

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
AGENDA  
May 16, 2022  
7:00 PM**

**PUBLIC HEARINGS FOR AREA VARIANCES**

- 21 Founders Green, Tax # 164.03-5-10, Applicant is requesting relief from Town Code §185-17 E. (1) to place a generator within the minimum side setback. This property is zoned Residential Neighborhood (RN).
- 640 Mendon Center Road Tax # 191.02-2-22, Applicant is requesting relief from Town Code §185 - 113 B. (3) for a proposed pool, pool equipment and generator encroaching into the front setback. This property is zoned Rural Residential South Pittsford (RRSP).
- 14 Trotters Field Run Tax # 164.17-1-22.1, Applicant is requesting relief from Town Code §185 - 113 B. (3), for pool equipment and a sport court forward of the rear wall, §185 – 17 E. (1) for a sport court within the side setback, §185 – 17 H. for greater than 40% impervious lot coverage. This property is zoned Residential Neighborhood (RN).

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
DRAFT MINUTES  
April 18, 2022**

**PRESENT**

George Dounce, Chairperson; Barbara Servé, Vice Chair; Mary Ellen Spennacchio-Wagner, James Pergolizzi, Tom Kidera, Phil Castleberry

**ALSO PRESENT**

Doug DeRue, Director of Planning and Zoning; Anthony Caruso, Building Inspector; Susan Donnelly, Secretary to the Board

**ABSENT**

Bill Zink, Building Inspector; Robert Koegel, Town Attorney

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, April 18, 2022 at 7:00PM local time.

George Dounce, Chairperson called the regularly scheduled meeting of the Zoning Board of Appeals to order at 7:00PM.

The applications before the Board this evening are Type II Actions under 6-NYCRR §617.5 (c) (16) and, therefore, are not subject to Environmental Review under SEQRA. The applications are exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

**PUBLIC HEARINGS FOR AREA VARIANCE**

- 32 Le Pere Drive, Tax # 178.19-2-5, Applicant is requesting relief from Town Code §185-113 B. (3) to place a 9'x 9' concrete pad for the placement of a hot tub forward of the rear wall. This property is zoned Residential Neighborhood – (RN).

The homeowner, Matthew Schultz, was present.

Mr. Schultz reported that he discussed the project with his neighbor and he has no problem with it.

A retaining wall will be installed at the same level as the deck and the garden bed will be extended around.

The Board had no further comment.

The homeowner indicated he would like to start as soon as possible.

There was no public comment.

Tom Kidera moved to close the public hearing.

Jim Pergolizzi seconded.

All Ayes.

- 56 Landsdowne Lane, Tax # 151.11-1-32, Applicant is requesting relief from Town Code §185-17 E. (1) to place a shed within the minimum side setback. This property is zoned Residential Neighborhood – (RN).

The homeowner, Kris Schofield, was present.

This shed is already in place but is out of compliance and encroaches into the minimum side setback. The homeowner prepared the pad prior to the permit being issued assuming there would be no issue with the placement.

The neighbor at 54 Landsdowne Lane does not object to the shed placement.

There was no public comment.

Barb Servé moved to close the public hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

**DECISION FOR 32 LE PERE DRIVE – AREA VARIANCE**

A written Resolution to grant the area variance for 32 Le Pere Drive was moved by Mary Ellen Spennacchio-Wagner and seconded by Board Member Tom Kidera.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 17, 2022.
2. All construction is to be completed by December 31, 2023.

**DECISION FOR 56 LANDSDOWNE LANE – AREA VARIANCE**

A written Resolution to grant the area variance for 56 Landsdowne Lane was moved by Tom Kidera and seconded by Board Member Jim Pergolizzi.

George Dounce called for a roll call vote.

Servé	Aye
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Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated February 23, 2022.
2. All construction is to be completed by December 31, 2022.

**POINT PERSONS FOR MAY 16, 2022 MEETING**

640 Mendon Center Road – George Dounce

21 Founders Green – Barbara Serve

32 Rosewood Drive – Jim Pergolizzi

14 Trotters Field Run – Phil Castleberry

**ADJOURNMENT/MINUTES APPROVAL**

Chairman George Dounce motioned to approve the minutes of March 21, 2022. Following a unanimous voice vote, the minutes were approved as written.

The meeting was adjourned at 7:48 PM.

Respectfully submitted,

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Susan Donnelly  
Secretary to the Zoning Board of Appeals

# Zoning Board of Appeals Referral Form Information

**Property Address:**

21 Founders Green PITTSFORD, NY 14534

**Property Owner:**

Pritchard, David J  
21 Founders Grn  
Pittsford, NY 14534

**Applicant or Agent:**

Pritchard, David J  
21 Founders Grn  
Pittsford, NY 14534

**Present Zoning of Property:** RN Residential Neighborhood  
Area Variance - Residential and Non-Profit

**Town Code Requirement is:**

Right Lot Line:  
Left Lot Line: 8'3"  
Front Setback:  
Rear Setback:  
Height:  
Size:

**Proposed Conditions:**

Right Lot Line:  
Left Lot Line: 4'  
Front Setback:  
Rear Setback:  
Height:  
Size:

**Resulting in the Following Variance:**

Right Lot Line:  
Left Lot Line: 4'3"  
Front Setback:  
Rear Setback:  
Height:  
Size:

**Code Section(s):**

Description: Applicant is requesting relief from Town Code §185-17 E. (1) to place a generator 4' 3" within the minimum side setback.

May 04, 2022



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Date

Bill Zink -



# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 4/5/2022 Hearing Date: MAY 16 2022

Applicant: Terry Smith

Address: 1025 Rush Henrietta Town line Road Rush NY 14543

Phone: 585-404-6484 E-Mail: terrys@ipsigenerators.com

Agent: SAME  
(if different than Applicant)

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: David & Robin Pritchard  
(if different than Applicant)

Address: 21 Founders Green Pittsford NY 14534

Phone: 585-317-4344 E-Mail: DavidPritchardNY@AOL.COM

(If applicant is not the property owner please complete the Authorization to Make Application Form.)

Property Location: Town of Pittsford Current Zoning: \_\_\_\_\_

Tax Map Number: 164.030-05.010

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

Installation of a 24kw Generac Generator  
whole House 200 Amp Transfer Switch.  
Job# 103-008-742-38 with RG&E  
Electrical Inspection - NYEIA John New.

