



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

ZONING BOARD OF APPEALS AGENDA

Thursday, July 15, 2021 6:30 PM

Daniel DeLaus, Chairman presiding

Tony LaFountain, Town Board Liaison

- I. Call to Order
- II. Approval of Minutes – June 17, 2021
- III. Work Session
- IV. Tabled Applications
- V. Public Hearing Applications. Opportunities for Public Participation and Board Deliberations Following Each Applicant Presentation.
 1. Application 21Z-0032
39 Mt. View Crescent
Gary and Lynn Pino
 2. Application 21Z-0036
1068 Plank Road
Evan Schutt
 3. Application 21Z-0037
2515 Penfield Road
Douglas McAvoy
 4. Application 21Z-0039
1735 Gloria Drive
David and Charcy Schultz
 5. Application 21Z-0040
1900 Empire Boulevard
Paul Colucci/DiMarco Baytowne Associates, LLC
 6. Application 21Z-0042
1970 Empire Boulevard
Alan Rainbow/DiMarco Baytowne Associates, LLC
 7. Application 21Z-0043
94 Country Lane
Larry DiFlorio
 8. Application 21Z-0041
44, 50, 56 Wilbur Tract Road
Elisabeth Vella

ZONING BOARD OF APPEALS AGENDA

- VI. Executive Session
- VII. Next Meeting: Thursday, August 19, 2021
- VIII. Adjournment

*This meeting will be video recorded and broadcast LIVE via the town's website www.penfield.org
and the Town's Government Access Cable Channel 1303
Questions regarding video coverage contact Penfield TV at (585) 340-8661.*

**A NOTICE OF PUBLIC HEARING, PENFIELD ZONING BOARD OF APPEALS
LEGAL NOTICE**

PLEASE TAKE NOTICE that a Public Hearing will be held on Thursday, July 15, 2021, immediately following a work session meeting commencing at 6:30 PM local time. The board will discuss tabled matters and other business that may come before it during the work session, followed by a Public Hearing to consider each of the following applications.

Unless permitted to take place remotely, the hearing will be held at the Town Hall, 3100 Atlantic Avenue, Penfield, New York 14526.

However, if permitted to do so in accordance with the Governor's Executive Orders, including Executive Order 202.1, which suspended certain provisions of the Open Meetings Law to address the state of emergency related to COVID-19, the July 15, 2021 Zoning Board of Appeals meeting will be held remotely, and in-person public access to the Town Hall facility will not be permitted. As of the date of this public notice, remote meetings are permitted only through July 5, 2021, however, it is anticipated that this date will be extended by further Executive Order. A determination whether the public hearing will take place with in-person participation or only remotely will be posted on the town's website www.penfield.org, and will be available by contacting the Building & Zoning Department at (585) 340-8636.

Regardless of whether the public hearing takes place with in-person participation or remotely, this meeting will be video recorded and broadcast LIVE via the town's website www.penfield.org, on the Town's Government Access Cable Channel 1303, and on streaming media device: ROKU, Apple TV, and Amazon Fire. Search "Penfield TV" in your device's app store, it is free. If required, the meeting will be later transcribed. For questions regarding video coverage please contact Penfield TV at (585) 340-8661.

For a remote meeting, there will be "public participation" opportunities for each public hearing application listed below. The chairman of the board will announce the appropriate time for public participation for each application. To address the board during the public participation portion of the meeting please call (585) 340-8771 to be connected with Penfield TV, or complete an electronic submission form that will be available on the town's website www.penfield.org the day of the meeting.

Prior to the meeting, the Building & Zoning Department will also accept public comments via email at building@penfield.org. All public comments sent via email must include name and address for the record, and reference the application number.

Public Hearing Applications:

1. Gary & Lynn Pino, 39 Mt. View Crescent, Webster, NY, 14580 request an Area Variance under Section 250-14.3 of the Code to allow an existing residence with less setback than required under Section 250-5.1-F (1) of the Code at 39 Mt. View Crescent. The property is

currently or formerly owned by Gary & Lynn Pino and is zoned R-1-20. SBL #093.20-1-54.3. Application #21Z-0032.

2. Evan Schutt/Schutt's Apple Mill and Country Store, Inc., 1063 Plank Road, Webster, NY 14580 requests a Conditional Use Permit under Section 250-13.3 and Section 250-5.1-E (1) (k) of the Code to allow a second agricultural events tent at 1068 Plank Road. The property is owned by Martin Schutt and is zoned RR-1. SBL #094.04-1-30.101. Application #21Z-0036.
3. Douglas McAvoy, 6 Katsura Court, Penfield, NY, 14526 requests Area Variances under Section 250-14.3 of the Code to allow two existing storage buildings whereas a maximum of one storage building is allowed under Section 250-5.1-D (4) of the Code and to allow an existing storage building with less setback than required under Section 250-5.1-F (12) (b) of the Code at 2515 Penfield Road. The property is currently or formerly owned by Douglas McAvoy & Vicki Henderson and is zoned RR-1. SBL #140.02-1-29.1. Application #21Z-0037.
4. David & Charcy Schultz, 1735 Gloria Drive, Fairport, NY, 14450 request an Area Variance under Section 250-14.3 of the Code to allow a storage building with less setback than required under Section 250-5.1-F (12) (b) of the Code at 1735 Gloria Drive. The property is currently or formerly owned by Charcy Shultz and is zoned RA-2. SBL #111.03-1-24. Application #21Z-0039.
5. Paul Colucci/DiMarco Baytowne Associates, LLC, 1950 Brighton-Henrietta Town Line Road, Rochester, NY, 14623 requests a Special Permit under Section 250-10.3-A of the Code to allow three building-mounted signs whereas a maximum of one building-mounted sign is allowed under Section 250-10.13-C of the Code at 1900 Empire Boulevard. The property is currently or formerly owned by DiMarco Baytowne Associates, LLC and is zoned GB. SBL #093.02-1-23.111. Application #21Z-0040.
6. Alan Rainbow/DiMarco Baytowne Associates, LLC, 1950 Brighton-Henrietta Town Line Road, Rochester, NY, 14623 requests a Conditional Use Permit under Section 250-5.7-C (1) (k) and Section 250-13.3 of the Code to allow outdoor community events at 1970 Empire Boulevard. The property is currently or formerly owned by DiMarco Family Empire, LLC and is zoned GB. SBL #093.02-1-13.1. Application #21Z-0042.
7. Larry DiFlorio, 94 Country Lane, Penfield, NY, 14526 requests an Area Variance under Section 250-14.3 of the Code to allow a front porch with less setback than required under Section 250-5.1-F (1) of the Code at 94 Country Lane. The property is currently or formerly owned by Larry DiFlorio and is zoned R-1-15. SBL #124.18-1-24. Application #21Z-0043.
8. Elisabeth Vella, 570 Culver Parkway, Rochester, NY, 14609 requests a Use Variance under Section 250-14.3 of the Code to allow a commercial use on single-family residentially zoned property at 44, 50 and 56 Wilbur Tract Road. The properties are currently or formerly owned by Elisabeth Vella and are zoned R-1-20. SBL #108.10-1-1.113, 108.10-1-1.2 and 108.10-1-1.112. Application #21Z-0041.

Please contact the Building and Zoning Department with any questions or concerns.

Amy Steklof
Town Clerk, RMC/CMC

ZONING BOARD OF APPEALS AGENDA

Public Hearing Application # 1

Application # 21Z-0032
39 Mount View Cres.
Gary & Lynn Pino

See Pages to Follow

From: [Gary Pino](#)
To: [Building](#)
Subject: Letter of intent
Date: Monday, June 21, 2021 12:12:20 PM

TO: Penfield Building Department
RE: 39 Mt. View Cres.

My intent is to get a variance on my property located at 39 Mt. View Cres. When my home was built the fireplace chimney attached to my home covering the zero clearance fireplace protrudes past my lot line.

If you need any other information please feel free to contact me.

Regards,

GARY PINO | CEO | FOUNDER

p: [585.248.3510](tel:585.248.3510)

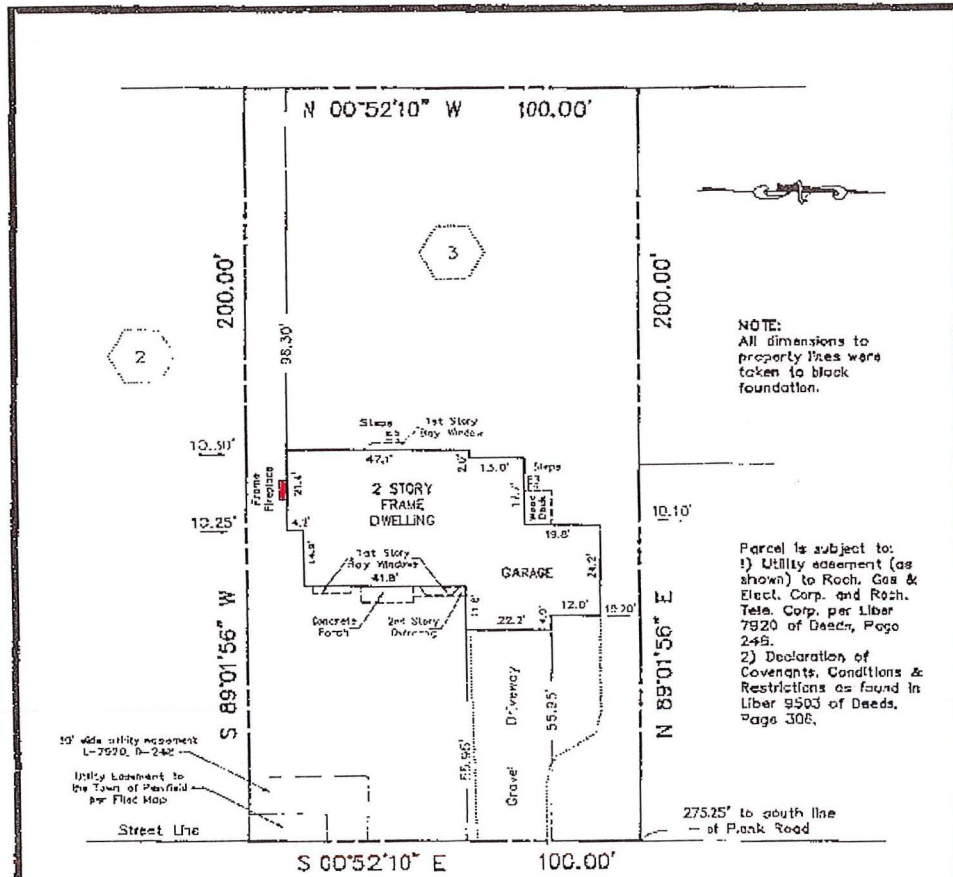
c: [585.703.3510](tel:585.703.3510)

e: gary@concept-ii.com

w: www.concept-ii.com

a: [349 W. Commercial Street - Suite 1540. East Rochester, N.Y. 14445](#)

RECEIVED
MAY 13 2021
By 212-0032



NOTE:
All dimensions to property lines were taken to block foundation.

Parcel is subject to:
1) Utility easement (as shown) to Roch. Gas & Elect. Corp. and Roch. Tele. Corp. per Liber 7920 of Deeds, Page 245.
2) Declaration of Covenants, Conditions & Restrictions as found in Liber 9503 of Deeds, Page 306.

39 - MT. VIEW CRESCENT (60' WIDE)

I hereby certify to the parties listed hereunder that this map was made using the reference material listed hereon and the notes of an instrument survey, performed in accordance with the current standards of the New York State Association of Professional Land Surveyors, completed on June 26, 2002.*

Gary G. & Lynn M. Pino
Phillip Wehrhelm
Woods, Ovlatt
The title insurance company insuring the mortgage

James R. Zerkel, N.Y.S. P.L.S. 49798

* 12/25/02 Added deck, fireplace & final dimensions.

Note: 1) All bearing lines to property lines shall be referred to as bearings, unless noted. 2) Unlabeled alterations or additions to a survey map bearing a licensed land surveyor's seal is a violation of section 7208, sub-division 2, of the New York State Education Law. 3) Only copies from the original of this survey marked with an original of the land surveyor's seal and signature shall be considered to be valid for recording. 4) Certifications indicated herein shall run only to the person for whom the survey is prepared, and are not binding on the title company, governmental agency and other institutions listed hereon, nor to the assignee of the landowner's interest. Certifications are not transferable to assignees or subsequent owners.

ZERKEL LAND SURVEYORS		INSTRUMENT SURVEY MAP			
JAMES R. ZERKEL, P.L.S. 140 RUTGERS STREET ROCHESTER, N.Y. 14607 (716) 442-4033		Address 39 MT. VIEW CRESCENT		Town PENFIELD	County MONROE
		Lot No. 3		Subdivision ROYAL WOODS EXTENSION	
Reference Data		Liber 271	of Maps, Page 24	Liber 9503	of Deeds, Page 310
Ab. No. 93.20-0'-054.3		by JRZ		Abstract by CROSSROADS ABSTRACT #82716 JUNE 14, 2002	
Map No. 0106811		Scale 1" = 30'		Chart GARY PINO Date DECEMBER 9, 2002	

SCANNED

Gary Pino

RECEIVED
MAY 13 2021
By 212-0032

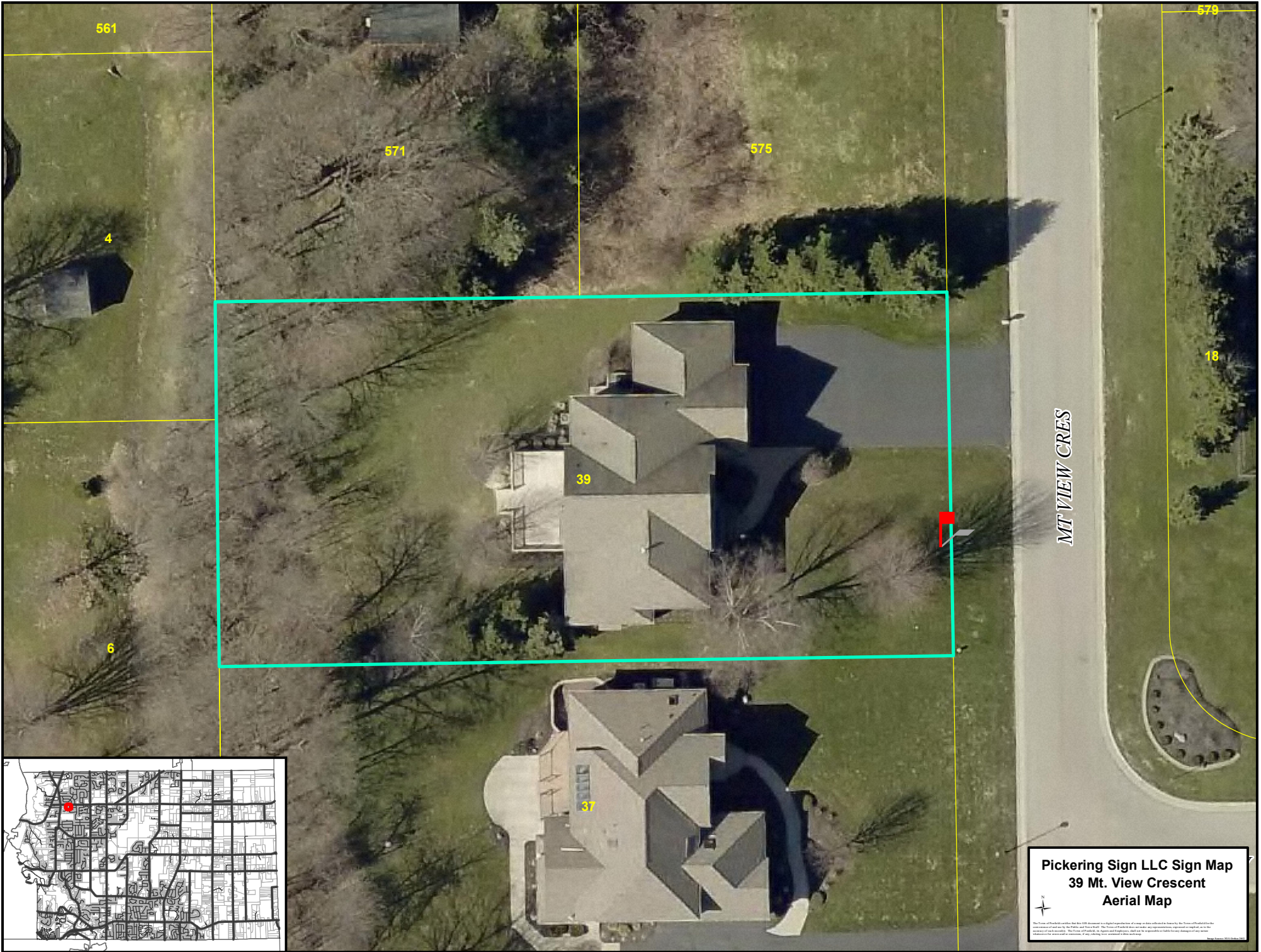
From: Gary Pino
Sent: Thursday, May 13, 2021 10:15 AM
To: Gary Pino
Subject: Variance



Regards,

GARY PINO | CEO | FOUNDER
p: [585.248.3510](tel:585.248.3510)





561

571

575

4

6

39

37

578

18

MT VIEW CRES

**Pickering Sign LLC Sign Map
39 Mt. View Crescent
Aerial Map**



This map is provided for informational purposes only. It is not intended to be used as a legal document. The information on this map is for informational purposes only and is not intended to be used as a legal document. The information on this map is for informational purposes only and is not intended to be used as a legal document.

