**VILLAGE BOARD**

The Board of Trustees of the Village of Pittsford, New York.

**WALL**

A structure of wood, stones or other materials or combination thereof intended for defense, security, screening or enclosure or for the retention of earth, stone, fill or other materials, as in the cases of retaining walls or bulkheads.

**YARD, FRONT**

An open unoccupied space extending the full width of the lot between the front building line and the front lot line of the lot.

**YARD, REAR**

An open space extending the full width of the lot between the rear building line, including any structure attached to such building, and the rear lot line of the lot.

**YARD, SIDE**

An open unoccupied space extending between the side building line, including any structure attached to such building, and the side lot line of the lot, extending through from the front yard or from the front lot line where no front yard exists to the rear yard or to the rear lot line where no rear yard exists.

**ZONING BOARD OF APPEALS (ZBA)**

The duly designated Zoning Board of Appeals of the Village of Pittsford.

[HISTORY: Adopted by the Board of Trustees of the Village of Pittsford 3-14-1989 as Ch. 61 of the 1989 Code. Amendments noted where applicable.]

## **GENERAL REFERENCES**

Fire prevention and building construction administration — See Ch. 105.

### **§ 90-1 Title.**

This chapter shall be known as the "Electrical Code of the Village of Pittsford, New York."

### **§ 90-2 Purpose.**

Since there is danger to life and property inherent in the use of electrical energy, this chapter is enacted to regulate the installation, alteration or repair of wiring for electric light, heat or power and signal systems operating on 50 volts or more, in or on all real property within the Village.

### **§ 90-3 Standards for conformance.**

All electrical installations mentioned in this chapter shall be made in conformity with the requirements of the most recent edition of the National Electrical Code, as promulgated by the National Fire Protection Association (also known as "NFPA No. 70-1968; USAS C1-1968"), except where the provisions of this chapter or any other local law or ordinance of the Village or the State Uniform Fire Prevention and Building Code shall differently prescribe, in which event compliance with the provisions of such local law, ordinance or the State Uniform Fire Prevention and Building Code shall be recognized as proper compliance with this chapter.

### **§ 90-4 Inspections; reports.**

[Amended 3-27-2018 by L.L. No. 4-2018]

The chief inspector and each of the duly appointed inspectors of the business entities set forth in the minutes of the annual organizational meeting of the Village of Pittsford as the business entities duly authorized to make inspections and reinspections of all electrical installations in the Village are hereby authorized to make inspections and reinspections of all electrical installations in the Village described in this chapter and report the result of inspections and re-inspections to the Building Inspector. In no event, however, will the cost of such inspections and reinspections be a charge against the Village.

### **§ 90-5 Duties of inspectors.**

It shall be the duty of the inspector to report in writing to the Chief Building Inspector, whose duty it shall be to enforce all the provisions of this chapter, all violations of or deviations from or omissions of the electrical provisions of the National Electrical Code, and of all local laws, ordinances and the State Uniform Fire Prevention and Building Code as referred to in this chapter insofar as any of the same apply to electrical wiring. The inspector shall make inspections and reinspections of electrical installations in and on properties in the Village upon the written request of the Building Inspector, or as herein provided. The inspector is authorized to make inspections and reinspections of electrical wiring installations, devices, appliances and equipment in and on properties within the Village where he and the Building Inspector deem it necessary for the protection of life and property. In the event of any emergency, it is the duty of the inspector to make electrical inspections upon the oral request of an official or officer of the Village. It shall be the duty of the inspector to furnish written reports to the proper officials of the Village and to owners and/or lessees of property where defective electrical installations and equipment are found upon inspection. He shall issue a certificate of compliance when electrical installations and equipment are in conformity with this chapter. He shall direct that a copy of the recommendation be sent to the Village to the attention of the Building Inspector.

### **§ 90-6 Application for inspection.**

It shall be a violation of this section for any person to install or cause to be installed or to alter or repair electrical wiring for light, heat or power in or on properties in the Village, until an application for inspection has been filed with the New York Board of Fire Underwriters or Middle Department Inspection Agency, Inc.

### **§ 90-7 Temporary certificate or certificate of compliance required.**

It shall be a violation of this section for a person to connect or cause to be connected an electrical energy supply prior to the issuance of a temporary certificate or a certificate of compliance by the New York Board of Fire Underwriters or Middle Department Inspection Agency, Inc.

### **§ 90-8 Construal.**

This chapter shall not be construed to relieve from or lessen the responsibility of any person owning, operating, controlling or installing any electrical wiring, devices, appliances or equipment for loss of life or damage to person or property caused by any defect therein, nor shall the Village, the New York Board of Fire Underwriters or Middle Department Inspection Agency, Inc., be deemed to have assumed any such liability by reason of any inspection made pursuant to this chapter.

### **§ 90-9 Exemptions.**

The provisions of this chapter shall not apply to the electrical installations in mines, ships, railway cars, automotive equipment or the installations or equipment employed by a railway, electrical or communications utility in the exercise of



its function as a utility and located outdoors or in buildings used exclusively for that purpose. This chapter shall not apply to any work involved in the manufacture, assembly, test or repair of electrical machinery, apparatus, materials and equipment by a person engaged in electrical manufacturing as his principal business. It shall not apply to any building which is owned or leased in its entirety by the Government of the United States or the state.

#### **§ 90-10 Penalties for offenses.**

Any person who violates any provision of this chapter shall, upon conviction thereof, be subject to the penalties set forth in § 382 of the Executive Law.

### § 210-30.1 Applicability.

- A. Application form. Applications required under this chapter must be submitted in a form and in such numbers as outlined. The Village Clerk shall provide checklists of application submittal requirements and make those checklists available to the public. Application forms and checklists of required submittal information are available in the Village Office.
- B. Review Boards. For the purposes of this chapter, the terms "reviewing board" or "review board" shall refer to the Village board charged with review and/or approval authority as enacted under this chapter. For example, special use permit applications shall fall under the purview of the Village Board, while variance applications require ZBA review.
- C. Violations prohibited.
  - (1) No applications that include a building, structure, property, or use that is in violation of this chapter, local law of the Village of Pittsford, or New York State laws, rules, and/or regulations shall be accepted or processed.
  - (2) Applications which, in whole or in part, include a proposal to rectify and/or remove violations on such property may be considered by the appropriate reviewing board(s) in accordance with this chapter.