**SWORN STATEMENT:** As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.

Terry Smith  
(Owner or Applicant Signature)

4/5/2022  
(Date)



# TOWN OF PITTSFORD AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

Zoning Board of Appeals – 11 S. Main Street – Pittsford, 14534 – 248-6260

*If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.*

I, David Pritchard, the owner of the property located at:  
21 Founders Green Pittsford NY 14534  
(Street) (Town) (Zip)

Tax Parcel # 164.030-05.010 do hereby authorize  
Terry Smith to make application to the

Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of Z4KW  
the installation of a Home generator System

*David J. Pritchard*  
(Signature of Owner)  
4/5/2022  
(Date)



# NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b).

## TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:

*(Please answer the following questions to the best of your knowledge)*

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

1- In the Stonetown Hamlet there <sup>ARE</sup> Eight (8) other Generator Systems installed (these are the ones that I could see from the Road.)

2- All of these Generators are installed inside the SET BACK OF 10 feet

2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

1- There is No other location We Can install the Generator that will be with-in the NEC.

2- The RG&E Gas Meter is located on this side of the Home - this allows for a proper Install of a Dedicated GAS pipe Run.



## TESTS FOR GRANTING AREA VARIANCES (Continued)

3. Please explain whether the requested area variance is minimal or substantial:

This is a minimal request as their neighbor on the side of the generator has no issue and their neighbors within the HOA already have generators.

4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

The installation of a new Generator will not have a adverse affect or impact or environmental condition in the Neighborhood or Zoning Do to the fact that Most of their Neighbors already have a generator installed. Generators are the future and soon lint homes will have a generator / solar / ~~PNE~~ Cell Back up power System installed

- NOTE: Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;

5. Is the alleged difficulty self-created?

No - This is the only location the Generator can be installed

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

David & Robin Pritchard (24KW GENERATOR)  
(Project Name)

The undersigned, being the applicant(s) to the...

- Town Board     Zoning Board of Appeals     Planning Board     Architectural Review Board

...of the Town of Pittsford, for a...

- change of zoning     special permit     building permit     permit     amendment  
 variance     approval of a plat     exemption from a plat or official map

...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name(s)

Address(es)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Temp Smith  
(Signature of Applicant)

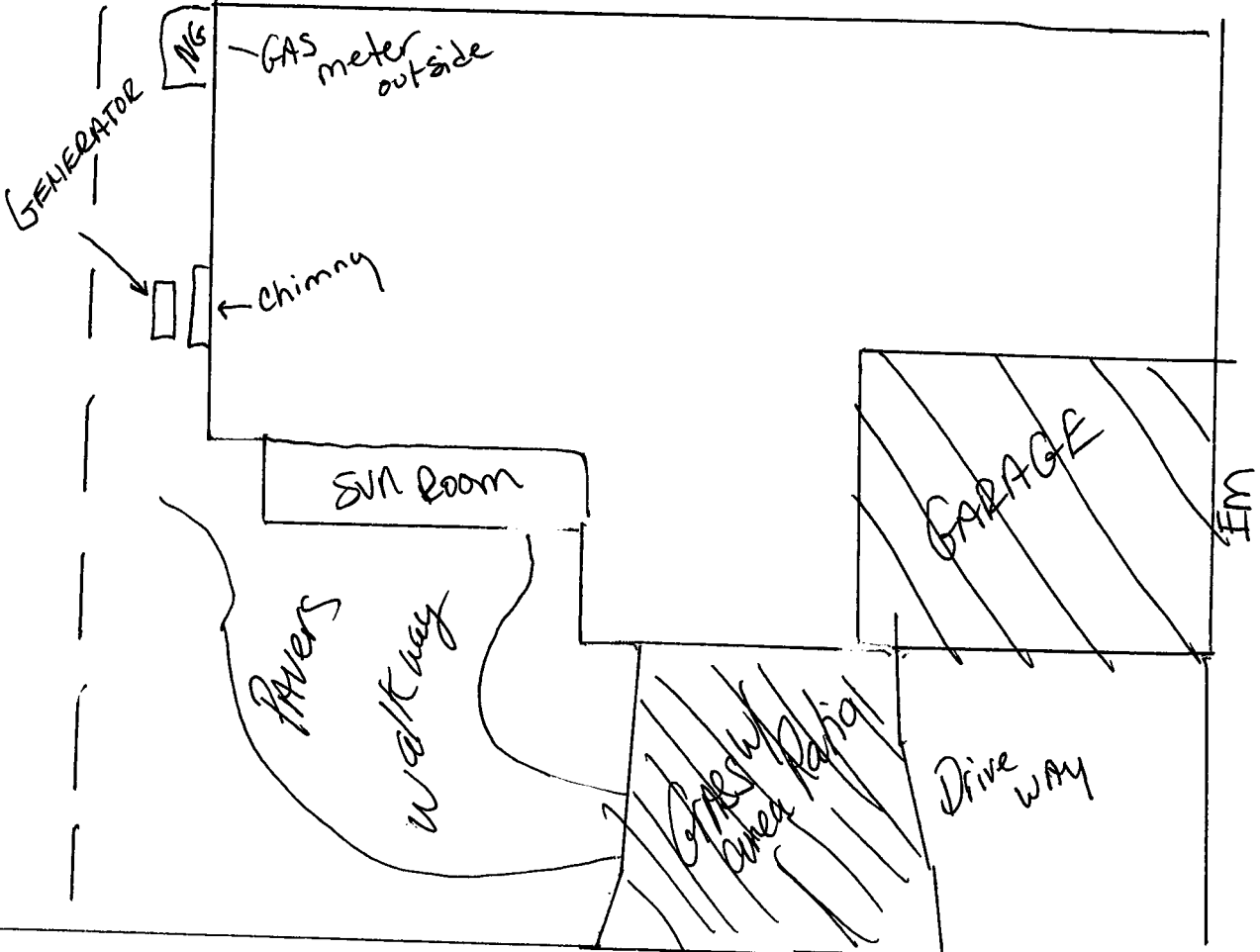
4/5/2022  
(Dated)