ZONING BOARD OF APPEALS AGENDA

Public Hearing Application # 2

Application # 21Z-0036
1068 Plank Road
Evan Schutt – Shutt’s Apple Farm and Country Store

See Pages to Follow



Town of Penfield
3100 Atlantic Avenue
Penfield, NY 14526

To Whom It May Concern:

I, Evan Schutt, am looking to put up a 20x30 tent at 1068 Plank Rd. The propose of this tent is to hold educational events such as toddler reading time and a meeting place for our tours. As fall is our busy time, we are trying to increase exposure and generate greater revenue. The tent will be up from the end of August through October.

Sincerely,

A handwritten signature in red ink, appearing to be "Evan Schutt", written in a cursive style.

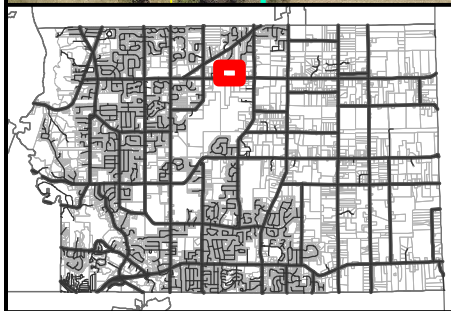
Evan Schutt
Owner
Schutt's Apple Farm, LLC
1068 Plank Rd.
Webster, NY 14580
585.746.8938

SCANNED

RECEIVED
MAY 24 2021
By 212-0036




SCANNED



PLANK ROAD

Pickering Sign LLC Sign Map
1068 Plank Road
Aerial Map



This map is provided for informational purposes only. It is not intended to be used as a legal document. The information on this map is for informational purposes only and is not intended to be used as a legal document. The information on this map is for informational purposes only and is not intended to be used as a legal document.

ZONING BOARD OF APPEALS AGENDA

Public Hearing Application # 3

Application # 21Z-0037
2515 Penfield Road
Doug McAvoy

See Pages to Follow



212-0037

Town of Penfield
Zoning Board of Appeals
3100 Atlantic Avenue
Penfield, NY 14526

May 23, 2021

RE: 2515 Penfield Road – Site Plan
Request for an Area Variance

Board Members:

On behalf of the owner, Doug McAvoy, please accept the enclosed items and information as application to appear before you on your next meeting agenda. The owner is seeking two variances for the existing storage structures to remain on the proposed Site Plan before the Planning Department for review. That action is for the owner to retain and use these two existing storage structures for his personal vehicles despite the new house having its own attached garage. The site plans shows the new residential site improvements on the 6.02-acre parcel on the south side of Penfield Road.

The property contains the existing masonry buildings, one 562 sf and the other 1,570 sf. The owner is requesting two variances to keep these buildings:

1. Allowance to keep both accessory structures when only one accessory structure is allowed by code.
2. Allowance of the larger structure 1,570 sf building to be less than the required 50' setback from a property line at 13.8'.

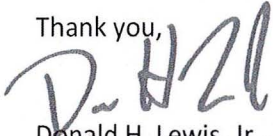
This project fits well within the local landscape and surrounding land uses. These existing structures are in good shape and have been a mainstay in the community for decades. The 1,200 sf shed is an asset to the value of the Lot 1 property value as well. The site plan application to the Planning Department is currently under review and the results of these requests will be displayed and implemented as part of their approval.

Enclosed are two (2) copies of the following for review:

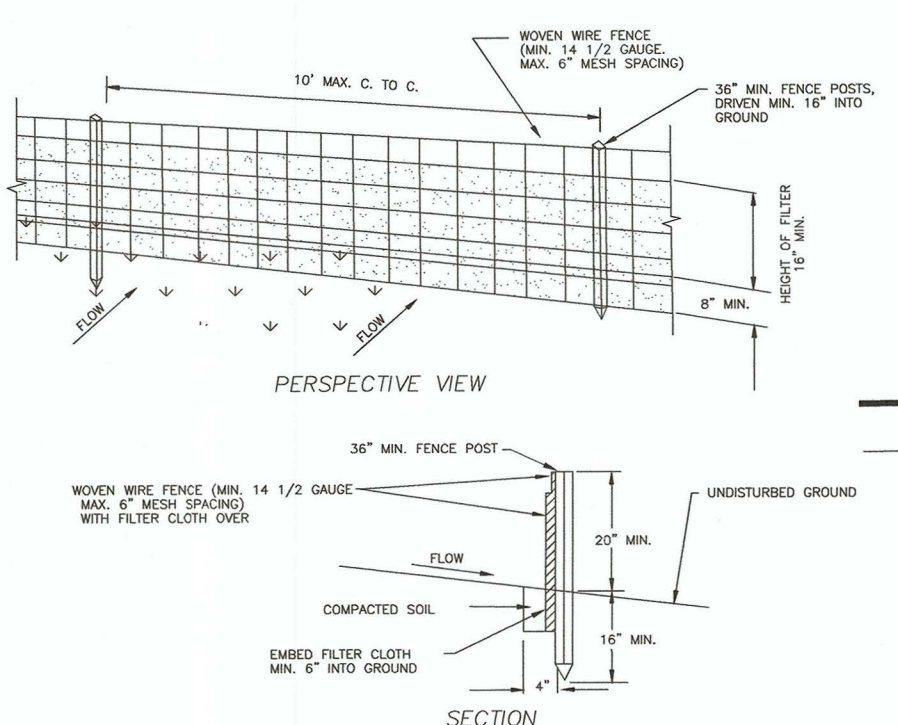
- Site Plan,
- Letter of Intent,
- Letter of Permission from the owner,
- Short Form EAF,
- Zoning Board of Appeals Application, and
- Application fee.



Please accept these items as application to appear before your board at the next scheduled meeting. Contact me with any questions or comments on the submitted items or if there is any additional information needed.

Thank you,

Donald H. Lewis, Jr., PE
Project Engineer

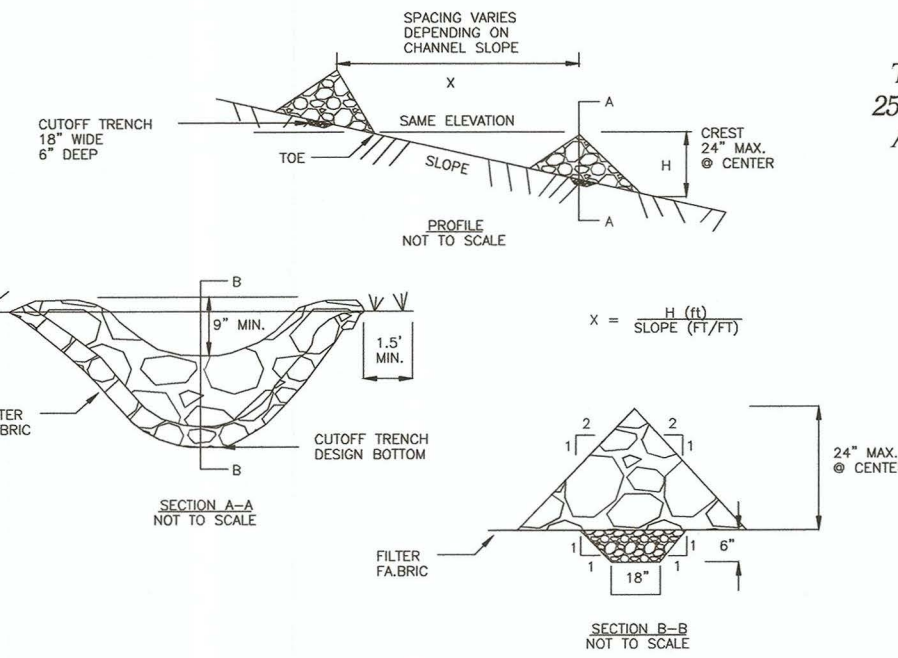




CONSTRUCTION NOTES FOR FABRICATED SILT FENCE

- WOMEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
- WOMEN WIRE FENCE TO BE FASTENED SECURELY TO WOODEN WIRE TIES WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
- WHEN THE SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
- MAINTENANCE SHALL BE PERFORMED IN REGULAR AND SYSTEMATIC MANNER WHEN "BULGES" DEVELOP IN THE SILT FENCE.

SILT FENCE INSTALLATION DETAIL
NOT TO SCALE



STONE CHECK DAM

- STONE WILL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE LINES, GRADES, AND LOCATIONS SHOWN ON THE PLAN.
- GET SPACING OF CHECK DAMS TO ASSURE THAT THE ELEVATION OF THE CREST OF THE DOWNSTREAM DAM IS AT THE SAME ELEVATION OF THE TOP OF THE UPSTREAM DAM.
- EXTEND THE STONE A MINIMUM 1.5 FEET BEYOND THE DITCH BANKS TO PREVENT RUNOFF FROM CUTTING AROUND THE DAM.
- PROTECT THE CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND EROSION WITH STONE OR LINER AS APPROPRIATE.
- ENSURE THAT THE CHANNEL APPROPRIATENESS SUCH AS CULVERT ENTRANCES BELOW THE CHECK DAMS ARE NOT SUBJECT TO DAMAGE OR BLOCKAGE FROM DISPLACED STONES. MAXIMUM DRAINAGE AREA FOR EACH CHECK DAM IS 2 ACRES.

STABILIZED CONSTRUCTION ENTRANCE DETAIL
NOT TO SCALE

- STONE SIZE - USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
- LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
- THICKNESS - NOT LESS THAN SIX (6) INCHES.
- WIDTH - TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
- FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
- SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BEAM WITH 5:1 SLOPES WILL BE PERMITTED.
- MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
- WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
- PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

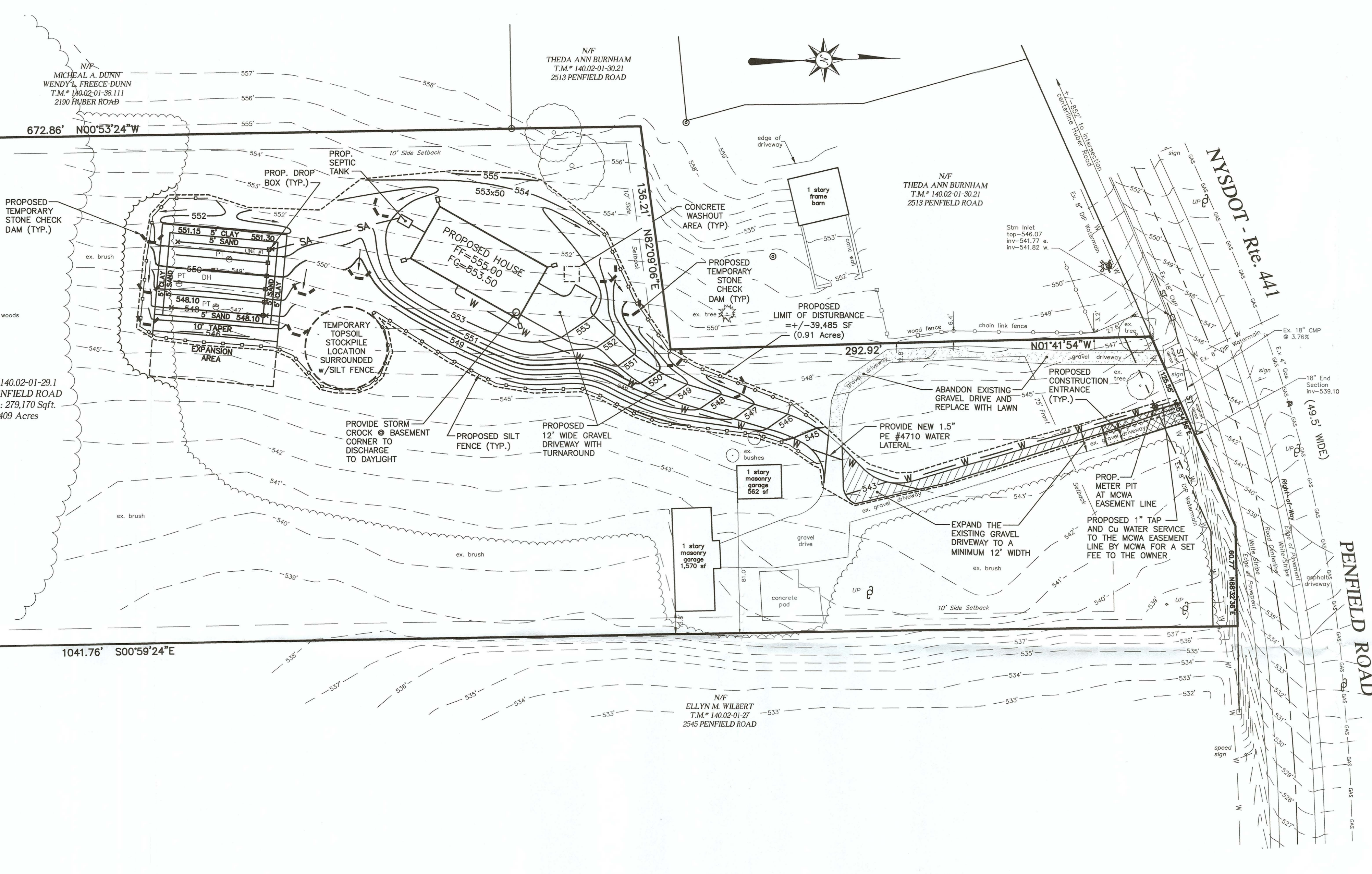
SEQUENCE OF CONSTRUCTION

- INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCING ANY SITE WORK.
- CONTRACTOR TO INSTALL ALL SILT FENCING PRIOR TO ANY TREE REMOVAL OR SOIL DISTURBANCE.
- CONTRACTOR TO STRIP TOPSOIL AND STOCKPILE FOR REUSE ON THE LOT. STOCKPILES TO BE SURROUNDED WITH SILT FENCE AND SEEDED IMMEDIATELY.
- GRADING TO BE COMPLETED WITH PERMANENT SEEDING/MULCHING WITHIN 7 DAYS OF COMPLETION; OR TEMPORARY SEEDING/MULCHING WITHIN 14 DAYS IF NO ACTIVITY HAS COMMENCED IN SAID AREA.
- CHECK DAMS AND ANY ADDITIONAL DESILTATION PRACTICES TO BE INSTALLED.
- ALL TEMPORARY DESILTATION DEVICES SHALL BE REMOVED AFTER TURF HAS BEEN ESTABLISHED ALONG WITH APPROVAL OF THE TOWN OF PENFIELD ENGINEER.

MONROE COUNTY DEPARTMENT OF HEALTH CONDITIONS OF APPROVAL

- THAT THE PROPOSED FACILITIES FOR WATER SUPPLY AND SEWAGE DISPOSAL ARE INSTALLED IN CONFORMITY WITH SAID PLANS ON FILE WITH THE MONROE COUNTY DEPARTMENT OF HEALTH.
- THAT NO LOT OR REMAINING LAND (IF APPLICABLE) SHALL BE SUBDIVIDED WITHOUT PLANS FOR SUCH RESUBDIVISION BEING SUBMITTED TO AND APPROVED BY THE MONROE COUNTY HEALTH DEPARTMENT.
- THAT AN ORIGINAL SUBDIVISION MAP AS APPROVED THIS DATE SHALL BE FILED IN THE OFFICE OF THE CLERK OF MONROE COUNTY PRIOR TO OFFERING LOTS FOR SALE.
- THAT THE OWNER OF THE SUBDIVISION SHALL FURNISH EACH PURCHASER OF A LOT WITH A COPY OF THE APPROVED PLAN, OR IN THE CASE OF SALE OF DEVELOPED LOTS, THE OWNER OF THE SUBDIVISION SHALL FURNISH EACH PURCHASER WITH AN ACCURATE "AS BUILT" PLAN DEPICTING ALL INSTALLED SANITARY FACILITIES, INCLUDING SEWAGE, STORM WATER, AND WATER SUPPLY.
- THAT ADEQUATE EROSION CONTROL MEASURES SHALL BE EMPLOYED BY THE OWNER OF THE SUBDIVISION DURING ALL PHASES OF CONSTRUCTION.