### § 210-30.2 Pre-application conference.

- A. It is recommended that applicants request a pre-application conference prior to entering the formal application review process to discuss the nature of the proposed application and to determine the best course of action for submittal.
- B. Pre-application conferences may be held upon request of an applicant with one or more of the following Village representatives:
  - (1) Code Enforcement Officer;
  - (2) Village Clerk;
  - (3) Planning Board Chair; and
  - (4) Historic Preservation Board Chair.
- C. The purpose of the pre-application conference is to provide an opportunity for a potential applicant to consult early and informally with the Village. A preapplication conference will help to build a better understanding of the proposal and property in question and establish an overall approach that respects important features to the Village while maximizing the potential of the property.
- D. In no way shall any comments or feedback provided by the Village during preapplication review be construed as an indication of decision or be legally binding in any way.
- E. Materials presented during the pre-application conference may be incomplete and/or conceptual in design; however, a formal, complete application is required to be considered for approval.

### § 210-30.3 General application procedures.

- A. Submittal.
  - (1) Applications where required by this chapter shall be submitted to the Village Clerk.
  - (2) Only the property owner or their agent, with legally binding and written permission of the owner, may file an application. Where there are multiple land owners, a written consent agreement among all land owners must be included within the application.
  - (3) At least two hard copies and one electronic copy of the required materials shall be provided.
  - (4) In order to be considered, applications must be submitted to the Village Clerk at least two weeks prior to the meeting at which the applicant wishes to be considered or such longer period of time established by the rules and procedures of the reviewing board.
  - (5) Supplemental materials and amendments to applications already under review are due on Friday at least seven days prior to the meeting of the reviewing board.
- B. Acceptance and processing.
  - (1) The Village Clerk shall indicate that an application is considered accepted and ready for processing only if it is submitted in the required number and form, includes all required materials, and is accompanied by the required application fee.
  - (2) The acceptance of an application by the Village Clerk shall in no way be interpreted as a determination of the completeness, adequacy, or accuracy of application materials, but rather serve as an acknowledgement to the receipt of required application materials. The Village Clerk may consult with other Village departments, officials, boards, committees, or consultants in making such a determination.

- (3) If an application is determined to be inadequate, the Village Clerk must provide paper or electronic written notice to the applicant along with an explanation of all known deficiencies that will prevent competent review. No further processing will occur until the deficiencies are corrected. If the deficiencies are not corrected within 62 days, the application will be considered withdrawn.
  - (4) No further processing of inadequate applications will occur; applications will be pulled from the processing cycle. When the deficiencies are corrected, the application will be placed in the next available processing cycle.
- C. Application fee. All applications shall be accompanied by the fee established by the Village Board. Failure to submit said fee shall deem an application unacceptable, regardless of the status of submittal on all other required materials. This shall also include application consultant fees as established by § 210-19.5.
  - D. Applicant responsibilities. The applicant and/or their agent is expected to attend all meetings at which the application is to be discussed. In all cases, the burden is on the applicant to show that their application complies with the Pittsford Village Code and any other applicable local laws and New York State laws, rules, and regulations.
  - E. Agricultural data statement.
    - (1) Any application for a property that is within an agricultural district containing a farm operation or property within 500 feet of a farm operation located in an agricultural district shall include an agricultural data statement.
    - (2) Upon receipt of an application containing an agricultural data statement, the Village Clerk shall mail a copy of the agricultural data statement to the owners of the land identified by the applicant in the agricultural data statement.
    - (3) The applicant shall be required to reimburse the Village for such mailing upon written request.
    - (4) For the purposes of this section, an "agricultural district" shall be defined as an agricultural district recognized by the New York State Agriculture and Markets Agricultural District Program.

#### § 210-30.4 Review board action.

- A. Issuance of decision.
  - (1) Within 62 days following the close of the public hearing, where required by this chapter and New York State Village Law, the reviewing board shall issue a decision by majority vote to approve, approve with conditions or modifications, or deny the proposed application.
  - (2) Prior to issuing a decision on an accepted application, the reviewing board shall by resolution determine the application to be complete, noting any waived requirements therein.
- B. Written findings. Decisions shall contain written findings explaining the rationale for the decisions considering the standards contained in this chapter. Such decision may be amended from time to time to add additional findings of fact. A copy of the decision shall be promptly filed in the Village Clerk's Office and mailed to the applicant.
- C. Waiving application requirements. The reviewing board is authorized to waive or modify, in whole or in part, any of the application requirements if one or more of the following is determined by the review board chairperson:
  - (1) Any such requirement or part thereof is found not to be requisite in the interest of the public health, safety, or general welfare;
  - (2) Any such requirement is inappropriate or unrelated to the application; or
  - (3) Any such requirement will not mitigate adverse impacts generated by the proposed project or will not aid in the buffering of dissimilar uses.
- D. Additional application requirements. The Board may require additional information deemed necessary for a complete and adequate review.

#### § 210-30.5 Referrals.

- A. Internal referral. The reviewing board may refer any application to another Village board, committee, department, or official for review and comment. Within 45 days of referral, the receiving board or official shall submit its recommendation in writing with a summary of findings to the reviewing board.
- B. Professional referral. The reviewing board may seek the opinion of any legal, engineer, design, or other professional to aid in the review of an application in accordance with § 210-19.5 of this chapter.
- C. County referral. The Village shall refer all required materials to the Monroe County Planning Department pursuant to New York State General Municipal Law § 239-m, as amended, and in accordance with planning referral agreements between the Village and Monroe County.

#### § 210-30.6 Expiration, revocation and enforcement.

- A. Expiration. With the exception of variance applications, the approval of an application shall expire if one of any of the following occur:
  - (1) The approved use or uses cease operation for more than six consecutive months for any reason;

- (2) The applicant fails to obtain necessary building permits or certificates of occupancy within one year of the approval date;
  - (3) The applicant fails to comply with the conditions of the application's approval within one year of the date of issuance or completion of construction, where applicable;
  - (4) The applicant fails to initiate construction or operation of use within one year of the approval date;
  - (5) The applicant fails to complete construction within three years of the approval date; or
  - (6) The applicant fails to renew a time limited permit prior to the stated time period ending.
- B. Extensions.** The reviewing board may grant an extension for any condition in Subsection A upon written request by the applicant. The applicant shall include in such request the desired time period for the extension, not to exceed one year, and the reasoning for requesting the extension.
- C. Revocation.** The reviewing board may revoke approval if the applicant violates the conditions of the approval or engages in any construction or alteration not authorized by the approval.
- D. Enforcement.** Any violation of the conditions of approval shall be deemed a violation of this chapter and shall be subject to enforcement action as provided herein.

