

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~  
~~City~~ of Pittsford  
Town  
~~Village~~

FILED  
STATE RECORDS

DEC 13 2011

DEPARTMENT OF STATE

Local Law No. 9 of the year 2011

A local law

Amending the Town of Pittsford Municipal Code, enacting Residential Neighborhood (RN) Zoning District; enacting Residential Design Standards & Guidelines; enacting Standards and Guidelines for Certificates of Appropriateness; amending provisions Relating to Historic Preservation and Residential Design Review; and related Technical Code amendments

**AMENDED TO INCLUDE EXHIBITS A, B, C, AND D –**  
**which were not included in the original mailing to you**

Be it enacted by the Town Board of the  
*(Name of Legislative Body)*

~~County~~  
~~City~~ of Pittsford, New York as follows:  
Town  
~~Village~~

(If additional space is needed, attach pages the same size as this sheet, and number each.)



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 9 of 2011 of the ~~(County)~~ (City) (Town) (~~Village~~) of Pittsford, New York was duly passed by the Town Board on December 7 2011, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20, and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20, and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on \_\_\_\_\_ 20, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20, and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

Such local law was subject to permissive referendum and no valid partition requesting such referendum was filed as of \_\_\_\_\_ 20, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.



~~5. (City local law concerning Charter revision proposed by petition.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.~~

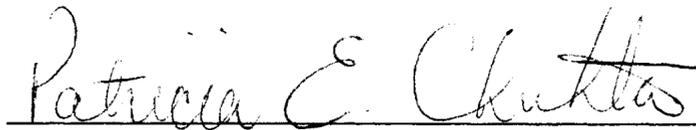
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph, 1 above.

(Seal)

  
\_\_\_\_\_  
Signature Patricia E. Chuhta

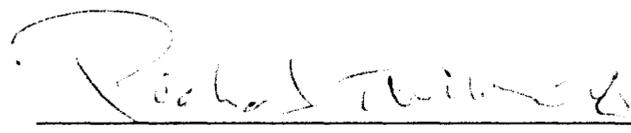
\_\_\_\_\_  
Clerk, Town of Pittsford, New York  
Title

Date: December 7, 2011

**Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF MONROE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature Richard T. Williams II, Esq.

\_\_\_\_\_  
Attorney for the Town of Pittsford, New York  
Title

Date: December 7, 2011



**BE IT ENACTED BY THE  
TOWN BOARD OF THE  
TOWN OF PITTSFORD  
NEW YORK  
AS FOLLOWS:**

**LOCAL LAW NO. 9 OF 2011:  
THE ADOPTION OF PROPOSED LOCAL LAW NO. 9 of 2011:  
AMENDING THE TOWN OF PITTSFORD MUNICIPAL CODE,  
ENACTING THE RESIDENTIAL NEIGHBORHOOD (RN) ZONING  
DISTRICT; ENACTING RESIDENTIAL DESIGN STANDARDS AND  
GUIDELINES; ENACTING STANDARDS AND GUIDELINES FOR  
CERTIFICATES OF APPROPRIATENESS; AMENDING PROVISIONS  
RELATING TO HISTORIC AND DESIGN REVIEW; AND RELATED  
TECHNICAL CODE AMENDMENTS**

Sec. 1 Title

This Local Law shall be known as “Local Law No. 9 of 2011: Amending the Town of Pittsford Municipal Code, enacting the Residential Neighborhood (RN) Zoning District; enacting Residential Design Standards and Guidelines; enacting Standards and Guidelines for Certificates of Appropriateness; amending provisions relating to historic preservation and design review; and related technical Code amendments”.

Sec. 2 Amendment #1 to Existing Law

The Pittsford Town Code, Chapter 133, Article VIII, shall be amended to revise §133-33 to read, as follows:

**§ 133-33. Amount of exemption; conditions.**

- A. Historic property shall be exempt from taxation to the extent of any increase in value attributable to such alteration or rehabilitation pursuant to the following schedule:

Year of Exemption	Percent of Exemption
1	100%
2	66.66%
3	33.33%
4	0%

- B. No such exemption shall be granted for such alterations or rehabilitation unless:
- (1) Such property has been designated as a landmark, pursuant to Article XXX of this Code.
  - (2) Alterations or rehabilitation must be made for means of historic preservation.
  - (3) Such alterations or rehabilitation shall be subject to prior approval by the



Design Review and Historic Preservation Board pursuant to Article XXX of Chapter 185 of this Code, including the issuance of a certificate of appropriateness as required by § 185-196 thereof.

- (4) Alterations or rehabilitation is commenced subsequent to the effective date of this article.

Sec. 3 Amendment #2 to Existing Law

The Pittsford Town Code, Chapter 185, Articles IV; V; and VI, shall be amended to delete the provisions of §185-12 through and including §185-23 and be replaced, as set forth on “Exhibit A” attached hereto and made a part hereof.

Sec. 4 Amendment #3 to Existing Law

The Pittsford Town Code, Chapter 185, Article VIII, shall be amended to revise §185-28 to read, as follows:

§ 185-28. Permitted uses.

The following uses are permitted in the RRAA Residential District:

- A. Single-family dwelling.
- B. Agricultural uses.
- C. Open space.
- D. Accessory uses, subject to § 185-113.

Sec. 5 Amendment #4 to Existing Law

The Pittsford Town Code, Chapter 185, Article VIII, shall be amended to revise §185-33.3 to read, as follows:

§ 185-33.3. Permitted uses.

The following uses are permitted as principal uses within the RRSP District:

- A. Single family dwelling.
- B. Private stable; keeping of horses (per the standards in Pittsford Town Code § 185-116).
- C. Farm operations, provided that such operations are consistent with §§ 150 and 308 of the Agriculture and Markets Law of the State of New York.
- D. Farm stand, subject to the provisions of § 185-114.
- E. Open space.

Sec. 6 Amendment #5 to Existing Law

The Pittsford Town Code, Chapter 185, Article VIII, shall be amended to revise §185-34 to read, as follows:

§ 185-34. Permitted uses.

The following uses are permitted in the SRAA Residential District:

- A. Single-family dwelling.



- B. Agricultural uses.
- C. Colleges, subject to § 185-133.
- D. Golf courses.
- E. Open space.
- F. Accessory uses, subject to § 185-113.

Sec. 7 Amendment #6 to Existing Law

The Pittsford Town Code, Chapter 185, Article IXA, shall be amended to revise §185-39.7 to read, as follows:

**§ 185-39.7. Additional requirements for MATZ properties.**

The following provisions are applicable to all properties within the District, except for those provisions which are identified as applicable only to those properties seeking special permit approval for a change in use. To the extent that any property does not comply with these requirements as of the effective date of this article, it shall be considered a preexisting nonconforming use or condition, subject to the limitations applicable to such uses or conditions as are contained in this Code or otherwise under law.

- A. Appearance of buildings and grounds. The architectural and general appearance of all buildings and grounds shall be in keeping with the character of the neighborhood, and such is not to be detrimental to the public health, safety and general welfare of the community in which such use or uses are located. All extra building facade and site modifications shall conform to the Monroe Avenue Design Guidelines, dated April 2, 2002, as amended and supplemented.
- B. Lot and bulk requirements. The following shall be applicable to all lots and use conversions/site modifications in the MATZ Zone:
  - (1) Lot size. Each shall be located on a lot in compliance with the following:
    - (a) Each lot shall have a minimum area of 45,000 square feet.
    - (b) Each lot shall have a minimum lot width and road frontage of 150 feet.
    - (c) No more than one primary structure shall be erected on any one lot.
  - (2) Dwelling size. Each single-family dwelling shall provide a minimum square foot area on each floor of the dwelling as follows (for descriptions of each dwelling type and method of measurement see § 185-129):
    - (a) Each Type I dwelling shall provide 1,200 square feet on the first floor.
    - (b) Each Type II dwelling shall provide 1,000 square feet on the first floor and 500 square feet on the second floor.
    - (c) Each Type III dwelling shall provide 800 square feet on the first floor and 640 square feet on the second floor.
  - (3) Required setbacks. Subject to the supplemental setback provisions of §185-120, the minimum required setbacks for each structure are:
    - (a) Front setback: 70 feet.



- (b) Rear setback: 35 feet.
  - (c) Side setback: 15 feet.
  - (4) Height. The maximum permitted height of any structure or dwelling is 30 feet, except that chimneys attached to such structures may extend five feet above the highest point of the building.
  - (5) Lot coverage. All buildings, structures and impervious surfaces (including gravel drive areas) shall not occupy in the aggregate more than 20 percent of the parcel on which such buildings, structures and impervious surfaces are to be located.
- C. Other performance standards.
- (1) Wooded landscape buffer.
    - (a) With the exception of routine, seasonal maintenance or minimal clearing for utility connections, no trees and/or shrubs shall be trimmed or removed from the area within the wooded landscape buffer on any parcel. The dimensions of the buffer are as follows:
      - [1] Front yard buffer: 35 feet. The construction of a walk and driveway are excluded.
      - [2] Side yard buffer: 15 feet.
      - [3] Rear yard buffer: 20 feet.
    - (b) Notwithstanding the foregoing, however, the Planning Board may, during the site plan review process, require the replacement, preservation and/or planting of larger wooded landscape buffer areas to screen parking, refuse storage or similar uses from abutting properties to advance the purposes of this Code.
    - (c) Nothing contained herein shall affect the applicability of Article XXVII, Landscape Alteration Permits (§ 185-183 et seq., Code of the Town of Pittsford) as it relates generally to lots located within the MATZ Zone.
  - (2) Where Design Review and Historic Preservation Board review is required by this chapter, such Board, in addition to any other general or specific standards it would apply in any other application, shall consider and apply the following specific considerations:
    - (a) The project shall respect the existing architectural and landscape design of the existing residential setting, considering the overall context of the site and building in terms of its history, surroundings and the aesthetic sense of its original designer and builder.
    - (b) Any improvements shall be completed in a residential style and shall be compatible with the adjacent structures and neighborhood.
    - (c) The project, including landscaping, shall feature elements of a residential scale, proportion and landscaping.
    - (d) For those projects seeking a special permit, no conversions/site modifications shall result in more than a total five-percent increase in nonresidential square footage of any structure on any lot within the MATZ Zone.
    - (e) New construction of a residence shall be designed to complement the architectural and landscape design of the district.



- (3) Parking. For those projects seeking a special permit, all parking facilities shall:
  - (a) Be located behind the front facade line of the principal residential structure on the lot.
  - (b) Be suitably screened with plantings and/or fencing.
  - (c) Have a maximum number of parking spaces of 8 (eight) parking spaces per parcel.
- (4) Lighting. All exterior lighting fixtures shall utilize incandescent bulbs. Lighting of walks, parking areas shall be accomplished with low-level lighting in a residential style. Maximum height of any freestanding light fixture shall be eight feet. No light source shall be so positioned or installed so as to cause glare or spillage into neighboring property beyond that normally associated with residential use.
- (5) Signage. For any permissible home occupation or special permit use, one small, freestanding sign, made of wood or nonglare finish material, may be erected. Such sign may not exceed three square feet in area, nor exceed four feet in length in one dimension. Lighting of such sign is permitted by direct illumination (no backlit or translucent signs permitted), provided that the lighting source is entirely screened from view. The signpost may not exceed five feet in height. The provisions of §185-134, Signs in residential districts, shall also apply to this District.
- (6) Traffic generation. For those projects seeking a special permit, no use shall exceed an average daily traffic generation of 20 vehicle trips per day. Trip generation shall be determined by the Planning Board using published professional manuals and other reliable sources. The Planning Board may require vehicle or pedestrian interconnections between properties, subject to a special permit review, in order to protect the safety of the public and to reduce congestion on Monroe Avenue.
- (7) Change of use. No specially permitted use may be changed to any other use without review of such change by the Code Enforcement Officer. Such review shall determine that the proposed new use would be allowed as a specially permitted use and to what extent, if any, mitigation of the impact of such use would be necessary. The Code Enforcement Officer may counsel with and receive guidance from the Planning Board to make these determinations.

Sec. 8      Amendment #7 to Existing Law

The Pittsford Town Code, Chapter 185, Article XA, shall be amended to revise §185-46.6 to read, as follows:

**§ 185-46.6. Performance standards.**

- A. Visual buffering.
  - (1) Landscaped front lawns shall be provided from the edge of road pavement or curbing to the edge of the building front.
  - (2) Parking in the front setback area of the property is prohibited. For corner properties, the Planning Board may allow parking in one of the setbacks.



- (3) Landscaped visual buffering of main site buildings, parking areas, walkways, internal roads and appurtenant structures is required and is subject to Planning Board approval prior to the issuance of a permit of occupancy or operation.
  - (4) HVAC units and dumpsters shall be kept to the rear of the front line of the main structure and shall be vegetatively or otherwise unobtrusively screened from view and are subject to Planning Board approval prior to the issuance of a permit of occupancy or operation.
- B. Accessory structures. Accessory structures shall be constructed to the rear of the front line of the primary structure.
- C. Loading docks. All loading docks shall be located to the rear of the front line of the primary structure. Loading dock(s) shall not be placed in a manner that impedes traffic.
- D. Parking.
- (1) All premises shall be provided with adequate hard-surface (asphalt or concrete) parking areas of sufficient size to accommodate all employees, service personnel and business visitors.
  - (2) Parking shall be placed to the side and rear of the front line of the primary structure.
- E. Signage. Signs are subject to Planning Board review and shall not be erected in the C-2 Commercial District except as provided within § 185-138.
- F. Illumination of signs in the C-2 Commercial District. The illumination of signs is subject to Planning Board review and is prohibited in the C-2 Commercial District except as provided by § 185-141A.
- G. Regulations applicable to awnings and/or canopies. Awnings and/or canopies are subject to Planning Board review and Design Review and Historic Preservation Board approval and shall not be erected in the C-2 Commercial District except as provided within § 185-140.
- H. Illumination of buildings, landscaping and parking areas.
- (1) Average levels of illumination for all building, landscaping and parking shall not significantly exceed minimum levels necessary for safety and security lighting and shall not unnecessarily encroach on adjacent properties and shall be so arranged as to prevent direct glare onto any adjacent property or highway.
  - (2) Pedestrian-scale lighting shall be on fixtures not exceeding fifteen feet in height. These can be freestanding fixtures located along sidewalks. Luminaires without cut-offs are acceptable for pedestrian-level lights. Luminaires should fit the design palette of the project, while complementing other nearby architectural styles.



- (3) Parking and circulation lighting fixtures shall not exceed 25 feet in height and are required to have ninety-degree cutoff-type luminaire(s) to prevent light above the fixture.

Sec. 9          Amendment #8 to Existing Law

The Pittsford Town Code, Chapter 185, Article XVII, shall be amended to revise §185-113 to read, as follows:

**§ 185-113. Accessory uses and structures.**

The following accessory uses and structures are permitted on the premises of single- and two-family dwellings, but only in connection with and incidental to a permitted principal use and in compliance with the restrictions of this section.

- A. Permitted accessory uses. Permitted accessory uses and structures shall be limited to the following, and any additional use or structure which the Commissioner of Public Works finds is similar to those listed in scope, size and impact, is customarily associated with residential dwellings and is otherwise in compliance with this chapter:
  - (1) A home occupation which:
    - (a) Involves no persons other than the persons residing in the dwelling unit;
    - (b) Shows no visible evidence from the exterior of the dwelling unit of the conduct of the occupation, except for signage that is required by law;
    - (c) Generates no additional traffic nor parking beyond the typical traffic and parking in the neighborhood in which the home occupation is located; and
    - (d) Is conducted entirely inside the dwelling unit.
  - (2) Private greenhouse.
  - (3) Private tennis or outdoor recreational court, provided that back and side backstops shall not exceed 12 feet.
  - (4) Aboveground deck.
  - (5) Gazebo or treehouse.
  - (6) Freestanding air-conditioning machinery.
  - (7) Servants' quarters for full-time servants only.
  - (8) Storage structure.
  - (9) Private swimming pool, subject to § 185-119.
  - (10) Fence, subject to § 185-121.
  - (11) Keeping of horses, subject to § 185-116.
  - (12) Sale of produce, subject to § 185-114.
  - (13) Satellite antennas, subject to § 185-127.
  - (14) Flagpole.
  - (15) Garden shed.
- B. Prohibited accessory uses. Prohibited accessory uses include, but are not limited to: outdoor storage, subject to the provisions of §185-115.
- C. Use limitations. The following limitations apply to accessory uses and structures:



- (1) The size of a roofed or enclosed accessory structure shall not exceed 180 square feet in area, except for garden sheds which shall not exceed 120 square feet in area.
- (2) The height of an accessory structure shall not exceed 12 feet as measured from the average grade at the front of the accessory structure to the highest point of the structure.
- (3) No accessory use or structure shall be located forward of the rear wall of the main structure on the lot on which the accessory structure is located; flagpoles are exempt from this restriction.
- (4) Accessory structures shall be included in the calculations required by this chapter for the purpose of complying with height and lot coverage regulations.
- (5) An accessory use or structure shall be located on the same lot as the principal use or structure served.
- (6) The side and rear setbacks for accessory structures shall be those required for dwellings in the applicable zoning district, except for “garden sheds” which may be constructed not closer than four feet from the rear and side property lines if located within the rear setback.

Sec. 10                      Amendment #9 to Existing Law

The Pittsford Town Code, Chapter 185, Article XVII, shall be amended to revise §185-124 to read, as follows:

§ 185-124. Places of worship.

In reviewing an application for a special permit for places of worship, the Planning Board shall, at a minimum, require that the following criteria be met:

- A. Required setbacks. The minimum required setbacks for places of worship are:
  - 1) Front setback: 70 feet.
  - 2) Rear setback: 10 feet.
  - 3) Side setback: 20 feet.
- B. Lot size. Each place of worship shall be located on a lot with a minimum land area of three acres.
- C. Lot coverage. All buildings, structures and impervious surfaces shall not occupy in the aggregate more than 33% of the area of the parcel or parcels on which such building, structures and impervious surfaces are to be located.
- D. Parking.
  - (1) Off-street paved parking must be provided, with one parking space for every three seats within the structure. Where seating is bench-type, each 20 inches shall be counted as one seat.



- (2) Each parking space shall be at least 180 square feet in area, with a minimum width of eight feet, exclusive of access drives or aisles, and shall be of usable shape and condition.
  - (3) There shall be adequate provision for ingress and egress to all parking areas and parking spaces.
  - (4) Pavement in parking areas shall be an asphaltic or portland cement surface or crushed stones and shall be so graded and drained as to conform to Chapter 161, Drainage Control, and other standards.
  - (5) Parking areas shall be screened by either an unpierced masonry wall or solid fence, earthen berm or evergreen hedging of appropriate and acceptable design.
  - (6) Parking areas with a capacity of more than 100 vehicles must be laid out in smaller sectors broken up by aisles and/or landscaping, with adequate pedestrian walkways.
  - (7) The fence, wall, berm or hedge required herein for parking areas shall be at least three feet and not over six feet in height.
  - (8) All parking areas are to be located behind the rear wall of the main structure, and such parking areas shall meet the relevant setback requirements contained in this chapter.
- E. Lighting. Lighting on the premises shall be guarded, shielded and regulated in such manner that it shall not project, disperse or display any light rays beyond the boundary lines of the premises on which it is located. Plans for such lighting must be approved by the Planning Board as part of the site plan approval process.
- F. Signs.
- (1) Places of worship may have a one-sided or two-sided identification sign not to exceed 24 square feet in size per side, which sign may be attached to the main structure or be freestanding. If such sign is freestanding the topmost point of such sign and its supports, if any, shall be not more than 10 feet above grade. The sign may be lighted, but the lighting may not be of the flashing, intermittent or interrupted type.
  - (2) Places of worship may have two directional signs which may be freestanding or attached to a building and bearing the word "Entrance" and/or "Exit" and/or "Parking." Such signs shall not exceed 18 inches by 36 inches and shall be not more than 36 inches above grade level.
- G. Height. The maximum permitted height of places of worship and their related structures, not including a spire, shall be 30 feet, except that a chimney attached to a place of worship may extend 10 feet above the highest point of the structure.
- H. All other relevant requirements of this Code not inconsistent with these criteria shall be applicable to places of worship.



- I. Need and location. By New York decisional law, the applicant shall not be required to make an affirmative showing of the need for the proposed establishment or expansion of the place of worship, and the particular site chosen may not, in and of itself, be the basis for a denial of the special permit.

Sec. 11                      Amendment #10 to Existing Law

The Pittsford Town Code, Chapter 185, Article XVII, shall be amended to revise §185-133 to read, as follows:

§ 185-133. Schools.

In reviewing an application for a special permit for a school or college, the Planning Board shall, at a minimum, require that the following criteria be followed:

- A. Required setbacks. The minimum required setbacks for school and college structures and parking areas are as follows:
- 1) Front setback: 70 feet.
  - 2) Rear setback: 10 feet.
  - 3) Side setback: 20 feet.
- B. Lot coverage. All buildings, structures and impervious surfaces shall not occupy in the aggregate more than 50% of the area of the parcel or parcels on which such building, structures and impervious surfaces are to be located.
- C. Parking.
- (1) Adequate off-street paved parking must be provided.
  - (2) Each parking space shall be at least 180 square feet in area, with a minimum width of eight feet, exclusive of access drives or aisles, and shall be of usable shape and condition.
  - (3) There shall be adequate provision for ingress and egress to all parking areas and parking spaces.
  - (4) Pavement in parking areas shall be an asphaltic or portland cement surface or crushed stones and shall be so graded and drained as to conform to Chapter 161, Drainage Control, and other standards.
  - (5) Parking areas shall be screened by an unpierced masonry wall or solid fence, earthen berm or evergreen hedging of appropriate and acceptable design.
  - (6) Parking areas with a capacity of more than 100 vehicles must be laid out in smaller sectors broken up by aisles and/or landscaping, with adequate pedestrian walkways.
  - (7) The fence, wall, berm or hedge required herein for parking areas shall be at least three feet and not over six feet in height.



- D. Lighting. Lighting on the premises shall be guarded, shielded and regulated in such manner that it shall not project, disperse or display any light rays beyond the boundary lines of the premises on which it is located. Plans for such lighting must be approved by the Planning Board as part of the site plan approval process.
- E. Signs. The premises may contain two signs, freestanding and/or attached to the structure, identifying the school or college. Such signs shall not exceed three feet in height by five feet in length, and the topmost point of any freestanding sign and its supports, if any, shall be not more than 10 feet above grade. The signs may be lighted, but the lighting may not be of the flashing, intermittent or interrupted type.
- F. Height. The maximum permitted height of a school or college and its related structures shall be 30 feet, except that a chimney attached to a school may extend 10 feet above the highest point of the structure.
- G. All other relevant requirements of the Town Code not inconsistent with these criteria shall be applicable to schools and colleges.
- H. Need and location. By New York decisional law, the applicant shall not be required to make an affirmative showing of the need for the proposed establishment or expansion of the school and the particular site chosen may not, in and of itself, be the basis for a denial of the special permit.

Sec. 12                                      Amendment #11 to Existing Law

The Pittsford Town Code, Chapter 185, Article XVIII, shall be amended to revise §185-138 to read, as follows:

§ 185-138. Signs in the commercial and C-2 districts.

Permanent signs in the commercial and C-2 districts shall be limited to the following:

- A. Identification signs.
  - (1) Signs identifying businesses or service establishments shall be allowed as provided herein.
  - (2) No sign shall be erected in any commercial district unless such sign so erected is attached to a building or structure. No such sign shall extend more than six feet above the roof of any building.
  - (3) For a business or service establishment, and except as allowed by the provisions of Subsection A(5) hereof, a single sign identifying such business or service establishment shall be allowed on the main entry facade of such business or service establishment, such sign not to exceed 1 1/2 square feet in area for each linear foot of main entry facade, defined as the smallest rectangle that will contain all the elements of the sign.
  - (4) Except as allowed by the provisions of Subsection A(5) hereof, all signage shall be located on the main entry facade of each business and/or service establishment.
  - (5) The Planning Board is hereby authorized to approve, upon proper application and following a public hearing, an overall sign location plan for



an entire building, including each and every business and/or service establishment located therein. In reviewing such application, the Planning Board shall have the following authority and shall consider the following criteria:

- (a) The overall sign location plan shall include all proposed signs for the entire building, including any and all businesses or service establishments therein.
- (b) The total allowable square footage of signage for a building shall be as calculated in accordance with the provisions of Subsection A(3), above, except that for buildings with multiple stories and multiple businesses and/or service establishments, total signage may be increased by up to .75 square feet for each linear foot of story above the building's main entry facade.
- (c) Signage may be located on facades other than the main entry facade.
- (d) Signs in excess of one per business or service establishment may be allowed, provided that the overall square footage of signage does not exceed the amount allowed herein.
- (e) The location and size of each and every proposed sign shall be clearly set forth on a scaled building elevation plan.
- (f) Sign location and individual sign sizes shall be appropriately spaced, shall be proportional to one another and shall properly balance the need for visual recognition by the location of signs on facades other than the main entry facade with the visual impact of such proposed signs on the district and/or nearby structures.
- (6) All signs are subject to review and approval by the Design Review and Historic Preservation Board, in accordance with the provisions of § 200-205.
- (7) All signs, if illuminated, shall conform to the illumination guidelines set forth in § 185-141.
- (8) All signs shall be subject to a building permit and to the then-current fee schedule of the Town of Pittsford.

B. Directional signs. Directional signs such as ENTER and EXIT shall be permitted to facilitate traffic flow entering and exiting properties having a minimum of 50 parking spaces, with the following conditions:

- (1) Such signs shall not exceed 36 inches in width by 18 inches in height and shall not exceed 40 inches total height above grade nor obstruct the sight distance of drivers of motor vehicles.
- (2) Such signs shall not be placed within the road right-of-way without the written consent of the governmental unit having jurisdiction of the location.
- (3) Such signs shall be limited to ENTER and EXIT signs bearing no advertising and to signs related to public safety as deemed necessary by the Commissioner of Public Works or state Department of Transportation.

Sec. 13                      Amendment #12 to Existing Law

The Pittsford Town Code, Chapter 185, Article XVIII, shall be amended to revise §185-140 to read, as follows:



§ 185-140. Awnings and canopies.

- A. Purpose. The purpose of this section is to establish standards for the fabrication, erection and use of awnings and canopies, illuminated and nonilluminated, in non-residential districts. These standards are to promote the public welfare, health and safety of persons within the community assuring proper design, installation and maintenance in said zoning district.
- B. Definitions. As used herein, the following terms shall have the meanings indicated:

AWNINGS and/or CANOPIES -- Movable or fixed ornamental roof-like structures extended from the face of a structure and constructed of durable materials, including fabrics, which may contain its own illumination and may display lettering or other business insignia.

- C. Regulations applicable to all awnings and canopies.
  - (1) In addition to the specific requirements set forth herein, any awning or canopy shall conform, where applicable, to the Monroe Avenue Design Guidelines, dated April 2, 2002, as amended and supplemented.
  - (2) A building permit is required for the placement of awnings and/or canopies. Prior to the issuance of a building permit, the applicant shall furnish to the Code Enforcement Officer plans and specifications for the proposed installation. If such awnings and/or canopies are over 30 square feet in size or exceed 10 feet in length, such plans and specifications must be signed and sealed by a professional engineer or registered architect. In the case of awnings and/or canopies of a lesser size the Code Enforcement Officer may require such certified plans and specifications.
  - (3) The Design Review and Historic Preservation Board shall examine all applications for awnings and/or canopies prior to a building permit being issued. It shall consider the appropriate relationship between the size, design and shape of the awning and/or canopy and of the structure to which it will be attached, as well as the placement of the awnings and/or canopies on the structure.
  - (4) Any lettering or other business insignia on awnings and/or canopies shall be governed by this chapter's provisions governing signs.
  - (5) Awnings and/or canopies on all structures within the same tax parcel must be installed in accordance with an overall plan for awnings and/or canopies within that tax parcel and installed contemporaneously and must be uniform with respect to color, fabric or other materials used, size and shape, amount of projection from the structure face, height of bottom above ground and projection above roof line, amount and type of illumination, if any, and style of lettering, if any.
  - (6) Awnings and/or canopies on a single structure housing multiple tenants shall be designed so that each tenant is entitled to one awning or canopy not exceeding 100 square feet where the tenant's store face shall be of sufficient size to permit such, subject to the provisions of Subsection C(5) of this section.