By _____ Public Health Engineer Date _____



MONROE COUNTY DEPARTMENT OF PUBLIC HEALTH

These plans for Private Wastewater Treatment Facility are hereby approved pursuant to Article IIA of the Monroe County Sanitary Code.

MEASUREMENTS	REQUIRED	PROVIDED
FRONT SETBACK	50 FT.	50 FT.
ALONG NYS DOT	75 FT.	75 FT.
SIDE SETBACK	10 FT.	10 FT.
REAR SETBACK	30 FT.	30 FT.
LOT AREA	1-ACRE MINIMUM	6.409-ACRE
LOT WIDTH	100 FT.	+/-174 FT.
BUILDING HEIGHT	2 STORIES OR 35 FT.	2 STORIES OR 35 FT.

TOWN APPROVALS:

PLANNING BOARD CHAIRPERSON _____ DATE _____

ENGINEERING & PLANNING _____ DATE _____

DIRECTOR OF PUBLIC WORKS _____ DATE _____

2515 PENFIELD ROAD
TOWN OF PENFIELD, MONROE COUNTY, NEW YORK

PRELIMINARY/FINAL
SITE, UTILITY, GRADING, AND
EROSION CONTROL PLAN

SCALE: 1"=40'
DATE: 5/16/21
DRAWN BY: DHL

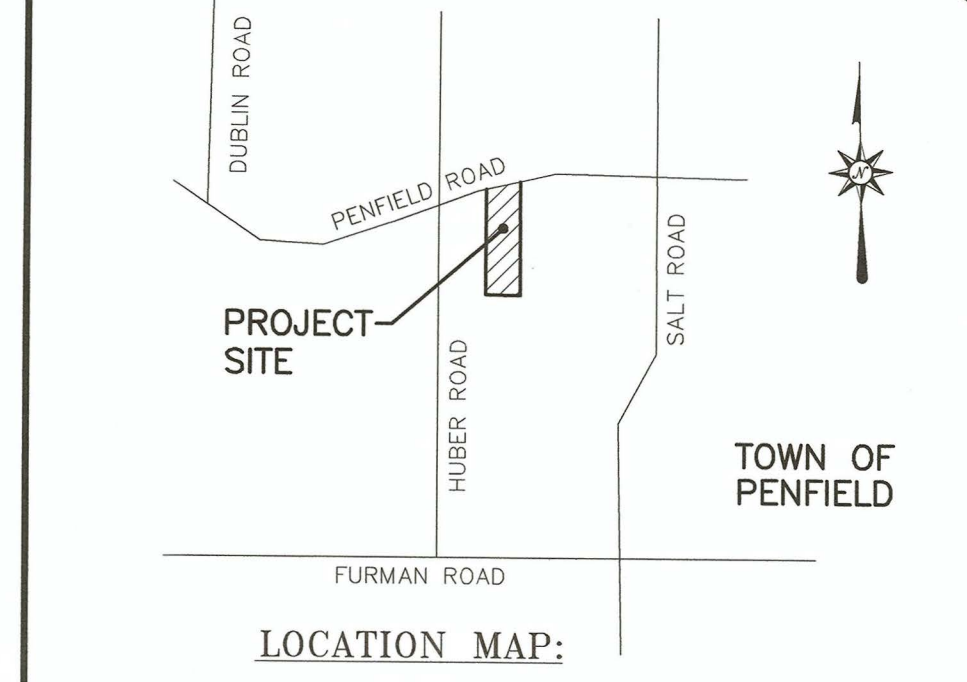
ENG. BY: DHL
SHEET NO.: 1
PROJECT No.: E-239

© 2021 D.H. Lewis Engineering PLLC
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, LAND SURVEYOR, ARCHITECT, OR LANDSCAPE ARCHITECT TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFIX HIS/HER SEAL AND NOTATION "ALTERED BY" FOLLOWED BY HIS/HER SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATION TO THE DOCUMENT.

NO.	DATE	DESCRIPTION	BY

D.H. LEWIS ENGINEERING PLLC
3832 CORY CORNERS ROAD
MARION, NEW YORK 14505
315-909-1084

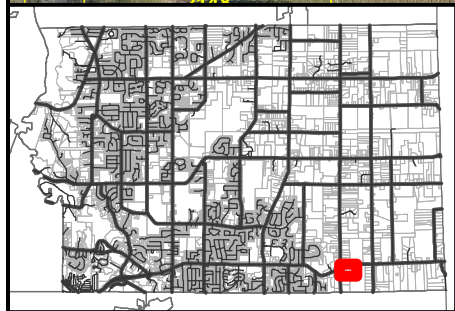
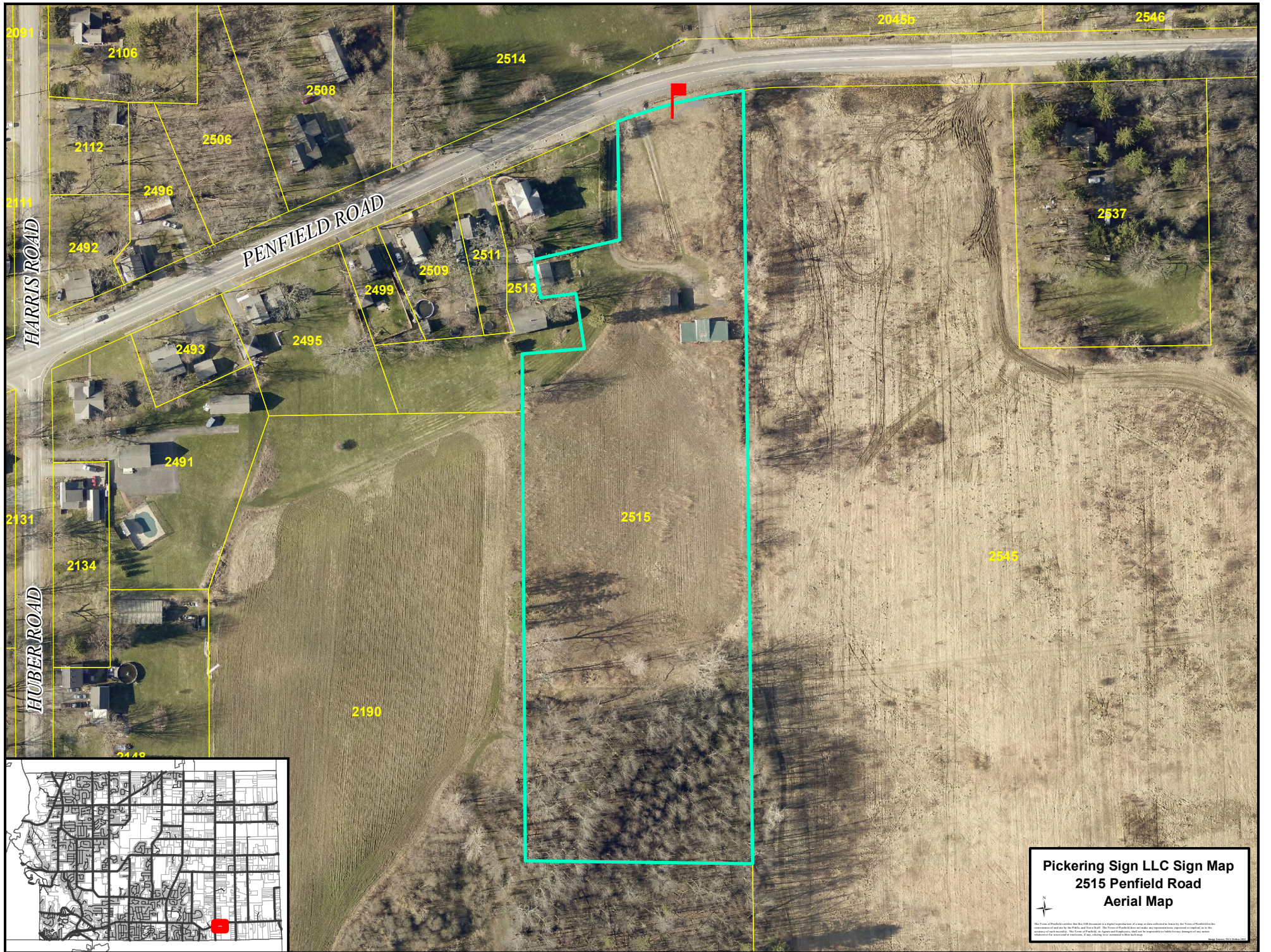
STATE OF NEW YORK
D.H. LEWIS
LICENSE No. 08062
LICENSED PROFESSIONAL ENGINEER



- LEGEND:**
- CENTERLINE
 - PROPERTY LINE
 - EASEMENT LINE
 - EXISTING CONTOUR
 - CHAIN LINK FENCE
 - WOOD FENCE
 - STORM SEWER & MANHOLE
 - SANITARY SEWER
 - WATER LINE
 - GAS LINE
 - ELECTRIC
 - OVERHEAD WIRES
 - STONE WALL
 - EXISTING WOODS
 - PROPOSED WOODS
 - DIRECTION OF FLOW
 - SILT FENCE
 - TEMP. CHECK DAMS
 - UTILITY POLE
 - WATER VALVE
 - GAS VALVE
 - SURVEY MONUMENT
 - SIGN
 - IRON PIPE/REBAR
 - CLEANOUT
 - CATCH BASIN
 - FIRE HYDRANT
 - PERC HOLE
 - DEEP HOLE
 - INVERT END SECTION
 - SPOT ELEV. x 351.00'

- GENERAL PLAN NOTES:**
- ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE CURRENT TOWN OF PENFIELD DESIGN CRITERIA AND CONSTRUCTION SPECIFICATIONS FOR LAND DEVELOPMENT.
 - THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES PRIOR TO BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL MAKE EXPLORATORY EXCAVATIONS TO LOCATE EXISTING UNDERGROUND UTILITIES SUFFICIENTLY AHEAD OF CONSTRUCTION TO ALLOW REVISIONS AS REQUIRED TO MEET EXISTING CONDITIONS.
 - THE DEVELOPER SHALL PROVIDE FOR EROSION CONTROL BARRIERS DURING CONSTRUCTION AND REMOVAL OF THE SAME UPON REVEGETATION OF THE DISTURBED AREAS WITH THE APPROVAL OF THE TOWN ENGINEERING DEPARTMENT.
 - THE CONTRACTOR SHALL BE REQUIRED TO CLEAN MUD AND DEBRIS FROM THE PUBLIC ROADS SERVING THE CONSTRUCTION SITE, DURING AND AFTER THE COMPLETION OF THE PROJECT. THIS REQUIREMENT SHALL BE ENFORCED BY THE TOWN OF PENFIELD HIGHWAY AND ENGINEERING DEPARTMENTS.
 - THE CONTRACTOR SHALL NOT OPERATE CONSTRUCTION EQUIPMENT ON COMPLETED ROADS. THE CONTRACTOR/DEVELOPER SHALL BE RESPONSIBLE FOR ALL ROAD WORK DAMAGED DURING CONSTRUCTION OPERATIONS AND SAID DAMAGE SHALL BE REPAIRED AT THE DEVELOPER'S/CONTRACTOR'S EXPENSE.
 - THE CONTRACTOR SHALL TAKE APPROPRIATE PRECAUTIONS TO PROTECT PROPERTY MARKERS AND ALL SURVEY STAKES.
 - FOUNDATION AND CELLAR DRAINAGE SHALL DISCHARGE TO SPLASH BLOCKS.
 - CONTRACTOR SHALL NOTIFY "DIG SAFELY NEW YORK" @ (800) 962-7962 FOR UTILITY STAKEOUT A MINIMUM OF 48 HOURS PRIOR TO ANY WORK COMMENCING ON THIS PROPERTY.
 - SITE PLAN WAS CREATED USING A BASE SURVEY OF THE PROPERTY BY MAGDE LAND SURVEYING, P.C. DATED FEBRUARY 26, 2021.
 - ALL STONE CHECK DAMS ARE TEMPORARY AND ARE TO BE REMOVED FROM THEIR DESIGNATED LOCATIONS AS THAT PARTICULAR LOT'S TURF IS ESTABLISHED.
 - GRADING MUST BE APPROVED BY THE TOWN OF PENFIELD BUILDING INSPECTOR PRIOR TO OBTAINING A CERTIFICATE OF OCCUPANCY.
 - A TEMPORARY TOPSOIL STOCKPILE AREA SURROUNDED BY SILT FENCE PLACED 10' FROM THE TOE OF THE PILE.
 - A SLUMP PUMP LOCATION IS SHOWN FOR THE HOUSE BASEMENT.

21Z-0037
SCANNED



Pickering Sign LLC Sign Map
2515 Penfield Road
Aerial Map



This map is provided for informational purposes only. It is not intended to be used as a legal document. The information on this map is for informational purposes only and should not be used as a legal document. The information on this map is for informational purposes only and should not be used as a legal document. The information on this map is for informational purposes only and should not be used as a legal document.

ZONING BOARD OF APPEALS AGENDA

Public Hearing Application # 4

Application # 21Z-0039
David and Charcy Schultz
1735 Gloria Drive

See Pages to Follow



Letter of Intent

212-0039

Town of Penfield
3100 Atlantic Avenue,
Penfield, NY 14526-9798

Dear Penfield Zoning Board,

I am writing to seek a variance for my single-family home at 1735 Gloria Drive, Fairport NY 14450. Current zoning rules require that the structure set back requirements must be at least 50 feet from the side property lines; I respectfully request to build a storage structure/Pole Barn at 25 ft from the side set back property line.

Reference: *Town of Penfield, NY/ Part II: General Legislation/Zoning and Land Use, Article V District Regulations 250-5.1 Single-family residential districts, Section F.12.(b)* "The minimum rear setback for sheds and storage buildings shall be 10 feet. Any accessory shed or storage building greater than 300 square feet in area shall be placed 50 feet or more from any property line."

The main reasons for this variance request are:

1. Trees: If we abided by the current 50 feet side set back rule, we would need to remove 3 - 30 feet tall mature trees. Not only does that cost but we love those trees and feel they add beauty to the property.
2. House: If we abided by the current 50 feet side set back rule, we would need to create more driveway as the proposed Barn would need to wrap behind the house as opposed to it being in line with the driveway. We feel this may someday impact resale value as it would also obstruct the view of the back tree line from the house. Our lot is long and narrow, the house sits back about 250ft from the road.
3. Driveway: If we abided by the current 50 feet side set back rule, we would need to create more driveway as the proposed structure would need to wrap behind the house as opposed to it being in line with the driveway. This would create additional cost with extending the driveway.

To address the following five (5) factors for consideration by the Zoning Board (Referenced in Section 5 of the *ZBA Application Area Variance* document:

(1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

Response: Our neighborhood is full of barns and our intent is to have a well-kept, beautiful barn and yard to preserve the beauty of the neighborhood. With a Barn, we will more easily be able to store our family's stuff in a nice beautiful well-kept barn. We have 3 children and with children come stuff. For example, from bikes to ride on toys to larger things (like cars when they are of age). This storage building will help keep all the stuff that is now outside, inside so we can enjoy the natural beauty of the property. We are neat people, and we prefer our stuff to be neatly put away. The problem is we are running out of space. We love the neighborhood, but our other option would be to move.

(2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

Response: Our alternative is to move to a property that has the space and storage our family needs (Family of 5).

(3) Whether the requested area variance is substantial;

Response: The structure is of great size (30x50) and worth (+\$50k). We feel the structure will be appealing to the value of the home and the neighborhood. Many of our neighbors have similar structures.

(4) Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

Response: We are not aware of any adverse effects or impact on any physical or environmental conditions in the neighborhood.

(5) Whether the alleged difficulty was self-created. (In contrast to the context of a use variance, in the context of an area variance application, whether or not the alleged difficulty was self-created shall be relevant to the decision of the Board of Zoning Appeals but a finding that the difficulty was self-created shall not in and of itself preclude the granting of the area variance.)

