

## **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:

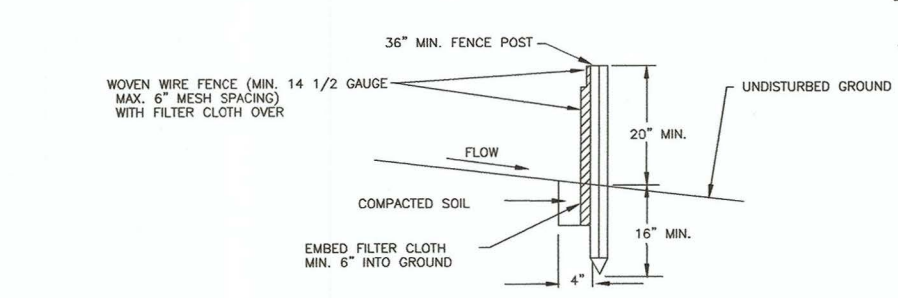
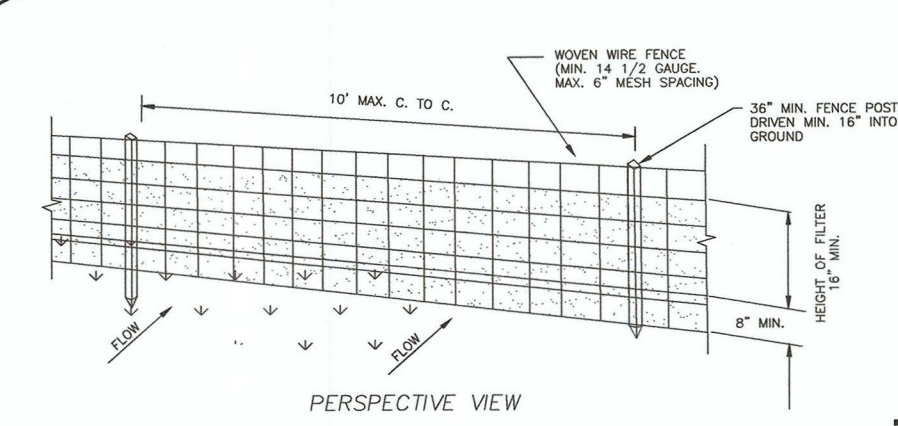
- Site Plan,
- Letter of Intent,
- Letter of Permission from the owner,
- Short Form EAF,
- Zoning Board of Appeals Application, and
- Application fee.



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



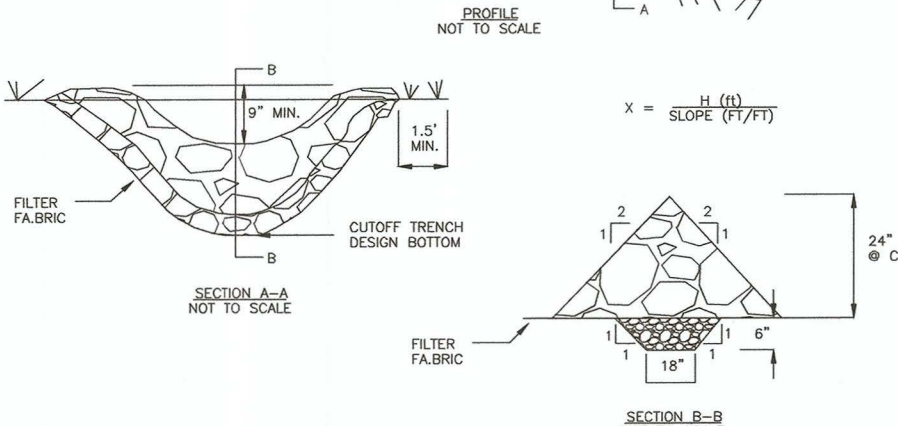
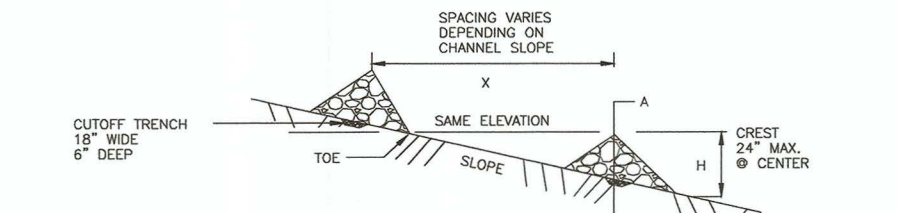
CONSTRUCTION NOTES FOR FABRICATED SILT FENCE

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
2. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
3. WHEN THE SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
4. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

PREPARED UNIT: 6'00" WIDE, 10'00" LONG, 18" HIGH, 1/2" GAUGE, 1/2" MESH SPACING.