- D. Regulations applicable to illuminated awnings and/or canopies.
- (1) Illuminated awnings and/or canopies shall be considered to be signs and shall be governed in all relevant aspects by this chapter's provisions governing signs in commercial districts, unless a different standard is set forth in this article.
  - (2) Illumination is restricted to one set of double high-output fluorescent fixtures with one band of lights for every four vertical feet of awning and/or canopy.
  - (3) The lighting on illuminated awnings and/or canopies shall be controlled by automatic timing devices to assure that illumination does not occur sooner than 1/2 hour before the business is open to the public or not later than 1/2 hour after the business is closed to the public. In no event shall such illumination be permitted after 11:00 p.m. local time unless the business is actually open to the public.
  - (4) No flashing, intermittent or interrupted illumination is permitted.
  - (5) Underwriters Laboratories (UL) certification of the electrical components shall be provided to the Code Enforcement Officer prior to the issuance of a building permit.
  - (6) All fabrics used in illuminated awnings and/or canopies shall comply with the New York State Building and Fire Codes with respect to flammability standards.

Sec. 14                      Amendment #13 to Existing Law

The Pittsford Town Code, Chapter 185, Article XXI, shall be amended to read, as follows:

**ARTICLE XXI, Design Review and Historic Preservation Board**

**§ 185-147 Creation and appointment.**

There shall be a Design Review and Historic Preservation Board which shall consist of seven members. The Town Board shall appoint the members of the Design Review and Historic Preservation Board and shall annually designate a Chairman and Vice Chairman of the Board.

**§ 185-148 Qualifications of members.**

All members of the Design Review and Historic Preservation Board shall be residents of the Town and shall be deemed qualified by reason of training, experience or civic interest and by reason of sound judgment to determine the effects of an application upon the desirability, property values and development of surrounding areas. Up to three members of such Board shall be registered architects in the state, one of whom must possess demonstrated experience with historic architecture, and at least two members of such Board shall be deemed qualified by reason of training, experience or civic interest and shall have a known interest in historic preservation and architectural development within the Town.

**§ 185-149 Terms of members; removal; filling of vacancies.**



- A. Members of the Design Review and Historic Preservation Board shall serve for seven-year terms, except that the initial Board shall be appointed so that there is one member serving a term of 1, 2, 3, 4, 5, 6 and 7 years, respectively.
- B. The Town Board shall have the power to remove any member of the Board for cause and after public hearing.
- C. If a vacancy shall occur in the Board other than by expiration of term, it shall be filled by the Town Board for the unexpired term.

**§ 185-150 Powers and duties.**

- A. The Design Review and Historic Preservation Board shall have such powers and duties as are granted to it or imposed on it by this chapter.
  - (1) Approval or denial of applications for Design Review, pursuant to Article XXXI of this chapter.
  - (2) Designation of identified structures as landmarks, pursuant to Article XXX of this chapter.
  - (3) Approval or denial of applications for Certificates of Appropriateness, pursuant to Article XXX of this chapter.
  - (4) Such other powers and duties as are granted to it or imposed on it by this chapter.
  - (5) Seeking the advice of professional consultants, subject to Town Board approval.
  - (6) Promulgation of rules and regulations as necessary for the conduct of its business.
  - (7) Adoption of criteria for the identification of significant historic, architectural and cultural landmarks.
  - (8) Conducting surveys of potentially significant historic, architectural and cultural structures within the Town, in order to update the Town's list of inventoried structures. Such survey activity and inventoried structures update shall include a 5 year reassessment of previously inventoried structures to assess any changes in physical integrity and the evaluation of potentially eligible structures that have reached 50 years of age and have not been previously surveyed and/or included on the Town's list of inventoried structures. The results of each such survey shall be submitted to the Town Board for potential amendment to the Town's list of inventoried structures and shall include, at a minimum, representative photographs of structures the Board finds to be appropriate for inclusion in the Town's inventoried structures list, together with statements as to the relevant background and the distinguishing character-defining features of each such structure.
  - (9) Making recommendations to the Town Board concerning the acquisition of facade easements or other interests in real property as necessary to carry out the purposes of this chapter.
  - (10) Increasing public awareness of the value of historic, cultural and architectural preservation by developing and participating in public education programs.



- (11) Making recommendations to the Town Board concerning the utilization of state, federal or private funds to promote the preservation of historic landmarks within the Town.
  - (12) Recommending to the Town Board acquisition of a landmark structure by the Town where its preservation is essential to the purposes of this act and where private preservation is not feasible.
- B. The Board may adopt, after a public hearing, such rules, regulations and forms as it may deem necessary for the proper and efficient discharge of its duties, so long as such rules, regulations and forms do not conflict with state law. Such rules, regulations and forms are subject to the approval of the Town Board.

**§ 185-151 Coordination with Planning Board.**

Upon request of the Planning Board, the Design Review and Historic Preservation Board shall consult with and advise the Planning Board with respect to any site plan or subdivision plan on which it is required to pass under the provisions of law or of this chapter.

**§ 185-152 Records.**

The Design Review and Historic Preservation Board shall keep minutes of its proceedings showing the vote of each member upon every question, or if absent or failing to vote, indicate such fact, and shall also keep records of its examinations and other official actions.

**§185-153 and 185-154 (RESERVED)**

Sec. 15                      Amendment #14 to Existing Law

The Pittsford Town Code, Chapter 185, Article XXII, §185-155 through and including §185-159 are deleted.

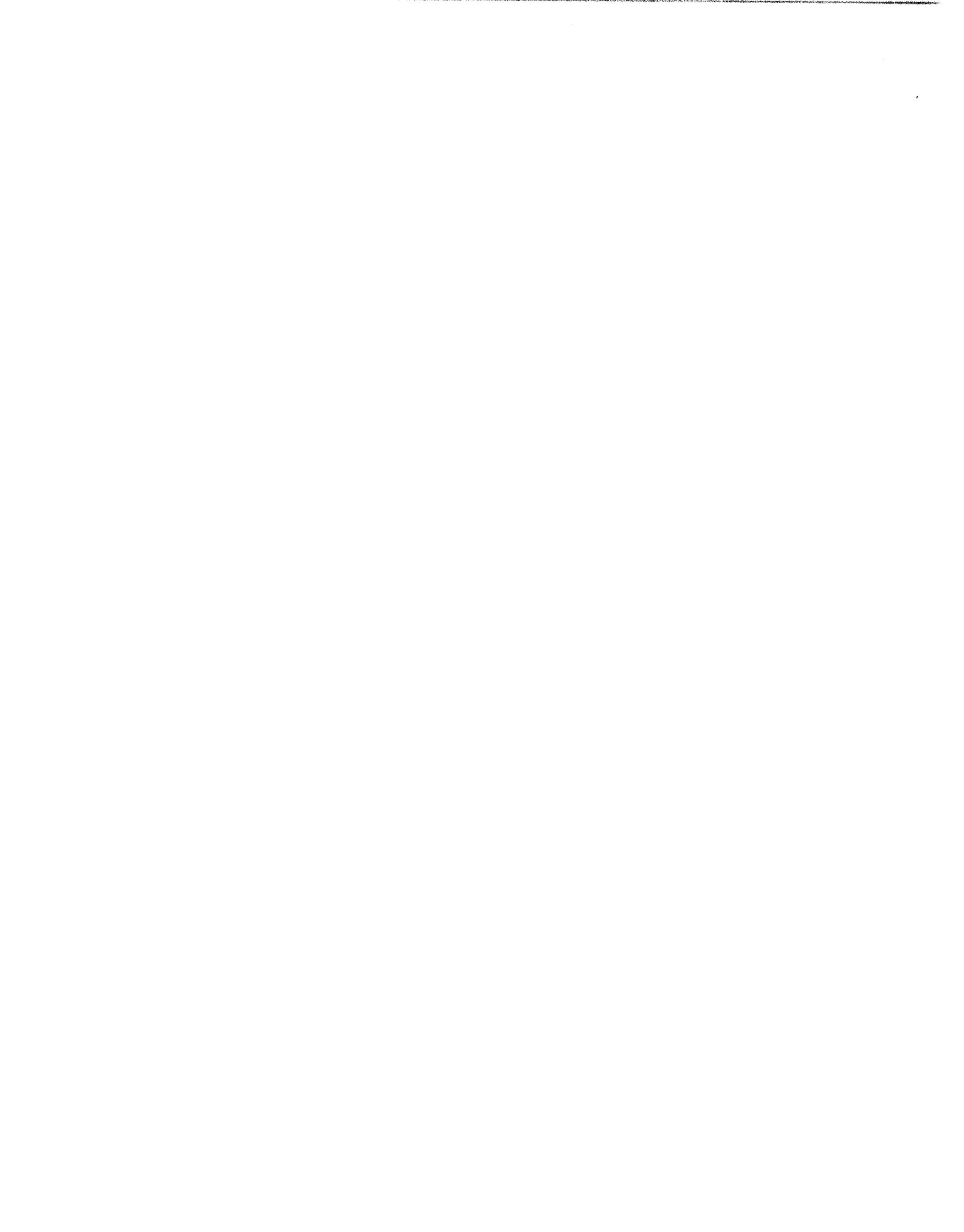
Sec. 16                      Amendment #15 to Existing Law

The Pittsford Town Code, Chapter 185, Article XXIX, shall be amended to revise §185-191 to read, as follows:

§ 185-191. Preliminary application submission requirements.

All applications for preliminary site plan shall be made by the owner or the owner's agent and filed with the secretary of the Planning Board in accordance with such Board's approved submission schedule. No application shall be accepted, considered or scheduled for public hearing until all required materials have been deemed to be complete and accurate. The application shall include, as applicable, the following:

- A. An area map showing applicant's entire holding, that portion of the applicant's property under consideration and all properties, their ownership, uses thereon, subdivisions, streets, zoning districts, easements and adjacent buildings within 500 feet of the applicant's property.
- B. If grades exceed 5% or portions of the site have a moderate to high susceptibility to flooding and ponding, a topographic map showing contour intervals of not more than five feet of elevation shall be provided with an overlay outlining the above susceptible areas, if any.



- C. A project information form and environmental assessment form as required by SEQRA.
- D. A preliminary site plan, including the following information:
  - (1) The title of the preliminary layout, including name and address of the applicant.
  - (2) The North point, scale, date and general location map and names of owners of adjacent land or names of adjacent subdivisions. The North point should be in the upper right-hand corner of each sheet, and the direction of North should be either to the top of each page or to the right-hand side of each page.
  - (3) The boundaries of the project, plotted to scale; if the applicant intends to develop the project in stages, the entire project shall nevertheless be included in the preliminary layout with anticipated stages and timing indicated. The location of proposed land uses and their area in acres and the location, proposed use and height of all buildings and estimates of population and dwelling units by type shall be provided for each layout or stage and an equivalent population estimate for areas not proposed for residential development.
  - (4) A topographic survey showing ground contours for the parcels and parcels adjacent to and within 200 feet of the project at intervals of not more than five feet of elevation, and all pertinent topographic and planimetric features within the site and the adjoining tract, including existing buildings, watercourses and their one-hundred-year flood limits, water bodies, swamps, wooded areas and individual large trees. Features to be retained in the project should be so indicated. If the proposal is not to be served by a public sanitary sewer system, then the topographic survey shall be provided as above except at not more than two feet of elevation, and perk test results, administered by the County Health Department and the layout of the proposed sewage system indicated shall be provided.
  - (5) A detailed location map showing the boundaries of the project in relation to adjoining streets; schematically the locations of the nearest elementary school; water and sewer lines, parks and playgrounds within 1/2 mile of the proposed development and other public facilities, such as shopping, places of worship and public transportation routes as appropriate and land uses adjacent to the proposal.
  - (6) A system for stormwater drainage conforming to Chapter 127, Stormwater Management and Erosion and Sediment Control of this code
  - (7) Existing streets immediately adjoining and within the project and the distance to nearest major street intersection.
  - (8) Existing drains, water lines and sanitary sewer nearby and within the project with their location, size, type and approximate elevations and gradients using mean sea level as datum plane. Existing easements for such facilities should also be shown.
  - (9) A statement as to proposed sources of water supply and method of sewage disposal to include a statement as to who will own the water and sewer systems, a conceptual layout of each system, whether necessary



districts are formed or are in process, the receiving sewage treatment plant, the lines, dimensions and purpose of all utility easements, including properly placed fire hydrants and preliminary design of bridges and culverts. Sanitary and storm sewers and water service must be in public ownership. Also, where water mains are not looped, blowoff valves should be provided.

- (10) A tracing overlay showing all soils areas and their classifications and those areas, if any, with moderate to high susceptibility to erosion. For areas with potential erosion problems, the overlay shall also include and outline any description of existing vegetation.
- (11) A separate drainage report which will clearly indicate the basis of design and the intended method of all stormwater disposal and flood hazard prevention, how all runoff will be handled during grading and development operations and erosions and sedimentation prevention measures.
- (12) The approximate lines and gradients of proposed streets and sidewalks and the names of proposed streets.
- (13) A preliminary grading plan of the site showing locations and approximate size of cuts and fills and cross section for any final grading steeper than 2:1 or where the cut or fill will be deeper than five feet.
- (14) The approximate lines of proposed lots, the acreage or square footage contained in each lot and individual lot numbering. If a proposed lot contains one or more existing buildings, the proposed yard dimensions for such buildings shall be indicated.
- (15) The approximate locations and dimensions of areas proposed for neighborhood parks or playgrounds or other permanent open space.
- (16) The location of any municipal boundary lines, existing special service district lines and zoning district lines within the project.
- (17) Location of all parking and truck-loading areas with access and egress drives thereto.
- (18) Type and location of any potentially hazardous materials of any nature.
- (19) The location and quality of water bodies directly affected by and adjacent to the project and finish or design water levels.
- (20) Any variance or special use permit that may be needed, and any permits needed from the county, state or federal government.
- (21) The location of buffers required either during or after construction is completed and the reason for the buffer and the location of other proposed vegetation and the location of all other site improvements whether public or private.
- (22) The location, size and type of proposed lighting and any anticipated signs.
- (23) The name or names of the landscape architect and/or licensed professional engineer and licensed land surveyor responsible for the preparation of the preliminary layout and preliminary information.
- (24) A delineation of the various residential areas, if applicable, indicating for each such area its general extent, size and composition in terms of total number of dwelling unit type, general description of the intended market



- structure and a calculation of the residential density in dwelling units per gross acre for each such area.
- (25) When applicable, a general description of the provisions of other community facilities, such as schools, fire-protection services and cultural facilities, if any, and indication of how these needs are proposed to be accommodated.
  - (26) Conceptual building elevations.
- E. In addition, the following documentation shall accompany the preliminary site plan:
    - (1) Evidence that the proposal is compatible with the goals of the Comprehensive Plan; and, if the proposal relates to the Commercial District, that the plan conforms to the requirements of the Monroe Avenue Design Guidelines, dated April 2, 2002, as amended and supplemented.
    - (2) If the development is to be staged, a general indication of how the staging is to proceed. Whether or not the development is to be staged, the preliminary plan shall show the intended total project; any project that requires more than 24 months to complete shall be staged.
  - F. All Preliminary Site plans shall be submitted to the Design Review and Historic Preservation Board for its recommendations to the Planning Board.
  - G. The Planning Board may consult with any other Town board, commission, department, agency and/or official it deems advisable. It may also engage the services of engineers, planners or other professionals to aid in the review process. All costs incurred by the board for such professional services shall be reimbursed to the Town by the applicant.
  - H. The Planning Board may require such additional information as appears necessary for a complete assessment of the project.

Sec. 17      Amendment #16 to Existing Law

The Pittsford Town Code, Chapter 185, Article XXIX, shall be amended to revise §185-193 to read, as follows:

§ 185-193. Final site plan application and approval.

- A. Final application. After receiving approval from the Planning Board on a preliminary site plan and approval for all necessary permits and curb cuts from state and county officials, the applicant may prepare a final site plan, which shall be filed with the secretary of the Planning Board in accordance with such Board's approved submission schedule. All final site plans shall be submitted to the Design Review and Historic Preservation Board for its recommendation to the planning Board. The final site plan shall conform to the approved preliminary site plan and shall incorporate any revisions or other features that may have been recommended by the Planning Board at the preliminary review. All compliances shall be clearly indicated by the applicant.
- B. Final approval. Within 62 days of receipt of the certified complete final plan application from the authorized official, the Planning Board shall act upon it. The Planning Board's action shall be in the form of a written resolution approving, with or without conditions, or disapproving the application. If no decision is made within the sixty-two-day period, the final site plan shall be deemed approved.



- (1) Upon approval the Planning Board shall endorse its approval on a copy of the final site plan and shall forward it to the Code Enforcement Officer who shall then issue a building permit if the project conforms to all other applicable requirements, including the approval of the Design Review and Historic Preservation Board.
- (2) Any requirements for improvements shown on the site plan shall be those set forth in this chapter and in other laws, rules and regulations of the Town.

Sec. 18      Amendment #17 to Existing Law

The Pittsford Town Code, Chapter 185, Article XXX, shall be amended to read, as follows:

**ARTICLE XXX, Landmarks, Historic Districts and Certificates of Appropriateness**

**§ 185-195.1 Purpose; intent.**

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of historic landmarks is necessary to promote the economic, cultural, educational and general welfare of the public. Inasmuch as the identity of a people is founded on its past and inasmuch as the Town of Pittsford has many significant historic, architectural and cultural resources which constitute its heritage, this article is intended to:

- A. Protect and enhance the historic landmarks which represent distinctive elements of Pittsford's historic, architectural and cultural heritage.
- B. Foster civic pride in the accomplishments of the past.
- C. Protect and enhance Pittsford's attractiveness to visitors and the support and stimulus to the economy thereby provided.
- D. Ensure the harmonious, orderly and efficient growth and development of the Town.
- E. Stabilize and improve property values in the Town.

**§ 185-155.2 Designation of landmarks.**

- A. The Design Review and Historic Preservation Board may designate a structure as a landmark if it:
  - (1) Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation;
  - (2) Is identified with historic personages;
  - (3) Embodies the distinguishing characteristics of an architectural style;
  - (4) Is the work of a designer whose work has significantly influenced an age; or
  - (5) Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.
- B. The Board may, in designating landmark structures, include a reasonable amount of land surrounding the structure, including any nearby outbuildings, so as to protect the structure or structures from undue encroachment.



- C. Notice of a proposed designation shall be sent by certified mail to the owner of the structure proposed for designation, describing the structure proposed and announcing a public hearing by the Board to consider the designation. Notice of such hearing shall be published at least once in a newspaper of general circulation at least 10 days and not more than 20 days prior to the date of the public hearing. Once the Board has issued notice of a proposed designation, no building or demolition permits shall be issued by the Code Enforcement Officer until the Board has made its decision.
- D. The Board shall hold a public hearing prior to designation of any historic landmark. The Board, owners and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark. The record may also contain staff reports, public comments, or other evidence offered outside of the hearing.
- E. The Board shall file with the Town Clerk the record of its proceedings and its resolution of designation which shall describe the boundaries of the land, if any, surrounding the structure. The Board shall file in the Monroe County Clerk's Office a notice of each designated structure, including surrounding land, if any, referencing it by street name and number and/or tax account number, and referring any interested person to the Town Clerk's Office and the Town Municipal Code for more detailed information.

**§ 185-196 Certificate of appropriateness required.**

No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction or moving of a Designated Structure or a structure located within an Historic District, nor shall any person make any material change in the appearance of such a structure, its light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements visible from a public street or alley or from the Erie Canal, without first obtaining a Certificate of Appropriateness from the Design Review and Historic Preservation Board.

**§ 185-197 Criteria for approval of certificate of appropriateness.**

- A. In passing upon an application for a Certificate of Appropriateness, the Design Review and Historic Preservation Board shall not consider changes to interior spaces, unless they are open to the public, or to architectural features that are not visible from a public way. A public way shall include the Erie Canal.
- B. The Design Review and Historic Preservation Board's decision shall be based upon the following principles:
  - (1) Designated Structures and/or structures which contribute to the character of an Historic District shall be retained, with their historic features altered as little as possible.
  - (2) Any alteration of existing Designated Structures shall be compatible with its historic character and, if located within an Historic District, with the surrounding structures of such Historic District.
  - (3) New construction shall be compatible with the structure and, if located within an Historic District, the surrounding structures of such Historic District.



- C. In applying the principle of compatibility, the Design Review and Historic Preservation Board shall take into consideration any and all distinguishing character-defining features identified at the time such structure was inventoried and/or designated as a landmark, shall be guided by the Standards and Guidelines for Certificates of Appropriateness, dated November 18, 2011, as amended and supplemented, and shall consider the following factors:
- (1) The general design, character and appropriateness to the Designated Structure and/or surrounding structures in an Historic District of the proposed alteration or new construction.
  - (2) The scale of proposed alteration or new construction in relation to the Designated Structure itself and/or surrounding structures in an Historic District.
  - (3) Texture, materials and color and their relation to similar features of the Designated Structure and/or surrounding structures in an Historic District.
  - (4) Visual compatibility with the Designated Structure and/or surrounding structures in an Historic District, including the proportion of the structure's front facade, proportion and arrangement of windows and other openings within the facade, roof shape and the rhythm of spacing structures on streets, including setback.
  - (5) The importance of historic, architectural or other features to the significance of the Designated Structure and/or its Historic District.

**§ 185-198 Application procedure.**

- A. Prior to the commencement of any work requiring a Certificate of Appropriateness, the owner shall file an application for such a Certificate with the Design Review and Historic Preservation Board. The application shall contain information sufficient to clearly describe the alteration and/or construction proposed. Such information shall include, as appropriate, the following:
- (1) The name, address and telephone number of applicant.
  - (2) The location and photographs of the structure.
  - (3) Elevation drawings of proposed changes, in the case of new construction or additions to a structure.
  - (4) Perspective drawings, including relationship to adjacent structures, in the case of new construction or additions to a structure.
  - (5) Samples of color and materials to be used.
  - (6) Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination and a plan showing the sign's location on the property.
  - (7) Any other information which the Design Review and Historic Preservation Board may deem necessary in order to visualize the proposed new construction and/or addition.
- B. No building or demolition permit shall be issued for such proposed work until a Certificate of Appropriateness has first been issued by the Design Review and Historic Preservation Board. The Certificate of Appropriateness required by this section shall be in addition to and not in lieu of any building or other permit that may be required by this chapter or any other law or ordinance of the Town.



- C. The Design Review and Historic Preservation Board shall hold a public hearing on the application at which an opportunity will be provided for proponents and opponents of the application to present their views. The Board shall approve, deny, or approve with conditions the application within 62 days from the close of the public hearing.
- D. All decisions of the Design Review and Historic Preservation Board shall be in writing. A copy shall be sent to the applicant and a copy filed with the Town Clerk's office for public inspection. The Design Review and Historic Preservation Board's decision shall state the reasons for granting, denying or modifying any application.

**§ 185-199 Hardship.**

- A. Hardship criteria.
  - (1) An applicant whose Certificate of Appropriateness for a proposed demolition has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish that:
    - (a) The structure is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
    - (b) The structure cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
    - (c) Efforts to find a purchaser interested in acquiring the structure and preserving it have failed.
  - (2) An applicant whose Certificate of Appropriateness for a proposed alteration has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish that the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible.
- B. Hardship application procedure.
  - (1) After receiving written notification from the Design Review and Historic Preservation Board of the denial of a Certificate of Appropriateness, an applicant may commence the hardship process. No building permit or demolition permit shall be issued unless the Design Review and Historic Preservation Board makes a finding that a hardship exists.
  - (2) The Design Review and Historic Preservation Board may hold a public hearing on the hardship application at which an opportunity will be provided for proponents and opponents of the application to present their views.
  - (3) The applicant shall consult in good faith with the Design Review and Historic Preservation Board, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in the preservation of the structure.
  - (4) All decisions of the Design Review and Historic Preservation Board shall be in writing. A copy shall be sent to the applicant and a copy filed with the Town Clerk's office for public inspection. The Design Review and Historic



Preservation Board's decision shall state the reasons for granting or denying the hardship application.

- (5) Notwithstanding the foregoing provisions of this section, an applicant may combine a hardship application with an application for a Certificate of Appropriateness in the first instance.

### **§ 185-200 Enforcement.**

All work performed pursuant to a Certificate of Appropriateness issued under this article shall conform to any requirements included therein. It shall be the duty of the Code Enforcement Officer to inspect periodically any such work to assure compliance. In the event that work is found that is not being performed in accordance with the Certificate of Appropriateness, or upon notification of such fact by the Design Review and Historic Preservation Board, the Code Enforcement Officer shall issue a stop-work order, and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop-work order is in effect.

### **§ 185-201 Maintenance and repair required.**

- A. Nothing in this article shall be construed to prevent the ordinary maintenance and repair of any exterior architectural features of a Designated Structure or structure within an Historic District which does not involve a change in design, material, color or outward appearance.
- B. No owner or person with an interest in a Designated Structure or structure within an Historic District shall permit the structure to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Design Review and Historic Preservation Board, produce a detrimental effect upon the character or life of the structure or the Historic District. Examples of such deterioration include:
  - (1) Deterioration of exterior walls or other vertical supports.
  - (2) Deterioration of roofs or other horizontal members.
  - (3) Deterioration of exterior chimneys.
  - (4) Deterioration or crumbling of exterior stucco or mortar.
  - (5) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors.
  - (6) Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for the public safety.

### **§ 185-202 Penalties for offenses.**

Notwithstanding any provisions of this chapter to the contrary, the following provisions are applicable for violations of this article:

- A. Failure to comply with any of the provisions of this article shall be deemed a violation, and the violator shall be punishable as provided in § 185-7B of this chapter.
- B. Any person who demolishes, alters, constructs or permits a Designated Structure or structure within an Historic District to fall into a serious state of disrepair in violation of this article shall be required to restore the structure and its site to its appearance prior to the violation. Any action to enforce this subsection shall be



brought by the Town Attorney upon Town Board authorization. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

**§ 185-203 Appeals.**

Any person aggrieved by a decision of the Design Review and Historic Preservation Board relating to hardship or a certificate of appropriateness may, within 15 days of the decision, file a written application with the Town Board for review of the decision.

Sec. 19          Amendment #18 to Existing Law

The Pittsford Town Code, Chapter 185, Article XXXI, shall be amended to read, as follows:

**ARTICLE XXXI, Design Review**

**§ 185-204 Purpose.**

The Town Board hereby finds that excessive uniformity, dissimilarity, inappropriateness with respect to existing neighborhood character and/or context or poor quality of design in the exterior appearance of buildings erected in any area in the Town adversely affects the desirability of the immediate area and the neighboring areas for residential and business purpose or other purposes and, by so doing, impairs neighborhood character, impairs the benefits of occupancy of existing property in such areas, impairs the stability and value of both improved and unimproved real property in such areas with attendant deterioration of conditions affecting the health, safety and general welfare of the community and destroys a proper relationship between the taxable value of real property in such areas and the cost of the municipal services provided therefor. It is the purpose of this article to prevent these and other harmful effects of such exterior appearance of buildings erected or altered in any area in the Town and thus to promote the health, safety and general welfare of the community, conserve the value of buildings and encourage the most appropriate use of land with the Town.