### § 210-30.7 Local waterfront consistency review.

All applications considered in the LWO District shall also be subject to local waterfront consistency review as required by Chapter 121 of the Village of Pittsford Code.

### § 210-30.8 State Environmental Quality Review Act (SEQRA).

- A. SEQRA compliance.** The review and approval of all applications shall comply with the provisions of SEQRA under Article 8 of the Environmental Conservation Law and its implementing regulations. Where requirements of this chapter may come in conflict with SEQRA law, the state regulations shall supersede.
- B. Type I actions.** The purpose of the list of Type I actions in this section is to identify, for agencies, project sponsors and the public, those actions and projects that are more likely to require the preparation of an EIS than unlisted actions. As provided for in Part 617 of SEQRA, the Village of Pittsford hereby establishes the following listing of actions. All agencies are subject to this Type I list.
- (1) Demolition of a structure over 400 square feet or any building deemed to be a contributing building in the National Register Historic District designation of 2015.
  - (2) A change in use from a use permitted as-of-right or a preexisting nonconforming use to a specially permitted use that requires construction of new parking spaces, expansion of an existing parking lot, or allocation of existing parking on other properties to accommodate the new use.
  - (3) Construction, expansion, or alteration of a nonresidential structure involving more than 4,000 square feet of gross floor area.
  - (4) Construction, expansion, or reconfiguration of a parking lot involving more than 25 spaces.
  - (5) Alteration of more than 0.25 acres of land, unless associated with a single-family, two-family, or three-family dwelling.
  - (6) Removal, replacement, alteration, or pruning of more than 0.25 acres of trees, landscaping, or natural growth, unless associated with a single- or two-family dwelling.
  - (7) Any unlisted action occurring within the corporate limits of the Village of Pittsford.

NOTES:

- 1 The notation "square feet/unit" indicates square feet per dwelling unit.
- 2 Or the average between developed lots adjacent to the property in question.
- 3 The larger requirement shall apply to nonresidential uses adjacent to a residential use.
- 4 In all residential districts there shall be permitted no more than one accessory residential storage building, exclusive of a private garage, per residential lot, the area of which, together with any additions thereto, shall not exceed 120 square feet. No such accessory building shall be located in the front or side yard of the lot on which such accessory building is located. There shall be a distance of not less than 10 feet between such accessory building and the rear line of the principal building on the lot.

**§ 210-20.6 Bulk requirements.**

Requirement	LDR	MDR	LOR
<b>Maximum Building Height</b>			
Primary structure	35 feet <sup>1</sup> (2.5 stories)	35 feet <sup>1</sup> (2.5 stories)	35 feet <sup>1</sup> (2.5 stories)
Accessory structure	12 feet <sup>2</sup>	12 feet <sup>2</sup>	12 feet <sup>2</sup>
<b>Ground Floor Area</b>			
Nonresidential use	—	—	—
Principal structure (2 stories)	1,000 square feet minimum	750 square feet minimum	—
Principal structure (1.5 stories)	1,400 square feet minimum	1,000 square feet minimum	—
Principal structure (1 story)	1,600 square feet minimum	1,200 square feet minimum	—
<b>Maximum Lot Coverage</b>			
Gross impervious surface	25%	25%	50%

NOTES:

- 1 Building height shall be determined in feet, while the visual scale or appearance in height of the building shall be determined in stories.
- 2 No accessory structure may exceed the height of the primary structure on the lot.

**§ 210-20.7 Use of lots and subdivision.**

- A. Primary use of lot. In all residential districts there shall be only one principal use or building permitted per lot.
- B. Accessory structure restrictions. No more than one garage and one additional accessory storage shed shall be permitted on each residential lot.
- C. Flag lots prohibited. No lot, by way of subdivision (Chapter 178), shall be permitted to be a flag lot.

**§ 210-20.8 Neighborhood character and design context.**

- A. Elements of character. Village neighborhoods vary in age and character. Understanding the elements that define neighborhood character is the first step in preserving it and ensuring that new construction harmonizes with the context. The historic character of neighborhoods is defined by buildings, as well as trees, fences, sidewalks, and landscaping. Mature street trees located between the sidewalk and the curb define the character of most Village streets.
- B. Arterial streets. The Village's first buildings were built along the arterial streets: North and South Main Streets, Monroe Avenue, State Street, South Street, Washington Road, and West Jefferson Road. New buildings, including many of the Village's grandest homes, were constructed throughout the Village's history. Today, the Village's main streets are lined by an eclectic mix of homes of varied age, style and scale. Although lot size, setbacks, and house scales vary, most houses share the following common characteristics:
  - (1) They are two stories in height;
  - (2) They are located parallel to the street;
  - (3) They have balanced front facades incorporating a prominent front door facing the street;
  - (4) They have porches;
  - (5) They have a sidewalk connecting the front door to the public sidewalk; and
  - (6) They have free-standing garages located behind the house.
- C. Side streets. Village side streets include Church Street, Locust Street, Lincoln Avenue, Washington Avenue, Boughton Avenue, Wood Street, Jackson Park, Austin Park, Sutherland Street, Rand Place, Elm Street, Line Street, Grove Street,

### § 210-31.1 Conducting public hearings.

- A. The reviewing board shall schedule, notice, and conduct a public hearing for applications as required by this chapter and New York State Village Law.
- B. The reviewing board may review multiple applications (e.g., subdivision and site plan review) for a single property or use concurrently and may conduct concurrent or joint public hearings, if desired.
- C. Within 62 days from the receipt of a complete application, the reviewing board must convene a public hearing on the application in question where required by this chapter and New York State Village Law.

### § 210-31.2 Public notice required.

- A. All public notices shall be made at least 10 days prior to the date of the scheduled public hearing.
- B. Public notice shall include mailed notices, media notices, and posted notices in accordance with New York State Village Law.