### SILT FENCE INSTALLATION DETAIL

NOT TO SCALE



SECTION A-A NOT TO SCALE

SECTION B-B NOT TO SCALE

SECTION C-C NOT TO SCALE

SECTION D-D NOT TO SCALE

SECTION E-E NOT TO SCALE

SECTION F-F NOT TO SCALE

SECTION G-G NOT TO SCALE

SECTION H-H NOT TO SCALE

SECTION I-I NOT TO SCALE

SECTION J-J NOT TO SCALE

SECTION K-K NOT TO SCALE

SECTION L-L NOT TO SCALE

SECTION M-M NOT TO SCALE

SECTION N-N NOT TO SCALE

SECTION O-O NOT TO SCALE

SECTION P-P NOT TO SCALE

SECTION Q-Q NOT TO SCALE

SECTION R-R NOT TO SCALE

SECTION S-S NOT TO SCALE

SECTION T-T NOT TO SCALE

SECTION U-U NOT TO SCALE

SECTION V-V NOT TO SCALE

SECTION W-W NOT TO SCALE

SECTION X-X NOT TO SCALE

SECTION Y-Y NOT TO SCALE

SECTION Z-Z NOT TO SCALE

SECTION AA NOT TO SCALE

SECTION BB NOT TO SCALE

SECTION CC NOT TO SCALE

SECTION DD NOT TO SCALE

SECTION EE NOT TO SCALE

SECTION FF NOT TO SCALE

SECTION GG NOT TO SCALE

SECTION HH NOT TO SCALE

SECTION II NOT TO SCALE

SECTION JJ NOT TO SCALE

SECTION KK NOT TO SCALE

SECTION LL NOT TO SCALE

SECTION MM NOT TO SCALE

SECTION NN NOT TO SCALE

SECTION OO NOT TO SCALE

SECTION PP NOT TO SCALE

SECTION QQ NOT TO SCALE

SECTION RR NOT TO SCALE

SECTION SS NOT TO SCALE

SECTION TT NOT TO SCALE

SECTION UU NOT TO SCALE

SECTION VV NOT TO SCALE

SECTION WW NOT TO SCALE

SECTION XX NOT TO SCALE

SECTION YY NOT TO SCALE

SECTION ZZ NOT TO SCALE

SECTION AA NOT TO SCALE

SECTION BB NOT TO SCALE

SECTION CC NOT TO SCALE

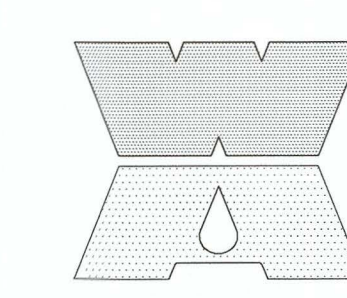
SURVEY NOTES:

THE HORIZONTAL DATUM (NAD 1927) TO THE N.Y.S. PLANE COORDINATE SYSTEM, WESTERN ZONE, TRANSVERSE MERCATOR SYSTEM, BEARINGS SHOWN HEREON ARE REFERENCED TO GRID. DISTANCE SHOWN ARE GROUND. SURVEY WORK FOR THIS MAP WAS COMPLETED TO AN ACCURACY OF 1 PART IN 10,000 (1:10,000) OR BETTER.