**§ 185-205 Referral of building permit applications; action of Board.**

- A. The Code Enforcement Officer shall promptly refer to the Design Review and Historic Preservation Board any application for a building permit involving exterior elements of a structure, except that review under the provisions of this section shall not be required with respect to any application for which a Certificate of Appropriateness is required pursuant to Article XXX of this chapter or for accessory structures that are in full conformance with the requirements of §185-113 of this chapter. Such referral shall be made only after the Code Enforcement Officer shall have determined that the plans and the specifications submitted with such application comply in all respects with all other laws, rules and regulations of the town. The Design Review and Historic Preservation Board may approve, approve conditionally subject to specified modifications or disapprove any application for a building permit referred to it, provided that such disapproval is based on a finding that the structure, building or sign for which the permit was applied, would, if erected or altered, be so detrimental to the desirability, property values or development of the surrounding areas as to provide one or more of the harmful effects set forth in this article.



- B. As to buildings and other structures, the Design Review and Historic Preservation Board may disapprove such application if it finds one or more such harmful effects by reason of:
- (1) Excessive similarity to any other nearby structure with respect to one or more of the following features of exterior design and appearance:
    - (a) Apparently identical front or side elevations.
    - (b) Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement.
    - (c) Other significant identical features of design, such as but not limited to material, roof line and height or other design elements, provided that a finding of excessive similarity shall state not only that such excessive similarity exists, but also that it is of such a nature as to be reasonably expected to provoke one or more of the harmful effects set forth in this article.
  - (2) Excessive dissimilarity to any other nearby structure with respect to one or more of the following features:
    - (a) Height of building or height of roof.
    - (b) Other significant design features such as material or quality of architectural design, provided that a finding of excessive dissimilarity exists, but that it is of such a nature as to be reasonably expected to provoke one or more of the harmful effects set forth in this section, and that the finding is not based on personal preference as to taste or choice of architectural style.
  - (3) Inappropriateness in relation to the established neighborhood character and/or context of other structures in residential, commercial and industrial districts in respect to significant design features, such as material or quality or architectural design, provided that a finding of inappropriateness shall state not only that such inappropriateness exists, but also that it is of such nature as to be reasonably expected to provoke one or more of the harmful effects set forth in this section, and that the finding is not based on personal preference as to taste or choice of architectural style.
  - (4) With respect to commercial district applications, failure to conform to the Monroe Avenue Design Guidelines, dated April 2, 2002, as amended and supplemented.
  - (5) With respect to residential district applications, failure to conform to the Residential Design Standards and Guidelines, dated November 18, 2011, as amended and supplemented.
- C. As to signs, the Design Review and Historic Preservation Board may disapprove such application if it finds one or more such harmful effects by reason of noncompliance with any of the following design guidelines:
- (1) Signs shall be designed to be compatible with the surroundings and appropriate to the architectural character of the buildings on which they are placed. Sign panels and graphics shall be related with, and not cover, architectural features and should be in proportion to them.
  - (2) Signs shall be appropriate to the types of activities they represent.



- (3) Layout shall be orderly and graphics should be of simple shape, such as rectangle, circle or oval.
- (4) Illumination shall be appropriate to the character of the sign and surroundings.
- (5) Groups of related signs shall express uniformity and create a sense of harmonious appearance.
- (6) All signage shall be professional in appearance and construction and shall not visually detract from the character of the area or have a negative effect upon the quality and value of surrounding properties.

**§ 185-206 Issuance of building permit.**

The Code Enforcement Officer shall refuse any building permit application disapproved by the Design Review and Historic Preservation Board. If the Design Review and Historic Preservation Board shall fail to disapprove any such application referred to it within 36 days of the date of filing such application or if such Board shall approve any such application, the Code Enforcement Officer shall forthwith issue the building permit, provided that it conforms in all respects to all other applicable laws.

**§ 185-207 Appeals.**

Any person aggrieved by the action of the Design Review and Historic Preservation Board in disapproving a building permit application and of the Code Enforcement Officer in denying such permit because of such disapproval may take an appeal therefrom to the Zoning Board of Appeals.

Sec. 20 Amendment #15 to Existing Law

The “Residential Design Standards and Guidelines, dated November 18, 2011” are hereby adopted as an appendix to the Pittsford Town Code, as set forth on “Exhibit B” attached hereto and made a part hereof.

Sec. 21 Amendment #20 to Existing Law

The “Standards and Guidelines for Certificates of Appropriateness, dated November 18, 2011” are hereby adopted as an appendix to the Pittsford Town Code, as set forth on “Exhibit C” attached hereto and made a part hereof.

Sec. 22 Amendment #21 to Existing Law

The “Residential Styles Guide, dated November 18, 2011” are hereby adopted as an appendix to the Pittsford Town Code, as set forth on “Exhibit D” attached hereto and made a part hereof.

Sec. 23 Severability

If any clause, sentence, phrase, paragraph or any part of this Local Law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this Local Law would have been adopted had any such provision been excluded.



Sec. 23      Effective Date

This Local Law shall take effect on January 1, 2012 and following filing with the Secretary of State.



# EXHIBIT A



ARTICLE IV  
**RN Residential Neighborhood District**

**§185-12. Purpose.**

The RN Residential Neighborhood District is established to provide and maintain land area for neighborhoods of single family dwellings and to preserve the context of such neighborhoods.

**§185-13. Permitted uses.**

The following uses are permitted:

- A) Single Family dwelling.
- B) Accessory uses, subject to §185-113.

**§185-14. Special Permit Uses.**

The following uses may be allowed pursuant to a special permit issued by the Planning Board:

- A) Place of worship, subject to §185-124.
- B) School, subject to §185-133.

**§185-15. Applicability.**

All lots shall comply with the lot and bulk standards of this Article. Any lot existing at the time of adoption of this Article shall be considered legal as to lot size.

**§185-16. Context based approach.**

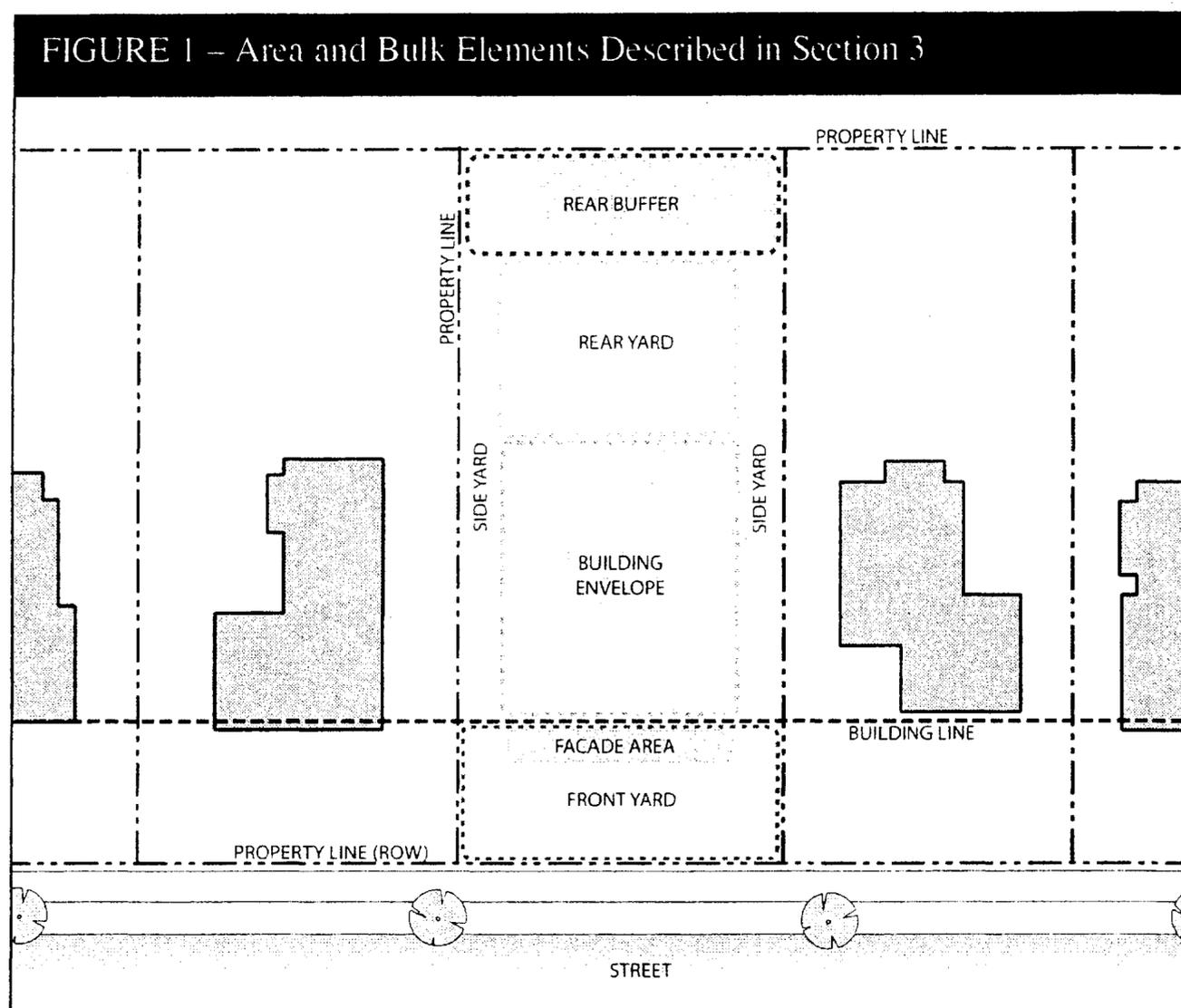
- A) Lot and bulk standards for the construction, expansion, or alteration of homes and accessory structures are based on their neighborhood context. To determine this context, the average lot dimensions of nearby residentially-developed properties have been used. In some cases (such as Side Yard and Building Envelope), averages have been established based on an analysis of existing conditions for parcels throughout the district. The town has utilized tax parcel data, published aerial ortho-photography and other mapping data to determine relevant measurements. As necessary and appropriate, these data sources have been supplemented with other data available to the Town including, but not limited to, subdivision plats, property surveys, etc. Unless otherwise noted, all distances are rounded to the nearest foot.
- B) For the convenience of property owners the Town has established and maintains a database for the district that is on file with the Planning Department and available online. For each parcel in the district, the database contains most of the dimensional requirements outlined in this Article, based on pre-calculated averages derived from existing data as described above. In cases where a property owner has an official survey stamped by a licensed surveyor which indicates a different existing lot width or lot size measurement than what the town has determined in the database, the survey measurement shall be used as the basis for other dimensional requirements that are derived from lot width or lot size.
- C) Lot and bulk requirements for individual lots are determined by applying the provisions of §185-17 to the lot dimensions derived from applying the provisions of sub-section "B" of this section.

**§185-17. Lot and bulk requirements.**

- A) **Front Yard** - The Front Yard is the area from the public right-of-way to the Building Line. Structures and additions are prohibited in the front yard, except as permitted within the Façade Area.
- B) **Building Line** - The minimum Front Yard depth for each lot within the district has been determined by the Town, based on the average Front Yard depth of nearby properties on the street. That average distance from

the right-of-way determines the location of the Building Line. The Town maintains a database that includes the location of the Building Line for each lot, expressed as the distance from the public right-of-way to the closest structural wall of each primary structure, not including cornices, unroofed and unwalled terraces, entrance steps, chimneys or cantilevers that extend 2' or less from the structural wall. In some cases when primary structures are facing a private street, the average front yard depth has been measured and the Building Line located based on distance from the edge of pavement. In the case of some flag lots, and as provided in §185-17(L), where the relationship to a street is ambiguous, the Building Line has been located across the front façade of the existing house.

- 1) Structures and additions are not permitted to extend past the Building Line, except as permitted in a Façade Area, as provided in sub-section "D" of this section. Existing structures which already extend past the Building Line are permitted minor façade additions, provided such additions are contained wholly within the Façade Area.
- 2) For construction of new primary structures, the Building Line shall serve as the "build to" line. Upon proper application, the Design Review and Historic Preservation Board may permit a deeper Front Yard as necessary to save significant trees or to accommodate other unusual site constraints.

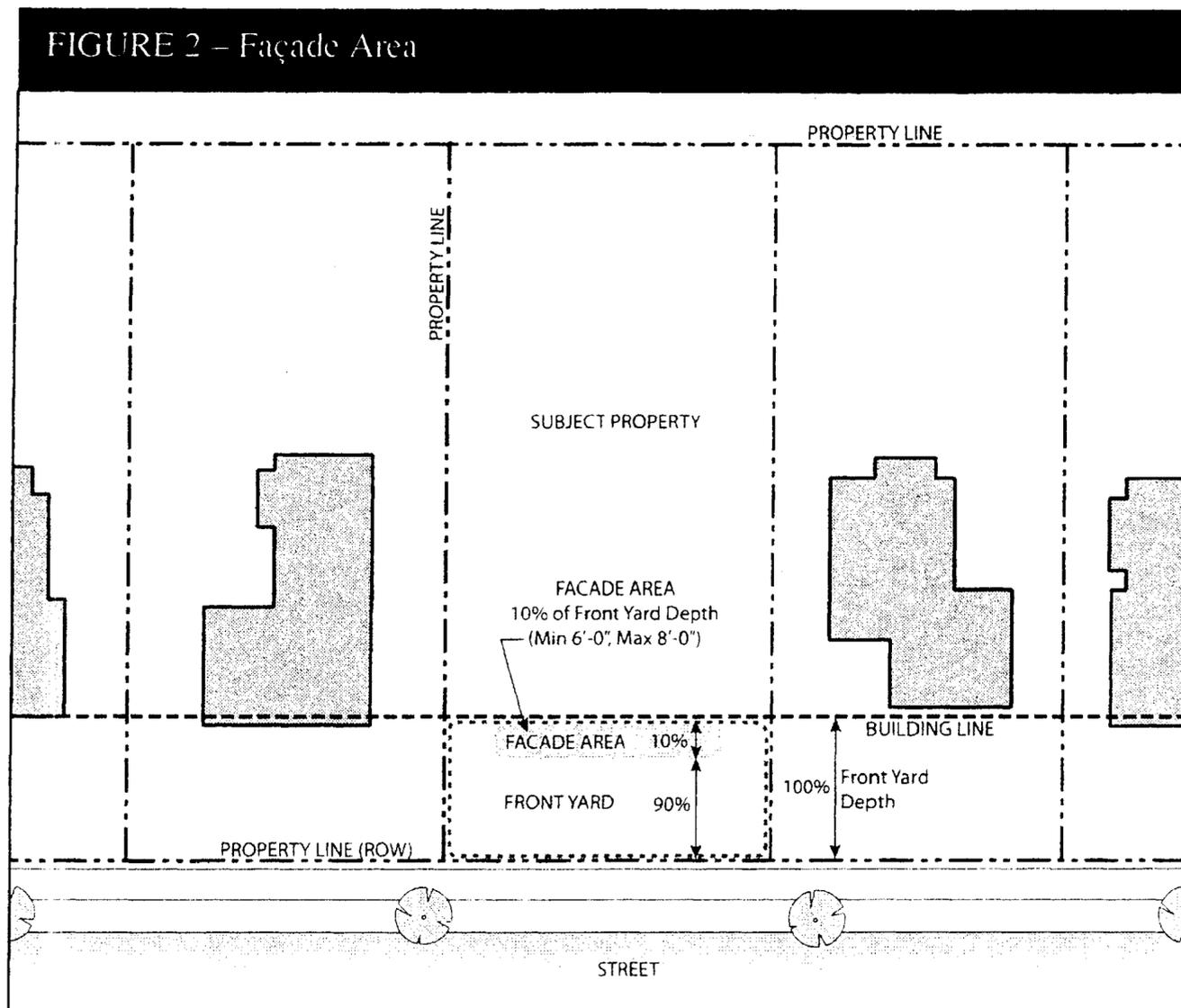


C) **Lot Width** – The width of the lot, measured at the Building Line.

D) **Façade Area** - Minor façade additions such as unenclosed porches, unenclosed entry vestibules, entry canopies and bay windows are permitted to extend forward of the Building Line into the Façade Area. The depth of the Façade Area shall be the greater of either 6 feet, or 10% of the Front Yard Depth, as illustrated in Figure 2. The maximum depth of the Façade Area shall not exceed 8 feet.

- 1) For example, if the Building Line is 40 feet from the right-of-way, the allowed depth of the Façade Area would be 10% of that 40 feet (4 feet) or 6 feet, whichever is greater. In this case, the 6 foot distance is

greater, so the Facade Area would be 6 feet in depth, measured from the Building Line toward the property line (right-of-way).



E) **Side Yard** - The minimum Side Yard for a lot is based on the width of the lot, as specified in Table I. The only permitted structures within the Rear Yard area are permitted accessory structures pursuant to §185-113.

**TABLE I – Minimum Total Required Side Yards**

Lot Width (feet)	Min. One Side	Min. Both Sides Total
Less than 60 Feet	5 Feet	15 Feet
60 Feet – 90 Feet	10 Feet	20 Feet
91 Feet – 120 Feet	10 Feet	25 Feet
121 Feet – 140 Feet	10 Feet	30 Feet
141 Feet – 160 Feet	15 Feet	40 Feet
161 Feet – 180 Feet	15 Feet	60 Feet
181 Feet – 225 Feet	20 Feet	90 Feet
Greater than 225 Feet	20 Feet	120 Feet

F) **Building Envelope** – The Building Envelope is the area on a lot where a structure may be built or expanded. The size of the Building Envelope for a lot is calculated based on the overall lot size, as specified in Table II. The width of the Building Envelope is from Side Yard to Side Yard. The depth of the Building Envelope varies, extending from the Building Line toward the rear of the lot until the Building Envelope size calculated from Table II for the lot is reached. New structures and additions are permitted anywhere within this Building Envelope.

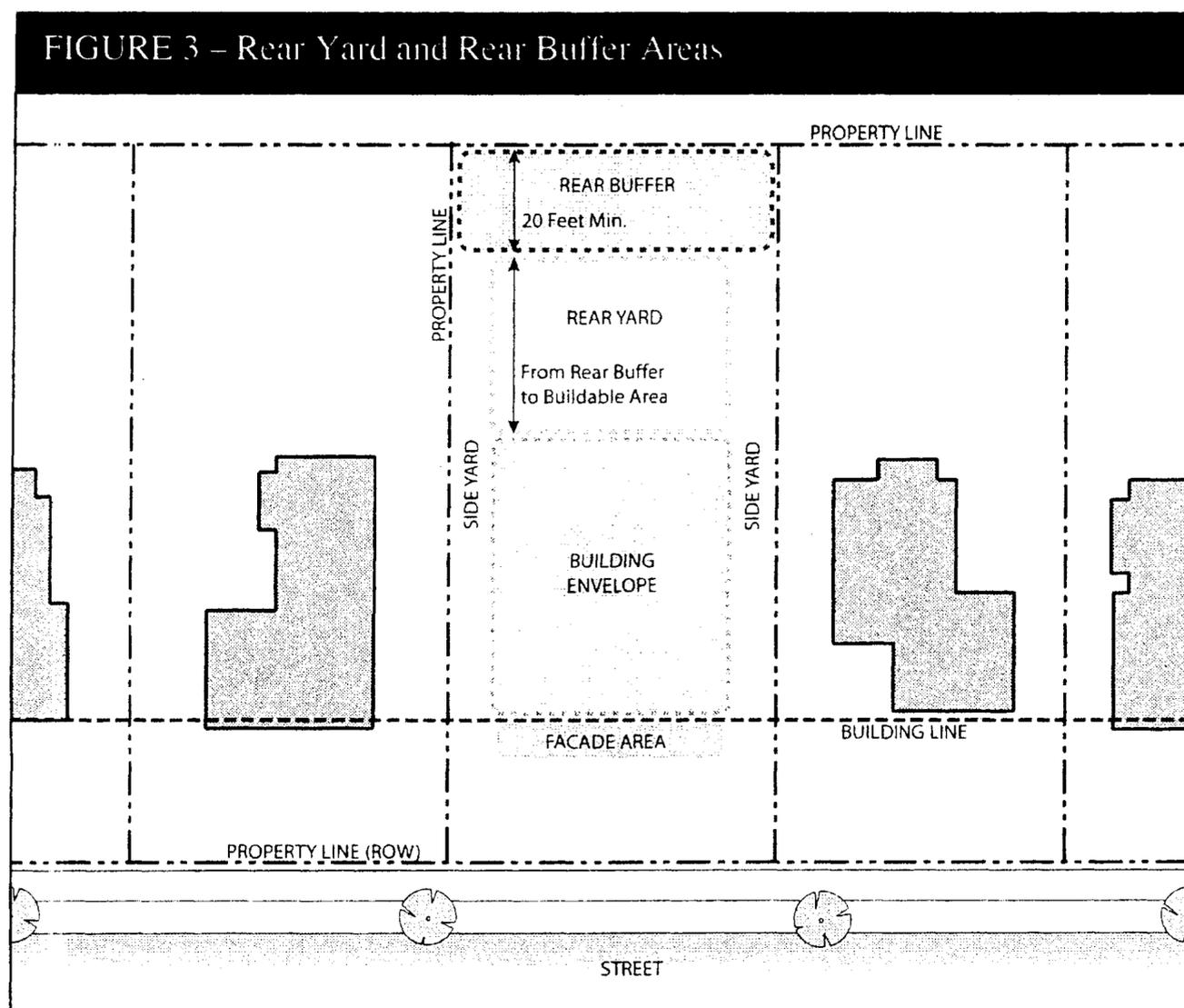
1) The Building Envelope must be rectangular, or as rectangular as possible while following the Side Yards, however it cannot be 'L' shaped or of a similar irregular form to achieve a greater depth than would otherwise be permitted. The Building Envelope must include any existing Building Footprint.

- 2) Minor facade additions may be permitted to extend forward of the Building Line into the Façade Area as permitted in sub-section "D" of this section.
- 3) In cases where an existing primary structure is set back from the Building Line such that a significant portion of the primary structure is outside of the otherwise required Building Envelope, the location of the Building Envelope may be shifted back to allow for reasonable expansion, upon proper application to and with approval of the Design Review and Historic Preservation Board. In no case, however, shall the Building Envelope extend into a required Side Yard or Rear Buffer.
- 4) In cases where a Building Envelope would be excessively wide and/or shallow, or otherwise irregular in shape, the configuration of the Building Envelope may be modified, upon proper application to and with the approval of the Design Review and Historic Preservation Board. In no case, however, shall the Building Envelope extend into a required Side Yard or Rear Buffer.
- 5) **Example** - Assume an 18,000 square foot lot which is 70 feet wide. Based on the Side Yard requirements of Table I, this lot would have to maintain 20 feet of combined Side Yard area. Therefore the width of the Building Envelope would be the remaining 50 feet. Referring to Table II, this lot would be permitted to have a Building Envelope equivalent to 4,900 square feet plus 12% of the lot area over 17,500 square feet (12% of 500 square feet = 60 square feet). Therefore, the Building Envelope would be 4,960 square feet. Dividing the square footage of the Building Envelope by the 50 foot width of the Building Envelope, the Building Envelope would have a depth of 99 feet.

**TABLE II – Building Envelope**

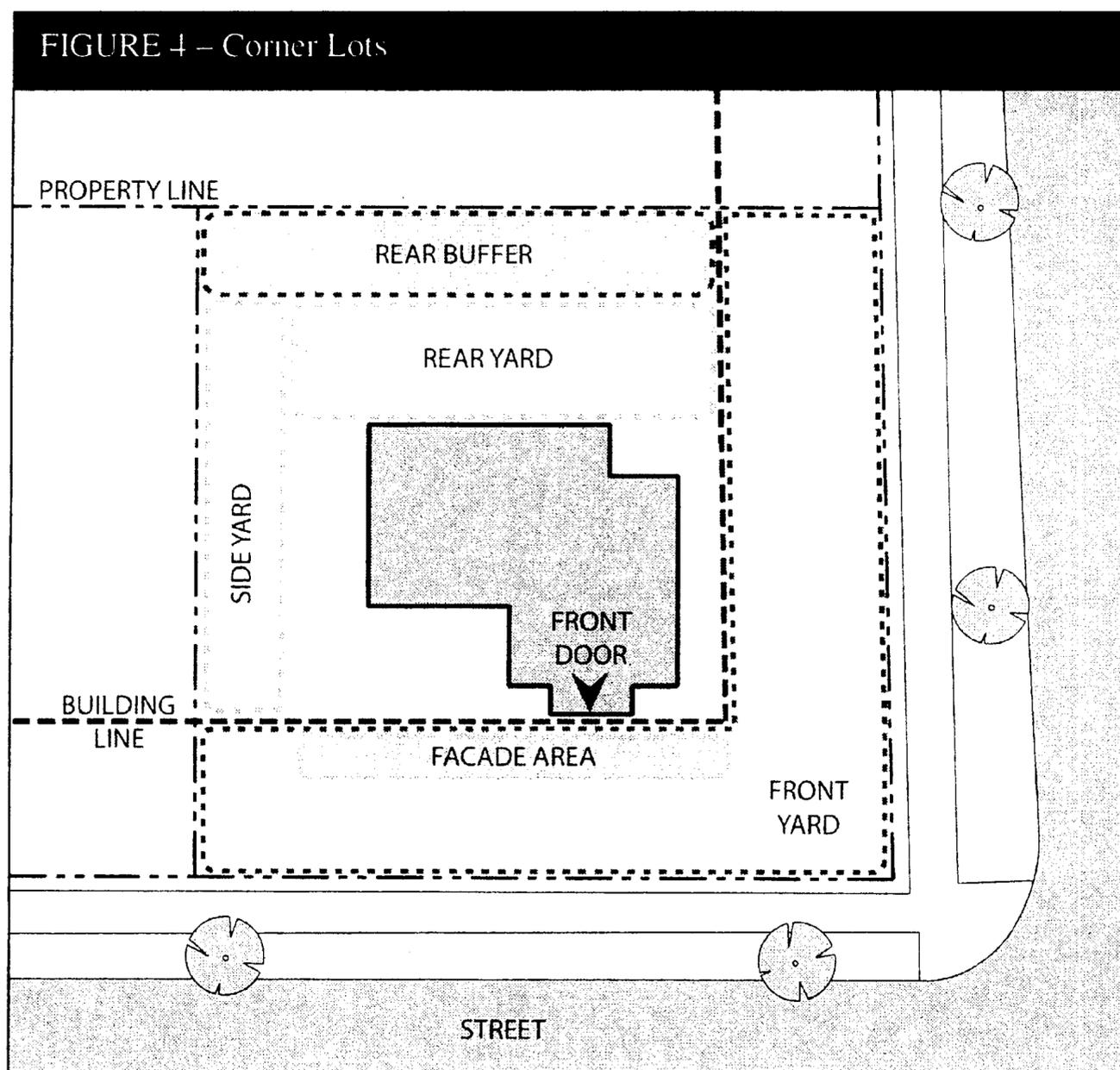
Lot Size (square feet)	Building Envelope (Sq Ft plus Percentage of Lot Size)	Maximum Building Footprint (Sq Ft plus Percentage of Lot Size)
Less than 10,000	34%	29%
10,000 – 12,500	3,400 + 24% of area over 10,000	2,900 + 19% of area over 10,000
12,501 – 15,000	4,000 + 20% of area over 12,500	3,375 + 9% of area over 12,500
15,001 – 17,500	4,500 + 16% of area over 15,000	3,600 + 3% of area over 15,000
17,501 – 20,000	4,900 + 12% of area over 17,500	3,675 + 5% of area over 17,500
20,001 – 25,000	5,200 + 16% of area over 20,000	3,800 + 9% of area over 20,000
25,001 – 30,000	6,000 + 12% of area over 25,000	4,250 + 5% of area over 25,000
30,001 – 35,000	6,600 + 8% of area over 30,000	4,500 + 1% of area over 30,000
35,001 – 45,000	7,000 + 4% of area over 35,000	4,550 + 4% of area over 35,000
Greater than 45,000	7,400 + 12% of area over 45,000	4,950 + 2% of area over 35,000

- G) **Maximum Building Footprint** – The Building Footprint includes all roofed structures that are attached to the primary structure. The Maximum Building Footprint permitted within the combined Building Envelope and Façade Area is based on the overall lot size for that lot, as specified in Table II.
- 1) **Example** - According to Table II, the lot referred to in sub-section “F(5)” of this section would be permitted to have a Maximum Building Footprint equivalent to 3,675 square feet plus 5% of the lot area over 17,500 square feet (5% of 500 square feet = 25 square feet). Therefore, the Maximum Building Footprint would be 3,700 square feet.
- H) **Maximum Lot Coverage** – The Maximum Lot Coverage shall not exceed 40% of the total area of the property. Lot coverage includes all improved surfaces, buildings, driveways, porches, decks, patios, pools and other, similar lot improvements.
- I) **Rear Buffer** - A Rear Buffer shall be applied to all lots extending 20 feet from the rear property line, for the width of the property. Primary or accessory structures are not permitted within this area, except fences and garden sheds in accordance with §185-113.
- J) **Rear Yard** - The Rear Yard area shall extend from the Building Envelope to the Rear Buffer. The only permitted structures within the Rear Yard area are permitted accessory structures pursuant to §185-113.