21 Founders Green  
(Street Address)  
Pittsford, NY 14534  
(City/Town, State, Zip Code)

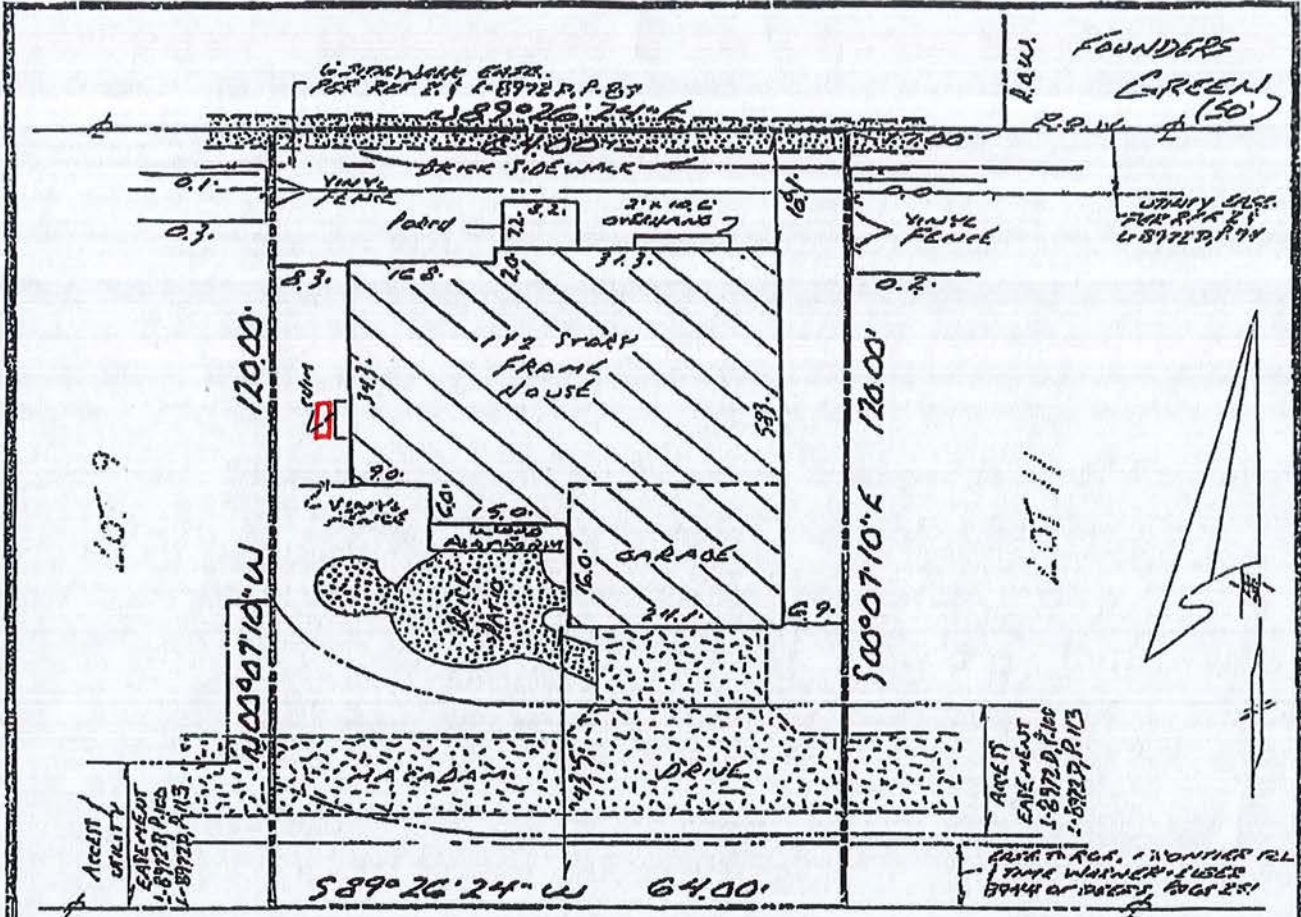
Founder Green

SIDE WALK

Neighbors Home



Drive way



- REFERENCES:**
- 1) ABSTRACT OF TITLE No. 129487. (CROSSROADS - JUNE 30, 2010)
  - 2) LIBER 295 OF MAPS, PAGE 4. STONETOWN HAMLET SUBD.
  - 3) LIBER 10911 OF DEEDS, PAGE 4-52
  - 4) COVENANTS, EASEMENTS & RESTRICTIONS - LIBER 9012 OF DEEDS, P. 138. - LIBER 9167 OF DEEDS, P. 289.

**CERTIFICATION:**  
I hereby certify to:

**□ = GEN** No Windows or Doors  
Within 5 Feet  
The two Bushes Will be Removed  
IN FRONT OF CHIMNEY

That this map was made from notes of an Instrument Survey completed July 17, 2010 and from references listed herein.

GREGORY J. BILESCHI, N.Y.S. #50342

NOTE: Property corners should only be set by a licensed, registered land surveyor.

**TITLE:** INSTRUMENT SURVEY MAP  
#21 FOUNDERS GREEN  
LOT 10 - STONETOWN HAMLET SUBDIVISION  
TOWN OF PITTSFORD, MONROE COUNTY, NEW YORK

Tax Account No.  
164.030-05-010

"Unpublished citation or addition to a survey map, bearing a licensed land surveyor seal is a violation of section 7200 Subdivision 2, of the New York State Education Law. Only copies from the original of this survey marked with an original land surveyor seal shall be considered to be valid true copies. Certifications shall run only for the purpose for which the survey is prepared, and on behalf of the title company insuring the fee, the governmental agency and lending institution listed herein, and to the acceptance of the land's institution. Certifications are not transferable to additional institutions or subsequent owners. This map is subject to any easements and/or encumbrances that an abstract of title may show. The word 'certify' or 'certification' as shown and used herein means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee expressed or implied. Location of easements, improvements and those which are covered may be approximate or not shown herein. Landmark features are not shown herein, unless otherwise specified."

**BILESCHI LAND SURVEYING**  
436 REYNOLDS ARCADE  
ROCHESTER, NEW YORK 14614  
(585) 454-6010 (phone)  
(585) 454-6015 (fax)  
JAMES M. LEONI, L.S. OF CONSULT

DATE: FEB. 8, 2019  
FILE No.  
OWNER: J. J. HANNAH  
SCALE: 1" = 20 FEET

M.A.C.











## Terry Smith

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**From:** Peter Spinelli <pspinelli47@icloud.com>  
**Sent:** Tuesday, April 5, 2022 10:20 AM  
**To:** Terry Smith  
**Cc:** David Pritchard  
**Subject:** Stonetown Hamlet HOA- Approval for Generator Installation at 21 Founders Green

This is to advise that the Stonetown Hamlet HOA grants its approval for the installation of a generator at the residence located at 21 Founders Green, Pittsford, NY 14534 Peter J. Spinelli, President Stonetown Hamlet HOA  
11 Founders Green  
Pittsford, NY 14534  
Cell: 585-259-0935

# Zoning Board of Appeals Referral Form Information

**Property Address:**

640 Mendon Center Road PITTSFORD, NY 14534

**Property Owner:**

Sunil Prasad  
640 Mendon Center Road  
Pittsford, NY 14534

**Applicant or Agent:**

Sunil Prasad  
640 Mendon Center Road  
Pittsford, NY 14534

**Present Zoning of Property:** RRSP Rural Residential South Pittsford  
Area Variance - Residential and Non-Profit

<b>Town Code Requirement is:</b>	<b>Proposed Conditions:</b>	<b>Resulting in the Following Variance:</b>
Right Lot Line:	Right Lot Line:	Right Lot Line:
Left Lot Line:	Left Lot Line:	Left Lot Line:
Front Setback:	Front Setback:	Front Setback:
Rear Setback:	Rear Setback:	Rear Setback:
Height:	Height:	Height:
Size:	Size:	Size:

**Code Section(s):**

Description: Applicant is requesting relief from Town Code §185 - 113 B. (3) for a proposed pool, pool equipment and generator located forward of the rear wall.