### § 210-31.3 Mailed notices.

Where required by this chapter, New York State General Municipal Law, or New York State Village Law, the Village Clerk shall provide public notice to the following by mail:

- A. Owners and tenants of all real property as shown on the current tax map, located within 300 feet of the property that is the subject of the hearing.
- B. The Clerks of adjoining municipalities whose boundaries are located within 500 feet of the property that is the subject of the hearing.
- C. The Monroe County Clerk where the hearing concerns property adjacent to an existing county road or proposed road shown on the official county map, adjoining other county land, or situated within 500 feet of a municipal boundary.

### § 210-31.4 Media notices.

The Village Clerk shall cause for public notice to be posted to the following media sources:

- A. The official newspaper of the Village; and
- B. The official website of the Village.

### § 210-31.5 Posted notices.

- A. The Village Clerk shall post a public notice in a location plainly visible within the Village Office.
- B. The applicant shall obtain a sign of public notice from the Village and ensure its placement on the property in question in a manner that is plainly visible to passersby. Upon close of the public hearing, the applicant shall return the sign to the Village Office.

### § 210-31.6 Public notice expenses.

An applicant shall be required to reimburse the Village for the publication, mailing and posting of a public notice upon written request. If said fee is not received within 62 days of the request, the application shall be considered withdrawn and any decision rendered shall be null and void.

### § 210-31.7 Public notice content.

The content of all public notices, except notices posted on the property by a Village commissioned sign, shall:

- A. Indicate the date, time, and place of the public hearing or date of action that is the subject of the notice;
- B. Describe any property involved in the application by street address or general description;
- C. Describe the general nature, scope, and purpose of the application or proposal; and
- D. Indicate where additional information on the matter can be obtained.

**NOTES:**

- 1 The notation "square feet/unit" indicates square feet per dwelling unit.
- 2 Or the average between developed lots adjacent to the property in question.
- 3 The larger requirement shall apply to nonresidential uses adjacent to a residential use.
- 4 In all residential districts there shall be permitted no more than one accessory residential storage building, exclusive of a private garage, per residential lot, the area of which, together with any additions thereto, shall not exceed 120 square feet. No such accessory building shall be located in the front or side yard of the lot on which such accessory building is located. There shall be a distance of not less than 10 feet between such accessory building and the rear line of the principal building on the lot.

**§ 210-20.6 Bulk requirements.**

Requirement	LDR	MDR	LOR
<b>Maximum Building Height</b>			
Primary structure	35 feet <sup>1</sup> (2.5 stories)	35 feet <sup>1</sup> (2.5 stories)	35 feet <sup>1</sup> (2.5 stories)
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<b>Ground Floor Area</b>			
Nonresidential use			
Principal structure (2 stories)	1,000 square feet minimum	750 square feet minimum	—
Principal structure (1.5 stories)	1,400 square feet minimum	1,000 square feet minimum	—
Principal structure (1 story)	1,600 square feet minimum	1,200 square feet minimum	—
<b>Maximum Lot Coverage</b>			
Gross impervious surface	25%	25%	50%

**NOTES:**

- 1 Building height shall be determined in feet, while the visual scale or appearance in height of the building shall be determined in stories.
- 2 No accessory structure may exceed the height of the primary structure on the lot.

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- A. Elements of character. Village neighborhoods vary in age and character. Understanding the elements that define neighborhood character is the first step in preserving it and ensuring that new construction harmonizes with the context. The historic character of neighborhoods is defined by buildings, as well as trees, fences, sidewalks, and landscaping. Mature street trees located between the sidewalk and the curb define the character of most Village streets.
- B. Arterial streets. The Village's first buildings were built along the arterial streets: North and South Main Streets, Monroe Avenue, State Street, South Street, Washington Road, and West Jefferson Road. New buildings, including many of the Village's grandest homes, were constructed throughout the Village's history. Today, the Village's main streets are lined by an eclectic mix of homes of varied age, style and scale. Although lot size, setbacks, and house scales vary, most houses share the following common characteristics:
  - (1) They are two stories in height;
  - (2) They are located parallel to the street;
  - (3) They have balanced front facades incorporating a prominent front door facing the street;
  - (4) They have porches;
  - (5) They have a sidewalk connecting the front door to the public sidewalk; and
  - (6) They have free-standing garages located behind the house.
- C. Side streets. Village side streets include Church Street, Locust Street, Lincoln Avenue, Washington Avenue, Boughton Avenue, Wood Street, Jackson Park, Austin Park, Sutherland Street, Rand Place, Elm Street, Line Street, Grove Street,

- (3) Not exceed in length the dimension of the adjacent structure plus six feet, or 35 feet, whichever is less.
  - (4) Be provided with either an evergreen screening or a solid fence, planted or installed between the vehicle and the property line. Such fence shall be the maximum height permitted in the district, unless the actual height of the recreational vehicle is less. Evergreens shall be a minimum of four feet high when planted and shall be allowed to grow and shall be maintained at a minimum height of eight feet. The required screening must be at least the length of the vehicle and must be placed as near as possible to the recreational vehicle so as to maximize the effectiveness of said screening.
- E. A maximum of two recreational vehicles may be stored outside. Only one such vehicle may be equal to or exceed ten feet in height or 25 feet in length.
  - F. No recreational vehicle shall be used for residential purposes, except that visiting guests owning or operating such vehicles may occupy them for a period of 30 days. The occupants of such vehicles must be guests of the residents of the premises. The Building Inspector may issue a permit for visitors to occupy a recreational vehicle for a time period not to exceed 16 days.
  - G. Recreational vehicles shall not be connected to electricity, water, or other utilities unless they are being used pursuant to Subsection F above or being prepared for use or storage by the owner.
  - H. The calculated length of a recreational vehicle shall not include the tongue portion of a trailer or appendages and accessories such as motors, propellers, ladders, or storage racks.
  - I. The Zoning Board of Appeals may grant a special exception use in accordance with Chapter 210, § 210-113B(2), to allow for relief from the requirements of § 150-3C, D, and E, of this chapter. The Zoning Board of Appeals shall consider the terrain of the property of the applicant, the surrounding neighborhood conditions, and the effect on adjacent properties that may result from the parking of a recreational vehicle. Any relief granted by the Zoning Board of Appeals shall include mitigating measures that minimize the visibility of the vehicle by considering the location of the vehicle and the use of screening.