Response: We do not believe the alleged difficulty was self-created. The position of mature trees, the house, and the driveway have been factors when considering placement of the storage structure/Pole Barn.

Attachments:

- a) Neighbor Letter
- b) Town of Penfield Permit
- c) Short Environmental Assessment Form
- d) ZBA Application
- e) Survey with proposed Barn location
- f) Martin Builders Insurance
- g) Martin Builders Barn with Architect Stamp 1
- h) Martin Builders Barn with Architect Stamp 2
- i) Martin Builders Certificate of Liability
- j) Martin Builders Barn floor layout

Thank for consideration and time for review.

Kindly,

Charey Schultz and Dave Schultz

RECEIVED
JUN 11 2021
 By _____

TAPE LOCATION MAP

212-0039

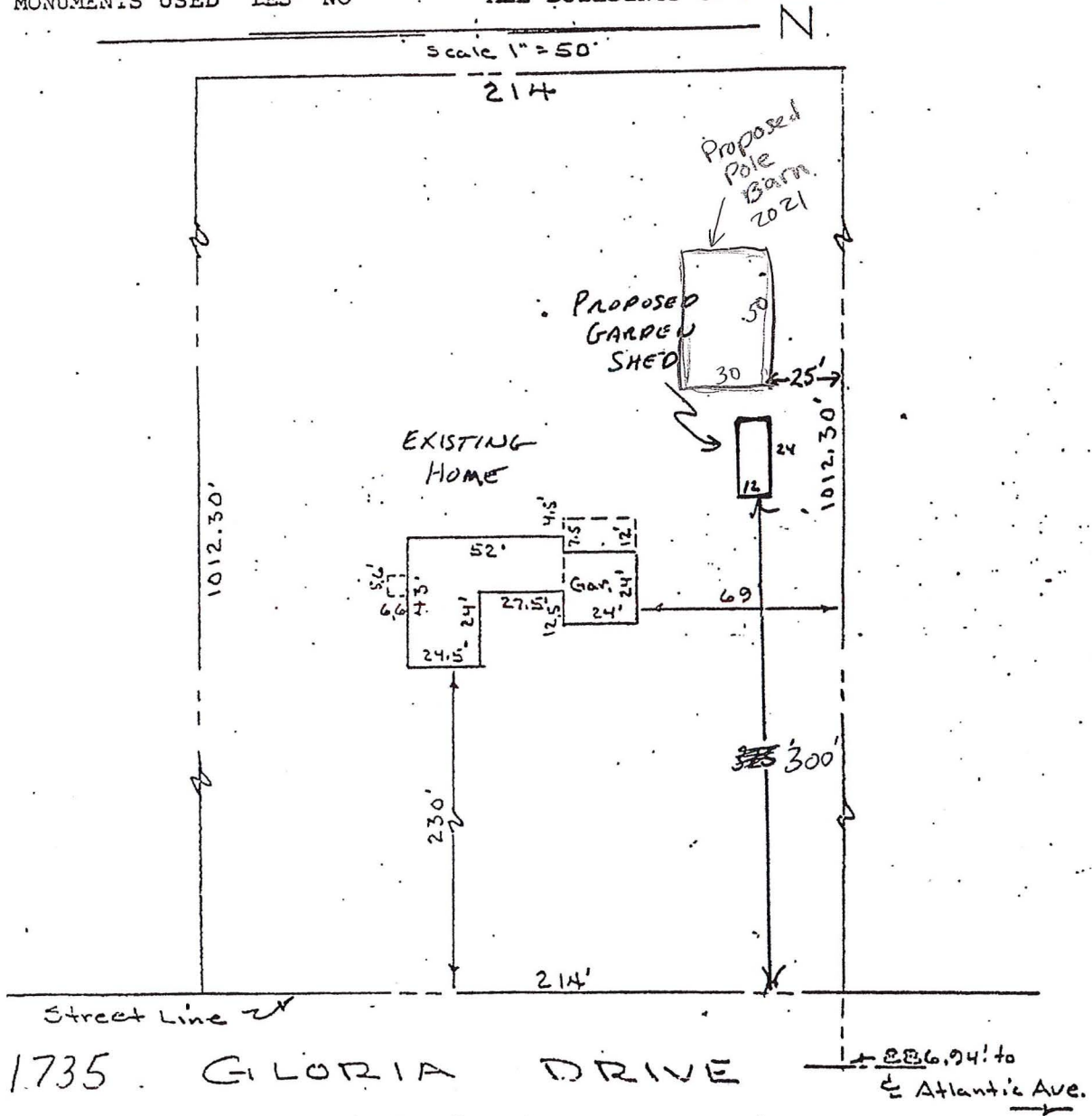
PART LOT NO. 6 TWP. 13. SUBDIVISION RANGE 4

CITY OF PENFIELD, MONROE COUNTY, NEW YORK
 TOWN
 VILLAGE

SHOWING ONE STORY BRICK DWELLING

DISTANCE AS SHOWN FROM NORTH PROPERTY LINE ACTUALLY MEASURED

MONUMENTS USED YES- NO ALL BUILDINGS ON PREMISES ARE SHOWN



REFERENCES:

L 198 MAPS P 1
 L _____ DEEDS P _____

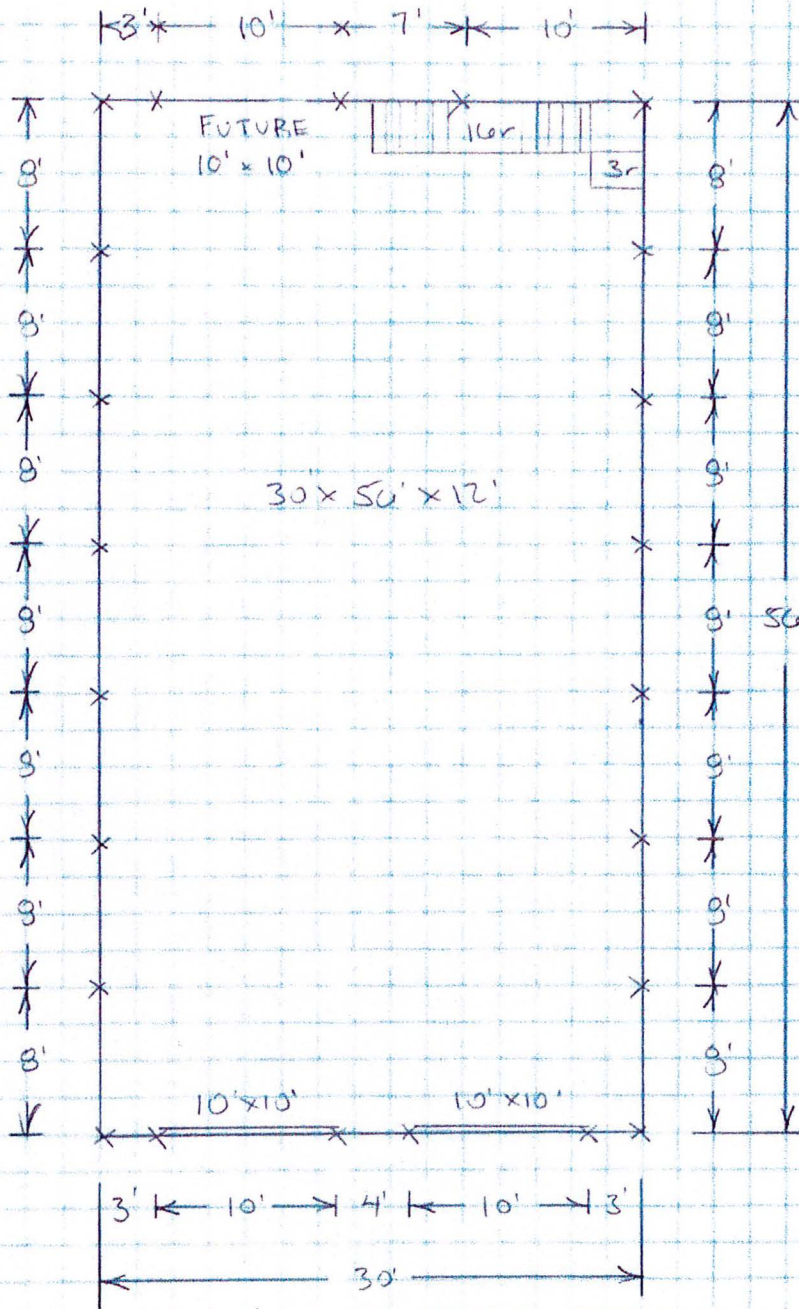
I, Herman J. Klingenberg, certify that this map was prepared on July 3, 1976 from notes of a tape survey completed on July 3, 1976

Herman J. Klingenberg L335-119

Herman J. Klingenberg, L.S. 35419

RECEIVED
JUN 11 2021
By _____

217-0039





1729

1728

1718

1733

1722

1735

1730


GLORIA DR

1740

1755

1740

Pickering Sign LLC Sign Map
1735 Gloria Drive
Aerial Map



© 2024 Pickering Sign LLC. All rights reserved. This map is provided as a service to the client and is not intended to be used for any other purpose. The client is responsible for verifying the accuracy of the information shown on this map. Pickering Sign LLC is not liable for any errors or omissions in this map. The client is responsible for obtaining all necessary permits and approvals for any proposed sign placement. The client is responsible for obtaining all necessary permits and approvals for any proposed sign placement. The client is responsible for obtaining all necessary permits and approvals for any proposed sign placement.

ZONING BOARD OF APPEALS AGENDA

Public Hearing Application # 5

Application # 21Z-0040
DiMarco Baytowne Assoc. LLC
1900 Empire Boulevard Suite 650

See Pages to Follow

DIMARCO GROUP

21Z-0040
21I-028

June 10, 2021

Mr. Andre (Andy) Suveges
Town of Penfield Building Department
3100 Atlantic Avenue
Penfield, New York 14526

Re: Application by DiMarco BayTowne Associates, LLC for the Zoning Approvals
Necessary to Install and Maintain Signage at the Commercial Plaza Located 1900 Empire
Boulevard in the Town of Penfield, New York- Business Identification- Special Sign
Permit for BayTowne Wine & Spirits

Dear Mr. Suveges:

Andy

On behalf of DiMarco BayTowne Associates, LLC (the "Applicant") we submit this application for the above referenced project (the "Application"). In connection with the development of BayTowne Wine & Spirits, the Applicant desires to pursue signage in excess of that allowed by code; specifically, as it pertains to Article X.250-10.13(C) whereas one business identification sign is allowed, the Applicant wishes to install three (3) identical business identification signs on the recently constructed tower element at the main entrance.

The aesthetically pleasing nature of the proposed signage will complement the plaza renovations and new construction and provide much needed business identification to its newest tenant. The Applicant is respectfully requesting issuance of the sign permit to allow installation of a single sign as allowed by code and will pursue the two additional signs through the Special Use Permit process as outlined in Article X.250-10.3 as a variance is required to permit construction as proposed.

Enclosed you will find the following:

1. Sign Permit application form.
2. Zoning Board of Appeals Application for Area Variance *



www.dimarcogroup.com

1950 Brighton-Henrietta Town Line Road
Rochester, New York 14623

DIMARCO GROUP

3. Factors for Consideration as required pursuant to Article X.250-10.3
4. The completed Short Environmental Assessment Form (SEAF).
5. The advertising fee of \$100.00 and \$10.00 sign fee totaling \$110.00 made payable to the Town of Penfield.

Kindly accept the enclosed materials and place the Application for Special Sign Permit on the July 15th Zoning Board of Appeals agenda.

Please feel free to contact me with any questions or comments you may have and thank you in advance for your attention to this matter.

Sincerely,

The DiMarco Group

Paul M. Colucci

Paul M. Colucci
Vice President-Development and Construction

Enclosures

cc (w/enc): File
John DiMarco II, TDG



www.dimarcogroup.com

1950 Brighton-Henrietta Town Line Road
Rochester, New York 14623



112.5 SQ.FT.

SIGN LAYOUT
Scale: 1/2" = 1'-0"



SIDE VIEW
Scale: 1/2" = 1'-0"



ELEVATION
Scale: 1/8" = 1'-0"

212-0040



ID SIGNSYSTEMS

- 410 Atlantic Avenue
Rochester, NY 14609
- 585 266 5750
- 585 266 5798
- www.idsignsystems.com
- info@idsignsystems.com

CLIENT

DIMARCO GROUP

DRAWING DESCRIPTION		
2 LEVEL SINGLE SIDED WALL SIGN		
LOCATION		
1900 EMPIRE BLVD. WEBSTER, NY		
ACCOUNT MANAGER	PROJECT MANAGER	
P. DUDLEY	D. DILLON	
DRAWN BY		
DAD		
DRAWING #	DATE	
20944	6/9/21	
DATE	REVISIONS	INITIALS

THE PURPOSE OF THIS DRAWING IS FOR

CLIENT APPROVAL PRODUCTION

I have carefully reviewed and hereby accept the drawing(s) as shown. I realize that any changes to these designs made before or after production may alter the contract price. All changes must be in writing and approved by both parties prior to production.

CLIENT SIGNATURE _____ DATE _____

- REVISE & RESUBMIT
- APPROVED AS NOTED
- APPROVED AS SUBMITTED

The custom artwork depicted herein is for representational purposes only and may not exactly match the colors of the product. This is an original unpublished drawing created by ID Signsystems, Inc. It is submitted only for your personal use in connection with a project being prepared for you by ID Signsystems, Inc. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced or exhibited in any fashion.

Electronic signs produced at ID Signsystems, Inc. conform to UL Standards and display the Underwriter's Laboratories labels.

REVISION _____ PAGE NUMBER _____

QTY: 1
DESCRIPTION
2 LEVEL SINGLE SIDED WALL SIGN
INTERNALLY LIT w/WHITE LEDs

- MATERIALS**
- 1 FABRICATED ALUMINUM CABINETS & RETAINERS
 - 2 WHITE POLYCARBONATE FACES
 - 3 COLOR/WHITE/COLOR DIGITALLY PRINTED GRAPHICS
 - 4 WHITE PATRIOT MEDIUM LEDs
 - 5 ASU-100-24U POWER SUPPLIES

- COLOR/ARTWORK**
- ARTWORK PROVIDED BY CLIENT
 - Baytownne YELLOW BKGD. - CMYK 10, 25, 100, 4
 - W&S YELLOW BORDERS - CMYK 0, 36, 100, 0
 - W&S BLUE BKGD. - CMYK 100, 70, 0, 49 PANTONE 281 C

FONT
ARTWORK PROVIDED BY CLIENT

MOUNTING
SIGN IS MECHANICALLY MOUNTED TO BRICK FASCIA



410 Atlantic Avenue
 Rochester, NY 14609
 585 266 5750
 585 266 5798
 www.idsignsystems.com
 info@idsignsystems.com

CLIENT

DIMARCO GROUP

DRAWING DESCRIPTION

2 LEVEL SINGLE SIDED WALL SIGN

LOCATION
1900 EMPIRE BLVD.
WEBSTER, NY

ACCOUNT MANAGER PROJECT MANAGER
P. DUDLEY D. DILLON

DRAWN BY
DAD

DRAWING # DATE
20944 6/9/21

DATE REVISIONS INITIALS

DATE	REVISIONS	INITIALS

THE PURPOSE OF THIS DRAWING IS FOR

CLIENT APPROVAL PRODUCTION

I have carefully reviewed and hereby accept the drawing(s) as shown. I realize that any changes to these designs made before or after production may alter the contract price. All changes must be in writing and approved by both parties prior to production.