May 04, 2022



\_\_\_\_\_  
Date

\_\_\_\_\_  
Bill Zink -





# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: March 28, 2022 Hearing Date: \_\_\_\_\_

Applicant: Sunil Prasad & Darla Darby

Address: 640 Mendon Center Rd

Phone: (314) 494-0151 E-Mail: smp7032b@gmail.com

Agent: \_\_\_\_\_  
*(if different than Applicant)*

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: \_\_\_\_\_  
*(if different than Applicant)*

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**(If applicant is not the property owner please complete the Authorization to Make Application Form.)**

Property Location: 640 Mendon Center Rd Current Zoning: RRSP

Tax Map Number: 191.02-1-22

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

Current Construction of home on Christmas tree farm. The home front door faces east. Request variance for the orientation of the home to reflect the approved building permit orientation. Placement of pool in proposed area.

**SWORN STATEMENT:** As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.

\_\_\_\_\_  
*(Owner or Applicant Signature)*

\_\_\_\_\_  
*(Date)*



# NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b).

## TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:

*(Please answer the following questions to the best of your knowledge)*

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

The lot was previous a 25,000 square foot horse boarding facility with 42 stables and a 220x120x28 foot high indoor arena. As well as a 5000 square foot two story office building, multiple out buildings and two very large training circles. The property is zoned as Residential Rural South Pittsford. The horse facility, both the arena and office complex were in their last stages of maintenance and structural deteriorating rapidly. We were looking for an agricultural zoned property to start a Christmas tree farm and a residential home. The new construction should have a positive effect of the neighborhood, both from an aesthetical point and a traffic and security point, were over 40 boarding clients, their guests, and their support staff and deliveries were traveling in and out of the surrounding roads. Also the property was not subdivided into 4 home sites, and maintains the rural & residential aspect of the RRSP. The home is over 700 feet from the road at its closest position with 10 of the 14 acres in between.

2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

The home was presented at the Design and Review Board and approved with a site plan with the front of the house facing east. The construction of the foundation, windows, doors, roof and interior framing of the home have been completed, it would be very challenging to reconstruct the home.

## **TESTS FOR GRANTING AREA VARIANCES (Continued)**

3. Please explain whether the requested area variance is minimal or substantial:

The home sits on the near highest point on the lot, which is 698 feet (lowest 663) and Mendon Center Rd at the highest point is 688. The home is over 700 feet from the road at its closest position. In addition, there is a mature tree line that interrupts the view from the road. In between the home and road is the location of the tree farm. If the pool was closer, below the road, or part of a subdivision, the variance may be more substantial. This is a working farm, with the area in question more than 700 feet away and 10 feet above with 10 acres in between. There are several properties which have pools with backyards seen from Mendon Center Rd, such as 3 Aden HI, 6 Escena Rise, 3 Lexton Way, 10 Escena Rise, 219 Mendon Center Rd, 8 Turning Leaf Dr. These properties are much closer to Mendon Center Rd. In addition, there are many pools in the Town of Pittsford that are much, much closer to the neighboring property lines and physical structures than this property.

4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

Great thought from the very beginning has gone into the planning into this project. The facility was deconstructed and 5 tractor trailers loaded with wood were repurposed for free. The indoor arena and office were heated with propane gas. The home is primarily heated by electric heat pump. Also a reduction in the large horse trailers and diesel haulers that enter the surrounding homes. The home was placed on the location of the indoor arena and the pool on the asphalt road to the office. This was done to minimize the impact of the home on the available green space. Nearly everything was built on previous asphalt and concrete. We regained green space in this project. The impermeable ground cover of the property has been reduced by over 15,000 square feet. The backyard will be a longer distance from a road than any other residential property except for 110 Canfield Rd in the entire RRSP zoning district.

- **NOTE:** *Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;*

5. Is the alleged difficulty self-created?

The application of the building permit was approved with the home facing east, that the backyard was west with a pool area on the site plan. At the Design Board meeting we specifically addressed the location of the front of the house and the orientation in detail. The meeting was done with Zoom, and the recording will support the discussion and approval. The members approved the design as defined in the stamped site plan. And a building permit was issued to construct the home. Therefore I did not apply for an additional variance. If I missed a step, that is my fault, I am trying to address it now.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

640 Mendon Center Rd. Backyard variance and pool placement

*(Project Name)*

The undersigned, being the applicant(s) to the...

Town Board     Zoning Board of Appeals     Planning Board     Architectural Review Board

...of the Town of Pittsford, for a...

change of zoning     special permit     building permit     permit     amendment

variance     approval of a plat     exemption from a plat or official map

...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name(s)

Address(es)