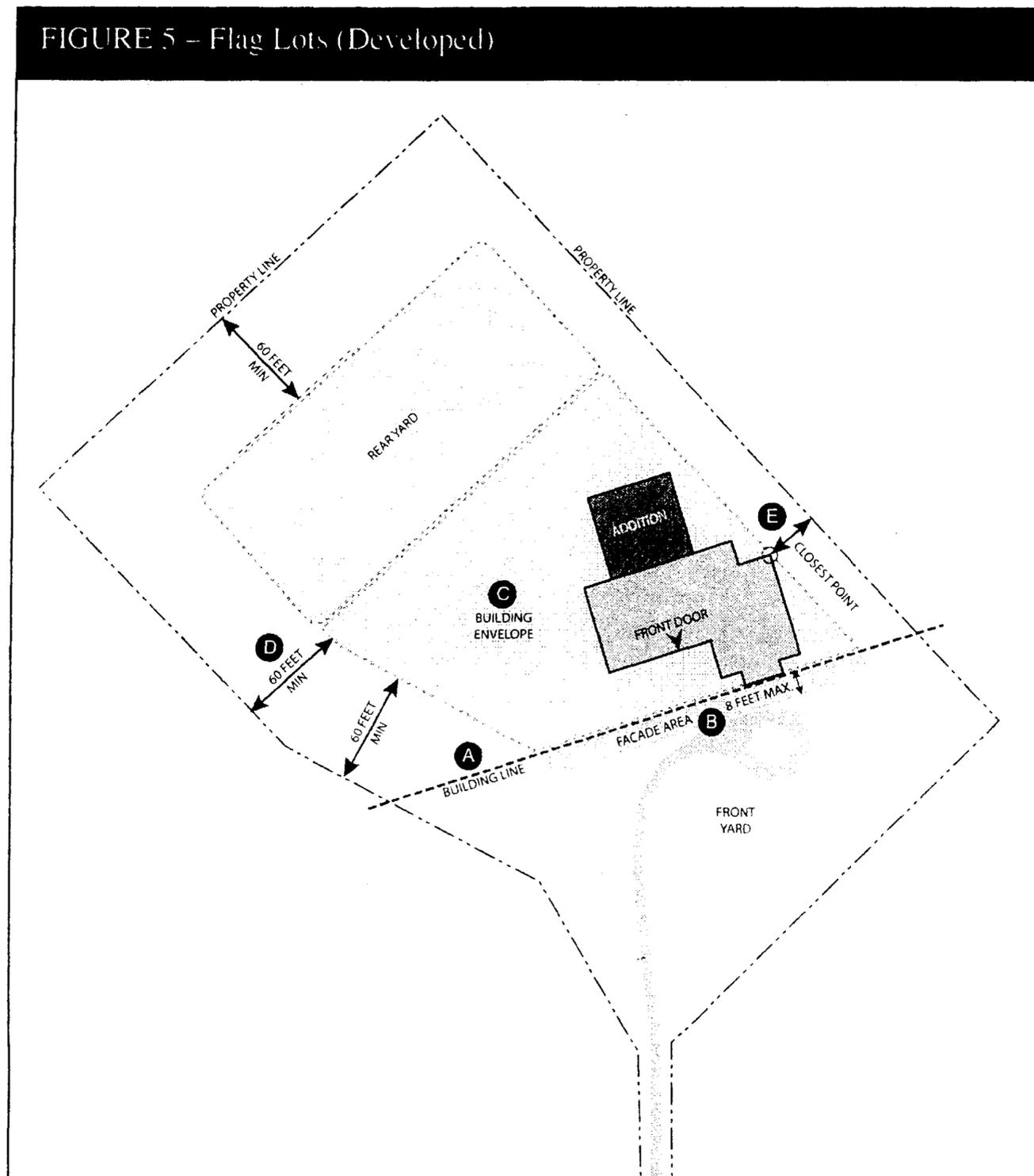
K) **Corner Lots** - Corner Lots are lots that front on more than 1 road right-of way and shall include curved lots that function as a Corner Lot. Corner Lots shall contain a Front Yard abutting each road right-of-way. The Town has determined a Building Line for each Front Yard in existing Corner Lots. The Front Yard toward which the front entry door faces shall be considered the primary Front Yard for establishing all other dimensional requirements described in this section (facade area, lot width, etc.). The yard behind the house, from the front entry door perspective, shall be considered the Rear Yard, while the remaining yard shall be considered the only Side Yard. (See Figure 4)

- 1) In cases where a Corner Lot abuts three streets, each yard abutting a road right-of-way shall be considered a Front Yard and the remaining yard shall be considered the Rear Yard.
- 2) Notwithstanding the provisions of §185-17(E) of this Article, the Side Yard of a Corner Lot shall, in all cases, be 20' in width.
- 3) A new primary structure on a Corner Lot shall be oriented to face the more primary road, unless, upon proper application, it is otherwise determined by the Design Review and Historic Preservation Board that this does not meet the intent of this section or is otherwise out of character with the neighborhood. In cases where there is no clear distinction which street is the more primary road, the property owner may elect which direction the house will face.



L) **Flag Lots** – A Flag Lot is a lot with access that is provided to the bulk of the lot by means of a narrow corridor. Flag Lots that front on or are immediately at the end of a private road or common driveway shall have the same requirements as regular lots. Flag Lots which do not front on or are immediately at the end of a private road or common driveway shall be subject to the following modifications and/or additional requirements:

1) **Flag Lots (Developed)** - Lot and bulk requirements for pre-existing Flag Lots which already have a primary residential structure present are illustrated in Figure 5 and shall be as follows:



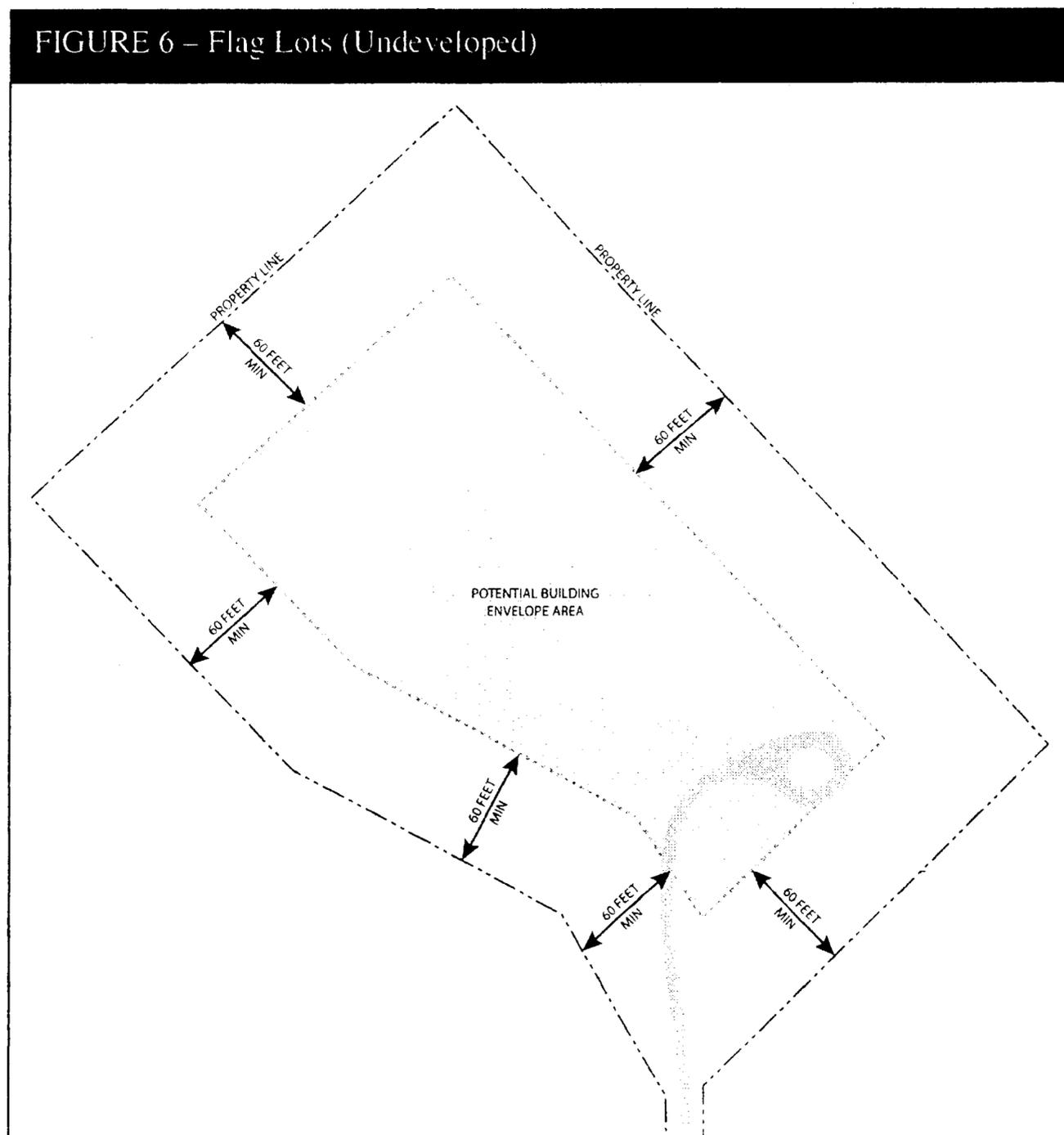
- The Building Line (“A” in Figure 5) shall be determined as a line running parallel with the front facade of the existing house along its front-most face. Upon proper application, the Design Review and Historic Preservation Board shall make a determination as to the location of the Building Line, if it is not readily apparent due to unusual shape or orientation of the house.
- The depth of the Façade Area shall, in all Flag Lots, be 8 feet. (“B” in Figure 5)
- The Building Envelope (“C” in Figure 5) shall be, upon proper application, established by the Design Review and Historic Preservation Board and shall be subject to the following additional requirements:

- (i) The Building Envelope must maintain a minimum distance of 60 feet from any adjoining lot line. (“D” in Figure 5)
- (ii) In cases where the existing primary structure is closer than 60 feet from an adjoining lot line, the Building Envelope may maintain that same distance along that property line segment only. In these cases, the edge of the Building Envelope shall run parallel to that segment of the property line, extending no closer to the property line than the existing house. (“E” in Figure 5) Distances measured from detached garages, sheds or similar accessory buildings shall not be counted toward this provision. Distances measured from additions that are granted an area variance from the Zoning Board of Appeals after the adoption of this Article shall also not be counted toward this provision.
- (iii) The Building Envelope area must be rectangular, or as rectangular as possible while following the Side Yards, however it cannot be “L” shaped or of a similar irregular form to achieve a greater depth than would otherwise be permitted. The Building Envelope must include any existing Building Footprint.

d) All accessory structures, with the exception of fences and garden sheds, shall be located within the Building Envelope and/or the Rear Yard.

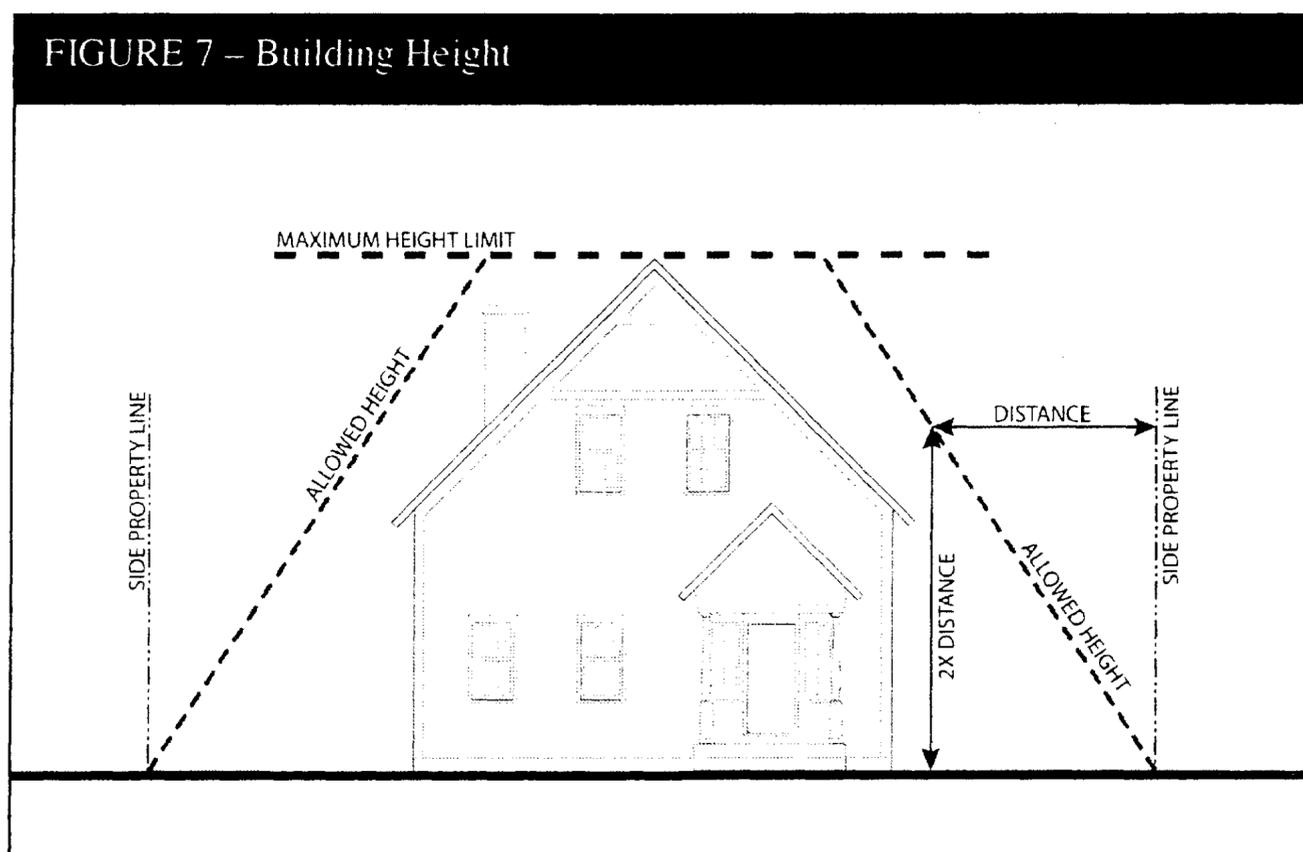
2) **Flag Lots (Undeveloped)** - The lot and bulk requirements for pre-existing and approved Flag Lots which do not already have any residential structures present shall be as follows:

a) Upon proper application, the Design Review and Historic Preservation Board shall determine and set the Building Line, Building Envelope and Rear Yard area. The Building Envelope shall maintain a minimum 60 foot distance from all adjoining lot lines. (Figure 6)



- b) The depth of the Façade Area shall be 8'.
- c) All accessory structures, with the exception of fences and garden sheds, shall be located within the Building Envelope and/or Rear Yard.

M) **Building Height** – The maximum permitted height for structures or additions is 30 feet, except that chimneys attached to such structures may extend five feet above the highest point of the structure. In cases where one or more of the immediately adjacent existing houses exceeds 30 feet in height, upon proper application, the Design Review and Historic Preservation Board may approve additional height, up to but not exceeding the height of the shortest adjacent structure, to a maximum of 40 feet. Further, no portion of the structure shall be taller than twice its distance from the nearest side property line, up to the maximum permitted height.(Figure 7)

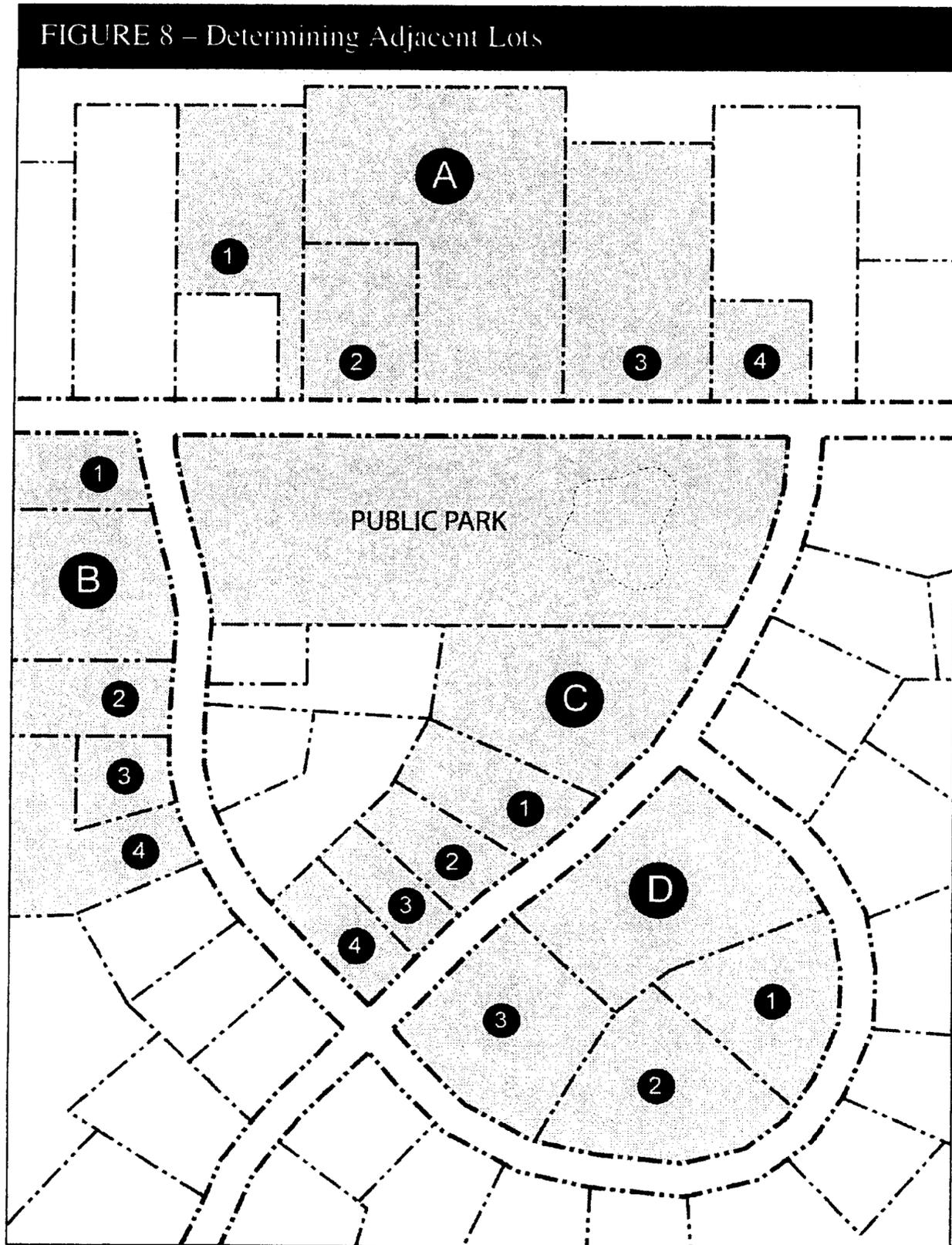


**§185-18. Subdivision of existing lots without the creation of a new road.**

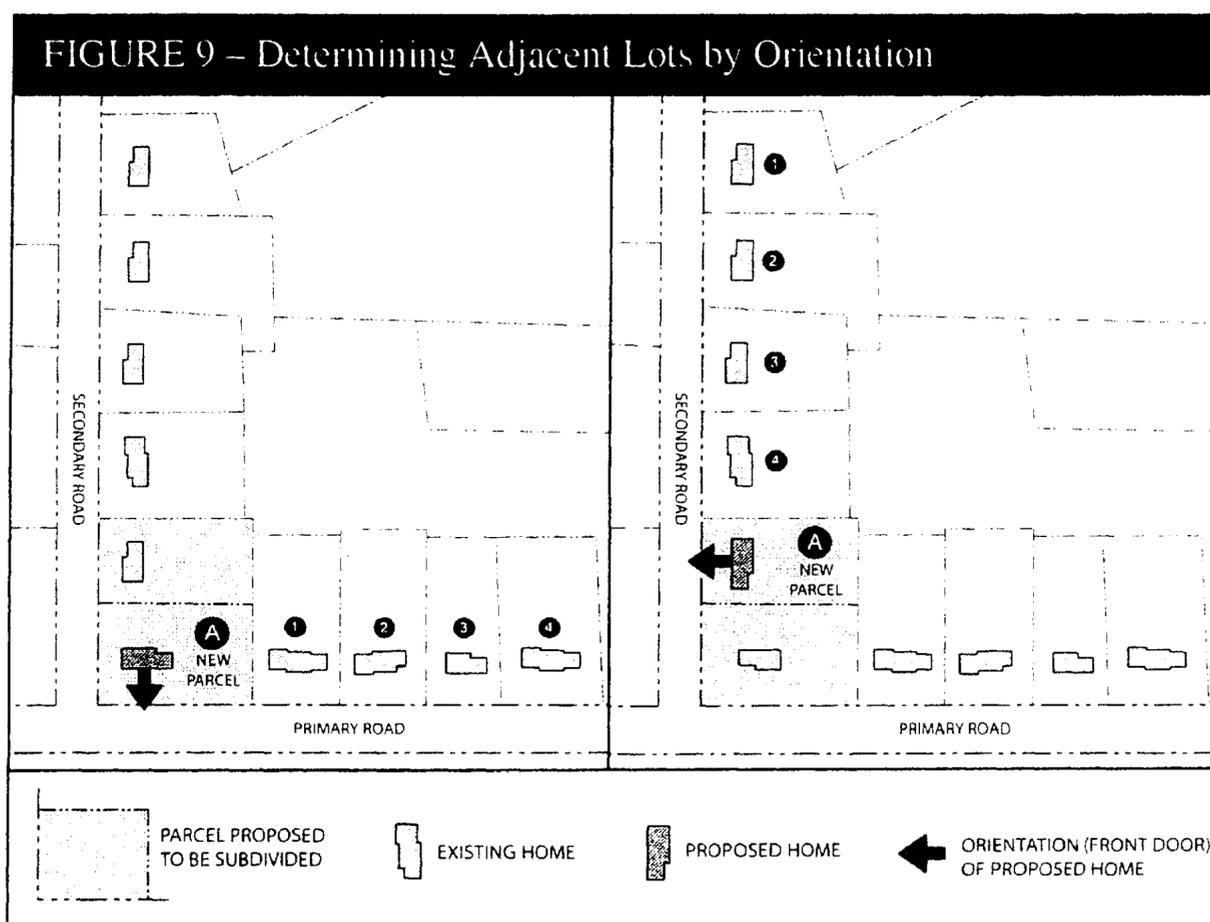
A) **Determining Context** - The subdivision potential of a lot without the creation of a new public or private road shall be determined based on its context to its Adjacent Lots, which shall be chosen as follows:

- 1) The Adjacent Lots must be on the same side of the street as the subject lot, with lot frontage on the same public or private road.
- 2) The Adjacent Lots must be residential lands. Other land use types, such as recreational, institutional, commercial or public lands (schools, golf courses, ball fields, parks, playgrounds or utilities) shall not be counted as Adjacent Lots.
- 3) The Adjacent Lots must be immediately next to and contiguous to the subject lot and to each other.

- a) The two adjacent lots on either side of the subject parcel should be used whenever possible (“Lot A” in Figure 8). If it is not possible to use two lots on either side, then the closest similar combination should be used, such as one to the left and three to the right (“Lot B” in Figure 8), or all four to the same side if necessary (“Lot C” in Figure 8).



- b) If it is not possible to find four adjacent lots which are contiguous with the subject lot and to each other, then three lots may be used (“Lot D” in Figure 8).
- c) Adjacent and contiguous lots do not include those on the other side of a street.
- d) In cases where it is not possible to find 3 adjacent lots for consideration, upon proper application, the Planning Board shall determine which surrounding lots are to be considered Adjacent Lots, including lots further removed or on the opposite side of the public or private road.
- e) On lots which are on or adjacent to corners, the orientation of the proposed primary structure shall dictate which lots shall be counted as the Adjacent Lots. In the example on the left in Figure 9, the proposed primary structure is oriented toward the primary road, so that the four 4 lots along the primary road would be considered the Adjacent Lots, because they are oriented in the same direction. In the example on the right, the four lots on the secondary road would be considered the Adjacent Lots, while the lot on the corner would not be considered an Adjacent Lot since its primary structure is oriented toward a different street.



- B) **Lot Requirements** - The lot requirements for a subdivision that does not include the creation of a new public or private road shall be calculated based on the average dimensions of the adjacent lots and shall be determined as follows:
- 1) **Average Lot Area** - The Average Lot Area is the average of the Adjacent Lots. If this average exceeds 2 acres, then 2 acres shall be used as the minimum lot size of the newly created lot(s)
  - 2) **Average Lot Width** - The average Lot Width is the average of the Adjacent Lots. If this average exceeds 100 feet, then 100 feet shall be used as the minimum Lot Width for the newly created lot(s);
  - 3) **Average Lot Depth** - The average Lot Depth is the average of the Adjacent Lots. The depth shall be measured from the midpoint of the front property line to the furthest part of the rear property line. If this average exceeds 200 feet, then 200 feet shall be used as the minimum lot depth for the newly created lot(s).

- 4) **Example Calculation** - In the example below, the average lot area of the four Adjacent Lots is 1.40 acres. The subject lot may use this average lot area or a default lot area of 2 acres, whichever is lower, as the minimum lot area for any new lots. (In this example 1.4 acres is the minimum lot area.) The average Lot Width of the four Adjacent Lots is 205 feet. The subject lot may use this average Lot Width of 205 feet or a default Lot Width of 100 feet, whichever is lower, as the minimum Lot Width for any new lots. (In this example, the default Lot Width of 100 feet is the minimum Lot Width.) This calculation is repeated for lot depth to determine the final minimum dimensional requirement for any new lots created from the subject lot.