### § 150-4 Outside parking and storage of commercial vehicles or construction vehicles and equipment.

- A. No commercial vehicle having an overall length in excess of 18 feet, nor any semi-tractor, semi-tractor-trailer, semi-trailer, dump truck, tow truck, bus, step van, freight van, flatbed or stake truck, or construction vehicle or equipment of any length may be parked in any residential district unless temporarily, in conjunction with a permitted construction project, service, sales, or delivery to the property.
- B. One commercial vehicle which is not regulated by Subsection A above may be parked, but not stored, outside on private property in a residential district, provided that the vehicle:
  - (1) Is owned by, or operated for an employer by, a resident of the premises.
  - (2) Is parked on a legally permitted driveway or in a garage.
  - (3) Does not exceed one ton capacity, as designated by the manufacturer of the vehicle, or 10,500 pounds' gross vehicle weight (GVW) as indicated on the manufacturer's rating label or specifications. The owner or operator of a vehicle must provide proof of ownership and/or vehicle weight or capacity when requested by the Building Inspector.
  - (4) Is not parked in a public street or right-of-way.
  - (5) Is not an unlicensed vehicle as defined in Chapter 202, § 202-2, of the Code of the Village of Pittsford.
- C. In all business districts, parking facilities shall be used exclusively for the parking of motor vehicles. Outside storage or display of materials or merchandise, overnight parking of commercial vehicles with a capacity of more than one ton, and storage of trailers is prohibited.
 

[Added 3-14-2006 by L.L. No. 2-2006<sup>[1]</sup>

[1] *Editor's Note: This local law also redesignated former Subsection C as Subsection D.*
- D. Exceptions. This section does not apply to:
  - (1) Vehicles on agricultural or farm properties if used in the normal course of agricultural or farm activities.

### § 150-5 Penalties for offenses.

[Added 3-14-2006 by L.L. No. 2-2006]

Any person who violates any provision of this chapter shall, upon conviction thereof, be subject to a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, subject to a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and, upon conviction for a third or subsequent offense, all of which were committed within a period of five years, subject to a fine not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.



- (1) The purpose of the TDD District is to provide special design and development controls to guide investment and redevelopment in the traditional downtown core of the Village center. The regulations are designed to protect the architectural integrity, scale, and treatment of the downtown area traditionally defined by multistory, mixed-use buildings built to the street.
- (2) The TDD District is intended to function as an overlay district. The overlay is to be superimposed on the VCB District, as indicated on the Village Zoning Map, and should be considered as additional design and development standards to be met in establishing a use within the underlying zoning district.
- (3) The use regulations of the underlying zoning district (VCB District) shall apply to all uses of the TDD District as provided thereto. Where specified, the dimensional, bulk, and use requirements of the TDD District shall supersede those of the underlying zoning district (VCB District).

**§ 210-21.4 Use lists.**

**A. Use table.**

- (1) Uses identified with a "P" are permitted as-of-right, subject to compliance with all other applicable standards of this zoning law.
- (2) Uses identified with a "SP" may be allowed if reviewed and approved in accordance with Article 35 (Special Use Permits) of this chapter.
- (3) Uses identified with a "TP" may be allowed if reviewed and approved in accordance with Article 39 (Temporary Use Permits) of this chapter.
- (4) Uses not listed and those identified with a "-" are expressly prohibited.
- (5) Article 24 (Additional Use Regulations) section references have been noted where applicable. Uses identified with an "NA" are not addressed in Article 24, and therefore are not subject to use specific restrictions.

Land Use	VGB	VCB/TDD	Additional Regulations
<b>Residential</b>			
Single- or two-family dwelling	P	P	NA
Multifamily dwelling, maximum 8 units	SP	SP	§ 210-24.9
Bed-and-breakfast	SP	SP	§ 210-24.6
Home occupation	P	P	§ 210-24.8
First-floor dwelling units, in mixed-use building	—	—	—
Upper-floor dwelling units, in mixed-use building (maximum 8 units)	P	P	NA
<b>Commercial</b>			
Animal grooming shop	P <sup>1</sup>	P <sup>1</sup>	§ 210-24.5
Agricultural operation with retail sales	P	—	NA
Bakery	P	P	NA
Art or photo studio	P <sup>2</sup>	P <sup>2</sup>	NA
Instructional facility	SP	—	NA
Day-care center, child or adult	SP	—	§ 210-24.7
Financial institution	P <sup>1</sup>	P	NA
Funeral home or parlor	SP	—	NA
Gym or fitness club	P <sup>1</sup>	P <sup>1</sup>	NA
Boutique hotel or inn	SP	SP	NA
Laundromat or dry cleaner	P <sup>1</sup>	P <sup>1</sup>	NA
Office, administrative or professional	P <sup>2</sup>	P <sup>2</sup>	NA
Office or clinic, medical (up to 2 practitioners)	SP	—	NA
Office, first floor in mixed-use building	P	—	NA
Personal service shop or spa	SP	SP	§ 210-24.11
Recreation or entertainment facility, indoor	P <sup>1</sup>	SP <sup>1</sup>	NA
Repair or service of personal items	P	P	NA
Restaurant	SP	SP	§ 210-24.16

**§ 210-22.4 Use lists.**

**A. Use table.**

- (1) Uses identified with a "P" are permitted as-of-right, subject to compliance with all other applicable standards of this zoning law.
- (2) Uses identified with a "SP" may be allowed if reviewed and approved in accordance with Article 35 (Special Use Permits) of this chapter.
- (3) Uses identified with a "TP" may be allowed if reviewed and approved in accordance with Article 39 (Temporary Use Permits) of this chapter.
- (4) Uses not listed and those identified with a "-" are expressly prohibited.
- (5) Article 24 (Additional Use Regulations) section references have been noted where applicable. Uses identified with an "NA" are not addressed in Article 24, and therefore are not subject to use specific restrictions.