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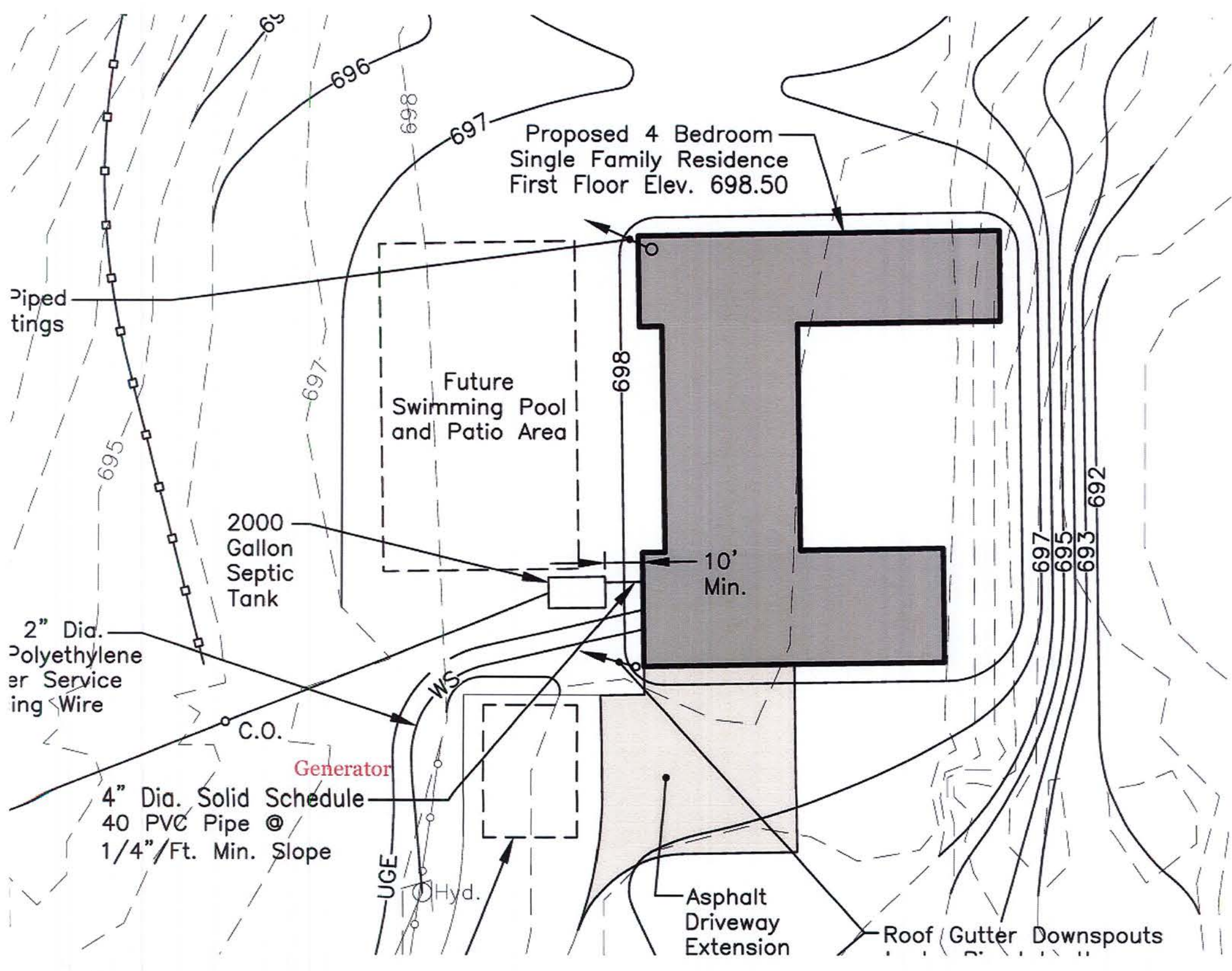
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*(Signature of Applicant)*

*(Dated)*

*(Street Address)*

*(City/Town, State, Zip Code)*



**LEGEND**

Existing	Proposed	Description
---	---	Property Line/R.C.W.
---	---	Ground Contour
---	---	Underground Electric
---	---	Water Main
---	---	Water Service
---	---	Hydrant
---	---	Ditch/Stream
---	---	Percolation Test Hole
---	---	Deep Hole Excavation
---	---	C.O. Cleanout

**PROJECT INFORMATION**

**General Information**  
 Owner/Developer: Sunil Prasad  
 26 Greyhorne Pl.  
 Pittsford, NY 14534  
 Parcel Location: T.A.N. 191.02-1-22  
 Parcel Address: 640 Mendon Center Road  
 Parcel Size: 14.56± Acres  
**Zoning Information**  
 District: RRSP District  
 Permitted Use: Single Family Residence  
 (Residential Development of Less Than 20 Acres)  
**Zoning Requirements:**  
 Min. Lot Area: 5 acres  
 Min. Front E. Width: 200 L.F.  
 Min. Front Yard: 70 L.F.  
 Min. Side Yard: 20 L.F.  
 Min. Rear Yard: 50 L.F.  
 Min. Floor Area: 1,800 S.F.  
 Max. Building Height: 40 L.F.  
 Max. Lot Coverage: 15%  
**Proposed:**  
 14.56 Acres (no change)  
 590 L.F. (no change)  
 861.91 L.F.  
 77.69 L.F.  
 92.41 L.F.  
 5,865 S.F.  
 24 L.F.  
 7.6%

**GENERAL NOTES**

- The plans show subsurface structures, above ground structures and/or utilities from site location and record mapping, exact location of which may vary from the locations indicated. In particular, the contractor is warned that the exact or approximate location of such pipelines, subsurface structures and/or utilities in the area may be different from that shown or may not be shown and it is his responsibility to proceed with great care in executing any work. Call Dig Safe New York, telephone number 811, 24 hours before you dig, drill or blast.
- This parcel is not located within a 100-year floodplain (Flood Zone X per FEMA Flood Insurance Rate Map Community Number 36055003666, effective date August 28, 2008).
- The parcel does not contain state wetland areas or the buffers to state wetland areas. A portion of this parcel contains a Federal Wetland.
- The Contractor shall locate, mark, safeguard, and preserve all survey control monuments in the areas of construction.
- This property is located within the Pittsford Central School District.
- The property lines and right-of-way lines shown on the plans are for information only, and no warranty is made as to their correctness.
- The Contractor shall maintain in service all existing sewers, culverts, ditches, manholes, and catch basins during construction.
- Construction Stakeout: The Contractor is responsible for all construction stakeout as shown on the plans.
- Traffic shall be maintained throughout construction, ingress and egress to driveways, parking lots, and service roads shall be continuously maintained throughout the period of construction.
- The Contractor shall take care to prevent damage to existing utilities. Damaged utilities shall be immediately repaired by the Contractor at the Contractor's expense.
- All proposed utilities and appurtenances shall be constructed in compliance with the local municipalities' codes and regulations governing the installation of such utilities.
- The Contractor shall be responsible for obtaining and incurring the cost of all required permits, inspections, certificates, etc. and shall comply with all required permits.
- All work shall be done in strict compliance with all applicable National, State, and local codes, standards, ordinances, rules, and regulations.
- Miscellaneous work not specifically shown on the contract drawings such as patching, blocking, trimming, etc. shall be performed as required to make the work complete.
- It is the Contractor's responsibility to examine all plan sheets and coordinate work with all other contracts for the site.
- The Engineer shall be notified in writing of any conditions that vary from those shown on the plans. The Contractor's work shall not vary from the plans without the expressed approval of the Engineer.
- The Contractor shall restore lawns, driveways, culverts, signs, and other public or private property damaged or removed to at least as good a condition as before being disturbed as determined by the Engineer. Any damaged trees, shrubs, and/or hedges shall be replaced at the Contractor's expense.
- Unsuitable material shall be removed from the site and properly disposed.
- At the time of completion and acceptance of the work, all areas disturbed by the Contractor's operations shall be finished, graded, topsoiled, and seeded per the specifications.
- All improvements shall be in accordance with the most recent standards and specifications of the Town of Pittsford.
- All site lighting shall be in accordance with the most recent standards and specifications of the Town of Pittsford.
- The entire building shall comply with the New York State Uniform Fire Prevention and Building Code.
- The Contractor shall designate a member of his or her firm to be responsible to monitor erosion control, erosion control structures, tree protection, and preservation throughout construction.