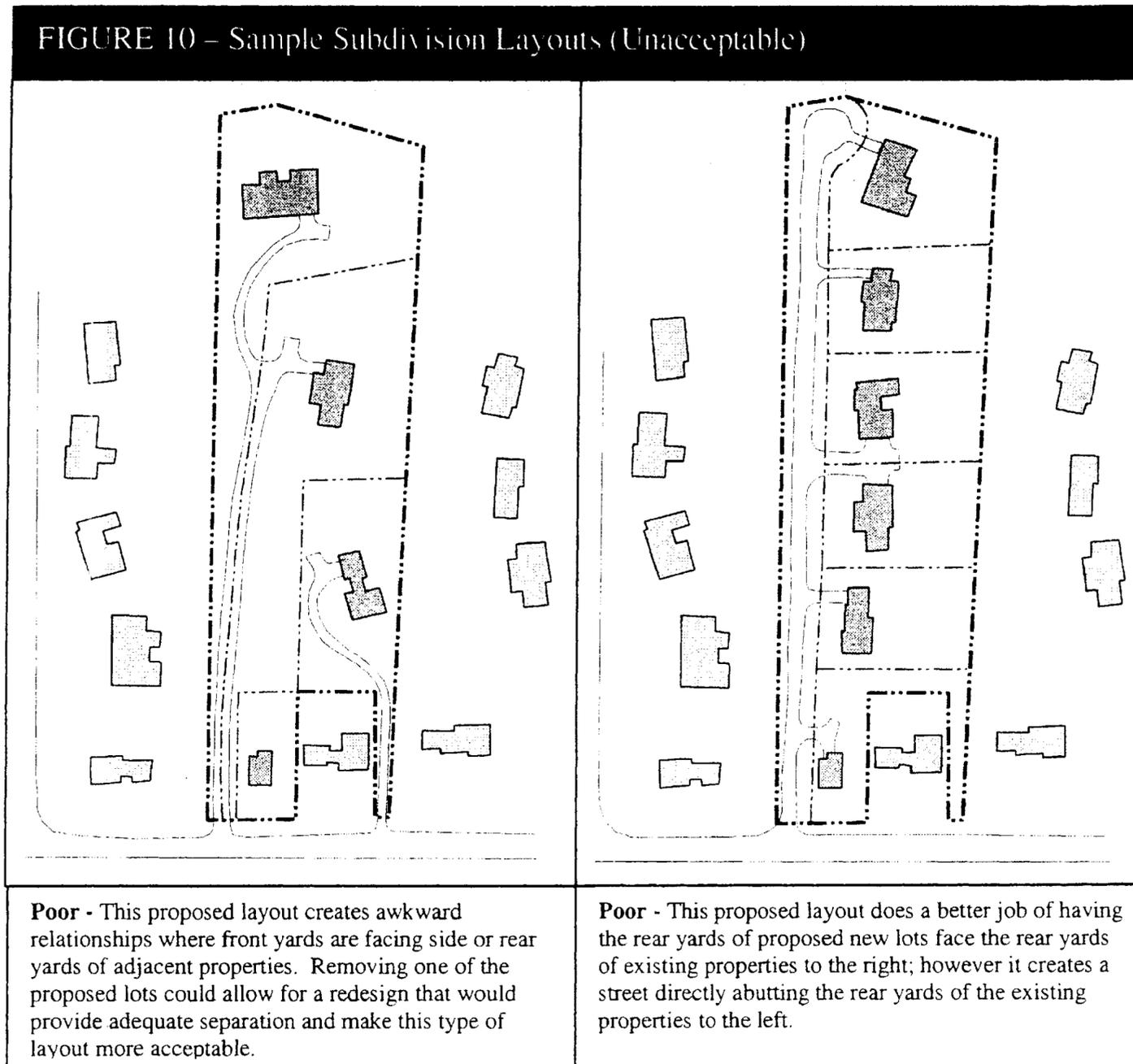
EXAMPLE A - Context-Based Subdivision: Example Calculation							
Context Criteria	Adjacent Lots				May use smaller dimension of Average or Default		Minimum Required for new lots
	1	2	3	4	Average	Default	
Lot Area	0.98	1.16	1.65	1.84	1.40 acres	2.0 acres	1.4 acres
Lot Width	175	215	240	190	205 feet	100 feet	100 feet
Lot Depth	285	350	315	256	301 feet	200 feet	200 feet

- C) **Reduction for Unbuildable Land** – In determining the lot area of the subject lot and of the Adjacent Lots, the Site Capacity Calculation Work Sheet referred to in the Town’s Subdivision Regulations shall be used to calculate the buildable area.
- D) **Building Line** - As part of the subdivision process, the Planning Board shall determine the Building Line for each new lot, based on the context of the Adjacent Lots.

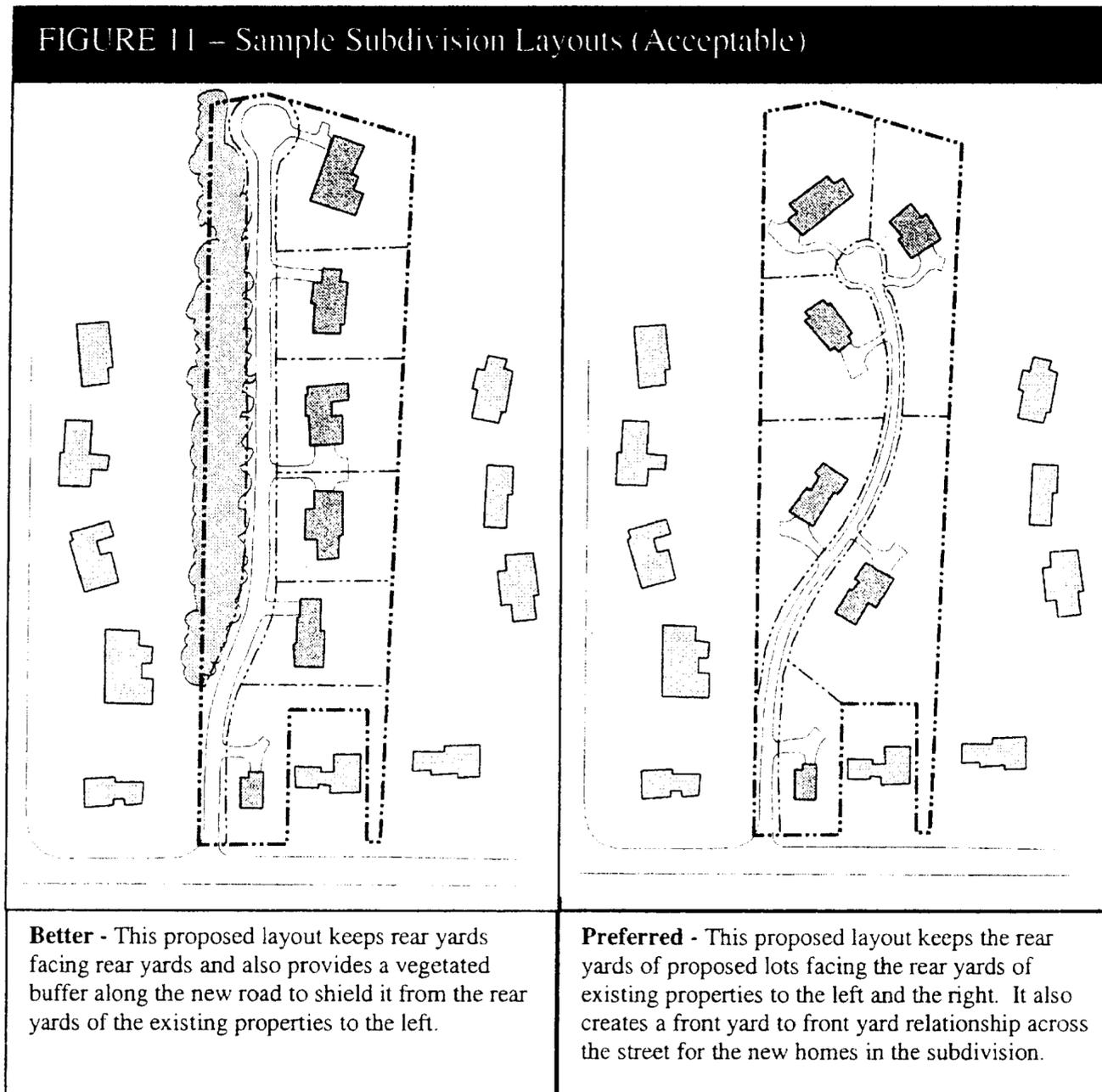
**§185-19. Subdivision of lots that include the creation of a new road.**

- A) **Subdivision Context and Lot Requirements** - New subdivision lots that include the creation of a new public or private road should be arranged in a fashion which is in keeping with the surrounding neighborhood context, and in a manner that respects abutting lots in terms of lot area width and depth, as well as yard orientation and street orientation. In general, the subdivision layout shall achieve the following design principles to the extent practical:
- 1) As part of the subdivision approval process, the Planning Board shall determine the appropriate number of allowable lots; as well as the Building Line, Lot Area, Lot Width and Lot Depth for each new lot, based on the context of the new lots to adjacent existing lots and to one another.
  - 2) Rear Yards of new lots should face the Rear Yards of existing adjacent lots.
  - 3) Front Yards of new lots should not face into the Rear or Side Yards of existing adjacent lots unless there is a significant distance, as determined by the Planning Board, between the front of the new home and the Rear or Side Yard of the adjacent lot.
  - 4) Front Yards of new lots should not face into the Rear or Side Yards of new lots unless there is a significant distance, as determined by the Planning Board, between the front of the new primary structure and the Rear or Side Yard of the other new lots.
  - 5) A vegetated buffer may also be required by the Planning Board to create appropriate screening.
  - 6) Front Yards should face the Front Yards of lots across the street and Side Yards should face into the Side Yards of adjacent lots.

- 7) The examples in Figure 10 illustrate and describe how the subdivision context and lot requirements in this sub-section can be used to evaluate proposed subdivision layouts. In these examples the proposed layouts are not acceptable.



8) The examples in Figure 11 illustrate and describe how the subdivision context and lot requirements in this sub-section can be used to evaluate proposed subdivision layouts. In these examples the proposed layouts are acceptable.



**§185-20. Lot Consolidation.**

Proposals to merge two or more lots, or lot-line adjustments resulting in a net increase of 10,000 square feet or more to one lot, shall be reviewed by the Planning Board as if it were a subdivision. As part of its review, the Planning Board shall consider the potential impact of the proposed consolidation on neighborhood context; and in particular the potential size of a primary structure on the larger lot in relation to existing primary structures in the neighborhood. Based on their review, the Planning Board may approve the consolidation or lot line adjustment, grant approval with specific conditions limiting the potential size of primary structures on the modified lots, or disapprove the application.

# EXHIBIT B





**RESIDENTIAL DESIGN  
STANDARDS AND GUIDELINES**

**Dated: November 18, 2011**

**Adopted by Town Board: Dec. 7, 2011**

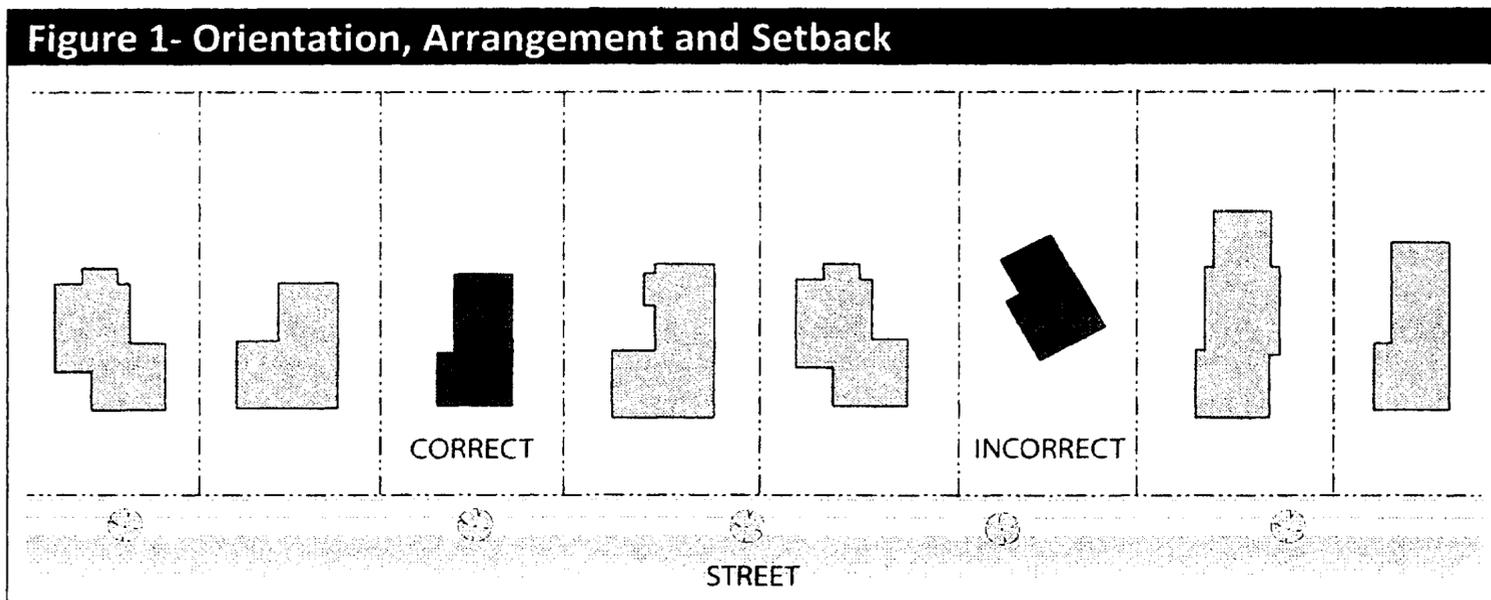
# Residential Design Standards and Guidelines

## General

- In reviewing proposals for residential structures involving new construction, alterations and/or additions, the Design Review and Historic Preservation Board shall consider the surrounding neighborhood context to determine what is appropriate for maintaining the character of the area. The Board shall also, as appropriate, refer to the Town's "Residential Styles Guide", dated November 18, 2011, as amended and supplemented, for additional guidance.
- If a proposal involves a residential structure that is located contiguous to a designated landmark or an inventoried structure the Design Review and Historic Preservation Board shall take such circumstance into consideration in making its determination.
- If the proposal involves an inventoried structure, the Design Review and Historic Preservation Board shall, in making its determination, take into consideration the "Standards and Guidelines for Certificates of Appropriateness", dated November 18, 2011, as amended and supplemented, as well as any and all distinguishing character-defining features identified at the time such structure was inventoried.

Building Orientation – Building orientation describes how a building relates to the street and its neighbors.

- New structures and additions should be compatible with the site arrangement, setback distance and orientation of neighboring houses to reinforce the existing character of the street. **[Figure 1]**
- The front of the house should face the public street, with the front entry readily visible and identifiable.
- Front entry walks are encouraged to connect to existing sidewalks, if present.



## Garages and Driveways

- Attached garages are encouraged to be oriented so that the bay doors do not face the street. Garages with two or more car bays are strongly encouraged to not face the street, and should instead

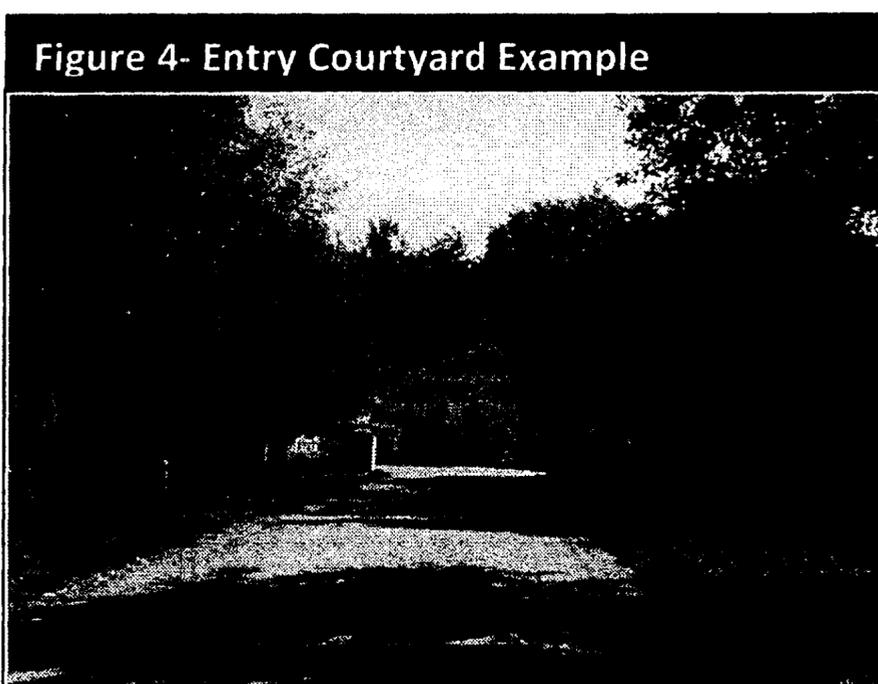
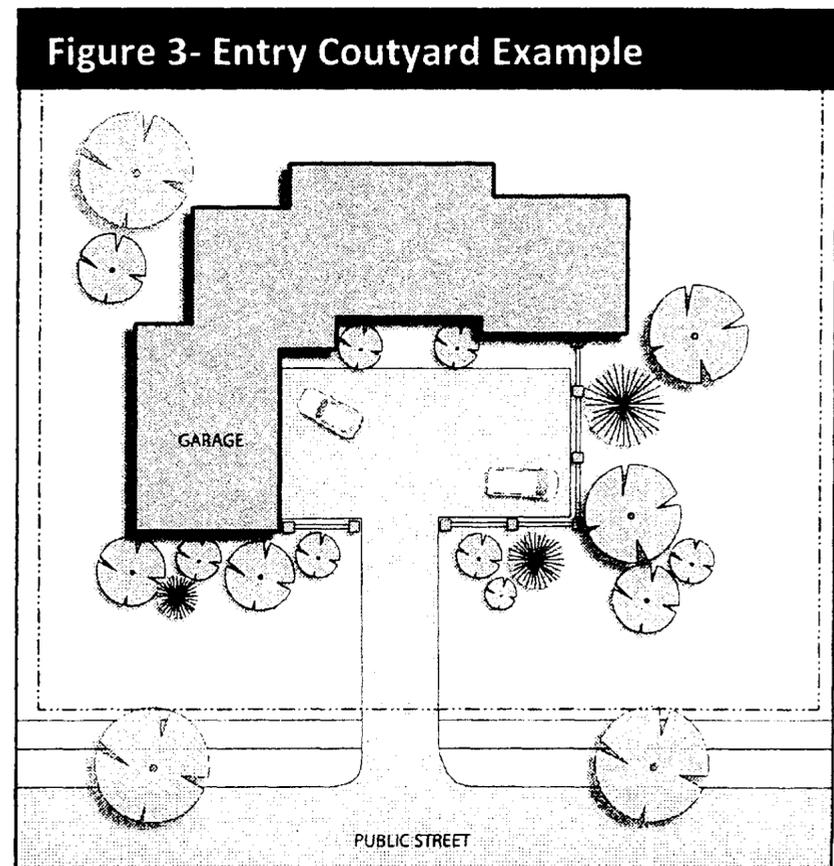
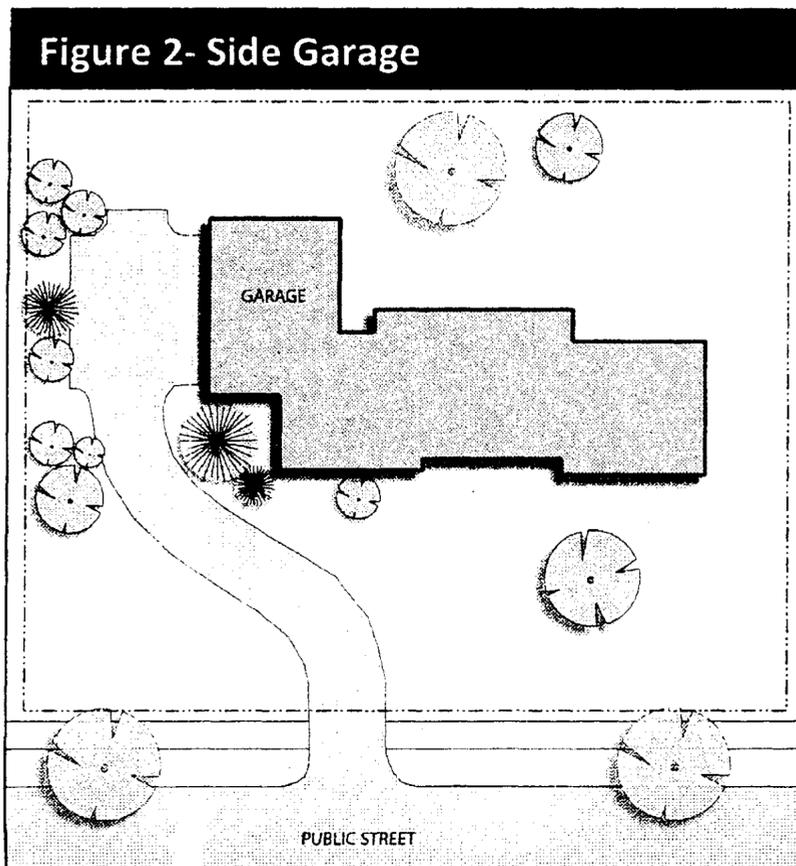
be oriented to the side of the lot where space conditions permit. **[Figure 2]** Side yard facing garages may be required to provide adequate landscaping or screening from the neighboring property.

- Garages with bay doors facing the street should be set back behind the plane of the front facade. New garages, or additions to existing garages, which extend forward of the front facade are not permitted.

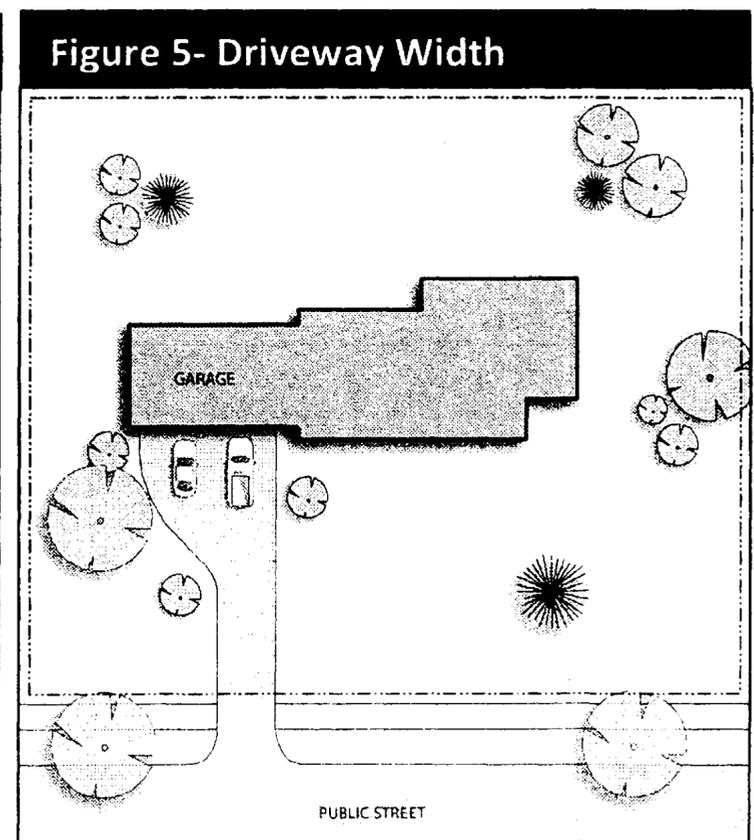
- Detached garages should be located behind the house and set back from the road so as to appear secondary to the primary structure.

- Garages may be permitted to be located in the front of the house provided that the DRB has determined it would be in keeping with the character of the neighborhood, all area and bulk requirements can be met, the bay doors do not directly face the street and the layout is used to create a formal entry courtyard similar to the examples shown. **[Figures 3, 4]**

- Driveways should only be as wide as necessary for egress in and out of the property – typically no wider than 20' at the curb cut. The width of the driveway however may get wider toward the house if necessary to accommodate required area for garage access or turning. **[Figure 5]**



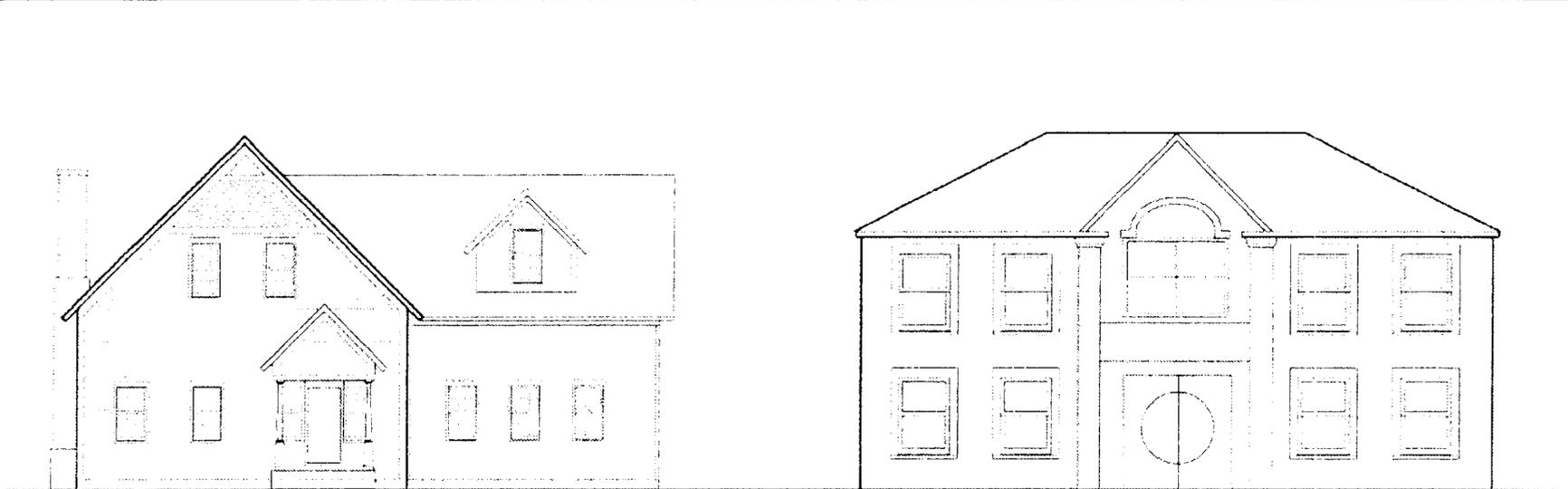
*The formal "entry court" on this house provides an attractive entry while screening the garage and parking area from the street.*



Scale & Massing – Scale is the relative size of the building and its elements (such as individual windows or materials) compared to other structures around it. Massing is the overall volumetric size of the structure and its parts compared to other structures around it.