Land Use	MU-EC	MU-OF	Additional Regulations
<b>Residential</b>			
Single-or two-family dwelling	P	P	NA
Multifamily dwelling, maximum 10 units	SP	SP	§ 210-24.9
Bed-and-breakfast	SP	—	§ 210-24.6
Home occupation	P	P	§ 210-24.8
Hospice, nursing home, or assisted living facility	—	SP	NA
First-floor dwelling units, in mixed-use building	—	P	NA
Upper-floor dwelling units, in mixed-use building	P	P	NA
<b>Commercial</b>			
Animal grooming shop	P <sup>1</sup>	—	§ 210-24.5
Veterinarian office	—	P	NA
Bakery	P	—	NA
Art or photo studio	P <sup>1</sup>	P <sup>1</sup>	NA
Instructional facility	SP	SP	NA
Day-care center, child or adult	—	P <sup>1</sup>	§ 210-24.7
Financial institution	—	P <sup>1</sup>	NA
Gym or fitness club	SP	P <sup>1</sup>	NA
Boutique hotel or inn	SP	SP	NA
Laundromat	—	P <sup>1</sup>	NA
Office, administrative or professional	P <sup>1</sup>	P	NA
Office or clinic, medical	—	—	NA
Personal service shop or spa	SP	—	§ 210-24.11
Recreation or entertainment facility, indoor	SP <sup>2</sup>	—	NA
Repair or service of personal items	P <sup>1</sup>	P	NA
Restaurant	SP	—	§ 210-24.16
Tattoo studio	—	SP	NA
Retail store	P	—	NA
<b>Other</b>			
Municipal building or use	P	P	NA
Museum or library	P	P	NA
Community or service club	P	SP	NA
Place of worship	SP	SP	NA
Public park or playground	P	P	§ 210-24.13
Public utility	—	SP	§ 210-24.14
Telecommunications equipment	SP	SP	§ 210-24.18
Mix of uses in a single building or lot		Refer to Each Use	
Permitted uses over 1,500 square feet	SP	SP	See Use

### § 210-34.1 Purpose and applicability.

- A. Purpose. The physical form of the Village of Pittsford contributes to its aesthetic character, charm, quality of life, function, economic vitality, and historic integrity. The intent of the site plan review process is to provide for the following:
- (1) Preservation and enhancement the physical form of the Village;
  - (2) Achievement of compatibility with adjacent development;
  - (3) Mitigation of potentially negative impacts on traffic, parking, drainage and similar environmental concerns;
  - (4) Improvement of the overall visual and aesthetic quality of the Village;
  - (5) Increased capability of the Zoning Code to adapt to a variety of unique circumstances; and
  - (6) Maintenance of the health, safety, and general welfare of the community.
- B. Applicability. No building permit may be issued, or site improvement work commence, until minor or major site plan approval has been granted by the Planning Board. Site plan review applications shall be submitted, processed, and reviewed in accordance with Article 30 of this chapter.
- C. Exempt actions. The following actions are exempt from site plan review:
- (1) Ordinary repair or maintenance to existing buildings occupied by a permitted or specially permitted use. This shall include interior alterations that do not add to the footprint, height, or floor area of the building
  - (2) Developing, expanding, altering, or demolishing decks, patios, porches, or roof overhang of a single- or two-family dwelling.
  - (3) Ordinary repair, maintenance, or replacement in kind of landscaping, fencing, exterior lighting, decks, patios, or porches that are in conformance with the regulations of this chapter or a previously approved site plan.
  - (4) Installation, maintenance, or replacement of a permitted building-mounted sign in an approved location.
  - (5) Developing, expanding, altering, or demolishing a single-family dwelling not exceeding 400 square feet in gross floor area and one story in height.
- D. Pre-application conference. Applicants are encouraged to request a pre-application conference prior to submitting a site plan application.

### § 210-34.2 Minor site plan review.

- A. Minor actions. Minor site plan review shall be required for:
- (1) Minor subdivisions, subject to the requirements of Chapter 178.
  - (2) Developing, expanding, altering, or demolishing a building not exceeding 400 square feet in gross floor area and one story in height.
  - (3) Developing, expanding, or altering a building occupied by a residential use, except for multifamily dwellings.
  - (4) Developing, expanding, altering, or demolishing decks, patios, porches, roof overhang, or outdoor seating areas of a nonresidential use or multifamily dwelling.
  - (5) Siting, planting, erecting, or reconfiguring landscaping, fencing, screening, or walkways in association with a nonresidential use or multifamily dwelling.
  - (6) Replacing external lighting fixtures or elements in association with a nonresidential use or multifamily dwelling.
  - (7) Constructing a driveway where the existing curb cut is altered or a new curb cut is proposed.
  - (8) Siting, paving, altering, reconfiguring, or removing off-street parking areas of 10 spaces or less.
  - (9) Siting, erecting, reconfiguring, or removing mechanical equipment, such as generators or HVAC systems.
  - (10) The construction of an accessory structure in a nonresidential district.
  - (11) The construction of a fence, screening, berm, patio, or deck in a nonresidential district.
- B. Planning Board procedure. Minor site plans shall be subject to review and approval by the Planning Board as provided herein.
- (1) Upon approval, the Planning Board Chair shall endorse its approval via signature on a copy of the site plan. For conditionally approved plans, the Planning Board Chair shall endorse its approval only after adequate demonstration to the Planning Board that all conditions have been met.
  - (2) A copy of the decision and site plan shall be filed with the Village Clerk and mailed to the applicant.
- C. Public hearing. A public hearing shall be required for a minor site plan.

[Added 11-8-1994 by L.L. No. 8-1994]

### § 176-28 Purpose.

In order to ensure that the use of village-owned and/or -operated streets, sidewalks and rights-of-way in the village will be used to promote the health, safety and welfare of its citizens and to further ensure that such use shall bear a reasonable relation to the public good, the following provisions shall apply.

### § 176-29 Authorization of nonmunicipal use; permit application.

- A. For uses other than normal public use, certain nonmunicipal uses may be authorized by special permit to be issued by the Village Clerk after approval by the Village Board of Trustees. Such nonmunicipal uses include sidewalk area sales and/or displays, musical and talent events and the like.
- B. An application for such a nonmunicipal use permit shall be made to the Village Clerk, in writing, no less than 45 days prior to the date the nonmunicipal use event is scheduled to commence. Such application shall contain the following information:
- (1) A description of the applicant by name, address and telephone numbers, a statement of its purposes, a list of its membership by name and address and a copy of its constitution, bylaws or other governing document.
  - (2) A description of the use applied for including the date or dates of the use event and the areas of the village owned and/or controlled by the village to be occupied for such use. The application shall contain the estimate of the number of participants and spectators anticipated to attend the event.
  - (3) A detailed description of the rules, regulations and restrictions which will apply to those organizations, businesses and/or persons participating in the use, how the participants are selected and the basis for rejecting or refusing participation.
  - (4) Specifications of plans to protect the public and use participants by way of vehicular and pedestrian traffic control and the planned issuance of liability insurance to include the village as a named insured, stating the name of the insuring company and the amount of insurance for the protection against bodily injury and property damage. The application shall contain the planned coordination necessarily involving other governments and/or agencies.
  - (5) All applications shall include applicant's tax identification number.