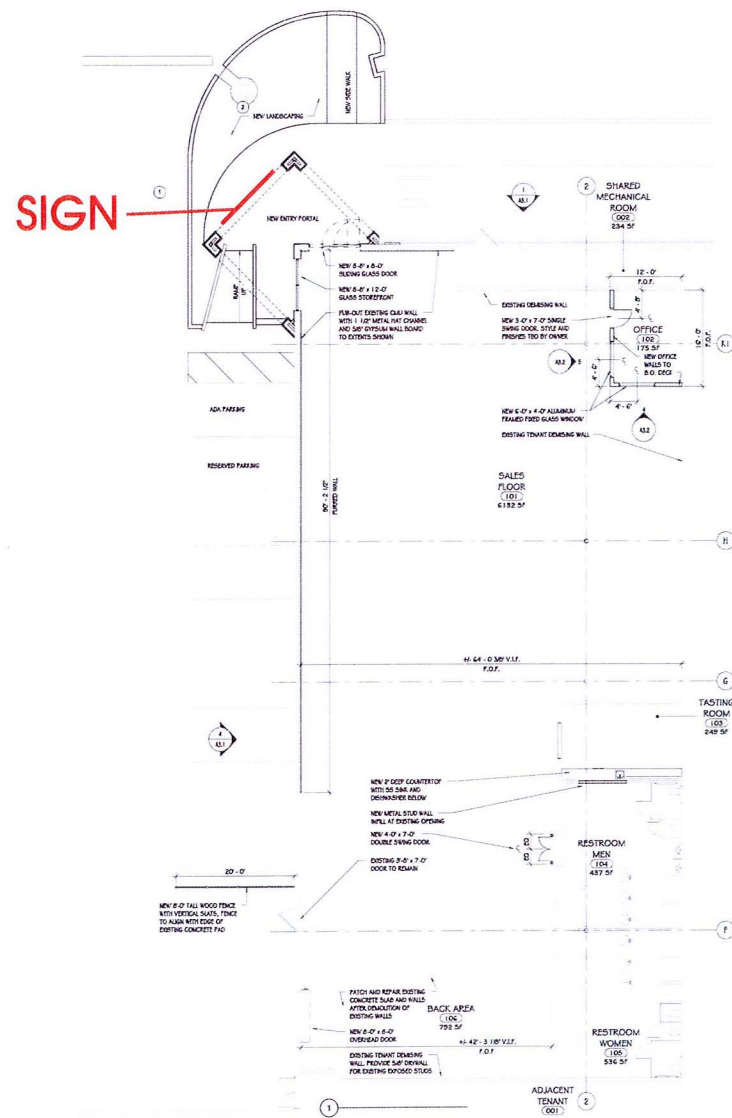
CLIENT SIGNATURE DATE

- REVISE & RESUBMIT
- APPROVED AS NOTED
- APPROVED AS SUBMITTED

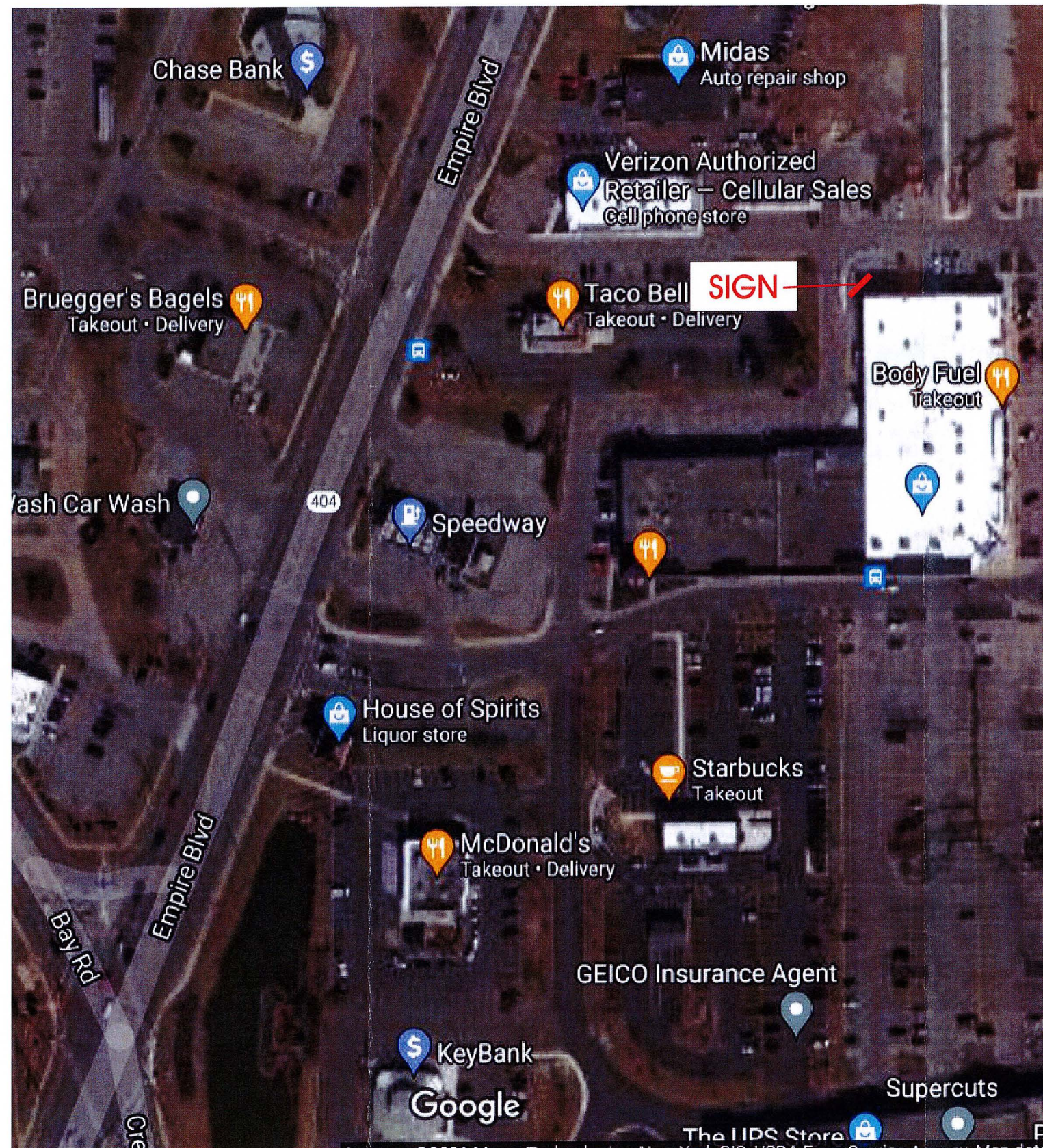
The custom artwork depicted herein is for representational purposes only and may not exactly match the colors of the product. This is an original unpublished drawing created by ID Signsystems, Inc. It is submitted only for your personal use in connection with a project being prepared for you by ID Signsystems, Inc. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced or exhibited in any fashion.

Electronic signs produced at ID Signsystems, Inc. conform to UL Standards and display the Underwriter's Laboratories labels.

REVISION PAGE NUMBER



SIGN LOCATION
Scale: 1/32" = 1'-0"

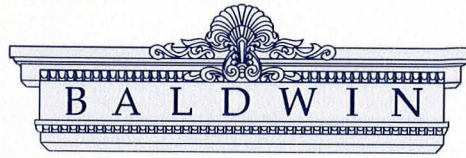


ZONING BOARD OF APPEALS AGENDA

Public Hearing Application # 6

Application # 21Z-0042
DiMarco Baytowne Assoc. LLC
Alan Rainbow
1970 Empire Boulevard

See Pages to Follow



June 10, 2021

Mr. Endre Suveges
Building/Code Compliance Inspector
Town of Penfield Building Department
3100 Atlantic Avenue
Penfield, New York 14526

Re: DiMarco Baytowne Associates, LLC
Baytowne Plaza-1900 Empire Boulevard
Brandt Point Park Community Events-Conditional Use Permit
Letter of Intent

Dear Mr. Suveges:

You have had some recent conversations with Howie Jacobson with respect to DiMarco Baytowne Associates, LLC's (DBA) hope and intention to resume hosting some outdoor events at Brandt Point Park within the Baytowne Plaza. As you are aware, in November of 2018 the property owner was granted a Conditional Use Permit that would allow outdoor functions at the Baytowne Plaza commencing on May 1, 2019 and expiring after two years. The Covid-19 pandemic caused us to cancel all events during the 2020 calendar year, so we are now requesting a two year extension of the original Permit. The DiMarco Family and the Baytowne Plaza wish to begin the event calendar by hosting car/cruise night events within the Plaza. These were popular events in 2019, and we are optimistic that they will bring traffic to the area. Brandt Point Park located within Baytowne Plaza, would also like to restore the right to have a 40 foot x 80 foot framed tent installed for a full schedule of community-focused events from May 1st through October 31st. Hopefully, as restrictions, and concerns about the pandemic continue to ease, we wish to bring small music, food, and other family centered activities back to this area within the Town of Penfield.

Anticipated events will focus on a variety of activities. We expect events to be held between 10:00 am and 10:00 pm. We will be reaching out to Chamber of Commerce, Town of Penfield Recreation, and many other community groups to generate interest in using our outdoor space for these type of events:

Arts & Craft day, Local School Jazz Bands and other school based musical & theatrical groups, demonstrations by local groups, Saturday Morning Yoga, Family Game Day, Seniors Game Day,

Baldwin Real Estate Corporation
1950 Brighton Henrietta Town Line Road • Suite 200 Rochester, New York 14623
Phone: (585) 292-0480 Fax: (585) 292-1464
A DiMarco Group Company

SCANNED

Seasonal activities such as Harvest Festival, Pumpkin Carving, Recycling Day, Safety Day with Police & Fire Department, Antique Automobile Shows, Partnering with Not for Profits, and the reestablishment of Movie Nights and Farmer's Market event may also be pursued.

Our Baytowne Plaza staff will supervise each event, and will be responsible for noise control and the policing of all debris.

Any eventual musical events will be limited to small groups (1-4 members) with acoustic focus and low amplification. We will not exceed Town codes.

In furtherance of the goal to develop Baytowne Plaza as a community minded, mixed-use retail center, DiMarco Baytowne Associates is seeking a conditional use permit to allow the hosting of outdoor events as required in Article III. § 250-13.2 of the Town of Penfield town code.

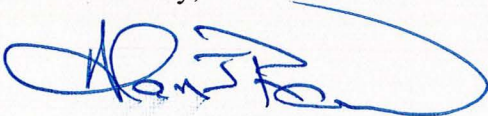
Enclosed you will find the following:

1. The completed Conditional Use Permit application form.
2. Seven (7) copies of this letter of intent.
3. Seven (7) copies of the completed Short Environmental Assessment Form (SEAF).
4. Seven (7) copies of a current survey of Baytowne Plaza as well as exhibits depicting the location of the proposed outdoor event space within the existing plaza.
5. DiMarco Baytowne Associates is the owner of the plaza and hereby consents to this request for conditional use.
6. The application fee of \$100.00 advertising and \$10.00 sign fee totaling \$110.00 made payable to the Town of Penfield is included herewith.

Kindly accept the enclosed materials and place the Application for Conditional Use Permit during the next scheduled Zoning Board of Appeals agenda.

Please feel free to contact me with any questions or comments you may have and I thank you in advance for your consideration of this matter.

Sincerely,



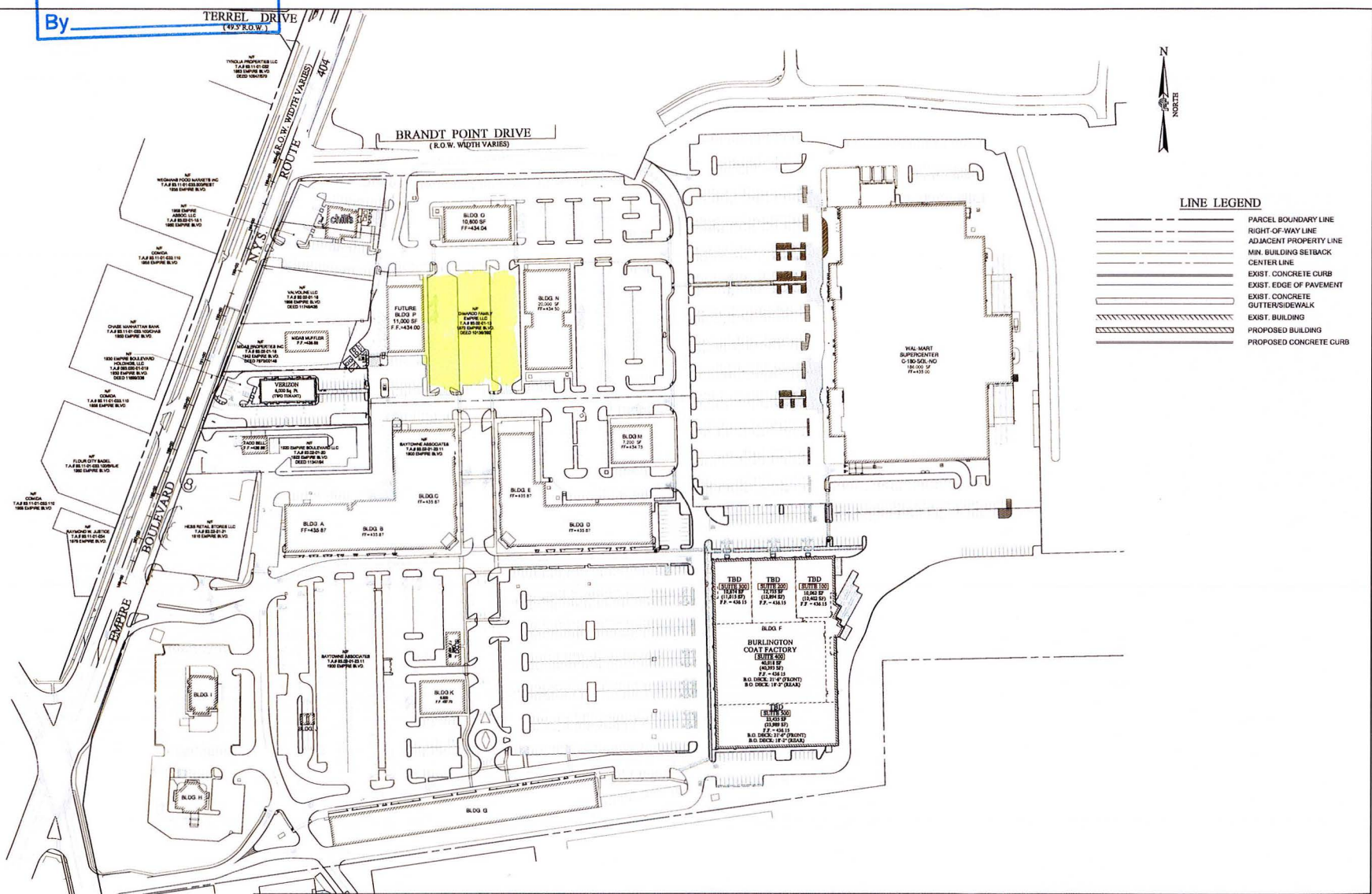
Alan J. Rainbow
Commercial Property Manager

Enclosures

cc (w/encl): File
John DiMarco II, TDG
Paul Colucci
Howie Jacobson, Red Rock 1886

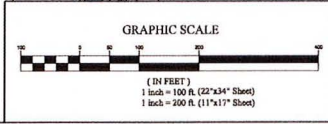
RECEIVED
 JUN 11 2021

By _____



LINE LEGEND

--- (dashed line)	PARCEL BOUNDARY LINE
--- (long-dashed line)	RIGHT-OF-WAY LINE
--- (dash-dot line)	ADJACENT PROPERTY LINE
--- (dotted line)	MIN. BUILDING SETBACK
--- (solid line)	CENTER LINE
--- (solid line with dots)	EXIST. CONCRETE CURB
--- (solid line with dashes)	EXIST. EDGE OF PAVEMENT
--- (solid line with triangles)	EXIST. CONCRETE GUTTERS/SIDEWALK
--- (solid line with squares)	EXIST. BUILDING
--- (solid line with circles)	PROPOSED BUILDING
--- (solid line with diamonds)	PROPOSED CONCRETE CURB



NO.	DATE	REVISION	BY	CHKD	APPRD

COPYRIGHT © 2018
 COSTICH ENGINEERING, D.P.C.
 IT IS A VIOLATION OF LAW FOR ANY
 PERSON TO REPRODUCE OR TRANSMIT
 THIS DOCUMENT OR ANY PART THEREOF
 WITHOUT THE WRITTEN PERMISSION OF
 THE ENGINEER AND/OR ARCHITECT.
 THE ENGINEER AND/OR ARCHITECT
 ACCEPTS NO LIABILITY FOR ANY
 DAMAGE OR INJURY TO ANY PERSON
 OR PROPERTY ARISING FROM THE
 USE OF THIS DOCUMENT.