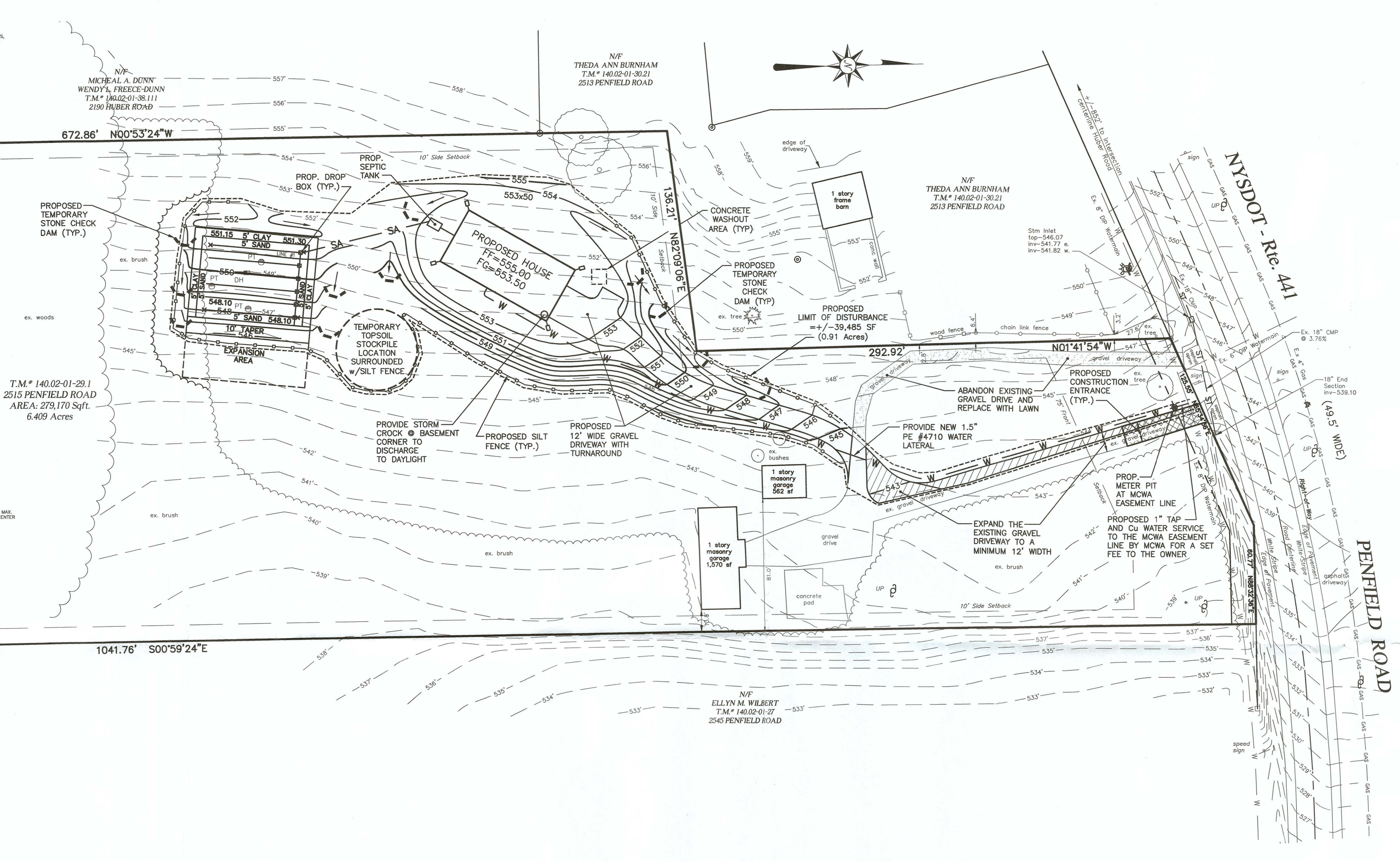
REFERENCES:

1. FARM CREDIT OF WESTERN N.Y., ACA TO EMIL J. WEBER BY DEED FILED 2/25/2002 AS LIBER 9582 OF DEEDS, PAGE 528.
2. "DUNN SUBDIVISION", FILED 10/27/2008 AS LIBER 335 OF MAPS PAGE 42.

MAGEE LAND SURVEYING, P.C., HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM NOTES OF A FIELD SURVEY COMPLETED ON FEBRUARY 26, 2021 AND FROM THE REFERENCES LISTED HEREON. SUBJECT TO ANY FACTS AN UPDATED ABSTRACT OF TITLE MAY REVEAL.