### § 176-30 Fees.

The fee to be charged for such nonmunicipal use permit shall be as set forth from time to time by resolution of the Board of Trustees.

### § 176-31 Issuance or rejection of application; restrictions.

The issuance or rejection of the application shall be in the sole discretion of the Village Board of Trustees consistent with the purpose of provisions of this article. The Board of Trustees shall attach to any permit such conditions and restrictions as it deems necessary or appropriate.

### § 176-32 Roster of participants.

The applicant shall at all times maintain at the village office a current roster of all participants whom the applicant has approved and whom the applicant has disapproved to participate in the nonmunicipal use event.

### § 176-33 Unlawful use.

[Added 3-14-1995 by L.L. No. 1-1995]

- A. It shall be unlawful for any person, corporation or other entity to use the village-owned and/or operated streets, sidewalks and rights-of-way as herein provided without a nonmunicipal use permit.
- B. All persons, corporations or other entities other than the applicant so using the village-owned and/or operated streets, sidewalks and rights-of-way must have a written permit from the applicant.

### § 176-34 Penalties for offenses.

[Added 3-14-1995 by L.L. No. 1-1995]

- A. Criminal penalty. Any person who violates any provision of this article shall, upon conviction thereof, be subject to a fine not to exceed \$250 or to imprisonment for a term not to exceed 15 days, or both.
- B. Civil penalties; construal.
- (1) Obedience to the provisions set forth herein may be enforced by criminal information for the penalties herein prescribed, as well as by prosecution of the offender as provided in Subsection A of this section, or by civil action for a penalty or by civil remedy at law or equity by way of injunction or otherwise to abate or prevent a violation of the provisions of this article.

- (2) Neither a judgment in nor the pendency of a criminal prosecution for an alleged violation of the provisions of this article nor a judgment in or the pendency of a civil action of law or in equity shall be a bar to the other form of proceeding.
- (3) The imposition of a penalty for a violation of this article shall not excuse the violation or permit it to continue, and the remedies herein provided for penalties and civil action to enjoin or abate a violation shall be cumulative.

- B. Nothing herein shall prevent any person from making arrangements for the private collection, sale or donation of recyclable materials; provided, however, that recyclable materials to be privately collected, sold or donated shall not be placed curbside on or immediately preceding the day for collection of such recyclable materials. Any and all recyclable materials placed in a county-supplied container at curbside or at any designated collection place shall immediately become the property of the county.

### § 173-15 Licensing of haulers; conditions of refuse collection.

[Amended 11-20-2007 by L.L. No. 5-2007]

#### A. Licensing of haulers.

- (1) All persons or companies engaged in the business of receiving or collecting garbage/rubbish or recyclable materials, except for construction and demolition waste, must apply for and be issued annually a license by the Village of Pittsford Board of Trustees. Refuse haulers shall submit an application for an annual license by March 31 of each year. Licenses shall be issued by the Board of Trustees at the yearly organizational meeting. New license applications submitted at other times during the year will be considered by the Board of Trustees within 30 days of the date of application.
- (2) Authorized haulers shall comply with all provisions of the Monroe County Solid Waste Management Law regarding the collection of recyclable materials.
- (3) Applications for an authorized hauler license may be denied if the applicant or licensee has been adjudged or administratively determined to have committed one or more violations of this article during the preceding calendar year, or if the applicant is determined to be unfit or undesirable to provide the service of refuse collection.
- (4) All authorized haulers shall, in writing, defend, indemnify and hold harmless the Village of Pittsford for any pending, threatened or actual claims, liability or expenses arising from waste disposal by the authorized hauler in violation of this article.
- (5) No license issued under the provisions of this article shall be transferable. Changes in ownership of an authorized hauler shall be reported to the Village Clerk within five days. Said changes must be approved by the Village of Pittsford Board of Trustees.
- (6) Authorized haulers shall submit proof(s) of insurance in an amount determined to be sufficient by the Village of Pittsford Board of Trustees. Insurance shall include, but not be limited to, general liability, automobile liability, workers compensation, and disability. All insurance certificates shall name the Village of Pittsford as an additional insured.
- (7) The fee for a license shall be determined by the Village of Pittsford Board of Trustees by resolution, and may be adjusted from time to time.
- (8) Any conditions of refuse collection contained in this chapter, both residential and commercial, shall be also conditions of the authorized hauler license.

#### B. Conditions of refuse collection.

- (1) The Village of Pittsford Board of Trustees shall, by resolution, regulate the day(s) of the week on which residential refuse collection may take place within the Village. In addition, the Board of Trustees may designate areas within the Village and impose collection regulations within said areas. Authorized haulers shall be notified of any such regulations upon issuance of a license, and shall be notified by mail of any changes to the regulations that may be made from time to time.
- (2) There shall be no residential collection of refuse between the hours of 6:00 p.m. and 6:00 a.m.
- (3) There shall be no residential collection of refuse on Sundays or holidays.
- (4) All authorized haulers must offer an optional residential low-volume rate, and must make available to their customers special bags or stickers which may be purchased in advance.
- (5) The level of service provided to residential customers by an authorized hauler for yard waste, bulky refuse, appliances, or other waste shall be determined annually by the Village of Pittsford Board of Trustees, with input from the authorized haulers, by resolution.
- (6) The regulations for the collection of residential yard waste by the Village shall be issued by the Superintendent of Public Works, and may be amended from time to time.

### § 173-16 Approval, denial, suspension or revocation of solid waste license.

- A. When the Public Works Foreman or his designee determines that a failure to comply with this article may have occurred, he shall recommend to the Village Board of Trustees that he be authorized to carry out the notice and hearing provisions set forth in Subsections B and C of this section. Notice and an opportunity to be heard shall be provided prior to the suspension or revocation of a solid waste license or contract or the issuance of a reprimand, fine or penalty.
- B. The designated public official shall notify the affected generator, contractor or licensee of the alleged failure, in writing.

Elmbrook Drive, and Eastview Terrace. Beginning with Church Street, side streets were developed from the beginning of the 19th century until Eastview Terrace in the 1930s. In general, the side streets have the same characteristics as the main streets, but with smaller lots and more modest homes.