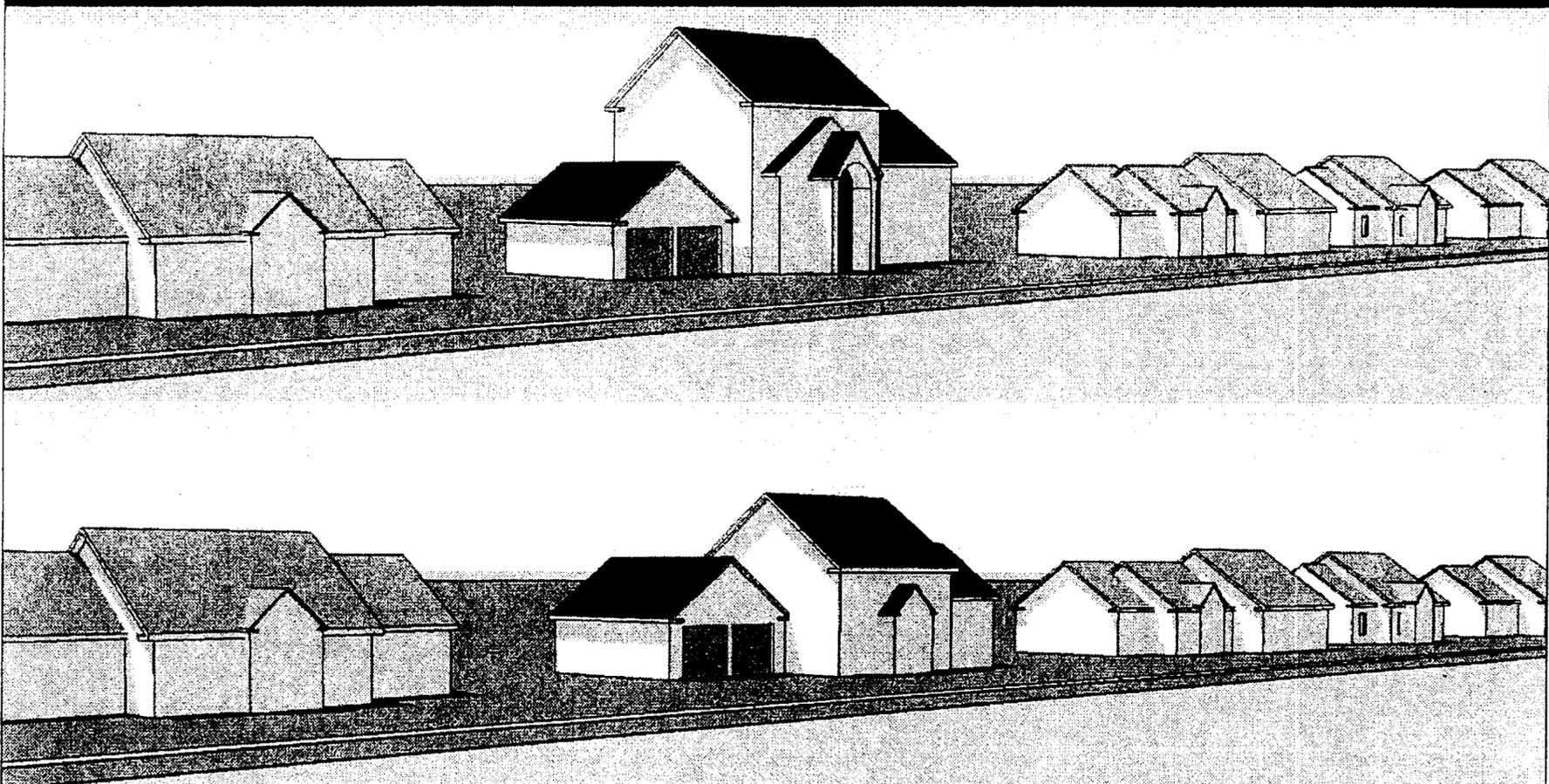
- The overall size, scale and massing of new structures or additions should be compatible with the size, scale and massing of neighboring houses. **[Figure 6 & 7]** New construction, including infill construction, reconstruction, and homes built on lots that are larger than neighboring lots shall not be significantly larger in size and scale relative to neighboring houses. **[Figure 7]**

**Figure 6- Scale and Massing**



*Although these two houses above are roughly the same size, they are different in terms of scale and massing. The building on the left has smaller scale appearance with the use of smaller design elements, more intricate details and materials. Its massing also appears smaller because it has been broken up into two wings, has an entry porch and roof dormer. The building on the right creates a larger scale appearance with larger, bolder features, and a larger mass as a single block. The scale and massing of these two buildings are generally not compatible with each other.*

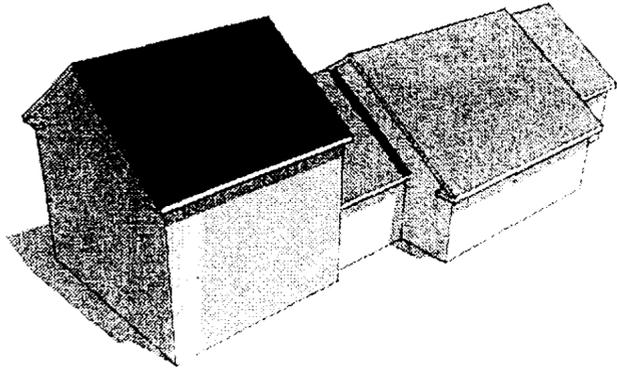
**Figure 7- Scale and Massing - New Construction**



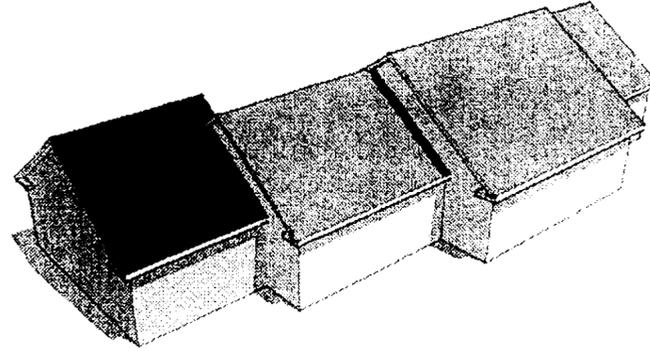
**Top (Incorrect):** The size and scale of the house in the middle is not compatible with the surrounding houses.  
**Bottom (Correct):** The size and scale of the house in the middle is more compatible with the surrounding houses.

- The permitted height of a structure or addition should minimize the visual impact on neighboring back yards and limit the loss of privacy of residents of neighboring lots.
- The scale of a new addition should be generally similar with the scale of the original structure.
- The massing of a new addition should generally be subordinate in size and placement to the original structure. **[Figure 8]**

**Figure 8- Scale and Massing of Additions**



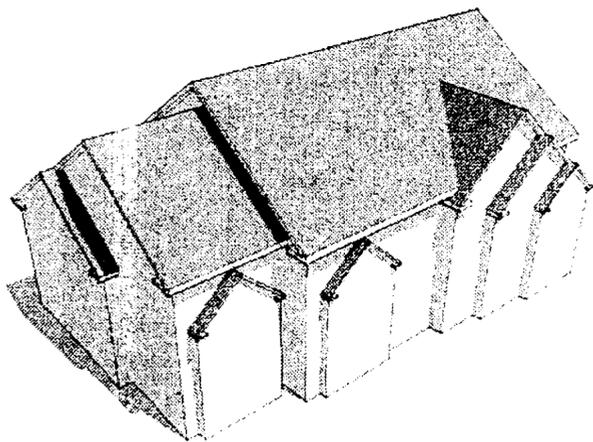
**Incorrect.** The massing and placement of this new addition overwhelms the original house next to it.



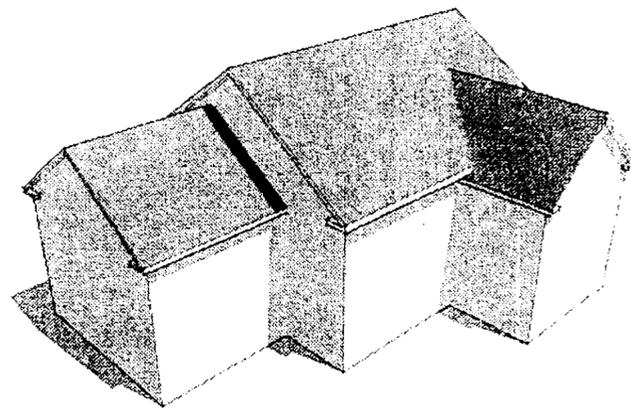
**Correct.** The new addition here is keeping with the scale and massing of the original structure, and steps back slightly from the road to let the original house remain the primary focus.

- New construction should avoid creating overly complicated massing in a neighborhood where the typical character of nearby houses has much simpler forms.
- New construction should avoid creating “faux massing” facades, such as those with multiple gables within gables. Such horizontal facade projections or changes in massing should instead extend a minimum of several feet out from the plane of the facade in order to create a distinctly different mass, especially in older neighborhoods. **[Figure 9]**

**Figure 9- Massing**



**Incorrect.** Faux massing façade design such as this- commonly found in more contemporary subdivisions- may look good in drawings but do little to break up the massing when viewed in reality. The “gables nested inside gables” act as a façade decoration and do not extend out from each other to create distinct masses. Such designs are often not appropriate in older neighborhoods where the massing is typically more simplified.

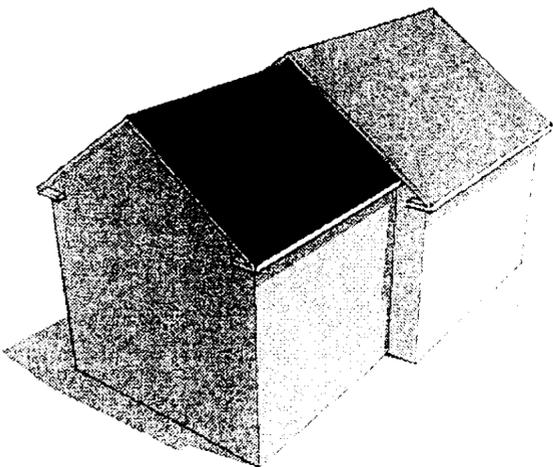


**Correct.** The different forms and massing seen here extend out from each other significantly, reflecting the actual living space inside them and creating distinct masses which are easily identifiable. This simpler massing style is more appropriate for older neighborhoods.

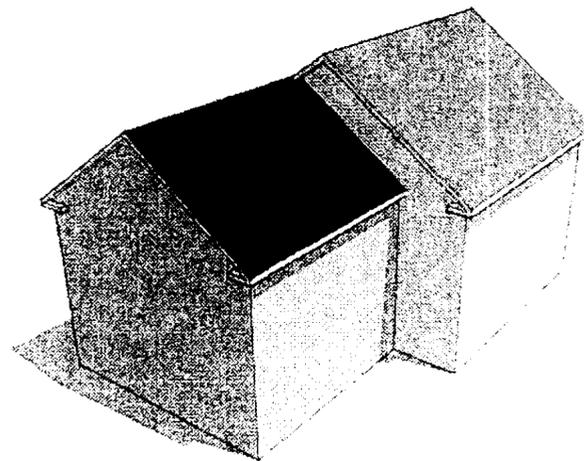
Roof Design – Covers the overall style, slope and shape of individual roof elements.

- Additions should match the roof style and roof pitch of the original structure.
- Additions should match the roofing materials of the original structure, except in cases where the new roof is a very minor element to the overall design, such as roofing over a new bay window or entry vestibule.
- Any vertical steps or fluctuations in the roof ridge should be a minimum of a few feet in difference. Minor variations in roof heights are discouraged. **[Figure 10]**

**Figure 10- Roof Transitions**



**Incorrect.** The transition from one roof ridge to the other here is very minor. Such transitions do little to help break up the roof areas of a house and sometimes cause water problems.



**Correct.** The transition on this roof is much more noticeable and helps break up the roof area.

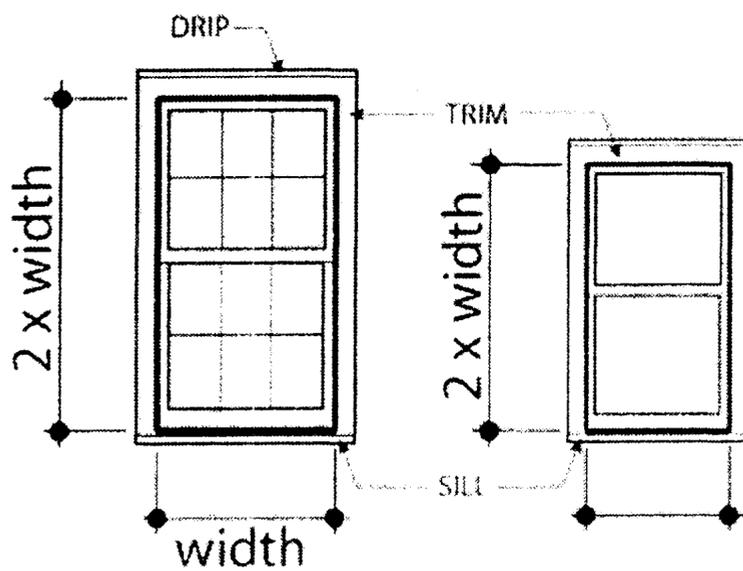
- Roofs should be designed to divert the fall of rain and snow away from entry areas.

Fenestration - Includes openings in the facade for windows and doors.

- Additions and renovations should maintain the general style, size and materials of the original window and door openings.
- The style and proportion of window and door opening in new construction should generally match those found on houses in the neighborhood. **[Figure 11]**
- The style and proportion of windows should be generally consistent across all facades of the structure. Exceptions to this can be made however for the occasional specialty or decorative window as a design accent in the facade.
- The size and design of components (sash rails and muntins) should match the original design.
- Replacement windows should match the overall dimensions (width and height) as the windows they replace.

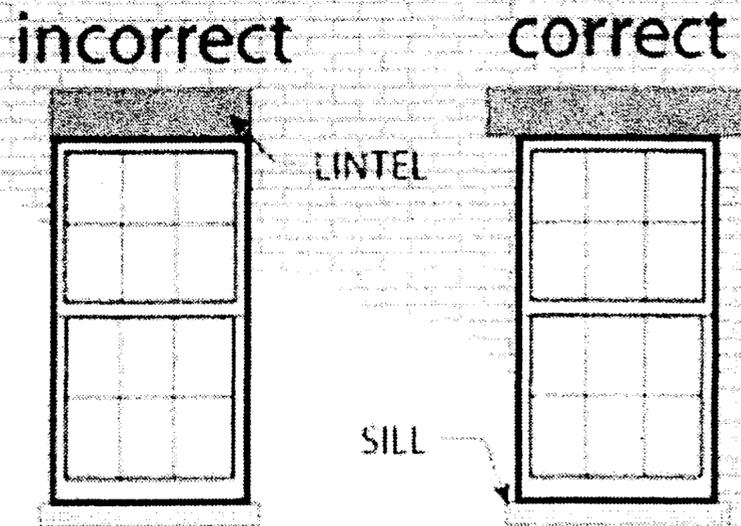
- Window and door openings, especially in masonry facades, should express a lintel or arch above the opening to reflect how it is supporting the weight above. Such lintels used either structurally or as decorative trim, should always extend beyond the width of the opening. **[Figure 12]**
- The arrangement of windows on a facade facing the road should generally align with each other in a regular pattern or readily apparent organization. Windows which appear to be randomly arranged on the facade are discouraged.
- Large areas of blank wall are strongly discouraged along all facades of the house.
- Sliding glass doors are prohibited on the front façade.

**Figure 11- Window Proportion and Style**



Although these two windows are different sizes and designs, they have the same general proportions (twice as tall as they are wide) and are the same basic style (double hung).

**Figure 12- Window Lintels on Masonry Buildings**



Lintels expressed over window openings should extend beyond the width of the window.

## Front Porches & Entry Areas –

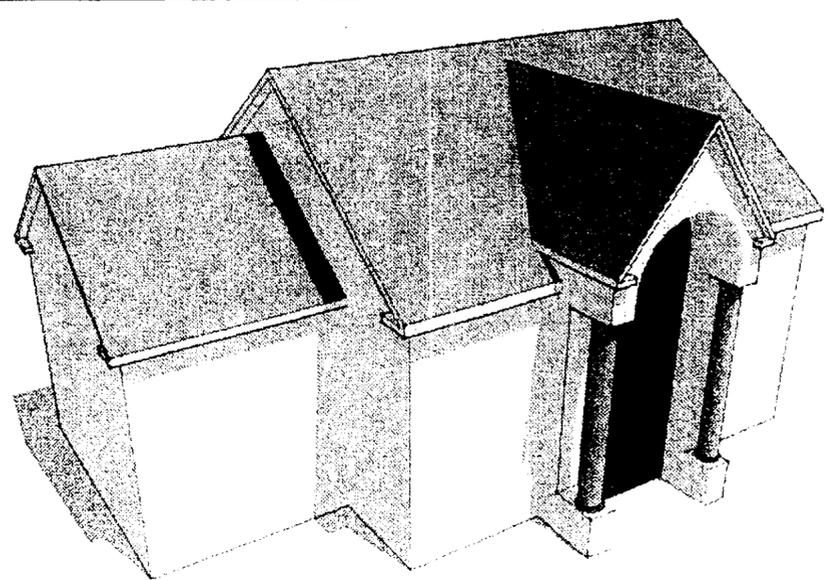
- Existing open-air porches should not be enclosed or walled in. If an existing porch must be enclosed, it should be done in a manner which retains the existing columns, railings in an exposed fashion and maintains an open-air appearance. **[Figure 13]** This treatment however should be reserved for porches which are on the side or less visible areas of the house, and not the front.
- New front porches added to an existing structure may not always be appropriate for the architectural style or neighborhood context, and may be discouraged in these cases.

**Figure 13- Enclosed Porch Example**



*This architecturally significant porch has been carefully enclosed so that the original columns, railings and details are retained and still highly visible. The new enclosure is set within the porch and painted a dark color to be less noticeable.*

**Figure 14- Entry Way**

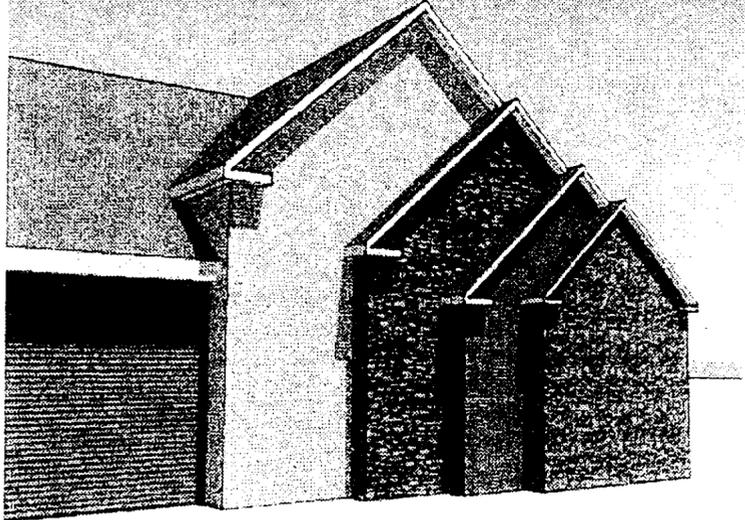
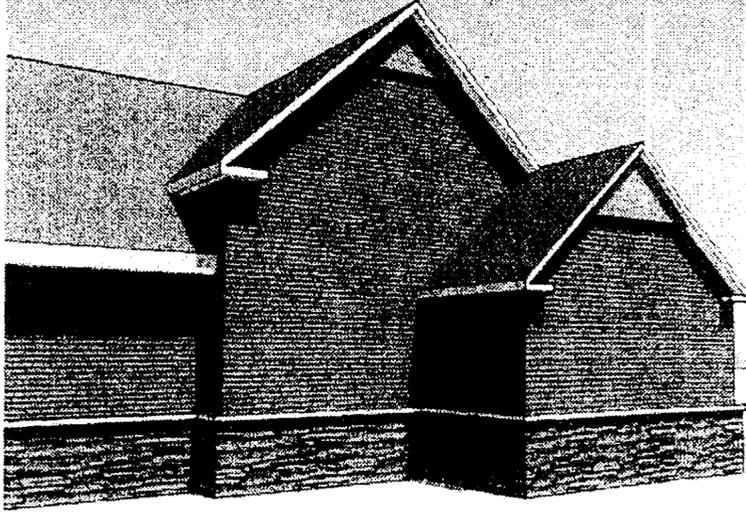


*Front door entry should be appropriately scaled to the size of the façade. Grand, multi-story entryways such as this are overly sized for the home, and are typically not compatible with the older neighborhoods and are discouraged.*

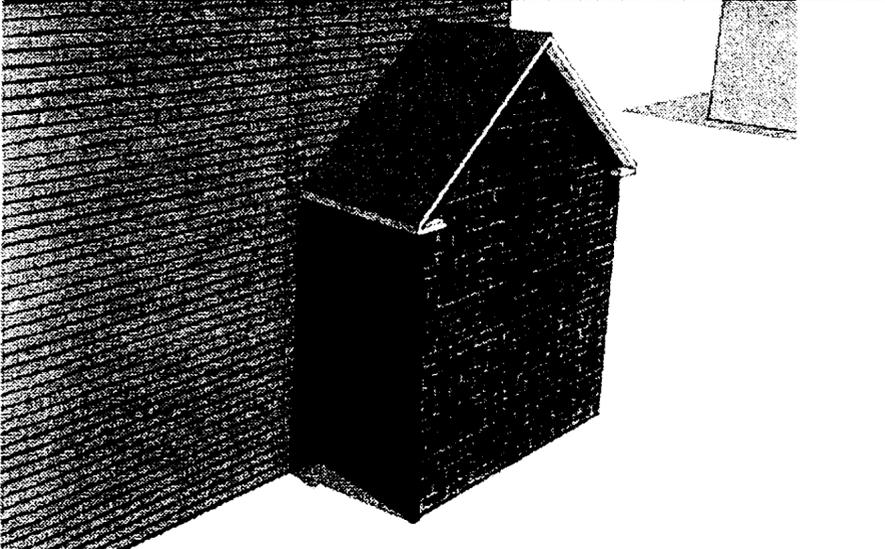
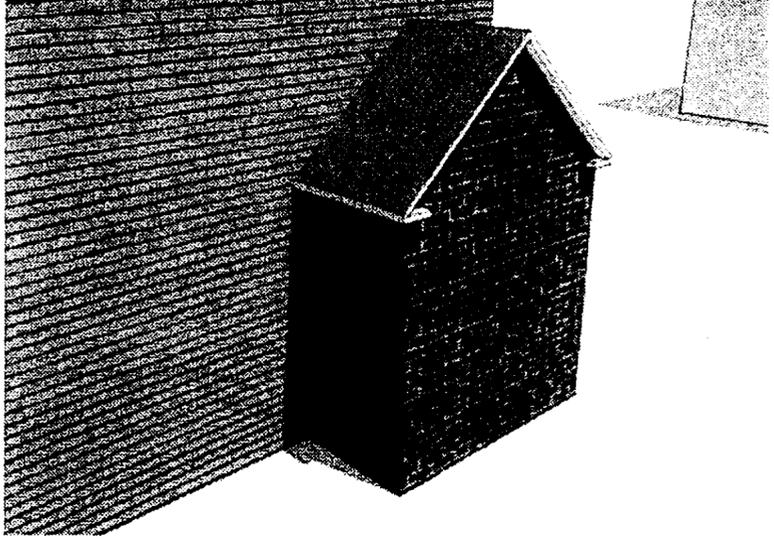
- New front porches should be constructed of materials which are compatible with the materials, architectural style and design of the original structure.
- Uncovered wood decks or porches which do not include a permanent roof overhead are prohibited along the front facade. Uncovered masonry patios or entranceways are permitted, but may not be appropriate on some homes of certain styles and periods.
- The proportion of columns or posts along a front porch or facade should appear appropriate to the amount of weight they appear to be carrying. Columns which are too thin or too thick for their height are discouraged. Alterations should be designed to match the architectural style and proportion of existing exterior columns and the beams or entablature they support.
- Front door entry areas should be appropriately scaled to the size of the facade. Two story tall entryways or columns are generally discouraged, especially in neighborhoods where this is not common. **[Figure 14]**
- Porches which have open airspace underneath should not have the underside enclosed in a manner which would prevent proper air circulation.

Materials – Includes the proper use of exterior materials on a structure.

- New construction should attempt to use one exterior material on a facade as the dominant theme, with additional materials only used sparingly for accents or trim. The use of many different transitions from one material to the next along the same horizontal level- commonly found in contemporary subdivisions- is generally discouraged in older neighborhoods. **[Figure 15]**
- The use of two or more different facade materials is sometimes better utilized at different vertical levels. (e.g. masonry at bottom, wood clapboard above.) **[Figure 16]**

Figure 15- Discouraging material Transitions	Figure 16- Preferred Material Transitions
	
<p><b>Incorrect.</b> The use of many different transitions from one material to the next along the same horizontal level- commonly found in contemporary subdivisions- is often not appropriate, especially in older neighborhoods.</p>	<p><b>Correct.</b> A preferred use of material is shown here, where wood clapboard is the dominant material used, while the stone and trim is used more sparingly above and below it as a design accent.</p>

- Material transitions at outside corners are discouraged (e.g. wood clapboard turning the corner and changing into masonry.) **[Figure 17]** The transition from one material to the next should occur at a logical step or massing change in the facade, such as in inside corner. **[Figure 18]**

Figure 17- Outside Corner Example	Figure 18- Inside Corner Example
	
<p><b>Incorrect.</b> Material transitions at outside corners, such as the example above, are generally discouraged.</p>	<p><b>Correct.</b> Material transitions at the inside corners, such as the example above, are generally preferred because they reinforce the different massings and provide a logical location for one material to end and the next one to begin.</p>



# EXHIBIT C





**STANDARDS AND GUIDELINES  
FOR CERTIFICATES OF APPROPRIATENESS**

**Dated: November 18, 2011**

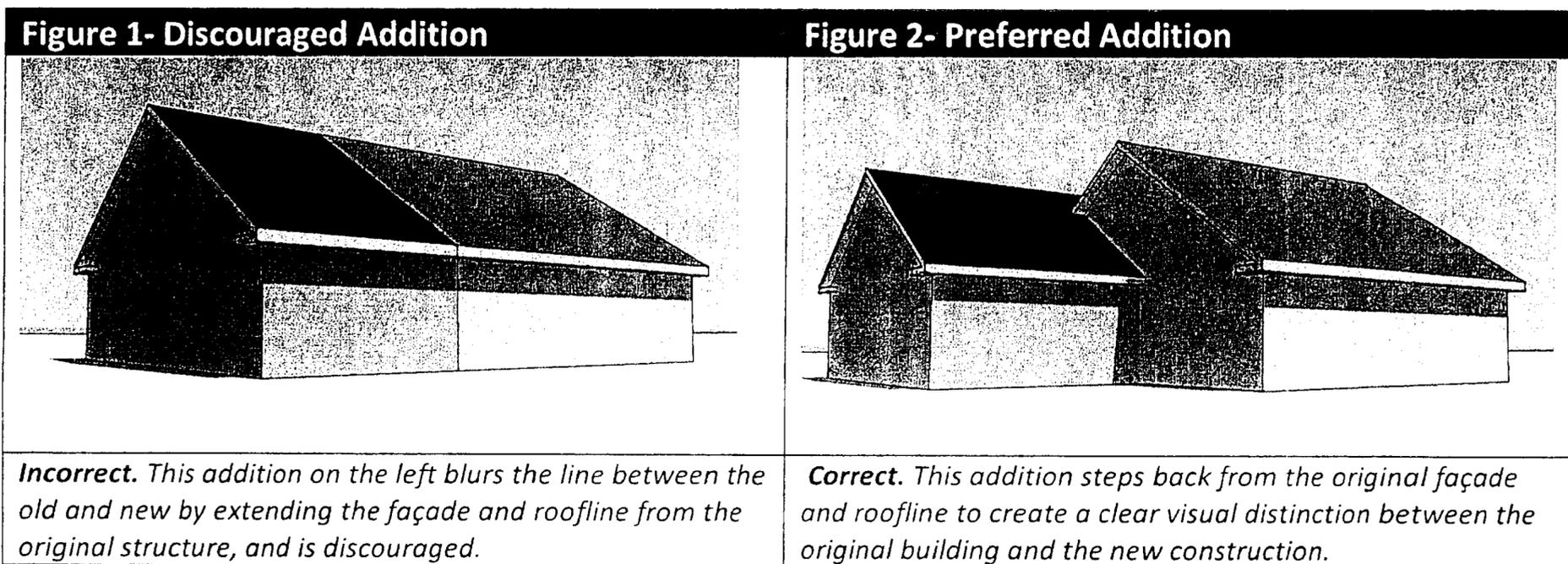
**Adopted by Town Board: Dec. 7, 2011**

# STANDARDS AND GUIDELINES FOR CERTIFICATES OF APPROPRIATENESS

The following requirements and recommendations shall apply to any alteration, reconstruction or addition involving a structure that requires a Certificate of Appropriateness due to its Designation as a Historic Structure. For additional guidance, property owners may wish to reference *The Secretary of the Interior's Standards for the Treatment of Historic Properties - Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings*, available from The National Park Service.

