

**Village of Brockport  
Zoning Board of Appeals  
Meeting Agenda  
Thursday, December 1, 2016 7pm**

**CALL TO ORDER / PLEDGE**

Moment of Silence for the passing of ZBA member Doug Wolcott

**APPROVAL OF MINUTES: July 7, 2016**

**CORRESPONDENCE**

**NEW BUSINESS (PUBLIC HEARING):**

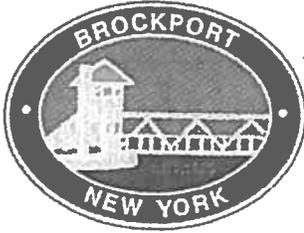
1. Name: Marcello Enterprises, LLC  
58 Main BBQ & Brew  
Address: 58 N. Main St.  
Tax Map ID #: 069.37-1-22.2  
Zoning: Business Use District  
Parcel Size: .25 acre (72.69'f x 158.68'd)  
Property Class: 421  
Purpose: Area Variance – install flush mounted 24" letters to front face of building 58 Main BBQ & Brew (& discuss future sign changes - update info on east & west sides)  
Zoning Ordinance: Chapter 43-5(B):  
*One wall sign, which may be illuminated, upon the front façade of a building for each permitted use or activity. (1) Said sign in the aggregate shall not exceed two square feet in area for each linear foot of public frontage. If a use is on a corner, then one sign may be placed on each façade of an occupancy which faces upon a parking area, and if such building is more than 100 feet distant from the nearest street to the rear of the property, then such sign may be five square feet in area for each linear foot. (2) Such sign shall not project more than 14 inches beyond the building façade on which or in front of which it is displayed, shall be at least nine feet above the sidewalk, and shall not be higher than the highest point of the parapet or façade of the building.*
  
2. Name: Lifetime Assistance, Inc.  
Address: 15 Evelyn Drive  
Tax Map ID #: 069.10-3-63.22  
Zoning: Residential Use District  
Parcel Size: 0.77 acre (163.14'f x 206.63'd)  
Property Class: 642  
Purpose: Special Permit - dumpster  
Zoning Ordinance: Chapter 21-5  
*Within exclusively used residential property, no dumpsters shall be used for the collection or storage of garbage or rubbish. However, any proposed and/or existing trash dumpsters within residential neighborhoods or residentially used property which are in existence prior to the adoption of this chapter are permitted as long as the property owner obtains a special residential dumpster use permit granted by the Zoning Board of Appeals."*
  
3. Name: Samuel A. Santandrea  
Winston Woods Apartments  
Address: South Avenue  
Tax Map ID #: 068.20-3-27  
Zoning: Residential Use District  
Parcel Size: 3.80 acres  
Property Class: 411  
Purpose: Special Permit - dumpster  
Zoning Ordinance: Chapter 21-5  
*Within exclusively used residential property, no dumpsters shall be used for the collection or storage of garbage or rubbish. However, any proposed and/or existing trash dumpsters within residential neighborhoods or residentially used property which are in existence prior to the adoption of this chapter are permitted as long as the property owner obtains a special residential dumpster use permit granted by the Zoning Board of Appeals."*

**ADJOURNMENT**

**UPCOMING REGULAR MEETINGS/DEADLINES (only upon application):**

7pm, Thursday, January 5, 2017

Deadline: Noon, Tuesday, December 13, 2016



# VILLAGE OF BROCKPORT

49 State Street · Brockport, New York 14420  
Telephone (585) 637-5300 · Fax (585) 637-1045  
Website: [www.brockportny.org](http://www.brockportny.org)

*The Victorian Village on the Erie Canal  
Preserve America Community  
Listed on the State and National Registers of Historic Places  
Certified Local Government  
Tree City USA Community  
Erie Canalway Heritage Award of Excellence  
Climate Smart Community*

## VILLAGE OF BROCKPORT LEGAL NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Brockport will hold a PUBLIC HEARING on **Thursday, December 1, 2016 beginning at 7:00pm** in the Conference Room of the Village Hall at 49 State Street, Brockport, New York regarding the following applications:

1. Name: Marcello Enterprises, LLC  
Address: 58 Main BBQ & Brew  
58 N. Main St.  
Tax Map ID #: 069.37-1-22.2  
Zoning: Business Use District  
Parcel Size: .25 acre (72.69'f x 158.68'd)  
Property Class: 421  
Purpose: Area Variance – install flush mounted 24" letters to front face of building 58 Main BBQ & Brew (& discuss future sign changes - update info on east & west sides)  
Zoning Ordinance: Chapter 43-5(B):  
*One wall sign, which may be illuminated, upon the front façade of a building for each permitted use or activity. (1) Said sign in the aggregate shall not exceed two square feet in area for each linear foot of public frontage. If a use is on a corner, then one sign may be placed on each façade of an occupancy which faces upon a parking area, and if such building is more than 100 feet distant from the nearest street to the rear of the property, then such sign may be five square feet in area for each linear foot. (2) Such sign shall not project more than 14 inches beyond the building façade on which or in front of which it is displayed, shall be at least nine feet above the sidewalk, and shall not be higher than the highest point of the parapet or façade of the building.*
2. Name: Lifetime Assistance, Inc.  
Address: 15 Evelyn Drive  
Tax Map ID #: 069.10-3-63.22  
Zoning: Residential Use District  
Parcel Size: 0.77 acre (163.14'f x 206.63'd)  
Property Class: 642  
Purpose: Special Permit - dumpster  
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*Within exclusively used residential property, no dumpsters shall be used for the collection or storage of garbage or rubbish. However, any proposed and/or existing trash dumpsters within residential neighborhoods or residentially used property which are in existence prior to the adoption of this chapter are permitted as long as the property owner obtains a special residential dumpster use permit granted by the Zoning Board of Appeals."*
3. Name: Samuel A. Santandrea  
Winston Woods Apartments  
Address: South Avenue  
Tax Map ID #: 068.20-3-27  
Zoning: Residential Use District  
Parcel Size: 3.80 acres  
Property Class: 411  
Purpose: Special Permit - dumpster  
Zoning Ordinance: Chapter 21-5  
*Same as detailed in #2.*

All interested parties will be given the opportunity to be heard. Applications are available for review from the Village website.

Leslie Ann Morelli  
Brockport Village Clerk



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November 15, 2016

Marcello Enterprises, LLC  
Marc Marcello  
58 N. Main Street  
Brockport, NY 14420

Dear Mr. Marcello:

The Village is in receipt of your application to the Zoning Board of Appeals regarding 58 Main BBQ & Brew at 58 N. Main Street for an area variance regarding signage as outlined in Chapter 43-5(B) of the Village Code.

The ZBA will review your application at its meeting: **Thursday, December 1, 2016 at 7:00pm** in the Village Hall Conference Room, 49 State Street.

Your attendance or that of a representative is required at the meeting. Please be prepared to present the application and bring any further materials that might support its approval.

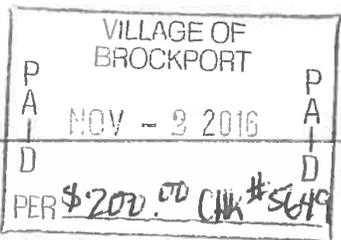
Any questions prior to the meeting should be directed to me at 637-5300 X12 or BI/CEO Miller at 637-5300 X19. Thank you.

Sincerely,



Leslie Ann Morelli  
Brockport Village Clerk

Xc: ZBA file



# VILLAGE OF BROCKPORT

49 State Street, Brockport, New York 14420  
Telephone: (585)-637-5300 Fax: (585)-637-1045  
Website: [www.brockportny.org](http://www.brockportny.org)

## ZONING BOARD OF APPEALS APPLICATION

**DEADLINE: By Tuesday Noon at least 3 weeks prior to meeting**

Area Variance: X Use Variance: \_\_\_\_\_  
Interpretation: \_\_\_\_\_ Special Permit: \_\_\_\_\_  
Other: \_\_\_\_\_

Meeting Date: Dec 7 at 7:00pm  
Application Fee: \$ 200.00  
Date Submitted: 11/2/16  
Plans Submitted (7 copies): ✓  
Environmental Assessment Form Submitted: ✓

Please note:

- Applicant must attend meeting(s).
- Failure to show, withdrawal of application, or denial will result in forfeiture of fee.
- Applicant may be billed for Village Engineer fees related to the review of application.