- D. Stonegate lane. Stonegate Lane was originally the entrance drive to Hyllgarth, a large ca. 1900 country estate. The property was subdivided in the 1930s, and home construction began. The large main house remains today facing Sutherland Street opposite the high school. The carriage house has been converted into a separate residence. Three homes built for the estate staff are located along Jefferson Road opposite Sutherland Street. Narrow Stonegate Lane is notable for its picturesque wooded setting, fine stone gates, and high quality, mid-twentieth-century, Colonial Revival and Tudor Revival homes.
- E. Postwar streets. The Village's postwar streets include Rand Place (south of Jefferson Road), East Jefferson Road (east of Eastview Terrace) Green Hill Lane, Heatherhurst Lane, Courtenay Circle, Village Grove, and Durham Way. After 1945, the suburban home building boom dramatically changed neighborhood design. Larger, wider lots, smaller homes, and attached garages became the norm. Homes were built with the long side of the house facing the street rather than the short side, as was common in older neighborhoods. Postwar neighborhoods often exhibit less variety in design, because the homes in a neighborhood were often built by a single builder and designer. To save money, curbs, sidewalks, and street trees were not installed.

### § 210-20.9 Residential district design standards and guidelines.

- A. Village of Pittsford Design Standards incorporated. The Village of Pittsford Historic and Architectural Design District Building Design Standards shall hereby be incorporated into this chapter for the purposes of guiding development application review in the business districts by the Historic Preservation Board, Planning Board, Zoning Board of Appeals, and/or Village Board. Development applications include, but are not limited to, certificates of appropriateness, site plan review, and special use permits as provided for in Part 3 of this zoning law.
- B. Historic design principles. Guidance regarding the historic design principles of the Village may be found in Section 3 of the Village of Pittsford Design Standards document, including:
  - (1) General principles of design, including scale, proportion, rhythm, location and orientation, balance, massing, and materials.
  - (2) Design considerations for new construction, including height, scale, width, orientation, setback, proportion and rhythm of openings, neighborhood rhythms, roof form, massing, horizontal versus vertical elements, materials, landscape treatment, and outbuildings.
  - (3) Design consideration for additions, alterations, demolition, and relocation.
- C. Architectural styles. Guidance regarding the historic character and architectural styles of the Village may be found in Section 2 of the Village of Pittsford Design Standards document. This includes the evolution of neighborhoods and characteristics of the Federal, Greek Revival, Gothic Revival, Italianate, Queen Anne, Colonial Revival, Four-Square, Craftsman, and Tudor Revival architectural styles.
- D. Rehabilitation of historic structures. Standards for the rehabilitation of historic buildings and structures may be found in Section 5 of the Village of Pittsford Design Standards document. This includes, but is not limited to, the regulation of windows and shutters, door, garage doors, siding and exterior walls, architectural trim, porches and decks, roofing, chimneys, foundations, garages and barns, modern amenities, fencing, and paint and color.
- E. Rehabilitation of postwar homes. Standards for the rehabilitation of postwar homes may be found in Section 5A of the Village of Pittsford Design Standards document. These include regulations for minimal traditional styles, ranches, Cape Cod styles, split-levels, postwar colonial revival styles, postwar mass-produced builder houses, custom built homes, late 20th century ranches, late modern snout houses, neotraditional styles, individual custom homes, and small-tract homes.
- F. Applicant guidance. Guidance for development review applicants may be found in Section 4 of the Village of Pittsford Design Standards document. However, the powers and duties of the Architectural and Preservation Review Board and application procedures and requirements contained therein have been overridden by the establishment of the Historic Preservation Board and application and review procedures provided in Chapter 112 of the Village of Pittsford Code.

### § 210-20.10 Residential parking and driveway provisions.

Off-street parking and driveways in residential districts shall conform to the following in addition to the regulations of Article 25 (Parking, Loading, and Access Management), where applicable.

- A. Off-street parking.
  - (1) Parking is prohibited on grass and yard space that is not hard-surfaced and properly designated for such use.
  - (2) Parking is prohibited in the front yard and shall never be located at the corner of any street. Off-street parking for single- and two-family dwellings may be permitted in the front yard, provided all spaces are located on an approved driveway.
  - (3) Recreational vehicles, commercial vehicles, and other vehicles exceeding 14 feet in length or nine feet in height may be parked on an approved driveway, provided such vehicles are located behind the front building line.
  - (4) The expansion of existing parking areas for nonresidential uses and buildings in the LDR, MDR, and LOR Districts shall be prohibited.

**B. Sidewalks and entrances.**

- (1) All residential properties shall be required to maintain or restore, where determined appropriate by the Historic Preservation Board, a walkway that is separate from the driveway and connects the property to the public sidewalk.
- (2) All dwellings should provide a front door or entrance that is oriented to and facing the street.

**C. Garages. Newly constructed garages shall be detached and located in the rear yard area, unless it is determined by the reviewing board that existing neighborhood character dictates otherwise.****D. Driveways.**

- (1) All driveways shall obtain a driveway permit in accordance with § 210-25.4.
- (2) Off-street parking for a single- or two-family dwelling may be provided on a Village-approved driveway.
- (3) Driveways for a single-car garage shall not exceed 10 feet in width.
- (4) Driveways for a multicar garage shall not exceed 18 feet in width.
- (5) No portion of any front yard area of any lot or side yard area of any corner lot having a driveway entrance from the side street shall be covered with paving, gravel, crushed stone or similar non-growing surfacing, except for not more than one walkway not exceeding five feet in width, or two walkways (one front and one side) for a corner lot not exceeding five feet in width.
- (6) The portion of any lot or parcel of land covered by paving, gravel, crushed stone or similar non-growing surfacing other than structures shall not exceed, in area, 12% of the total square footage of the entire lot. Any such non-growing surfacing shall be applied in accordance with the specifications and requirements of the Building Inspector, Superintendent of Public Works, or Village Engineer, and shall be subject to the requirements of Chapter 176, Streets and Sidewalks, of the Code of the Village of Pittsford.
- (7) The CEO, in reviewing driveway permits and upon advisement and recommendation by the Planning Board, may require driveway widths to be reduced in whole or at various points to minimize pavement, preserve neighborhood character, and avoid directing stormwater runoff onto adjacent properties.
- (8) Parking areas exceeding the permitted driveway width must be located in the side or rear yard and are subject to all other provisions of this chapter.