## General

- In reviewing proposals for alterations and additions to a Designated Structure, the Design Review and Historic Preservation Board is not required to consider the surrounding context of houses in the neighborhood if it is determined that the surrounding context is not historically applicable.
- When constructing an addition to a Designated Structure, exact replication of styles and elements is not required, or necessarily desired. In these cases, it is generally preferred that any addition be separate and distinct from the original structure so that the form and character of the original building is retained. Constructing an addition which blurs the line between the old and new is discouraged. **[Figure 1]** New additions should instead seek to closely compliment the original design, and may even present a sensitive modern-day interpretation. **[Figure 2]**



- When renovating or repairing a Designated Structure, exact replication of design and materials is not necessarily required. Where possible, existing design elements should be repaired, in lieu of replacement. If replacement is necessary, the scale and character of the replacement materials should closely resemble the original.
- Alterations to Designated Structures should be consistent with the character and spirit of their style. Reference is made to the Town's "Residential Styles Guide", dated November 18, 2011, as amended and supplemented, for additional guidance.
- Historic photos, if available, should be used whenever possible to determine the original design of the structure when exterior changes are contemplated

## Massing

- New additions to a Designated Structure should be subordinate in massing and height to the original structure. Additions should not overwhelm or detract from the original structure.
- New additions should be distinct from the original structure, so that the boundaries of the addition are readily discernible from the shape of original house. **[Figure 2]**
- The massing of new additions should be similar or complimentary to the shapes and massing found on the original structure.
- The effective visible width of a structure—as viewed from the street—should be maintained whenever possible. New additions to the original massing should ideally be located toward the rear or less visible areas of the house.

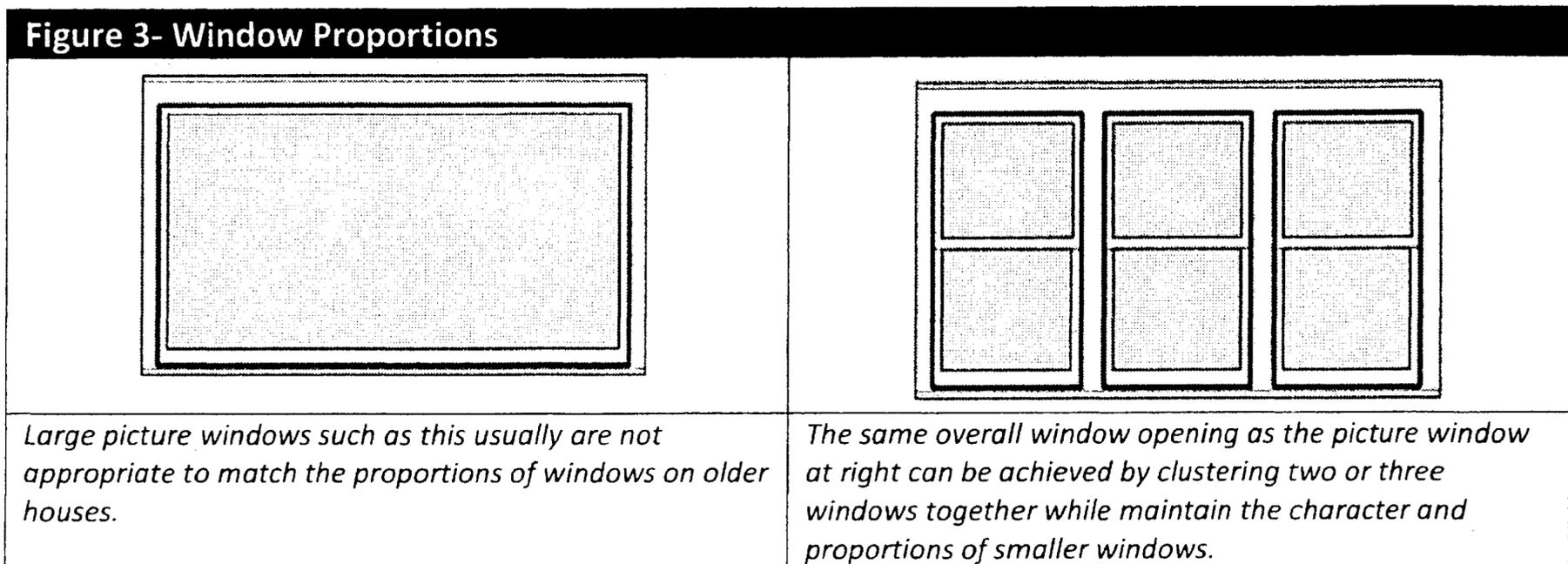
## Roof Design

- New roof areas added as part of an addition should be distinct in form and massing from the original roof. **[Figure 2]**
- New roof areas added as part of an addition should attempt to match the slope and materials from the original roof.
- Original roof areas should be kept in character without adding new elements such as dormers, skylights or solar panels which are readily visible from the street, or modifying the roof slope.
- If replacement in-kind of the original roof materials is not feasible, care should be taken to select substitute materials which convey the same character and scale.

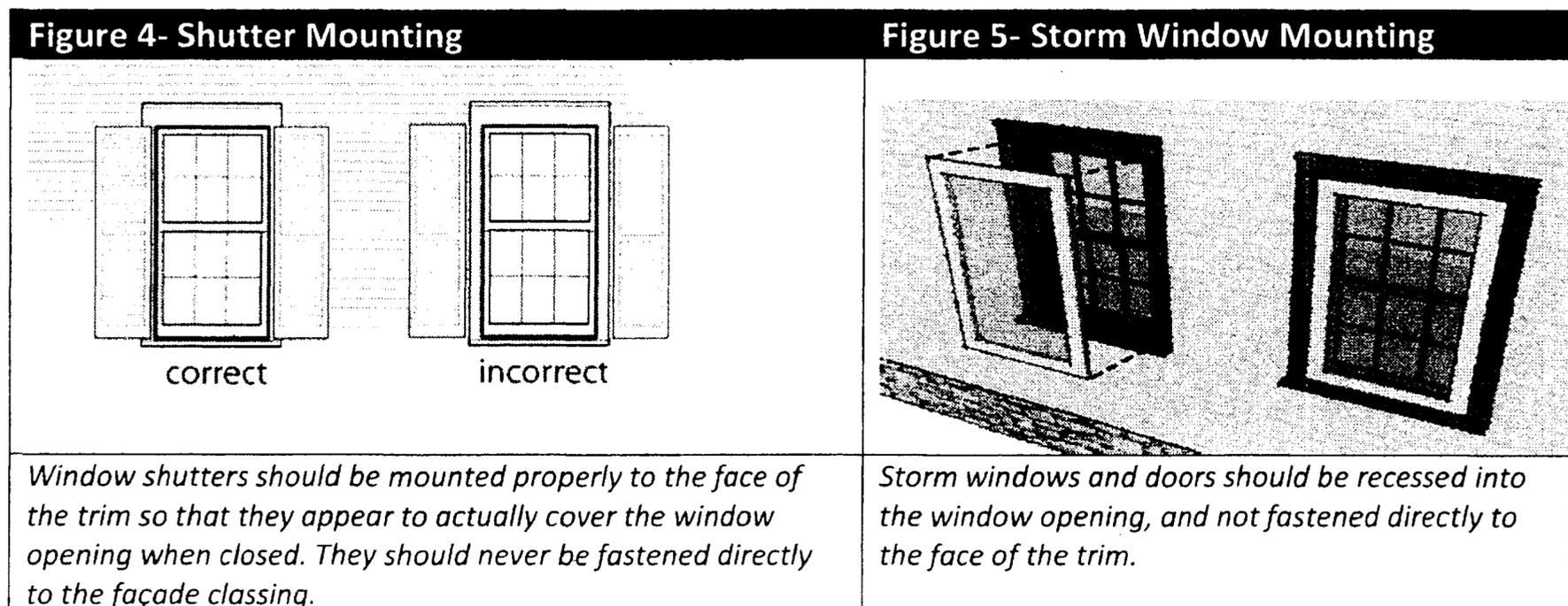
## Fenestration

- The removal, infill or concealment of original windows or doorways is strongly discouraged. Windows or doorways which were previously in-filled or concealed—especially along the front and readily visible sides of the house—should be opened up and returned to their original state when possible.
- Repair or restore original windows and doors in lieu of replacement when possible. If replacing, replace with elements which are similar in design type, style and materials to the original.
- The alteration of the size, shape or proportion of an existing window or door opening is discouraged.
- New windows added as part of an addition should match the general style of those on the original house. (e.g., 6/6 divided lite double hung vs. casement, etc.)
- Simulated divided lite windows may be an acceptable substitute for matching the general style of divided lite windows on the original structure or additions, with approval of the Design Review and Historic Preservation Board, provided that they include muntins on the exterior of the glass.
- New or replacement windows should match or maintain the window trim found on the other existing windows. On older houses, this is a 1x4 wood casing along the sides and top of the window. A drip molding usually runs above the top trim.

- The proportion of any new windows should match the general proportion of windows on the original house wherever possible – particularly along the front and publically visible facades of the house. Larger window openings should be broken down into smaller windows clustered together if needed to match the scale and proportion of existing windows. **[Figure 3]**



- Window shutters should not be removed from a structure which originally had them, or added to a structure which did not originally have such elements.
- Window shutters, if used, should be mounted consistently and correctly. Avoid placing shutters on either side of a wide window which they would not be able to cover when closed, or using shutters which are too tall or short for the window.
- Window shutters should be mounted on the window trim, and not attached flat against the siding. **[Figure 4]**
- If window shutters are installed on an addition to a structure which also uses them, a similar shutter style and mounting method should be used.
- New storm windows and doors should be installed so that they are flush with or recessed into the trim casing of the opening, and not mounted onto the surface of the trim. **[Figure 5]**



- Storm doors should match the style and materials of the original structure, and can be painted the same color as the door to help them blend in. Avoid covering wood doors with metal storms, or using a style which does not match the architectural period.
- New or replacement windows should use clear glass, except in cases attempting to match a specialty window such as stained glass. Opaque, darkly tinted, mirrored or reflective glass is strongly discouraged.
- New windows should not be installed flush with the exterior wall, but should be recessed slightly and framed with trim to match the style and depth of existing windows.
- Garage doors, unless appropriate to the architectural period of the Designated Structure, should not be used on the original structure. Such doors, if used on an addition, should attempt to use materials and designs which complement the original architecture. Stamped metal raised panel doors or similar designs are highly discouraged.
- If garage doors are permitted to be included as part of an addition to a Designated Structure which does not historically have them, such doors should be oriented so that they are not visible from the street.

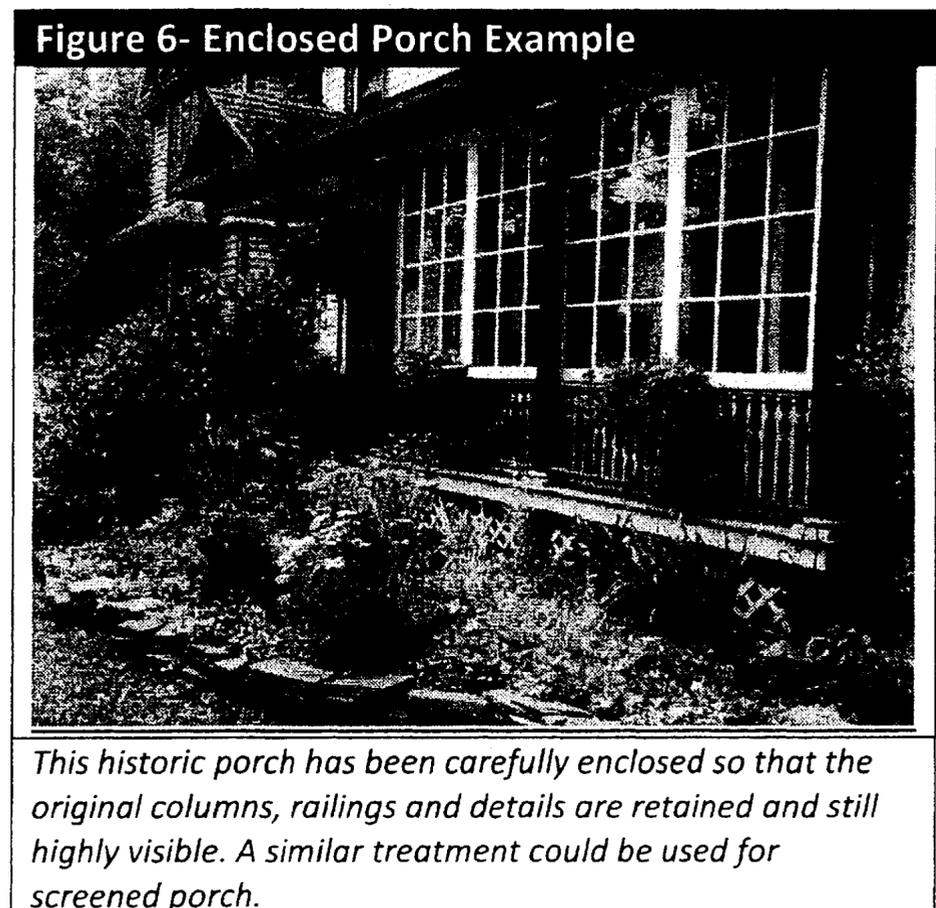
#### Front Porches & Entry Areas

- The enclosure or removal of an existing porch is strongly discouraged. The conversion of an existing open-air porch into a screened porch may be permitted, provided that the style and character of the original structure will not be substantially compromised. If approved, the new screened enclosure shall be erected behind the original columns and railings so as to preserve the original design and keep it visible. This new screened enclosure should be designed to minimize its visual appearance and to leave the original design elements visible. **[Figure 6]**

- The addition of a new front porch on a Designated Structure may not always be appropriate, especially if the original architecture was not designed to accommodate one. The addition of a new front porch in a neighborhood where they are uncommon may also be inappropriate.

- Porch and stair railings should be provided in an openwork of individual railings, columns and balusters in a regular-spaced rhythm which is in keeping with the style of the house. Railings constructed of solid panels or walls are strongly discouraged, except in cases of appropriate construction. Unarticulated railings or balusters are discouraged.

- New porch designs should consider the age and architectural style of the original house.



- Reconstruction or renovation of existing porches should utilize the same or similar materials and designs used on the original structure. Keep original woodwork and trim wherever possible. Any new or modern elements introduced should be sympathetic to the original design and materials.
- Renovations or alterations to an existing porch should maintain as much of the original design as possible. Alterations which may be required to bring the structure up to code should be designed in a sympathetic manner which works with the original design instead of replacing it.

### Exterior Materials

- All exterior materials should attempt to match the materials and/or character found on the original structure whenever possible, based on the specific recommendations listed below.
- The concealment or removal of existing exterior materials, trim or ornamentation is discouraged.
- The removal of any imitation or synthetic siding and trim which had previously concealed the original construction underneath is highly encouraged.
- When replacing siding, it is recommended to replace in-kind to match the design and appearance of the original. Replacements which significantly alter the siding reveal, change between clapboard and shingle or change between masonry and wood, are discouraged.
- Samples of all proposed exterior materials and colors shall be submitted to the Design Review and Historic Preservation Board for consideration.
- The materials generally recommended for use, and those that are generally discouraged, are outlined in the following table as a guide. The Design Review and Historic Preservation Board should approve or disapprove any proposed materials, colors or applications based on the specific project conditions.
- Some materials may be appropriate on one house, but not another due to age and style. For example, stucco may be appropriate on an early 20<sup>th</sup> century Tudor house, but not on a nineteenth century Queen Anne farmhouse.

**Table 1 Exterior Materials Guide**

Recommended Materials	Discouraged Materials
Common red brick or multi-toned brick Bare or painted (approved color)	Multi-colored brick, imitation brick siding, asphalt or asbestos siding
Natural stone With appropriate coursing pattern	Concrete masonry units (CMU) Precast concrete panels Stamped or textured concrete Imitation stone
Wood clapboard or shingle Finished grade (painted or stained approved color) Wood board and batten (with approval) Finished grade wood trim (painted or stained approved color) Fiber reinforced cement siding/Hardi-Plank (painted approved color)	Imitation/synthetic wood clapboard or trim Vinyl, aluminum, polyvinyl chloride (PVC) Wood paneling Plywood or T-111 Composite medium density overlay (MDO) Unfinished, lumber grade wood Corrugated metal Mirrored or highly reflective siding or panels
Stucco	E.I.F.S. (Exterior Insulation Finish System)
Wood windows, Wood or steel doors Approved Color Clear, etched, frosted or stained glass Copper or colored metal flashing Painted 1x4 wood casing trim True divided lites Simulated divided lites with exposed wood exterior muntins. Expressed lintels over masonry openings Brick, limestone, granite Colored or bare precast concrete (with approval)	Vinyl clad, PVC, aluminum or metal frame Mirrored or highly reflective glass Dark tinted glass below 70% VLT (visible light transmission) Colored glass Glass block (unless found on original structure) Bare, unfinished or reflective flashing Simulated divided lites which are interior snap-in, applied or sandwiched between glass panes. Concealed lintels over openings Concealed headers, steel plate or angle which is not reflected on outside façade. Brick mold trim on a wood frame house.
Natural wood shingle or shake Asphalt architectural shingle (approved color) Natural or imitation slate Natural or imitation clay/terracotta tile Standing seam metal (approved color) Small seam width Aluminum or copper flashing or eave guard Parapet & Chimney Caps Stone, limestone or precast concrete Brick, stucco or natural stone chimney	Light colored or otherwise highly reflective materials Corrugated or unfinished metal       Chimney made of concrete block, or enclosed in exterior siding.

**Table 1 Exterior Materials Guide (Continued)**

Recommended Materials	Discouraged Materials
<p>Front walkway areas and paths                      Poured concrete, colored or bare                      Stamped concrete                      Brick pavers                      Gravel, pea stone</p> <p>Awnings                      Canvas/Fabric, 2 color max, with approval</p> <p>Fences and Walls                      Natural wood (painted or stained approved color)                      Aluminum, wrought iron (approved color)</p> <p>Porches, railings or ramps                      Natural wood (painted or stained approved color)                      Synthetic wood products                      (approved color – horizontal walking surfaces only)</p> <p>Masonry</p>	<p>Front walkway areas and paths                      Asphalt, stamped asphalt</p> <p>Awnings                      Plastic, Vinyl or similar synthetic materials</p> <p>Fences and Walls                      Chain link fence                      PVC, Vinyl fence</p> <p>Porches, railings or ramps                      Synthetic wood products (on vertical or non-walking surfaces)                      Unfinished, lumber grade wood                      Preservative treated wood used for finished trim</p>
<p>Incandescent or “soft light” fluorescent bulb fixtures.                      Shielded, downward facing fixtures to minimize glare and light trespass onto neighboring properties.</p>	<p>Commercial floodlights or wall packs.                      High intensity fixtures                      High pressure sodium                      Metal halide</p>

# EXHIBIT D





## RESIDENTIAL STYLES GUIDE

Dated: November 18, 2011

Adopted by Town Board: Dec. 7, 2011

# Residential Styles Guide

The following pages include information on basic residential architectural styles found within the Town of Pittsford. The purpose of this guide is to help protect the architectural character of the town by providing planning officials and homeowners with information about the character of residential styles when considering changes to homes. The Guide is meant as a preliminary reference only, and the utilization of additional resources is encouraged.

This Guide includes basic information and examples of:

- Federal
- Greek Revival
- Italianate
- Queen Anne
- Colonial Revival
- Foursquare
- Craftsman
- Tudor Revival
- Minimal Traditional
- Ranch
- Cape Cod
- Split Level
- International
- Contemporary
- Neo-Traditional
- Neo-Eclectic

## Federal



### Common Characteristics:

**Typically Built:** 1800 - 1835

**Design:** Three-bay facade with side entrance on most homes. Five-bay symmetrical center entrance on larger houses. Usually symmetrical facade layout.

**Height:** 1-1/2 to 2 story.

**Materials:** Brick or wood clapboard.

**Roof:** Moderate roof slope with cornice returns, full pediment gable, or stepped gable.

**Porch:** Typically a single bay porch at the entrance, supported by slender Tuscan columns.

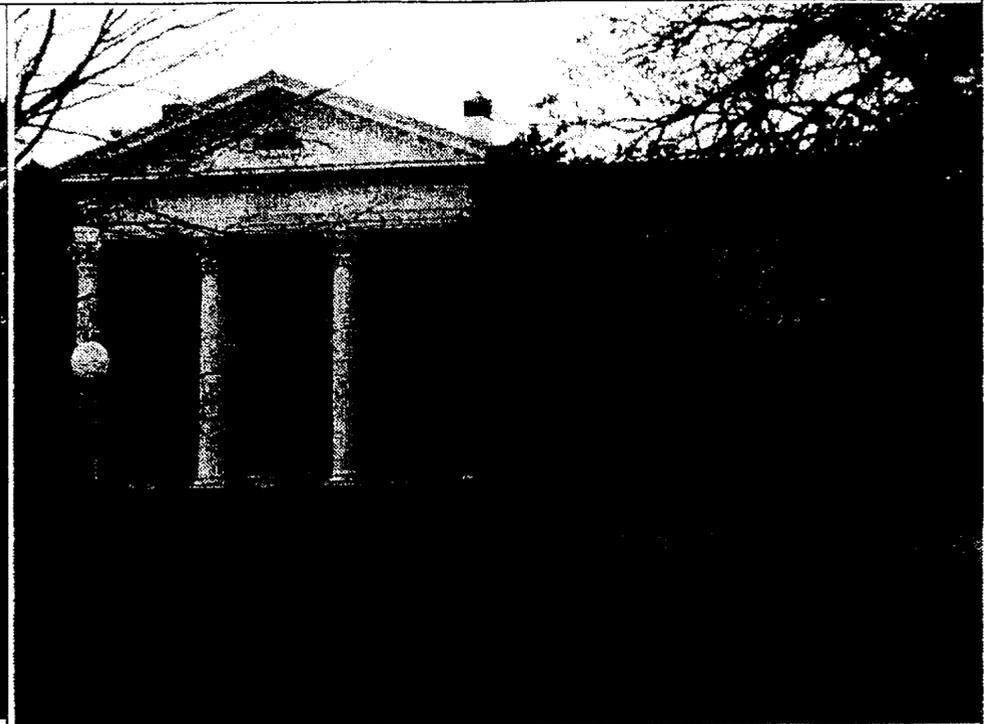
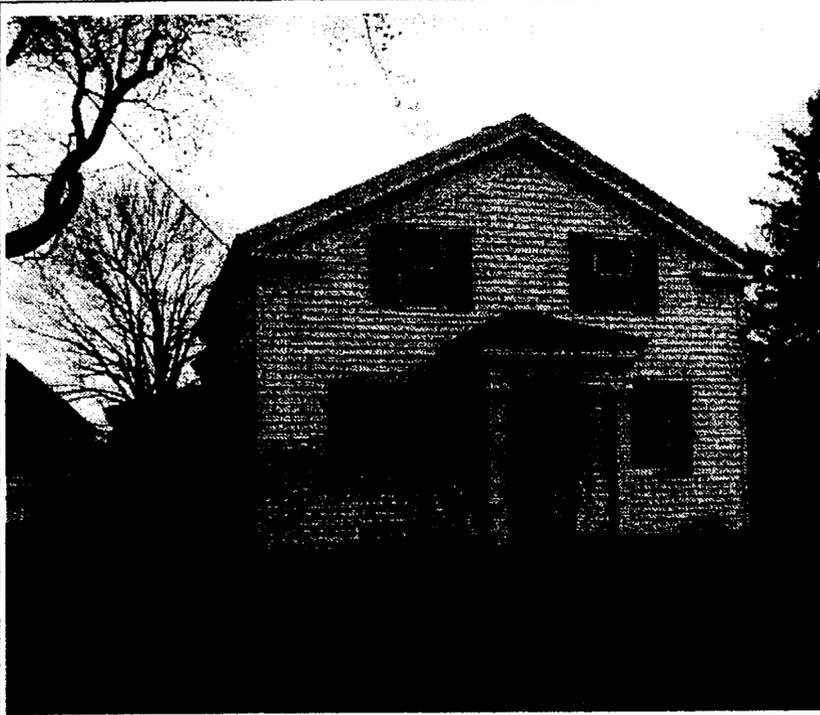
**Windows:** Double-hung with 12-over-12 or 6-over-6 sash, uniform size and regular, symmetrical spacing.

**Doors:** Six-panel doors with sidelights and rounded fanlight transom window above. Simpler homes may have a projecting transom cornice over the door.

**Details:** Elliptical and semi-elliptical fanlights on gable ends. Multiple chimneys near gable ends or one central chimney.



## Greek Revival



### Common Characteristics:

**Typically Built:** 1835 - 1855

**Design:** 3 bay facade with side entrance or center entrance, or 5 bay symmetrical center entrance.

**Height:** 1-1/2 to 2 story.

**Materials:** Wood clapboard, flush board, cobblestone

**Roof:** Moderate slope with cornice returns, or full pediment gable. Front gable, side gable or hip roof.

**Porch:** Typically a single bay porch at the entrance, supported by slender Tuscan columns.

**Windows:** Double-hung with 6-over-6 sash.

**Doors:** One or two-panel doors with sidelights and transom windows. Often framed by formal pilasters.

**Details:** Square porch columns with Doric capitals. Porches are more common than on Federal style. Occasional use of corner pilasters can be distinguished from federal style by wider dimensions of pilasters, columns and frieze trim.