PROPERTY ADDRESS: 58 N. MAIN ST

Tax Map Parcel #(s): 069.37-1-22.2 Parcel size: \_\_\_\_\_ width \_\_\_\_\_ depth \_\_\_\_\_

Property Zoning District: BUSINESS Property Class: A-2

Present Use of Property: RESTAURANT Proposed Use of Property: \_\_\_\_\_

Provision of Code Appealed (give section and subsection numbers): 43.5(B)

Previous applications for this property: \_\_\_\_\_ Planning Board \_\_\_\_\_ Zoning Board of Appeals  
If yes, provide results: \_\_\_\_\_

Description of Proposal / Detail of Request: See Attached

Install (Flush mounted) 24" letters to front face of building  
58 MAIN BBQ & BREW, + Discuss Future Sign changes  
(Update info on East + West Signs)

### Certification of Statements:

The applicant(s) hereby affirms that the above information is accurate and complete, to the best of his/her knowledge and he/she/they is/are the title owner(s) of the property or has/have been authorized by the title owner(s) to make this application.

I/We hereby certify that I/We am/are title owner(s) of the property identified in the above application and that the applicant(s) named is/are authorized to make the application described herein.

M. Marcella  
Applicant Signature

\_\_\_\_\_  
Owner Signature

MARC MARCELLO  
Applicant Name Printed/Typed

\_\_\_\_\_  
Owner Name Printed/Typed

58 N. MAIN ST Brockport NY 14420  
Street City State Zip

\_\_\_\_\_  
Street City State Zip

585 637 2383  
Phone # E-mail

\_\_\_\_\_  
Phone # E-mail

## AREA VARIANCE TEST

New York State criteria:

In making its determination, the ZBA 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:

- 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;
- 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;
- 3) whether the requested area variance is substantial;
- 4) whether the proposed variance will have an adverse effect or impact on the physical or environmental condition in the neighborhood or district; and
- 5) whether the alleged difficulty was self-created; which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

The ZBA, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

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## USE VARIANCE TEST

New York State criteria:

In making its determination, the ZBA 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:

- 1) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence
- 2) that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
- 3) that the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- 4) that the alleged hardship has not been self-created.

The ZBA, in the granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proved by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

**Part I - Project Information.** The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part I - Project and Sponsor Information</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:  <i>24" letters Attached To Front of Buildings</i>			
Name of Applicant or Sponsor: <i>Maac Marcello</i>		Telephone: <i>585 637 2383</i>	E-Mail:
Address: <i>58 N. Main St</i>			
City/PO: <i>Brookport</i>	State: <i>NY</i>	Zip Code: <i>14420</i>	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		✓	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
<i>Village of BROPT Permit</i>			✓
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: MARC MARCELO Date: 10/20/16  
 Signature: [Handwritten Signature]

**STOP HERE**

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)

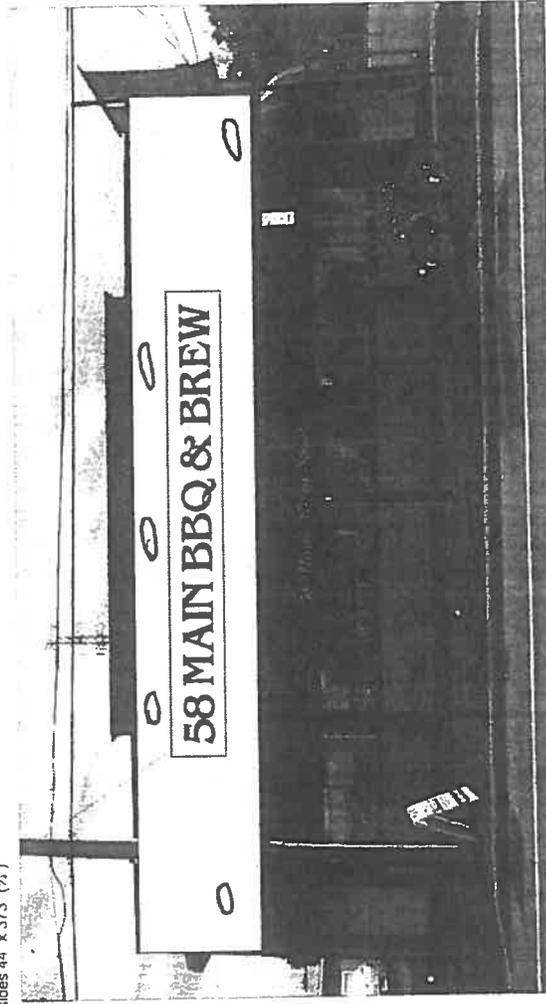
353 "