PROJECT ENGINEER
 M.R.C.
 DRAWN BY
 D.J.L.
 CHECKED BY
 R.B.G.
 TYPING
 R.B.G.
 DATE
 03/13/2018
 SCALE
 1" = 100'



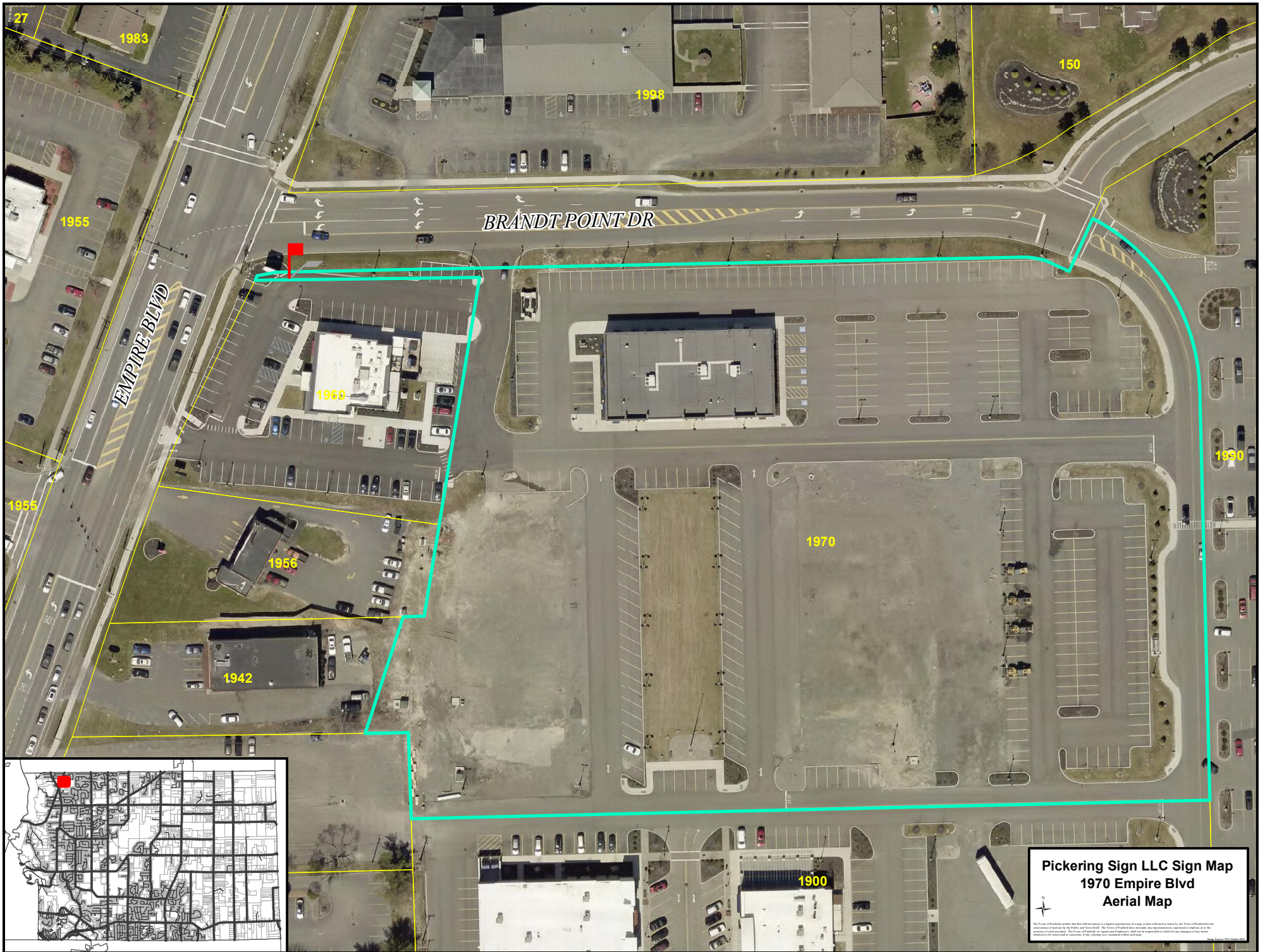
• CIVIL ENGINEERING
 • LAND SURVEYING
 • LANDSCAPE ARCHITECTURE

TITLE OF PROJECT
 BAYTOWNE PLAZA
 EMPIRE BOULEVARD & BRANDT POINT DRIVE
TITLE OF DRAWING
 OVERALL SITE PLAN
LOCATION OF PROJECT
 TOWN OF BAYTOWNE, COUNTY OF MONROE, STATE OF NEW YORK
CLIENT
 THE DUNBAR GROUP
 1950 BARTON HIGHWAY, TOWN OF BAYTOWNE, NEW YORK 14623
DATE
 03/13/2018
SHEET
 CE100
 SHEET 1 OF 1

SCANNED



RECEIVED
JUN 11 2021
SCANNED
By _____



BRANDT POINT DR

EMPIRE BLVD

Pickering Sign LLC Sign Map
1970 Empire Blvd
Aerial Map

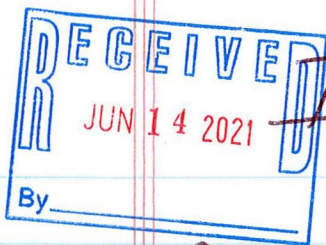
This map is provided for informational purposes only and is not intended to be used as a legal document. The information on this map is provided for informational purposes only and is not intended to be used as a legal document. The information on this map is provided for informational purposes only and is not intended to be used as a legal document.

ZONING BOARD OF APPEALS AGENDA

Public Hearing Application # 7

Application # 21Z-0043
Larry DiFlorio
94 Country Lane

See Pages to Follow



Intent

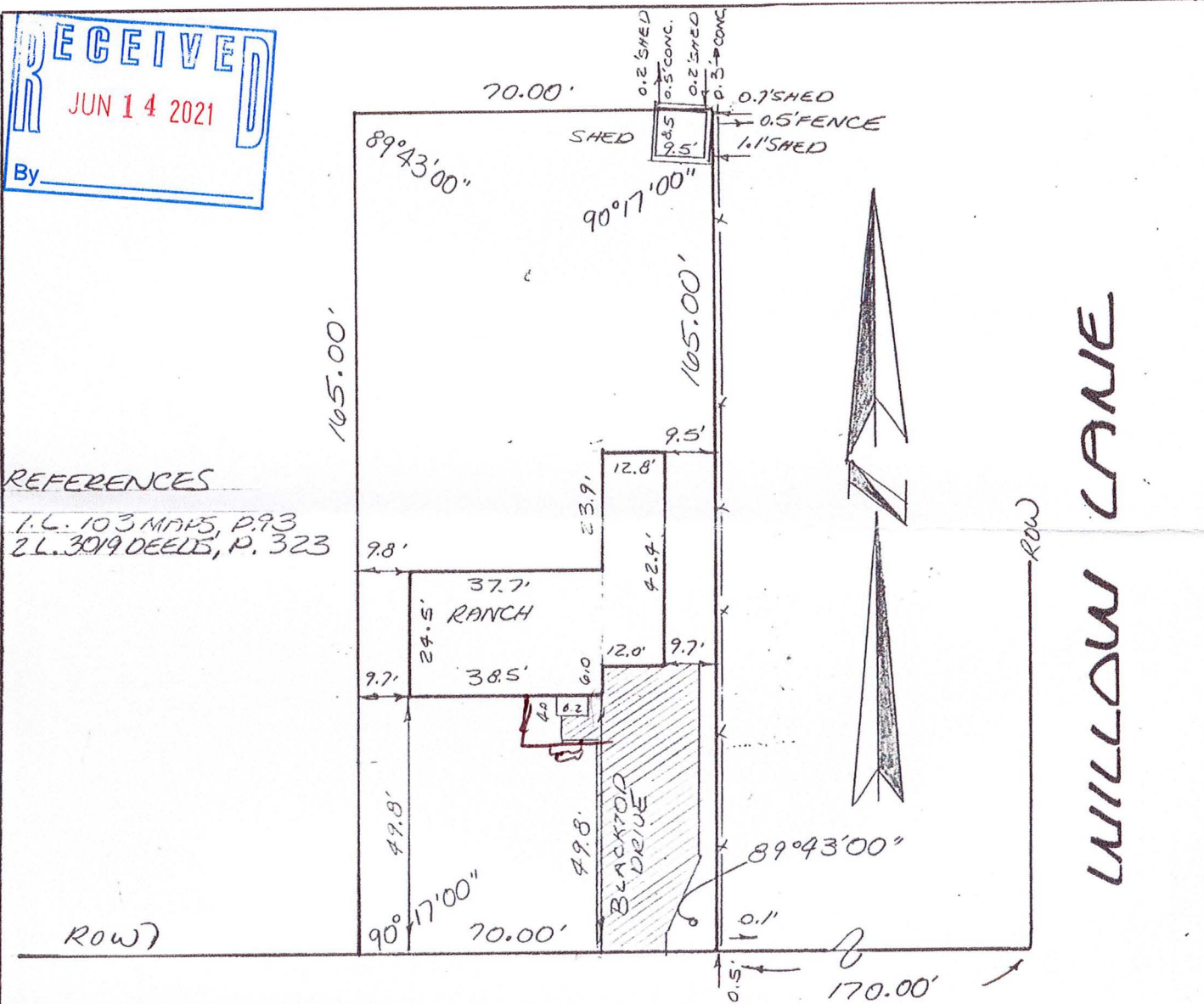
94 Country Ln

- ① Several neighbors have the exact same type of decks. Right next door
- ② Not practically.
- ③ No. Adds 28 inch in depth
- ④ No. Adds safety to visitors trying to enter front door. Currently storm door opens out almost to front step. Making entry difficult.
- ⑤ Difficulty is in original design of 1958 house.

RECEIVED
 JUN 14 2021
 By _____

REFERENCES

1. L. 103 MAPS, P. 93
 2. L. 3019 DEEDS, P. 323



COUNTRY LANE
 70' ROW

I HEREBY CERTIFY TO SOURCE ONE MORTGAGE SERVICES CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE, GALLO AND IACOVANGELO, ROBERT BEACHMAN AND TO LARRY J. DI FLORIO THAT THIS MAP WAS MADE ON MAY 8 1992, FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED ON MAY 7, 1992.

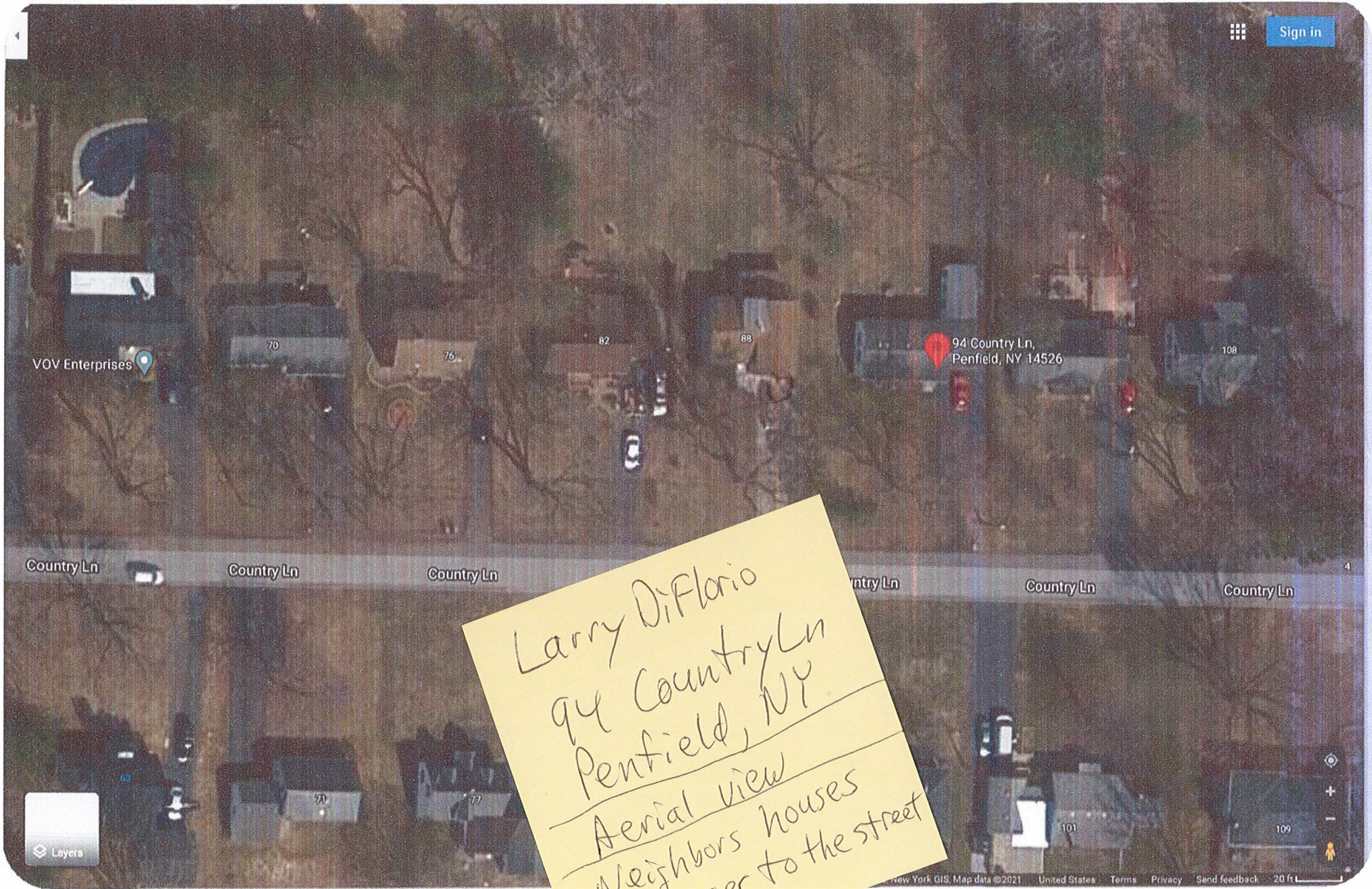
James M. Leoni

JAMES M. LEONI, N.Y.S.P.C.S. NO. 99225
 2825 BAIRD ROAD, FAIRPORT, N.Y. 14450



MAP SHOWING
INSTRUMENT CIVILIAN

212-0043



Larry DiFlorio
94 Country Ln
Penfield, NY
Aerial view
Neighbors houses
are closer to the street

SCANNED



212-0043
My front step is in need
of replacement.
When the screen
door is opened for
visitors, it comes
within 1 1/2 ft of railing.
It is unsafe as visitors
need to step back.



212-0043
94 Country Ln

My crumbling
step
(side view)

SCANNED



212-0043

Neighbor on my
side of the street
with a front porch.

SCANNED



212-0043

Neighbor on my side
of the street
with a front porch.

SCANNED

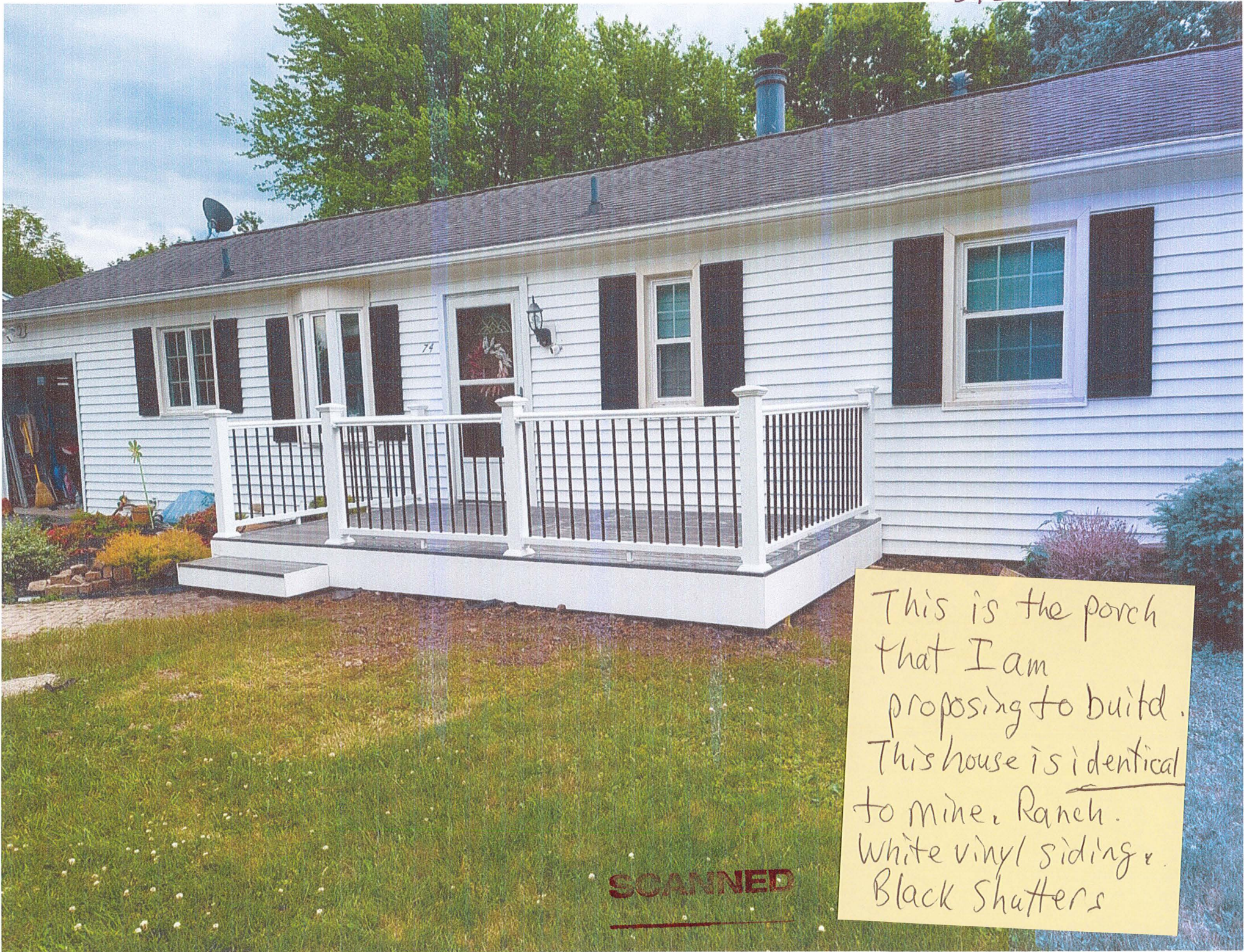


212-0043

My next door
neighbor to the East
with a front porch.