**SOIL EROSION/SEDIMENTATION CONTROL NOTES**

- Developer shall install erosion and siltation control measures during construction and shall be responsible for the maintenance and removal of such measures. All erosion and siltation control measures shall be in place and approved by the Town or their duly noted representative prior to any construction activities, including clearing.
- The temporary erosion/sedimentation control measures depicted on the site plan shall be supplemented with additional controls if found necessary during construction. Developer is responsible for establishing the controls during construction, and removing the controls following re-establishment of ground cover.
- All sedimentation control structures shall remain in effective operating condition.
- No erosion or sediment control measures may be removed until the upland areas are stabilized and/or approval of their removal has been granted by the Town.
- All access to and from the site shall be via the stabilized construction entrances, which shall be kept clean and free of debris and sediment. Any debris or sediment which makes its way to the public highway shall be immediately removed.
- Any erosion or sediment control measure shall be immediately cleaned, repaired, and/or replaced upon notice of any damage.
- In areas where soil disturbance activity has been temporarily or permanently ceased, temporary and/or permanent soil stabilization measures shall be installed and/or implemented within seven (7) days from the date the soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control.
- All erosion and sediment control methods are to be designed and installed in accordance with the latest edition of the New York State Standards and Specifications for Erosion and Sediment Control.
- Pollution prevention practices shall be employed during construction to prevent litter, construction chemicals and construction debris from becoming a pollutant source in stormwater. The following controls shall be implemented:
  - Litter and construction debris shall be picked up on a daily basis and placed within covered trash receptacles.
  - Construction materials that are temporarily stored in the work area shall be secured with straps or anchors, or covered to prevent wind transport.
  - All points of entry into the storm drainage system shall be screened to prevent entry of litter or debris.
  - Construction chemicals and hazardous substances shall be stored in accordance with all applicable environmental regulations. The Contractor shall have appropriate spill containment devices on the jobsite at all times.
- The Contractor shall inspect temporary silt fences and temporary stabilized construction entrances following each rain event and at not more than seven day intervals.
- Seed Mixes:
 

Temporary (50 lbs. per acre)	Annual Ryegrass	50% by Weight (90% Purity)
	Tall Fescue	50% by Weight (90% Purity)
Permanent	Kentucky Bluegrass	45% by Weight (85% Purity)
	Red Fescue (Commercial)	40% by Weight (85% Purity)
	Common Ryegrass	15% by Weight (95% Purity)

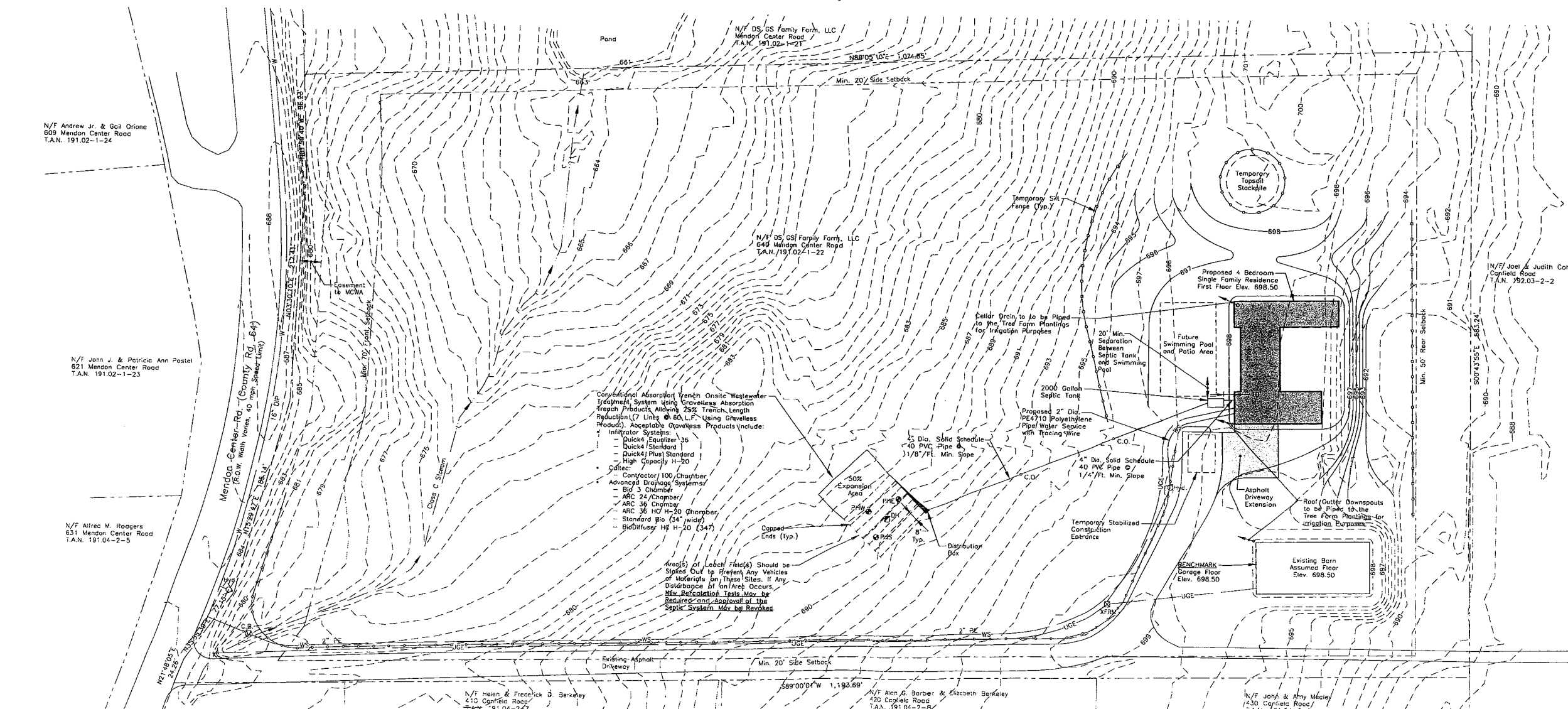
**MAP AND SURVEY NOTES**

- This plan was prepared utilizing a map by Gregory T. Pauly, Licensed Land Surveyor entitled "Instrument Survey of Part of Town Lot 39, Township 12, Range 5 of the Phelps & Gorham Purchase" dated April 18, 2020, and from surveys conducted by Thornton Engineering in May 2021. Contours were obtained online from Monroe County GIS Services Division mapping.