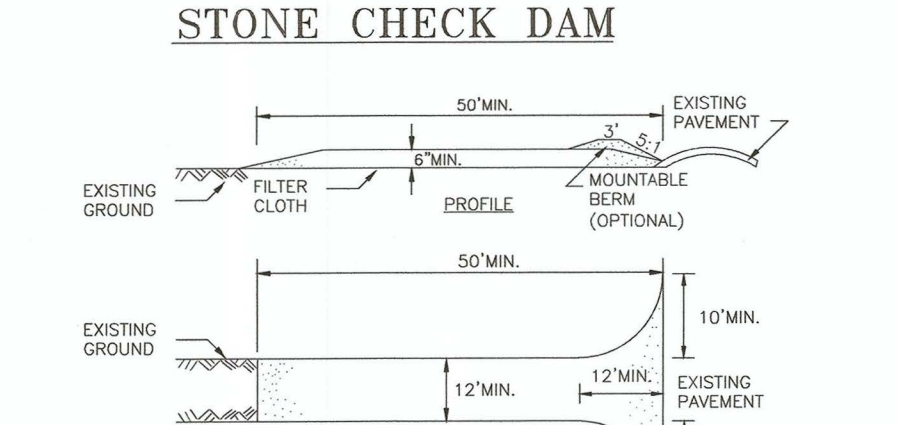
MONROE COUNTY WATER AUTHORITY  
WATER DESIGN  
APPROVED  
DATE



### CHECK DAM CONSTRUCTION SPECIFICATIONS

1. STONE WILL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE LINES, GRADES, AND LOCATIONS SHOWN ON THE PLAN.
2. SET 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 UP-STREAM DAM.
3. EXTEND THE STONE A MINIMUM 1.5 FEET BEYOND THE DITCH BANKS TO PREVENT RUNOFF FROM CUTTING AROUND THE DAM.
4. PROTECT THE CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND EROSION WITH STONE OR LINER AS APPROPRIATE.
5. ENSURE THAT THE CHANNEL APPROPRIATELY 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.

### STONE CHECK DAM



STABILIZED CONSTRUCTION ENTRANCE DETAIL

NOT TO SCALE

1. STONE SIZE - USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. 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.
5. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. 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.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

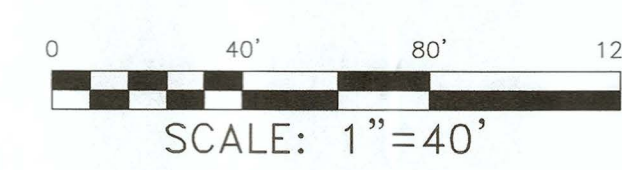
### MONROE COUNTY DEPARTMENT OF HEALTH CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. 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.
4. 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.
5. THAT ADEQUATE EROSION CONTROL MEASURES SHALL BE EMPLOYED BY THE OWNER OF THE SUBDIVISION DURING ALL PHASES OF CONSTRUCTION.

Note: These plans are not for construction until they are signed and approved by all necessary agencies, municipalities, government offices, interested parties, etc. to secure building permits for construction. Said approvals may or may not be shown as signatures on these plans. It is the owner's responsibility to make sure all approvals are in place prior to construction.

### SEQUENCE OF CONSTRUCTION

1. INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCING ANY SITE WORK.
2. CONTRACTOR TO INSTALL ALL SILT FENCING PRIOR TO ANY TREE REMOVAL OR SOIL DISTURBANCE.
3. CONTRACTOR TO STRIP TOPSOIL AND STOCKPILE FOR REUSE ON THE LOT. STOCKPILES TO BE SURROUNDED WITH SILT FENCE AND SEEDED IMMEDIATELY.
4. 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.
5. CHECK DAMS AND ANY ADDITIONAL DESILTATION PRACTICES TO BE INSTALLED.
6. ALL TEMPORARY DESILTATION DEVICES SHALL BE REMOVED AFTER TURF HAS BEEN ESTABLISHED ALONG WITH APPROVAL OF THE TOWN OF PENFIELD ENGINEER.



SCALE: 1" = 40'

© 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.