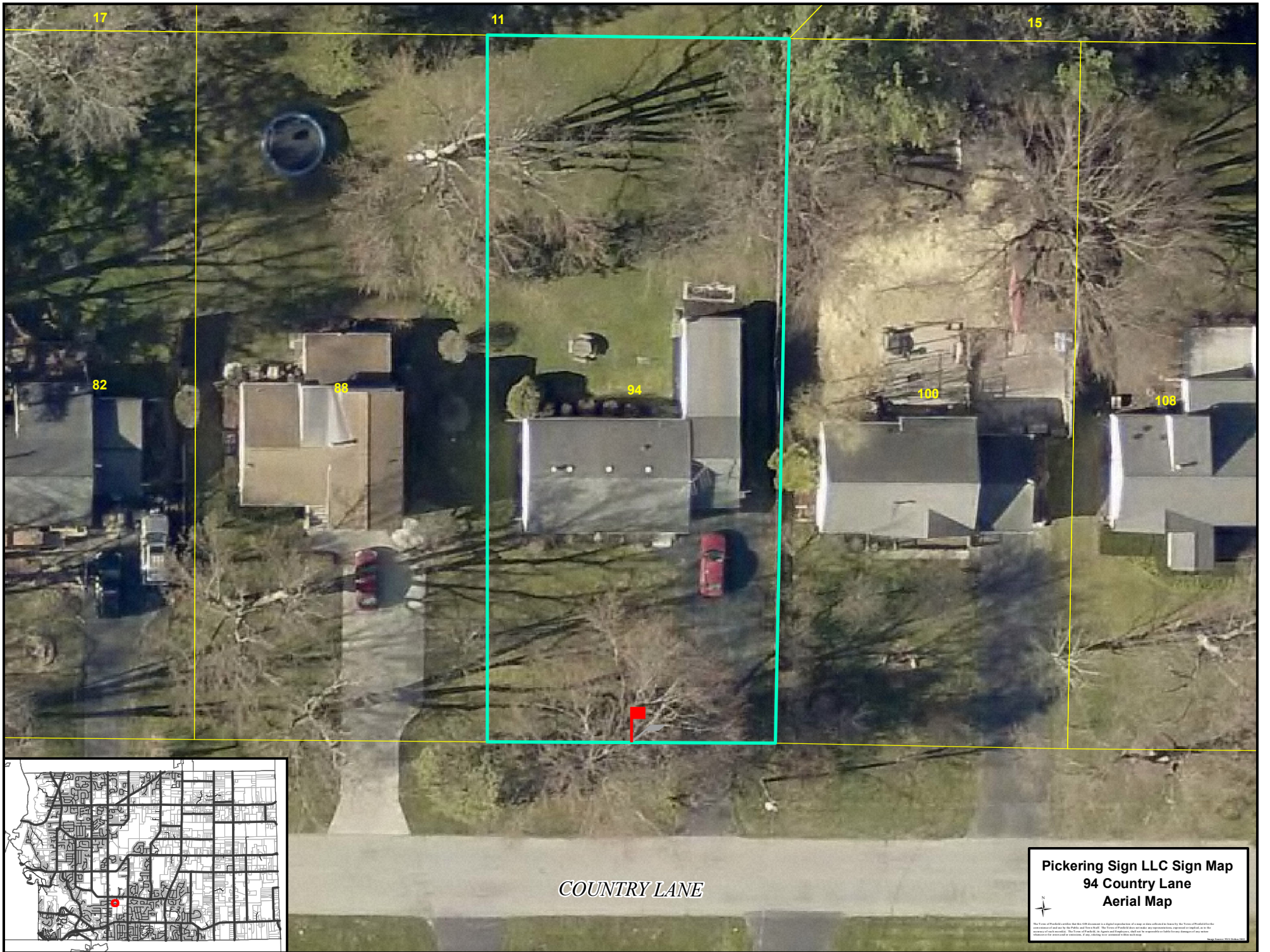
SCANNED

212-0042



This is the porch
that I am
proposing to build.
This house is identical
to mine, Ranch.
White vinyl siding.
Black shutters

SCANNED



17

11

15

82

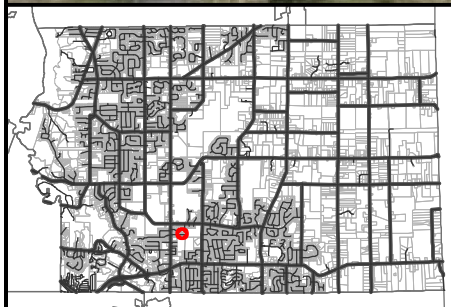
88

94

100

108

COUNTRY LANE



Pickering Sign LLC Sign Map
94 Country Lane
Aerial Map



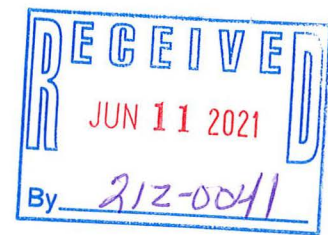
This map is provided as a service to our clients and is not intended to be used for any other purpose. The information on this map is provided as a service to our clients and is not intended to be used for any other purpose. The information on this map is provided as a service to our clients and is not intended to be used for any other purpose.

ZONING BOARD OF APPEALS AGENDA

Public Hearing Application # 8

Application # 21Z-0041
Elisabeth Vella
44, 50, & 56 Wilbur Tract

See Pages to Follow



Letter of Intent

44 & 50 & 56 Wilbur Tract

Seeking a "Use Variance"

We are looking for a "Use Variance" Permit from the Zoning Board for a Commercial Office/Supply Storage and Tenant Parking.

This space would be used for the Corporate Office of J&J Fiber Communications, LLC.

It is a +/- 5,440 square foot Building on 3 Tax Parcels that total 4.1 Acres.

These 3 properties have been and will continue to be Owned by Elisabeth Vella.

Existing property was built as a commercial building with the exterior pavement for parking and storage. For many years, consistently this project has been used as a facility to house equipment storage and material storage for commercial type businesses. When Lasalle's Landing District was put in place this property was changed to a residential Zone. We are looking to maintain the use of the building and property as it has been in the past and continue with that use by obtaining a "Use Variance" by the Zoning Board so that we have the accurate Use Variance in place for years to come on these properties.

The building will be the Corporate Office for J&J Fiber Communications, LLC. They are a Fiber Network Company and Install Lines for Greenlight, Spectrum and Frontier to name a few companies that they work for. They have completed many jobs within the Town of Penfield and continue to work on the increase marketplace of networking fiber. The building will be used for Material Storage for the Company. In the day the parking areas will be used for employee's car parking and in the evening when the employees return their company trucks, the company trucks will remain on the site. The office will be used for communications for job requirements but will not create customer traffic to the building.

Hours of Operation: General Daily Hours to service the employee to and from the job site. Hours are different daily.

There will be a total of 1 employee servicing the General Office Space.

The Customers like Greenlight or Spectrum will not be meeting at Wilbur Tract.

The Tenant plans to renovate the space to be conducive with their business, as well as general cleanup of the existing site.



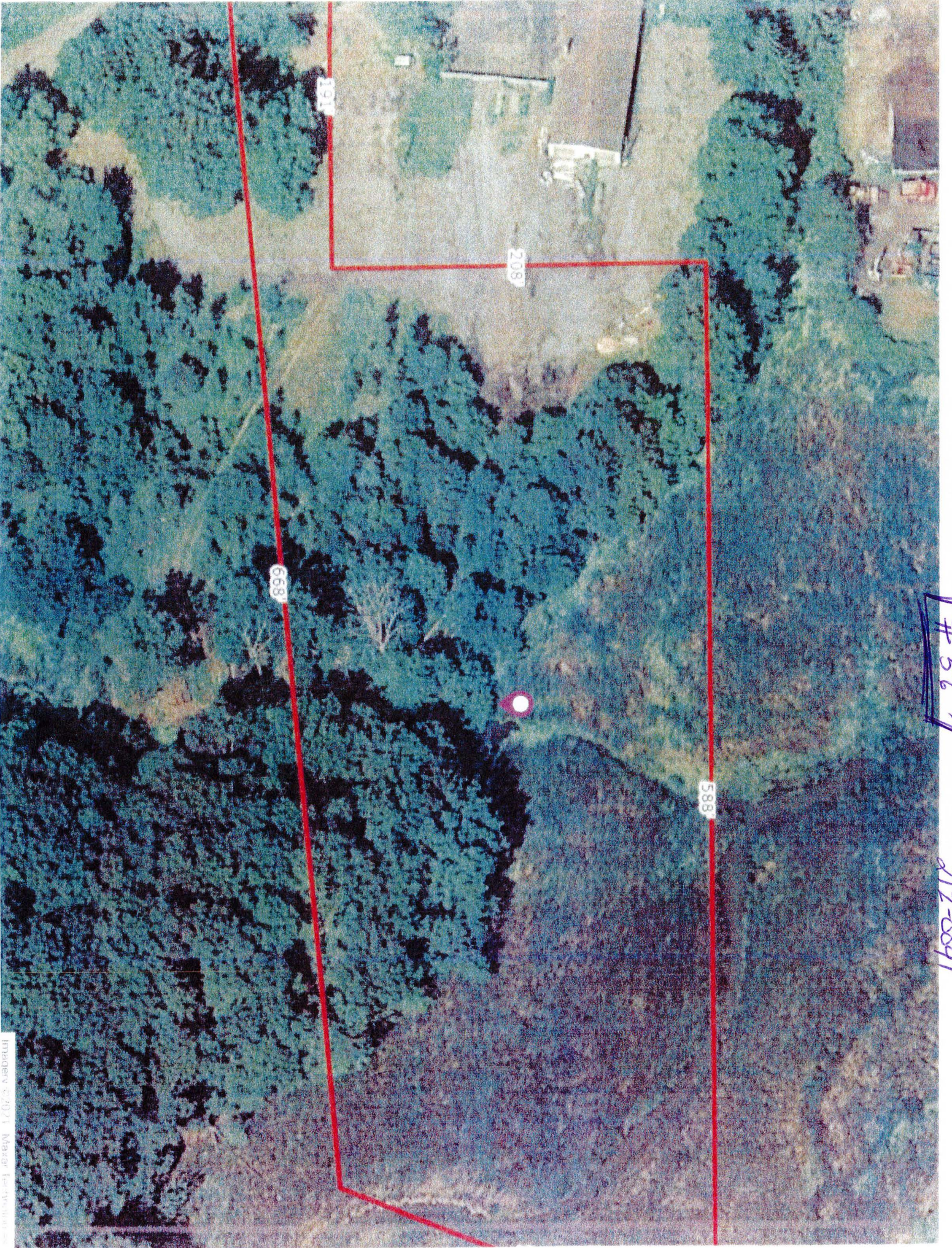
212-0041



Subject Properties

56

Wilbur Tract



56.1

212-0041

56 Wilbur Tract Rd, Rochester, NY 14609, Monroe County

	Beds N/A	Bldg Sq Ft N/A	Lot Sq Ft 136,778	Sale Price N/A
	Baths N/A	Yr Built N/A	Type RES ACG	Sale Date N/A

OWNER INFORMATION			
Owner Name	Vella Elisabeth	Tax Billing Address	570 Culver Pkwy
Owner Name 2		Tax Billing City & State	Rochester, NY
Do Not Mail		Tax Billing Zip	14609
Owner Occupied	No	Tax Billing Zip+4	4566

LOCATION INFORMATION			
School District	264201	Zoning	R-1-20
School District Name	Penfield	Assessment District	Suburban-2
Subdivision		Location Influence	
Township	Penfield	Flood Zone Code	A
Census Tract	115.03	Flood Zone Date	08/28/2008
Carrier Route	C003	Flood Zone Panel	36055C0217G

TAX INFORMATION			
Tax ID	264200-108-100-0001-001-112	% Improved	
Alt. Tax ID	264200A1081000001001112	SWIS Code	264200
Lot #	1	Tax Appraisal Area	4200
Block #	1		
Legal Description			

ASSESSMENT & TAX			
Assessment Year	2019	2018	2017
Assessed Value - Total	\$60,100	\$60,100	\$60,100
Assessed Value - Land	\$60,100	\$60,100	\$60,100
Assessed Value - Improved			
YOY Assessed Change (\$)	\$0	\$0	
YOY Assessed Change (%)	0%	0%	
Market Value - Total	\$66,778	\$63,300	\$60,100
Market Value - Land			\$60,100
Market Value - Improved			
Exempt Building Value			
Exempt Land Value			
Exempt Total Value			

CHARACTERISTICS			
Land Use - State	Vacant Resid	Half Baths	
Land Use - CoreLogic	Residential Acreage	Total Rooms	
Lot Acres	3.14	Basement Type	
Lot Sq Ft	136,778	Basement Sq Ft	
Lot Frontage		Finished Basement Sq Ft	
Lot Depth		Fireplaces	
# of Buildings		Heat Type	
Building Type		Heat Fuel Type	
Parking Type		Cooling Type	
No. Parking Spaces		Electric Service Type	Type Unknown
Garage Type		Other Rooms	
Garage Capacity		Exterior	
Garage Sq Ft		Condition	
Style		Quality	
Stories	MI S: 2	Patio Type	

Effective Year Built		Patio/Deck 2 Sq Ft	
Building Sq Ft		Porch	
Above Grade Sq Ft		Porch Sq Ft	
Ground Floor Sq Ft		Pool	
Second Floor Sq Ft		Pool Size	
Gross Sq Ft	MLS: 5,500	Water	Commercial
Bedrooms		Sewer	Commercial
Total Baths		Total Units	
Full Baths			

FEATURES					
Feature Type	Unit	Size/Qty	Width	Depth	Year Built

Feature Type			Value		
Building Description			Building Size		

SELL SCORE	
Rating	Value As Of
Sell Score	

ESTIMATED VALUE	
RealAVM™	Confidence Score
RealAVM™ Range	Forecast Standard Deviation
Value As Of	02/01/2021

(1) RealAVM™ is a CoreLogic® derived value and should not be used in lieu of an appraisal.

(2) The Confidence Score is a measure of the extent to which sales data, property information, and comparable sales support the property valuation analysis process. The confidence score range is 50 - 100. Clear and consistent quality and quantity of data drive higher confidence scores while lower confidence scores indicate diversity in data, lower quality and quantity of data, and/or limited similarity of the subject property to comparable sales.

(3) The FSD denotes confidence in an AVM estimate and uses a consistent scale and meaning to generate a standardized confidence metric. The FSD is a statistic that measures the likely range or dispersion an AVM estimate will fall within, based on the consistency of the information available to the AVM at the time of estimation. The FSD can be used to create confidence that the true value has a statistical degree of certainty.