# 58 MAIN BBQ & BREW

24"

Description: (1) set of individual formed plastic letters to be flush mounted to building fascia.  
Style: Benguiat. Color: Black

10" all sides 44" x 373" (1/2)



NOV - 1 2016

Report No: Exterior letters  
Date: 10/24/16  
Project: 58 Main  
Address: Brockport, NY

This custom artwork is for representations purposes only. Colors will not exactly match the print or materials to be used.  
MULTIPLE SHOTS  
REQUIRE FOR ELECTRICAL  
UNLESS OTHERWISE STATED

This custom artwork is for representations purposes only. Colors will not exactly match the print or materials to be used.

MULTIPLE SHOTS  
REQUIRE FOR ELECTRICAL  
UNLESS OTHERWISE STATED

60 Industrial Park Cir.  
Rochester NY 14624  
Phone 585 594-2500  
Fax 585 594-2525

I have reviewed this drawing and accept it as shown. Any changes made to this drawing at any time will affect the contract price. Any and all changes to this drawing must be accompanied by written explanation and approved by both parties prior to production.

Customer Signature:

Date:

Landlord Signature:

Date:



*Marcello Bros., Inc.*  
58 North Main Street  
Brockport, N.Y. 14420  
(585) 637-2383 Phone  
(585) 637-7545 Fax  
[58Main@gmail.com](mailto:58Main@gmail.com)



RE: Variance for Letters attached to Building Face

- 1) We feel that adding our name to the front of our building will only have a positive impact for ourselves and our surrounding commercial businesses
- 2) At first, I spoke with the code enforcer, and it was decided that all we would need to make this happen would be to obtain a Signage Permit. The letters were ordered, a value of \$1800.00, installed by Skylight Signs. A few days, later it was brought to my attention that we would need to get a variance due to the size of the sign in addition to our current per-existing signage located on the East and West sides of the building. I immediately contacted the company and we could not terminate the order with no option for a refund.
- 3) The space for the new letters will be centered on our building face and comparative speaking I feel the area and size of letters will in no way be substantial.
- 4) I feel this change, along with the complete renovation of the exterior of our building, which has not been addressed in nearly 40 years will not only “commercialize” our business with a fresh, clean and professional appearance, but will hopefully be a first of many other business neighbors wanting to “clean up” the north end business district.
- 5) I feel this change was not “self created”, however created by years of climate conditions deteriorating our physical appearance and structure of our building. When, we removed the awning from the face of the building, (which has been a continuous repair problem over the years due to snow and wind), it left the face of our building very blank. The addition of our letters will not only give our building a name, but also attention to our customers from which we pull from many surrounding areas due to the countless events, fundraisers & off site caterings that we do outside the village.

In closing, my brother Jon and I have been part of the Village of Brockport community for many years. Born and raised here, we have always promoted and supported our local hometown with great pride. Four years ago we opened another successful BBQ business in Le Roy and just recently closed on Rogers Brewing Company. We always try to find ways to improve our businesses and bring people from other communities into Brockport. I ask that the board strongly consider this variance as I feel this change will have a positive impact, not only on our business, but on the entire north end business district, as well as give our newly renovated building the professional appearance it needs.

Respectfully,

Marc Marcello- Owner



# VILLAGE OF BROCKPORT

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October 11, 2016

Lifetime Assistance  
Attn: Gwen Marx  
425 Paul Road  
Rochester, NY 14624

Dear Ms. Marx:

The Village is in receipt of your application to the Zoning Board of Appeals regarding 15 Evelyn Drive for a special residential dumpster use permit as outlined in Chapter 21-5 of the Village Code.

The ZBA will review your application at its meeting: **Thursday, December 1, 2016 at 7:00pm** in the Village Hall Conference Room, 49 State Street. Although your application was received in time for November 3<sup>rd</sup>, since it was the only one and we anticipate several requested applications regarding special residential dumpster use permits, it was decided to hear them all on December 1<sup>st</sup>.