**CONSTRUCTION SEQUENCE**

- Install silt fence at the locations indicated on the plan.
- Install temporary stabilized construction entrance within the existing driveway.
- Strip topsoil from all disturbed areas and place it within the designated storage areas.
- Excavate the driveway extension area and immediately place crushed stone base material.
- Excavate the house foundation and use suitable excavated material to grade the lawn areas around the house.
- Following foundation construction, rough grade the adjacent lawn areas and stabilize with Temporary Seed Mix.
- Install wastewater treatment system.
- Final grade, topsoil, seed with Permanent Seed Mix, and mulch all areas that will not require future disturbance.
- Following establishment of a healthy growth of turf within all disturbed areas, remove the silt fence.

Proposed Area of Ground Disturbance = 1.7 Acres



**SITE PLAN**  
 SCALE: 1" = 50'  
 SCALE (FEET)  
 0 50 100

Monroe County Department of Public Health  
 These plans for Private Wastewater Treatment Facility are hereby approved pursuant to Article IIIA of the Monroe County Sanitary Code  
 Director of Public Health  
 By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Public Health Engineer

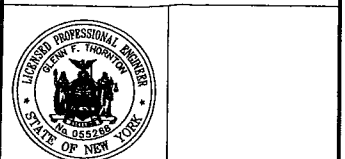
**APPROVALS**  
 \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_\_\_ Date: \_\_\_\_\_

**REVISIONS**

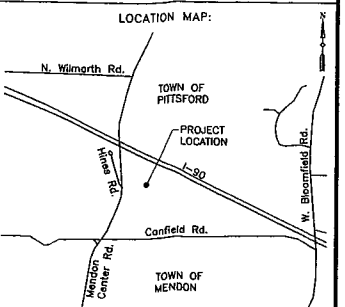
NO.	DESCRIPTION	DATE	BY
1	MCDPH COMMENTS	07/07/21	GFT

It is a violation of New York State Education Law Article 145 Section 7209 for any person, unless he or she is acting under the direction of a licensed professional engineer or land surveyor, to alter in any way, if on item bearing the seal of an engineer or land surveyor is altered, the altering engineer or land surveyor shall affix to the item his or her seal and the notation "altered by" followed by his or her signature and the date of such alteration, and a specific description of the alteration.

**THORNTON**  
 ENGINEERING LLP  
 30 Assembly Drive, Suite 106  
 Mendon, New York 14508  
 Consultant Engineers



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**PROJECT NAME:**  
 Prasad Residence  
 640 Mendon Center Road  
 Town of Pittsford  
 Monroe County, NY

**DRAWING TITLE:**  
 Site Plan

FILE NAME: SITEPLAN.DWG	DESIGNED BY: GFT
DRAWN BY: HKT	CHECKED BY: GFT
APPROVED BY: GFT	DATE: JUNE 2021
SCALE: 1" = 50'	PROJECT NO.: 21-830
SHEET NO.: 1 of 3	DRAWING NO.: S-1



# Zoning Board of Appeals Referral Form Information

**Property Address:**

14 Trotters Field PITTSFORD, NY 14534

**Property Owner:**

Goetz, Robert T Jr.  
14 Trotters Field Run  
Pittsford, NY 14534

**Applicant or Agent:**

Goetz, Robert T Jr.  
14 Trotters Field Run  
Pittsford, NY 14534

**Present Zoning of Property:** RN Residential Neighborhood  
Area Variance - Residential and Non-Profit

**Town Code Requirement is:**

Right Lot Line:  
Left Lot Line: 10'  
Front Setback:  
Rear Setback:  
Lot Coverage: 40% or less  
Size:

**Proposed Conditions:**

Right Lot Line:  
Left Lot Line:  
Front Setback:  
Rear Setback:  
Lot Coverage:  
Size:

**Resulting in the Following Variance:**

Right Lot Line:  
Left Lot Line: Not Determined  
Front Setback:  
Rear Setback:  
Lot Coverage: Not Determined  
Size:

**Code Section(s):**

Description: Applicant is requesting relief from Town Code §185 - 113 B. (3), for pool equipment and a sport court forward of the rear wall, §185 – 17 E. (1) for a sport court within the side setback, §185 – 17 H. for greater than 40% impervious lot coverage.

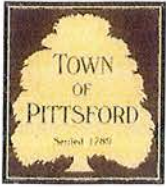
May 04, 2022



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Date

Bill Zink -



# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 5-14-2022 Hearing Date: \_\_\_\_\_

Applicant: Robert Goetz & Aimee Goetz

Address: 14 Trotters Field Run Pittsford NY 14534

Phone: 585 455 3319 E-Mail: terry.goetz@gmail.com

Agent: \_\_\_\_\_  
(if different than Applicant)

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: SAME  
(if different than Applicant)

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

(If applicant is not the property owner please complete the Authorization to Make Application Form.)

Property Location: \_\_\_\_\_ Current Zoning: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

- \* swimming pool with concrete perimeter decking.
- \* Sport court with basketball hoop
- \* Jacuzzi Spa
- \* Fire lounge gathering area

**SWORN STATEMENT:** As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.

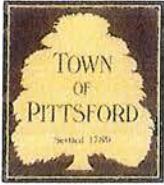
RT Goetz

(Owner or Applicant Signature)

5-14-2022

(Date)





# TOWN OF PITTSFORD

## AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

Zoning Board of Appeals – 11 S. Main Street – Pittsford, 14534 – 248-6260

*If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.*

I, N/A, the owner of the property located at:  
\_\_\_\_\_  
(Street) (Town) (Zip)

Tax Parcel # \_\_\_\_\_ do hereby authorize  
\_\_\_\_\_ to make application to the  
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of \_\_\_\_\_

N/A  
\_\_\_\_\_  
(Signature of Owner)  
\_\_\_\_\_  
(Date)



# NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b).

## TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:

(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

Requesting variance for the following. ① Side setback for the sport court. The sport court is raised up and surrounded by landscaping (grasses, trees bushes). Phase I will be Arborvitae that will provide further enhancement to the view from our adjacent neighbor.

②. Requesting variance for structure (Pool/Jacuzzi filter) to be forward of the rear wall. This is a bit confusing as my garage sits on the side of my house and behind the garage is behind the house. I have extended the fence and also would be happy to further cover the filter with an acoustical metal box or landscaping however it's hidden to my neighbors view.

③ Seeking variance to exceeding maximum allowable coverage. Currently estimated at 44% (town estimate) Have a surveyor coming to measure exact.

2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

①. SIDE SETBACK cannot be reduced as the pad was poured symmetrical to the house and the dimension of a basketball court.

② The filter lines and pad were placed <sup>behind house</sup> and plumbing runs under sport court to the pool & Jacuzzi. The filter placed ~~anywhere~~ in the backyard would be a eyesore and distraction to the neighbors house directly behind me.