REVISIONS			
NO.	DATE	DESCRIPTION	BY



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

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.

By \_\_\_\_\_ Public Health Engineer \_\_\_\_\_ Date \_\_\_\_\_

### TOWN APPROVALS:

PLANNING BOARD CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

ENGINEERING & PLANNING \_\_\_\_\_ DATE \_\_\_\_\_

DIRECTOR OF PUBLIC WORKS \_\_\_\_\_ DATE \_\_\_\_\_

DUBLIN ROAD

PENFIELD ROAD

HUBER ROAD

SALT ROAD

FURMAN ROAD

TOWN OF PENFIELD

PROJECT SITE

LOCATION MAP:

**LEGEND:**

CENTERLINE  
PROPERTY LINE  
EASEMENT LINE  
EXISTING CONTOUR  
CHAIN LINK FENCE  
WOOD FENCE  
STORM SEWER & MANHOLE  
SANITARY SEWER & MANHOLE  
WATER LINE  
GAS LINE  
ELECTRIC  
OVERHEAD WIRES  
EROSION CONTROL  
STONE WALL  
EXISTING WOODS  
PROPOSED WOODS  
DIRECTION OF FLOW  
SILT FENCE  
TEMP. CHECK DAMS

UTILITY POLE  
WATER VALVE  
GAS VALVE  
SURVEY MONUMENT  
MAILBOX  
SIGN  
IRON PIPE/REBAR  
CLEANOUT  
CATCH BASIN  
FIRE HYDRANT  
PERC HOLE  
DEEP HOLE  
INVERT END SECTION  
SPOT ELEV. x 351.00'

### GENERAL PLAN NOTES:

1. ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE CURRENT TOWN OF PENFIELD DESIGN CRITERIA AND CONSTRUCTION SPECIFICATIONS FOR LAND DEVELOPMENT.
2. 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.
3. 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.
4. 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.
5. 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.
6. THE CONTRACTOR SHALL TAKE APPROPRIATE PRECAUTIONS TO PROTECT PROPERTY MARKERS AND ALL SURVEY STAKES.
7. FOUNDATION AND CELLAR DRAINAGE SHALL DISCHARGE TO SPLASH BLOCKS.
8. CONTRACTOR SHALL NOTIFY "DIG SAFELY NEW YORK" @ 1(800) 962-7962 FOR A UTILITY STAKEOUT A MINIMUM OF 48 HOURS PRIOR TO ANY WORK COMMENCING ON THIS PROPERTY.
9. SITE PLAN WAS CREATED USING A BASE SURVEY OF THE PROPERTY BY MAGDE LAND SURVEYING, P.C. DATED FEBRUARY 26, 2021.
10. ALL STONE CHECK DAMS ARE TEMPORARY AND ARE TO BE REMOVED FROM THEIR DESIGNATED LOCATIONS AS THAT PARTICULAR LOT'S TURF IS ESTABLISHED.
11. GRADING MUST BE APPROVED BY THE TOWN OF PENFIELD BUILDING INSPECTOR PRIOR TO OBTAINING A CERTIFICATE OF OCCUPANCY.
12. A TEMPORARY TOPSOIL STOCKPILE AREA SURROUNDED BY SILT FENCE PLACED 10' FROM THE TOE OF THE PILE.
13. A SUMP PUMP LOCATION IS SHOWN FOR THE HOUSE BASEMENT.

### SITE DEVELOPMENT STATISTICS

PRESENT ZONING: RR-1 RESIDENTIAL (1-acre)		
MEASUREMENTS	REQUIRED	PROVIDED
FRONT SETBACK	50 FT.	50 FT.
ALONG NYSDOT	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. (WHICHEVER IS GREATER)	2 STORIES OR 35 FT.
OWNER: DOUG McAVOY 6 KATSURA COURT PENFIELD, NY 14526 (585) 704-1035		
TAX ACCT. NOS.: 140.02-01-29.1 PARCEL AREAS: +/-6.209 Ac.		