Your attendance or that of a representative is required at the meeting. Please be prepared to present the application and bring any further materials that might support its approval (i.e. photographs). In the meantime, please drop or mail the survey map to my attention as the scanned black and white one is hard to make out.

Any questions prior to the meeting should be directed to me at 637-5300 X12 or BI/CEO Miller at 637-5300 X19. Thank you.

Sincerely,

Leslie Ann Morelli  
Brockport Village Clerk

Xc: ZBA file



## VILLAGE OF BROCKPORT

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September 20, 2016

Lifetime Assistance  
425 Paul Rd.  
Rochester, NY 14624

RE: Dumpster service at 15 Evelyn Dr., Brockport, NY

This notice is to inform you that your property located at 15 Evelyn Dr. is in violation of the Brockport Village Code chapter 21-5 which states:

*"Within exclusively used residential property, no dumpsters shall be used for the collection or storage of garbage or rubbish. However, any proposed and/or existing trash dumpsters within residential neighborhoods or residentially used property which are in existence prior to the adoption of this chapter are permitted so long as the property owner obtains a special residential dumpster use permit granted by the Zoning Board of Appeals."*

Currently there is no special use permit or Zoning Board approval on file for the dumpster located at 15 Evelyn Dr. Please understand that compliance is mandatory in accordance with local law. The Building & Code Enforcement Department has notified your waste management provider that, unless a permit is obtained, their dumpster must be removed from the property.

To apply for a special use permit, please complete the enclosed Zoning Board of Appeals application and return in with the application fee of \$25.00 (cash/check/money order) to the Building & Codes Department at 49 State St., Brockport, NY 14420. We appreciate your immediate cooperation in this matter. If you have questions, please contact my office at (585) 637-5300 ext. 19.

Sincerely,

David J. Miller, Jr.  
Building Inspector Code Enforcement Officer

VILLAGE OF BROCKPORT

P A I D	OCT 11 2016 125 10/3/16	P A I D
PER <u>193570</u>		

# VILLAGE OF BROCKPORT

49 State Street, Brockport, New York 14420  
 Telephone: (585)-637-5300 Fax: (585)-637-1045  
 Website: [www.brockportny.org](http://www.brockportny.org)

## ZONING BOARD OF APPEALS APPLICATION

**DEADLINE:** By Tuesday Noon at least 3 weeks prior to meeting

Area Variance: \_\_\_\_\_ Use Variance: \_\_\_\_\_  
 Interpretation: \_\_\_\_\_ Special Permit: X  
 Other: \_\_\_\_\_ Dumpster

Meeting Date: 12/1/16 at 7:00pm  
 Application Fee: \$ 25.00  
 Date Submitted: 10/6/16  
 Plans Submitted (7 copies): \_\_\_\_\_  
 Environmental Assessment Form Submitted: N/A

Please note:

- Applicant must attend meeting(s).
- Failure to show, withdrawal of application, or denial will result in forfeiture of fee.
- Applicant may be billed for Village Engineer fees related to the review of application.

PROPERTY ADDRESS: 15 Evelyn Dr

Tax Map Parcel #(s): 0109.10-3-103.22 Parcel size: 103 width 206 depth

Property Zoning District: O-Residential Property Class: 642

Present Use of Property: residential group home private Proposed Use of Property: same

Provision of Code Appealed (give section and subsection numbers): 21-5

Previous applications for this property: \_\_\_\_\_ Planning Board \_\_\_\_\_ Zoning Board of Appeals  
 If yes, provide results: \_\_\_\_\_

Description of Proposal / Detail of Request: Dumpster

### Certification of Statements:

The applicant(s) hereby affirms that the above information is accurate and complete, to the best of his/her knowledge and he/she they is/are the title owner(s) of the property or has/have been authorized by the title owner(s) to make this application.

I/We hereby certify that I/We am/are title owner(s) of the property identified in the above application and that the applicant(s) named is/are authorized to make the application described herein.