③. I've exceeded the coverage ~~at~~ and would be open to options to reduce this excess percentage I believe the majority of coverage is in the backyard and not exposed. I also plan to surround the perimeter with additional landscaping.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

3. Please explain whether the requested area variance is minimal or substantial:

1. SETBACK variance is minimal as 1 corner is within 10 ft - (3.6) and gradually increases.
2. The requested structure forward of the rear wall is minimal.
3. The additional (coverage) on lot coverage is +/- 5% and I believe to be minimal.

4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

For ALL 3 requested variances I have invested in landscape to reduce any visual discomfort and would expand that in order to further reduce and visual concern.

● **NOTE:** Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;

5. Is the alleged difficulty self-created?

I UNFORTUNATELY believed my permit covered what the project entailed however I have learned that this wasnt the case and the alleged difficulty was self created in all 3 requests.



# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

GOERTZ Pool and Sport Court

(Project Name)

The undersigned, being the applicant(s) to the...

Town Board     Zoning Board of Appeals     Planning Board     Architectural Review Board

...of the Town of Pittsford, for a...

change of zoning     special permit     building permit     permit     amendment

variance     approval of a plat     exemption from a plat or official map

...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name(s)

Address(es)

N/A

R.T. Goy

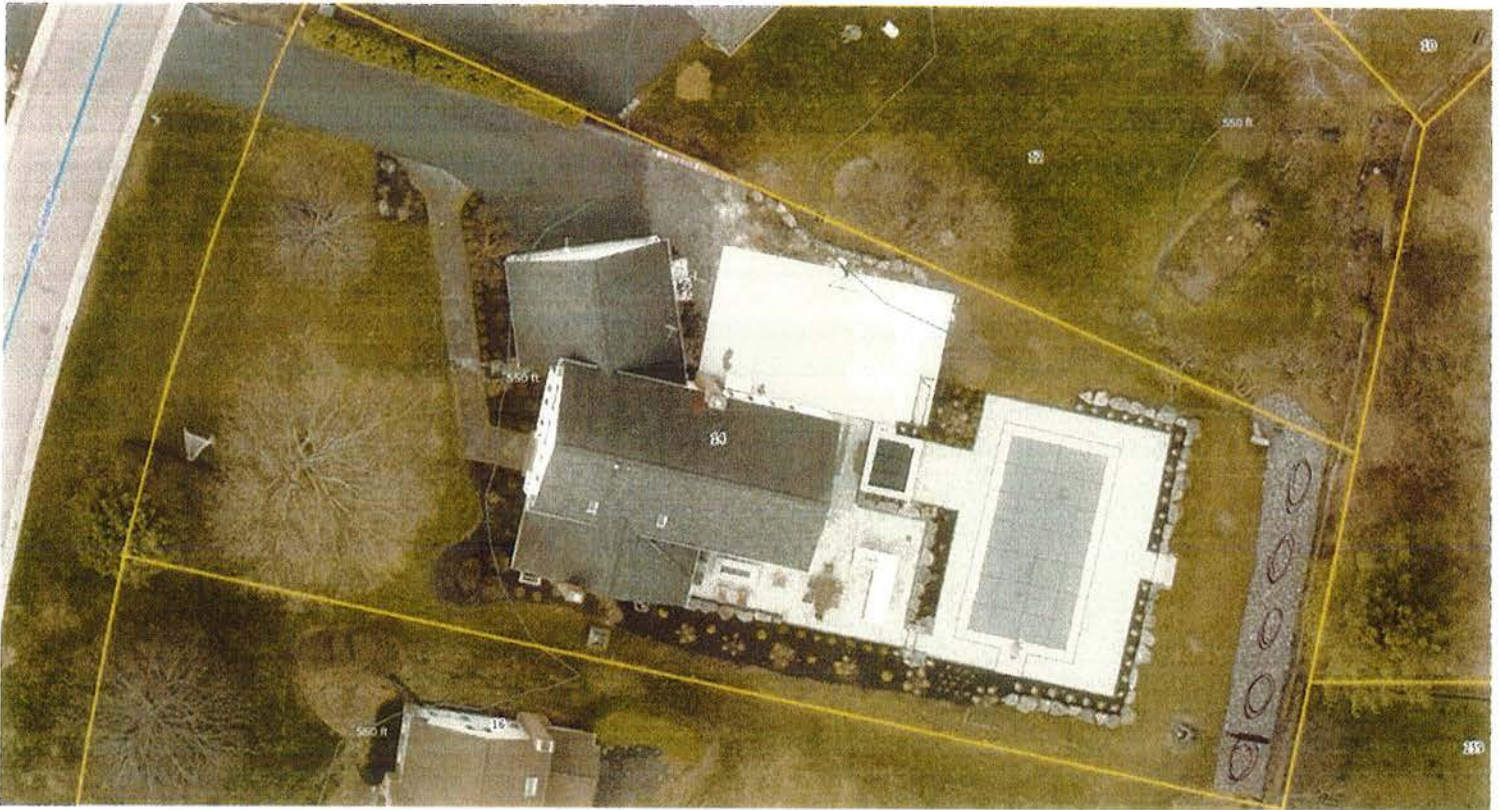
(Signature of Applicant)

5/14/2022

(Dated)

(Street Address)

(City/Town, State, Zip Code)



Thanks

2 attachments

DOC112921.pdf  
1366K

14 Trotters Field 10-1 Letter.pdf  
754K

Terry Goetz <terry.goetz@gmail.com>

Tue, Dec 7, 2021 at 6:00 AM

Draft To: Doug DeRue <DDeRue@townofpittsford.org>

Cc: Bill Zink <BZink@townofpittsford.org>, Kelly Cline <KCline@townofpittsford.org>, Salvatore Tantalò <STantalò@townofpittsford.org>, Sue Donnelly <SDonnelly@townofpittsford.org>

Hello Doug,

Doug DeRue <DDeRue@townofpittsford.org>

Wed, Dec 15, 2021 at 12:39 PM

To: "Terry.goetz@gmail.com" <Terry.goetz@gmail.com>

Cc: Bill Zink <BZink@townofpittsford.org>, Sue Donnelly <SDonnelly@townofpittsford.org>, Salvatore Tantalò <STantalò@townofpittsford.org>, Kelly Cline <KCline@townofpittsford.org>, April Zurowski <AZurowski@townofpittsford.org>

Hello Terry, just a reminder that the Zoning Board deadline for submission is this Friday the 17<sup>th</sup>, we may be closing a little early on Friday, if the building is closed there is a mail slot next to the front door that drops to a lockbox inside.

Thanks