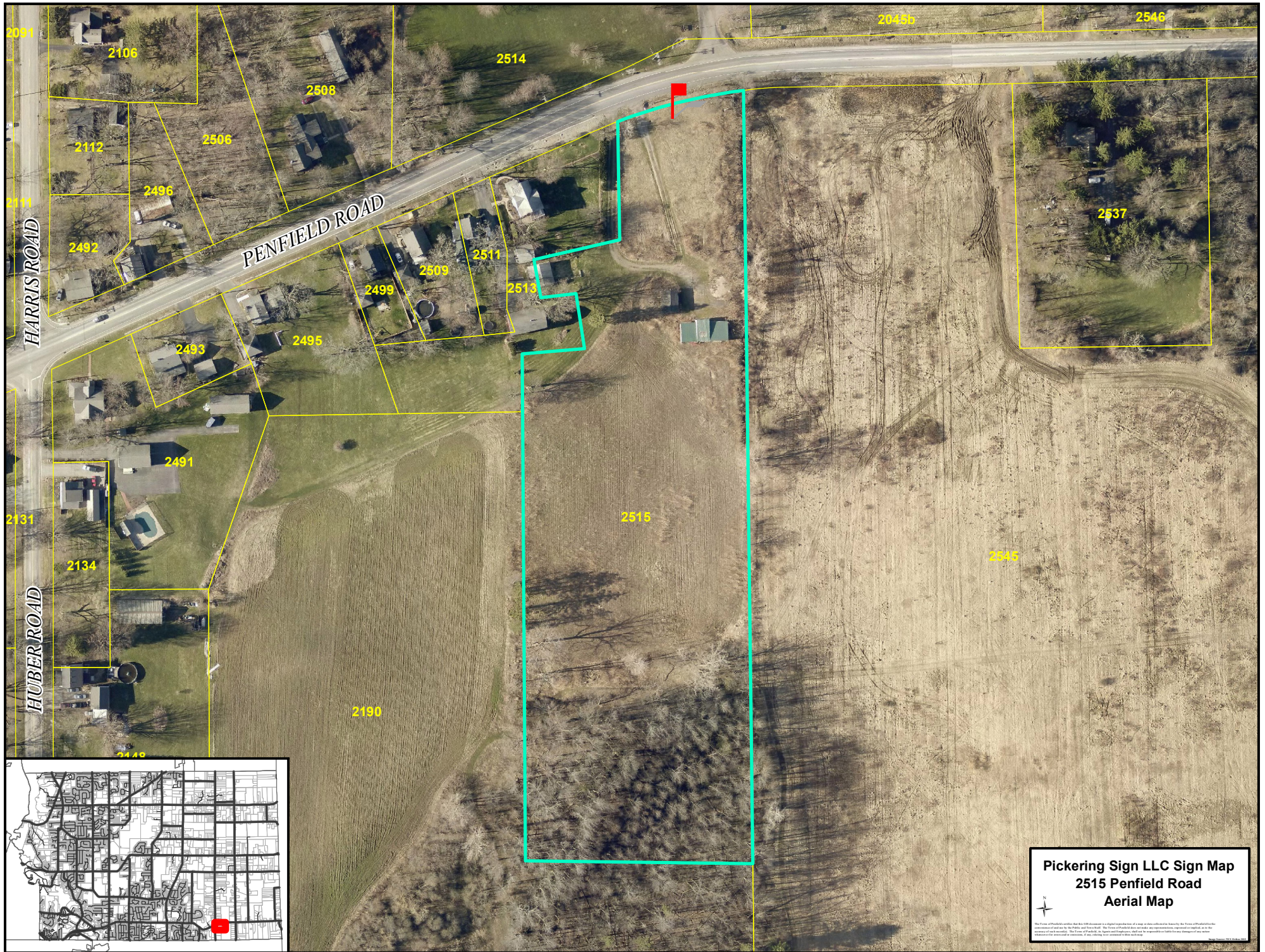
### 2515 PENFIELD ROAD TOWN OF PENFIELD, MONROE COUNTY, NEW YORK

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

SCALE:	1"=40'	ENG. BY:	DHL
DATE:	5/16/21	SHEET NO.:	1
DRAWN BY:	DHL	PROJECT No.:	E-239

21Z-0037

SCANNED



**Pickering Sign LLC Sign Map**  
**2515 Penfield Road**  
**Aerial Map**



This map is provided as a service to the public 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. 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.