Applicant Signature \_\_\_\_\_

Pauline Rose Dr  
 Owner Signature

Applicant Name Printed/Typed \_\_\_\_\_

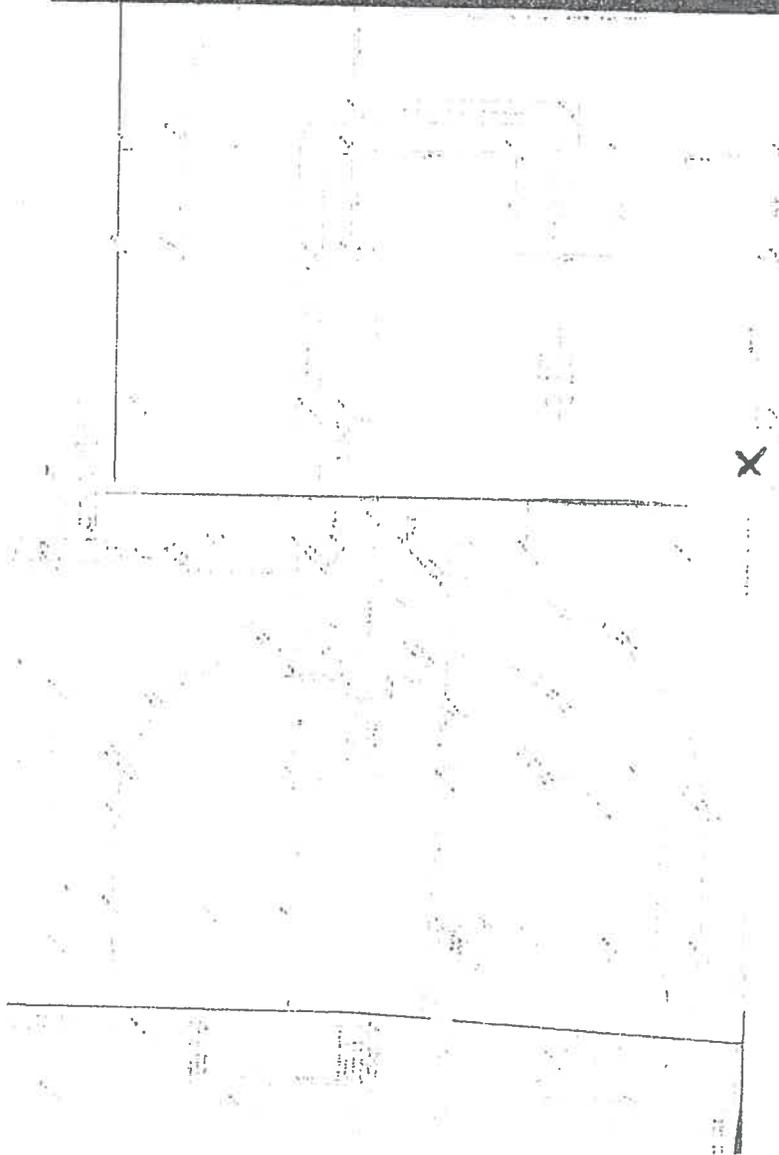
Litche Rose Dr  
 Owner Name Printed/Typed

Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

425 Paul Road Brockport NY 14424  
 Street City State Zip

Phone # \_\_\_\_\_ E-mail \_\_\_\_\_

585-424-4100  
 Phone # E-mail



→ Dumpster located here

CHECK HAS  
LARGE MAP  
TO SHOW  
AT ZBA MTG.



# VILLAGE OF BROCKPORT

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Erie Canalway Heritage Award of Excellence  
Climate Smart Community*

November 15, 2016

Winston Woods  
c/o Samuel Santandrea  
1207 Stone Road  
Rochester, NY 14616

Dear Mr. Santandrea:

The Village is in receipt of your application to the Zoning Board of Appeals regarding Winston Woods Apartments on South Avenue for a special residential dumpster use permit as outlined in Chapter 21-5 of the Village Code.

The ZBA will review your application at its meeting: **Thursday, December 1, 2016 at 7:00pm** in the Village Hall Conference Room, 49 State Street.

Your attendance or that of a representative is required at the meeting. Please be prepared to present the application and bring any further materials that might support its approval (i.e. photographs).

Any questions prior to the meeting should be directed to me at 637-5300 X12 or BI/CEO Miller at 637-5300 X19. Thank you.