LISTING INFORMATION			
MLS Listing #	R1009095	MLS Orig. List Price	\$450,000
MLS Status	X-Expired	MLS Contingency Date	
MLS Area	PENFIELD-264200	MLS Pending Date	
MLS D.O.M	41	MLS Sale Date	
MLS Status Change Date	03/01/2017	MLS Sale Price	
MLS Listing Date	10/19/2016	MLS Withdrawn Date	
MLS Current List Price	\$450,000		

MLS Listing #	R257533
MLS Status	S-Closed/Rented
MLS Listing Date	09/09/2014
MLS Listing Price	\$3,600
MLS Orig Listing Price	\$3,800
MLS Sale Date	01/01/2015
MLS Sale Price	\$3,600
MLS Expiration Date	04/30/2015
MLS Withdrawn Date	

LAST MARKET SALE & SALES HISTORY	
Recording Date	Owner Name 2
Sale Date	Seller
Sale Price	Document Number
Price Per Square Feet	Deed Type
Owner Name	Vella Elisabeth

Sale Price

Nominal

Buyer Name

Buyer Name 2

Seller Name

Document Number

Document Type

MORTGAGE HISTORY

Mortgage Date

Mortgage Amount

Mortgage Lender

Mortgage Type

FORECLOSURE HISTORY

Document Type

Default Date

Foreclosure Filing Date

Recording Date

Document Number

Book Number

Page Number

Default Amount

Final Judgment Amount

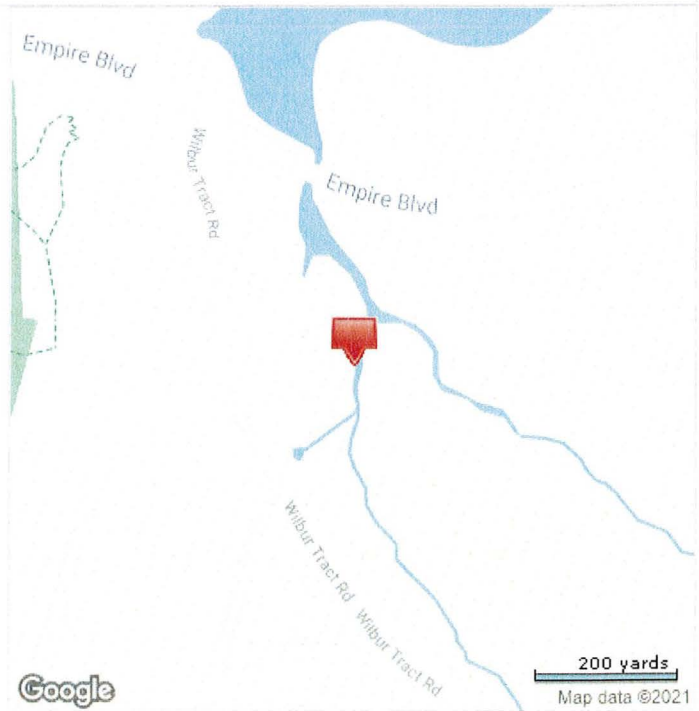
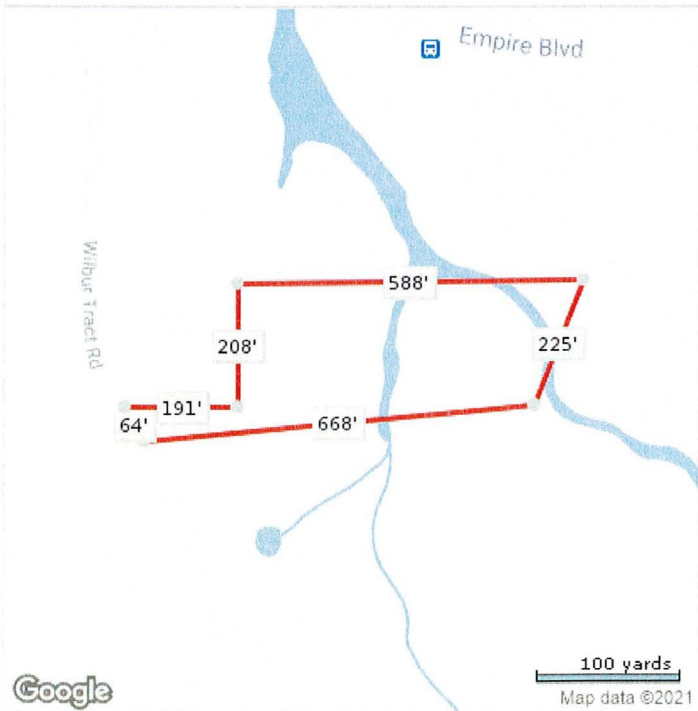
Original Doc Date

Original Document Number

Original Book Page

Lien Type

PROPERTY MAP



*Lot Dimensions are Estimated



PROPERTY REPORT

56 Wilbur Tract Rd, Rochester, NY 14609



Presented by

John Antetomaso | REALTOR[®] | GRI, CRS

New York Real Estate License: 49AN1151017



Work: (585) 787-8888 | Fax: (585) 279-8171

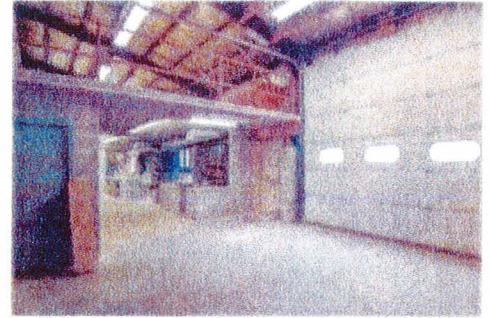
Main: johnantetomaso@remax.net

RE/MAX Plus
2171 Monroe Avenue
Rochester, NY 14618

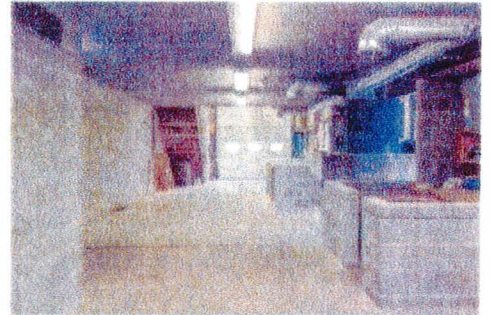
Property Photos



© GENRIS, Inc.



GENRIS, Inc.



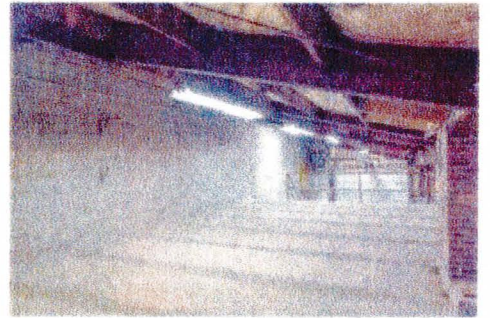
GENRIS, Inc.



GENRIS, Inc.



GENRIS, Inc.



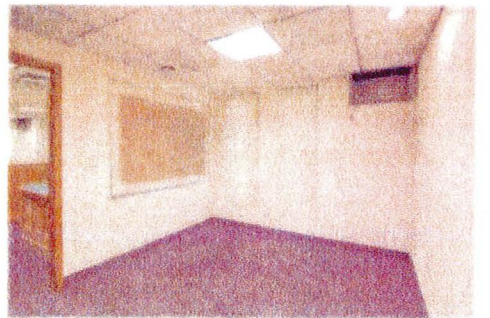
GENRIS, Inc.



GENRIS, Inc.



GENRIS, Inc.

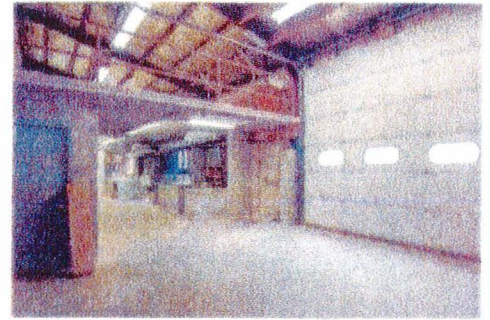


GENRIS, Inc.

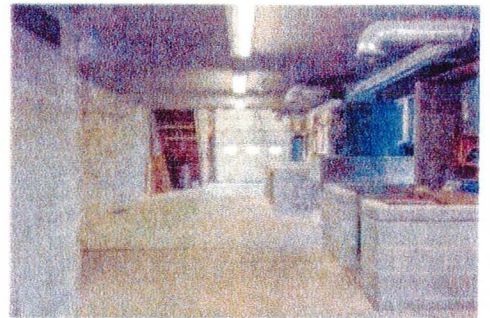
Historical Photos



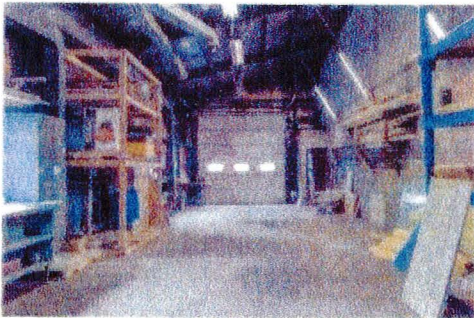
© GERRI, Inc



© GERRI, Inc



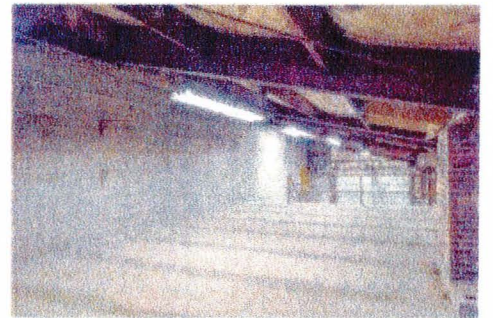
© GERRI, Inc



© GERRI, Inc



© GERRI, Inc



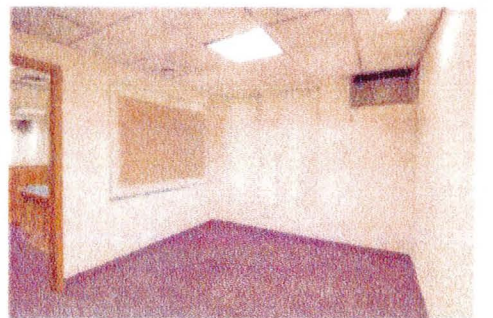
© GERRI, Inc



© GERRI, Inc



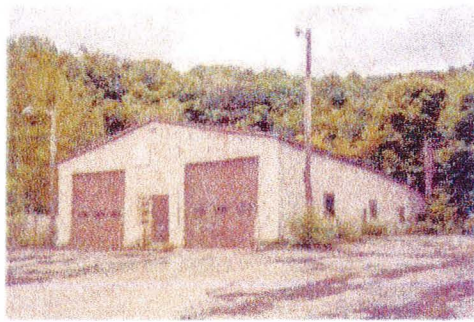
© GERRI, Inc



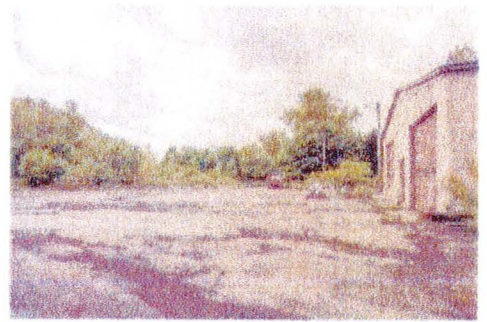
© GERRI, Inc



10/28/2021 10:00



10/28/2021 10:00



10/28/2021 10:00



10/28/2021 10:00



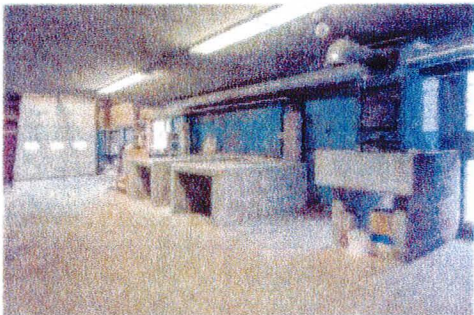
10/28/2021 10:00



10/28/2021 10:00



10/28/2021 10:00



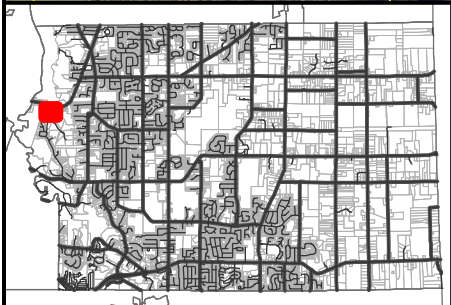
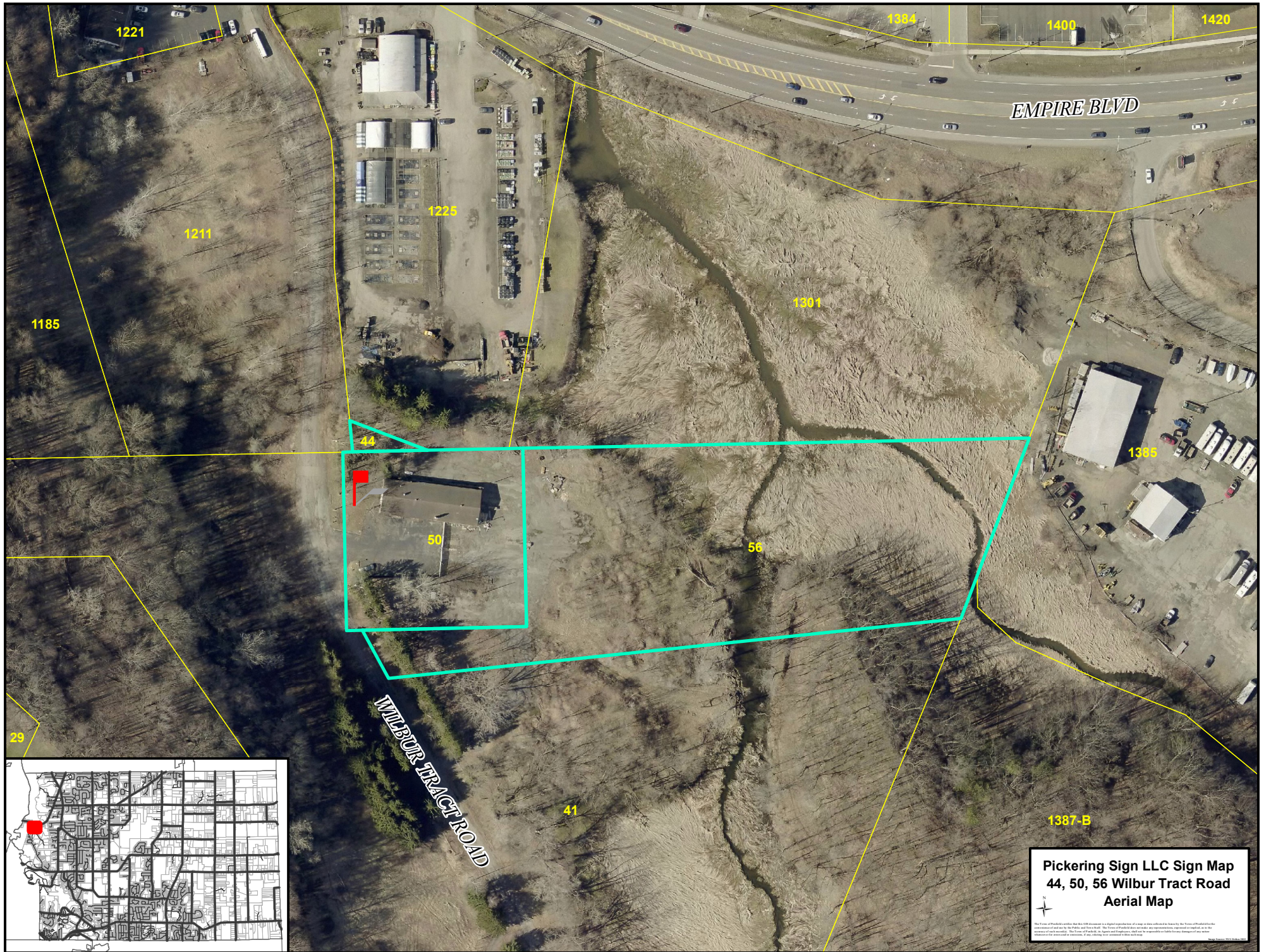
10/28/2021 10:00



10/28/2021 10:00



10/28/2021 10:00



**Pickering Sign LLC Sign Map
44, 50, 56 Wilbur Tract Road
Aerial Map**

© 2023 Pickering Sign LLC. All rights reserved. This map is provided as a service to our clients and is not intended to be used for any other purpose. The information on this map is for informational purposes only and does not constitute an offer of any financial product or service. The information on this map is for informational purposes only and does not constitute an offer of any financial product or service. The information on this map is for informational purposes only and does not constitute an offer of any financial product or service.