Sincerely,



Leslie Ann Morelli  
Brockport Village Clerk

Xc: ZBA file

VILLAGE OF BROCKPORT  
 NOV - 3 2016  
 PER \$25.00 CHK # LHA

# VILLAGE OF BROCKPORT

49 State Street, Brockport, New York 14420  
 Telephone: (585)-637-5300 Fax: (585)-637-1045  
 Website: [www.brockportny.org](http://www.brockportny.org)

## ZONING BOARD OF APPEALS APPLICATION

**DEADLINE: By Tuesday Noon at least 3 weeks prior to meeting**

Meeting Date: 12/1/16 at 7:00pm

Application Fee: \$ 25.00

Date Submitted: 11/3/16

Plans Submitted (7 copies):

Environmental Assessment Form Submitted: NA

Area Variance: \_\_\_\_\_ Use Variance: \_\_\_\_\_  
 Interpretation: \_\_\_\_\_ Special Permit: X  
 Other: dumpster

Please note:

- Applicant must attend meeting(s).
- Failure to show, withdrawal of application, or denial will result in forfeiture of fee.
- Applicant may be billed for Village Engineer fees related to the review of application.

PROPERTY ADDRESS: Winston Woods Apts - South Ave

Tax Map Parcel #(s): 068.20-3-27 Parcel size: \_\_\_\_\_ width \_\_\_\_\_ depth \_\_\_\_\_

Property Zoning District: O-Residential Property Class: 411 - Apartments

Present Use of Property: residential Apts Proposed Use of Property: same

Provision of Code Appealed (give section and subsection numbers): 21-5

Previous applications for this property: NO Planning Board NO Zoning Board of Appeals  
 If yes, provide results: \_\_\_\_\_

Description of Proposal / Detail of Request: TRASH Dumpster

### Certification of Statements:

The applicant(s) hereby affirms that the above information is accurate and complete, to the best of his/her knowledge and he/she/they is/are the title owner(s) of the property or has/have been authorized by the title owner(s) to make this application.

I/We hereby certify that I/We am/are title owner(s) of the property identified in the above application and that the applicant(s) named is/are authorized to make the application described herein.

Applicant Signature \_\_\_\_\_

[Signature]  
 Owner Signature

Applicant Name Printed/Typed \_\_\_\_\_

SA Santandrea  
 Owner Name Printed/Typed

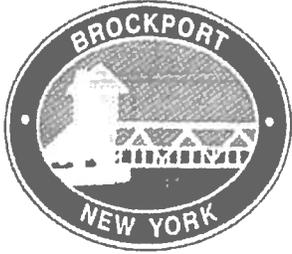
Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ E-mail \_\_\_\_\_

Phone # \_\_\_\_\_ E-mail \_\_\_\_\_





## VILLAGE OF BROCKPORT

49 State Street · Brockport, New York 14420  
Telephone (585) 637-5300 · Fax (585) 637-1045  
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*The Victorian Village on the Erie Canal  
Preserve America Community  
Listed on the State and National Registers of Historic Places  
Certified Local Government  
Tree City USA Community  
Erie Canalway Heritage Award of Excellence*

September 20, 2016

Winston Woods  
c/o Samuel Santandrea  
1207 Stone Rd  
Rochester, NY 14616

RE: Dumpster service at Winston Woods Townhomes

This notice is to inform you that your property located on South Ave. is in violation of the Brockport Village Code chapter 21-5 which states:

*“Within exclusively used residential property, no dumpsters shall be used for the collection or storage of garbage or rubbish. However, any proposed and/or existing trash dumpsters within residential neighborhoods or residentially used property which are in existence prior to the adoption of this chapter are permitted so long as the property owner obtains a special residential dumpster use permit granted by the Zoning Board of Appeals.”*

Currently there is no special use permit or Zoning Board approval on file for the dumpster located on South Ave. Please understand that compliance is mandatory in accordance with local law. The Building & Code Enforcement Department has notified your waste management provider that, unless a permit is obtained, their dumpster must be removed from the property.

To apply for a special use permit, please complete the enclosed Zoning Board of Appeals application and return in with the application fee of \$25.00 (cash/check/money order) to the Building & Codes Department at 49 State St., Brockport, NY 14420. We appreciate your immediate cooperation in this matter. If you have questions, please contact my office at (585) 637-5300 ext. 19.

Sincerely,

David J. Miller, Jr.  
Building Inspector/Code Enforcement Officer