## Italianate



### Common Characteristics:

**Typically Built:** 1855 - 1880

**Design:** Front gable 3-bay with side entrance, gable and wing.

**Height:** 2 story.

**Materials:** Wood clapboard.

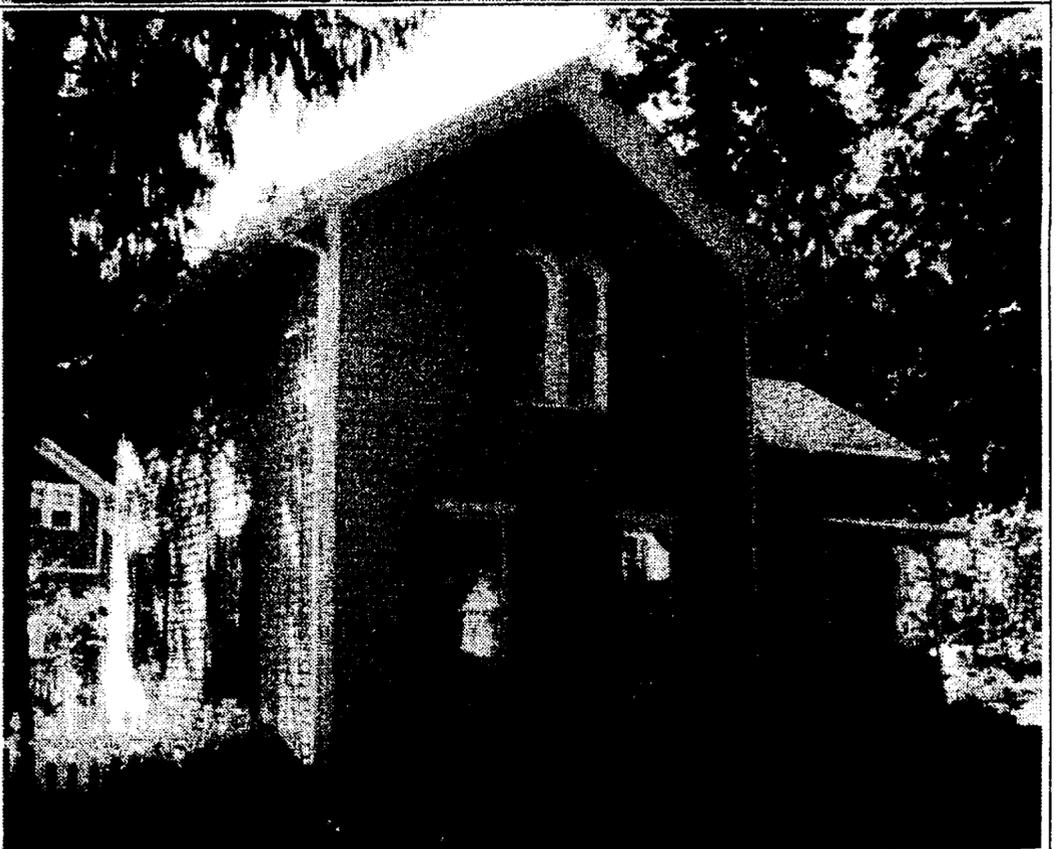
**Roof:** Moderate slope with large overhangs, overhanging eaves, often with decorative brackets. Hip roof examples have a very low slope, and sometimes have Belvedere.

**Porch:** Typically a single bay porch at the entrance. Full width or wraparound porches also common. Columns are often square with chamfered edges, capitals and scroll brackets.

**Windows:** Double-hung 6-over-6, 2-over-2 or 1-over-1 sash. Windows typically tall and narrow. Double half round windows often found on gable ends of upper floors. Floor-to-ceiling windows common on first floor. Bay windows.

**Doors:** Double-leaf doors often tall and narrow, with  $\frac{3}{4}$  length glass panels.

**Details:** Trim and often incorporate bold "rolled" profile moldings.



## Queen Anne



### Common Characteristics:

**Typically Built:** 1880 - 1905

**Design:** Symmetrical cross-gable or asymmetrical layout, sometimes with combination of gable and hip roof forms.

**Height:** 2-story.

**Materials:** Wood clapboard, wood shingles, brick or slate.

**Roof:** Steep slope, often complex shapes.

**Porch:** Often wrap-around corner porches with round turned posts, sometimes scroll brackets. Decorative spindle-frieze common along top of porch.

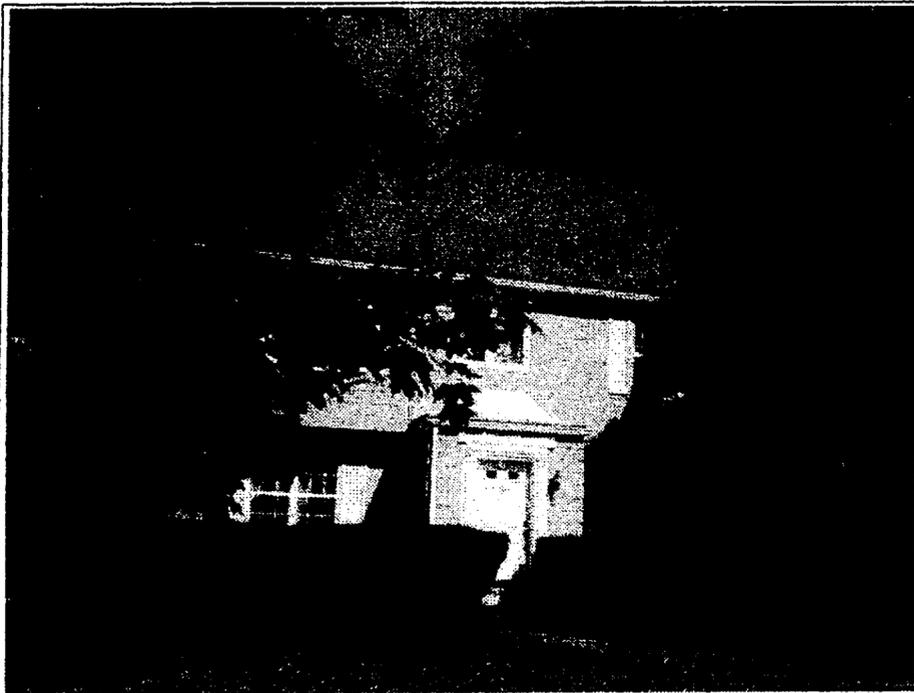
**Windows:** Double-hung with 6-over-1 or 1-over-1 sash. Varied window widths ranging from tall and narrow, to wide even on same structure. Detailed molded hoods over windows are common.

**Door:** Single or double doors, typically with 1/2-3/4 length glass panels.

**Details:** Special detailing at top of gable is often found, such as a transition from wood clapboard to shingles. Upper gable is often separated from facade below by horizontal break or belt course.



## Colonial Revival



### Common Characteristics:

**Typically Built:** 1895 - 1945

**Design:** Symmetrical 3 or 5-bay facade with center entrance.

**Height:** 2-story.

**Materials:** Wood clapboard, shingles, stucco or brick.

**Roof:** Moderate pitch with cornice returns or full gable pediment, dormers. Typically side gable. Gambrel and hip roofs also found.

**Porch:** Single bay porch at entry with Tuscan columns or bracket supported canopy.

**Windows:** Double-hung 6-over-6 or 6-over-1 sash, often with shutters. Uniform size and regular spacing. Bay windows common.

**Door:** Six panel doors, sometimes with sidelight windows.

**Details:** Gable-end lunette, exterior chimneys.



# Foursquare



## Common Characteristics:

**Typically Built:** 1905 - 1920

**Design:** Square or rectangular in footprint, facade often 2 bays wide.

**Height:** 2-story.

**Materials:** Wood clapboard, shingles, stucco, brick or rock-face concrete block.

**Roof:** Steep slope 12:12 pitch gable or hip roof, typically with dormers.

**Porch:** Typically 2-bay porch covers width of house. Square porch columns or 3/4 height posts set on masonry piers.

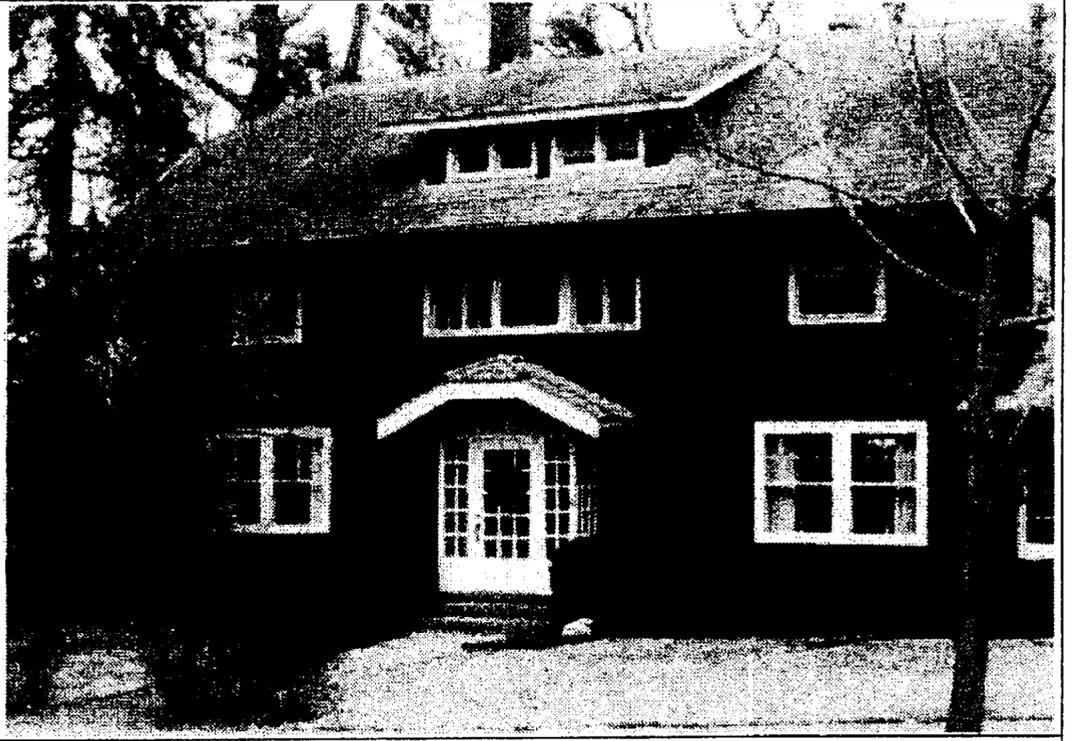
**Windows:** Double-hung 1-over-1 sash. Wide windows of uniform size.

**Door:** Single door, typically with 1/2 to 3/4 length glass panel.

**Details:** Upper floors or gable is often separated from facade below by horizontal break or belt course, with change in materials or colors.



# Craftsman



## Common Characteristics:

**Typically Built:** 1900 - 1925

**Design:** Commonly side gable, square or rectangular in footprint. Some front gables.

**Height:** 1-1/2 to 2 story.

**Materials:** Wood clapboard, wood shingle, masonry, brick.

**Roof:** Moderate slope and pronounced roof. Porch roof is often an extension of primary roof above. Often large shed gable or hip dormer in center of roof. Deep roof overhangs, sometimes with support brackets. Exposed rafter tails.

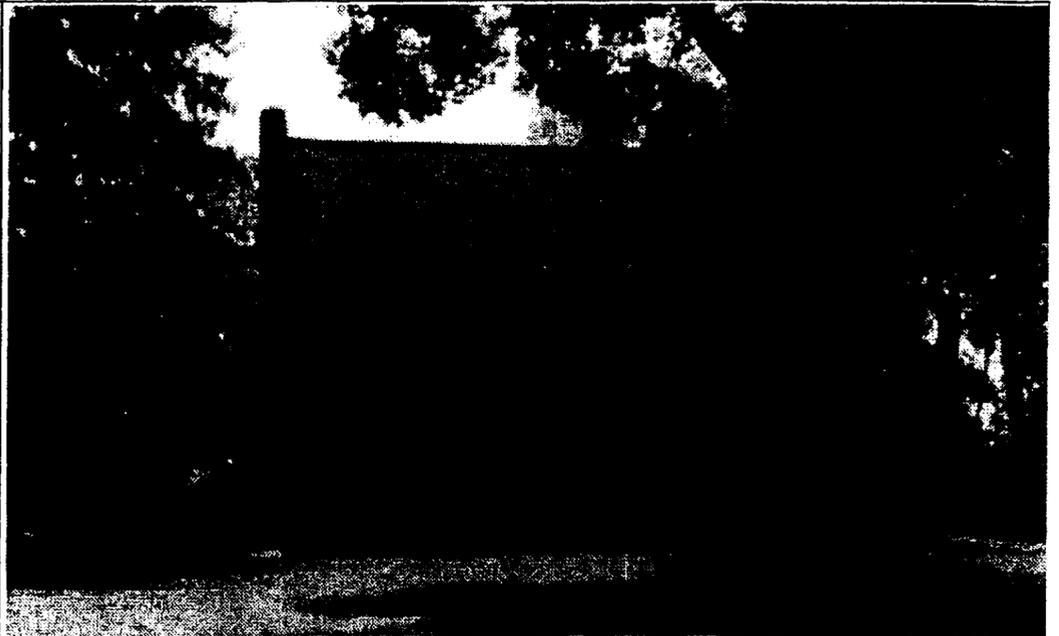
**Porch:** Porches are typically full width of facade when present. Porch posts typically are stout square posts set on masonry piers.

**Windows:** Double-hung with 6-over-6 or 6-over-1 sash, often paired. Some casement windows. Windows vary in size and placement.

**Details:** Sturdy, simplified appearance with rustic look. Not much ornamentation.



## Tudor Revival



### Common Characteristics:

**Typically Built:** 1900 - 1945

**Design:** Asymmetrical layout, often with small gable over entry.

**Height:** 1-1/2 to 2 story.

**Materials:** Stucco, stone, brick or wood shingles, often with a mixture of materials on the same structure.

**Roof:** Steep slope with little or no overhangs, complex roof forms with multiple gables, shed dormers. Slate roofs are common.

**Porch:** Small entrance porch, if present, or side porch. Posts and brackets detailed to resemble heavy timber construction.

**Windows:** Often wide casement windows, paired in 2's or 3's, often with leaden sash.

**Doors:** Front door is often faced with vertical stained or natural finish wood planks.

**Details:** English cottage or manor house appearance. Often has asymmetrical gables.



## Minimal Traditional



### Common Characteristics:

**Typically Built:** 1935 - 1950

**Design:** Asymmetrical, with main roofline often parallel to road and gable.

**Height:** Typically 1-story, some 2-story.

**Materials:** Wood clapboard, brick, stone, often in a mix.

**Roof:** Low to intermediate roof pitch. Minimal eave overhangs, minimal or no rake overhangs.

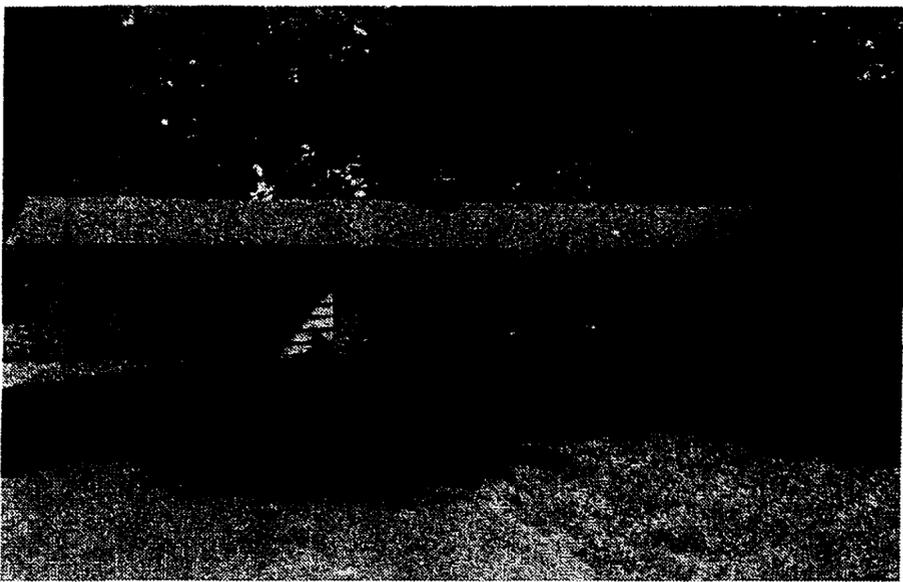
**Porch:** Some small entry porches with iron or simple wood post supports.

**Windows:** Double-hung, casement.

**Details:** Typically has one wide chimney.



# Ranch



## Common Characteristics:

**Typically Built:** 1935 - 1975

**Design:** Long asymmetrical layout, often with garage at one end. Sometimes small gable over entry. Maximizes facade width along road.

**Height:** 1 story.

**Materials:** Wood clapboard, stone or brick.

**Roof:** Very low slope with medium to wide overhangs. Main roofline typically runs parallel to street. Hipped, cross-gabled and side-gabled. Asphalt shingles most common.

**Porch:** Small entrance porch area sometimes found, often with roof which is an extension of main roof above.

**Windows:** Often wide picture or casement windows, or sometimes double-hung with shutters.

**Details:** Decorative Iron or simple wood posts for roof supports near entry.



## Cape Cod



### Common Characteristics:

**Typically Built:** 1920's - Present

**Design:** Ridgeline parallel to road, symmetrical center entrance common.

**Height:** 1 - 2 story.

**Materials:** Wood siding (wide clapboard or shingle), may be brick.

**Roof:** Steep gabled roof, ridgeline parallel to street, with a small overhang and dormers.

**Porch:** Usually no front porch.

**Windows:** Relatively tall with small panes, usually double hung.

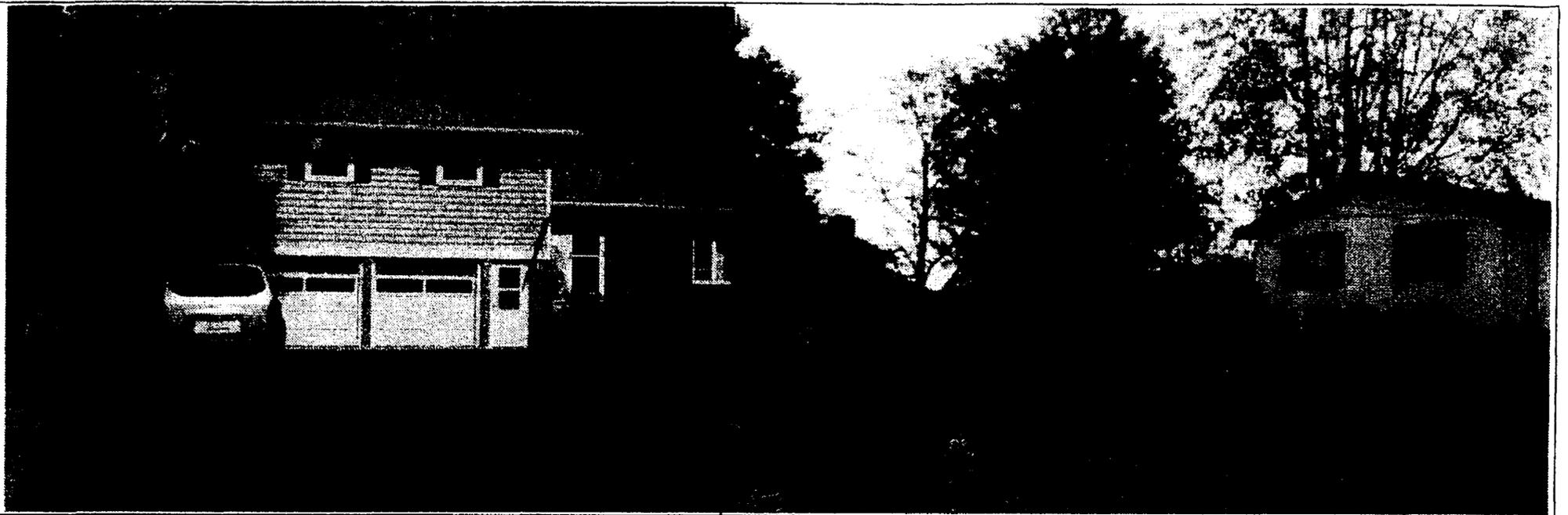
**Door:** Paneled wood door with simple Colonial-inspired detail surrounding it.

**Garage:** Detached, or attached with a breezeway and clearly subordinate to the main house form; earlier examples were built without garages.

**Details:** Usually simplified Colonial revival.



## Split Level



### Common Characteristics:

**Typically Built:** 1955 - 1975

**Design:** Asymmetrical layout, with garage at one end often underneath second story. Two-story section of home is intersected at mid-height with single-story area on one side.

**Height:** 2 story.

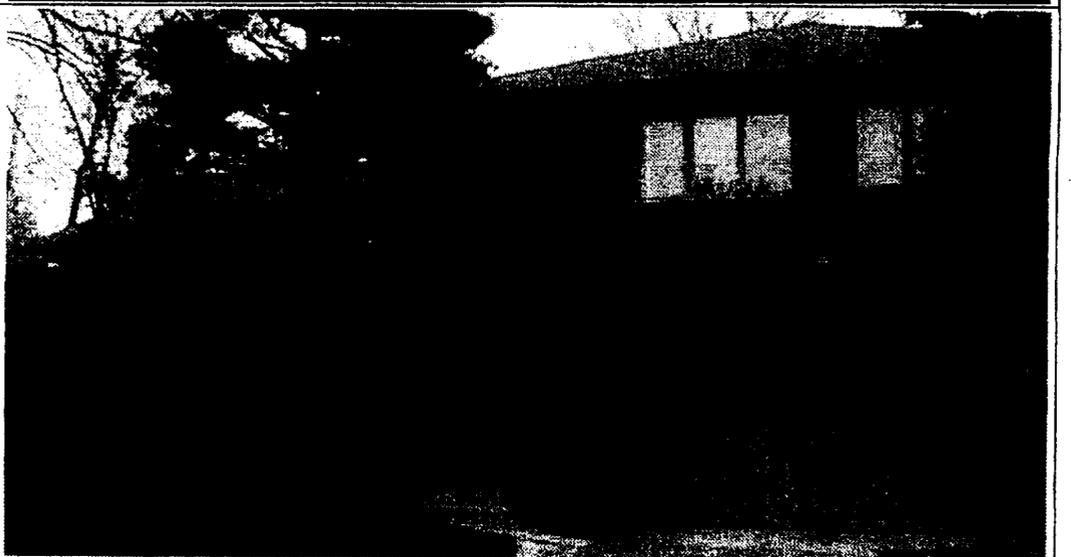
**Materials:** Wood clapboard, vertical wood siding, stone and/or brick, often mixed together.

**Roof:** Low to moderate roof slope with medium to wide overhangs. Hipped and side-gabled roof shapes. Asphalt shingles most common.

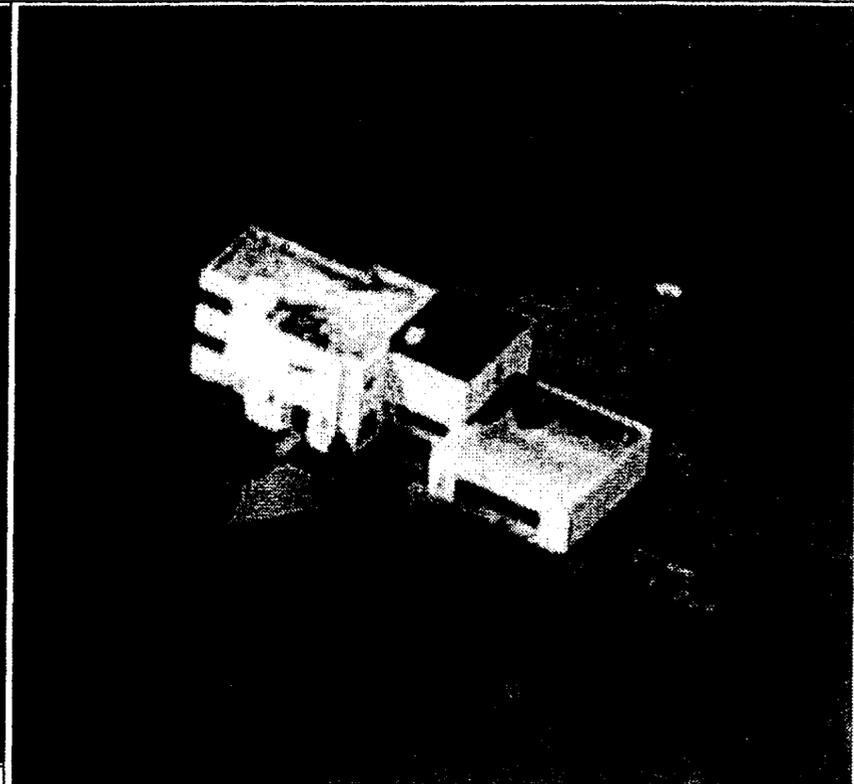
**Porch:** Porches uncommon. Small covered entry areas sometimes found which are extension of main roof above.

**Windows:** Double-hung or casement windows, often with shutters.

**Details:** Often utilizes mixture of different materials and colors along facade.



## International



### Common Characteristics:

**Typically Built:** 1925 - Present

**Design:** Generally simple smooth exterior form and massing with little or no detailing or ornamentation, asymmetrical layout.

**Height:** 2 story.

**Materials:** Smooth exterior surfaces, typically stucco, without ornamentation or detailing.

**Roof:** Flat roof without any edge detailing or coping.

**Porch:** No porch.

**Windows:** Picture or gridded windows set almost flush with exterior wall. No trim. Ribbon windows or windows which wrap around corners often found.

**Details:** Very little ornamentation. Exterior areas which do not have windows are typically left as large blank areas of wall. Use of cantilevered overhangs common.



# Contemporary



## Common Characteristics:

**Typically Built:** 1940 - 1980

**Design:** Asymmetrical layout.

**Height:** 1 – 2 story.

**Materials:** Typically vertical wood siding, stone or brick.

**Roof:** Low to moderate roof slope with overhanging eaves, often with exposed rafter tails. Asphalt shingles most common. Some flat roof examples.

**Porch:** Small covered entrance area sometimes found, often with roof which is an extension of main roof above.

**Windows:** Typically wide picture or casement windows.

**Details:** Exposed rafter tails or roof beams. Asymmetrical gable shapes, where one side of gable is cut short.



## Neo-Traditional



### Common Characteristics:

**Typically Built:** 1980 - Present

**Design:** Asymmetrical layout with gabled roof and steep roof pitch, one or more cross gables. Generally imitates traditional styles such as Queen Anne. Attached garage.

**Height:** 2 story.

**Materials:** Wood clapboard, often mixed with brick or sometimes stone. Asphalt shingles.

**Roof:** Steep roof pitch, often with complex forms, hip roof and smaller gables nested inside of larger gables.

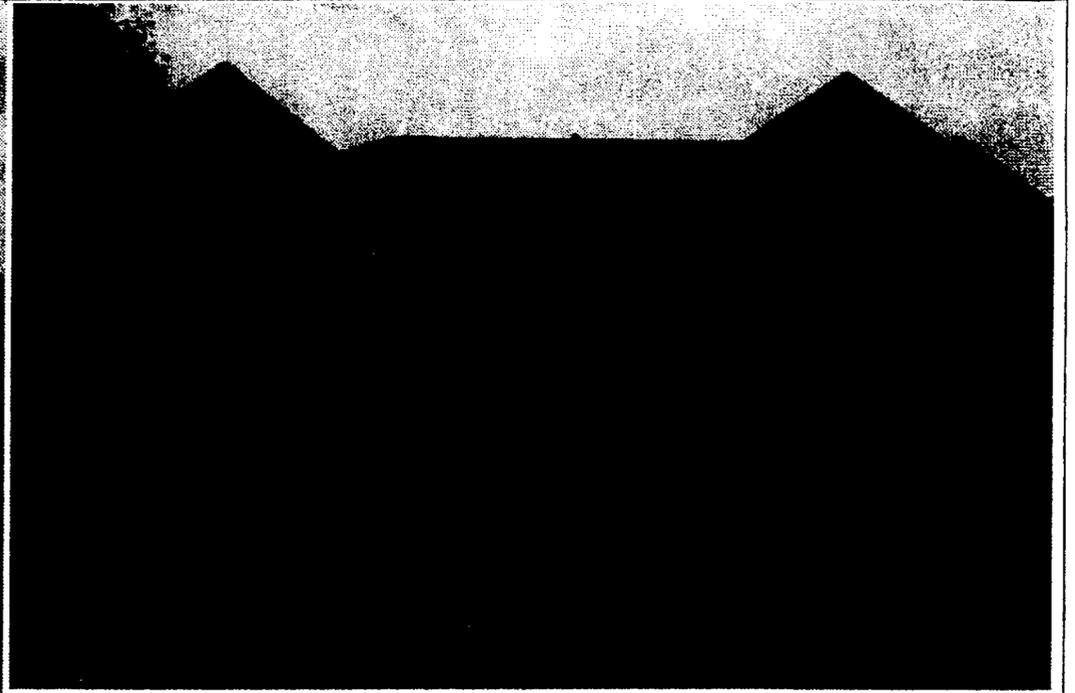
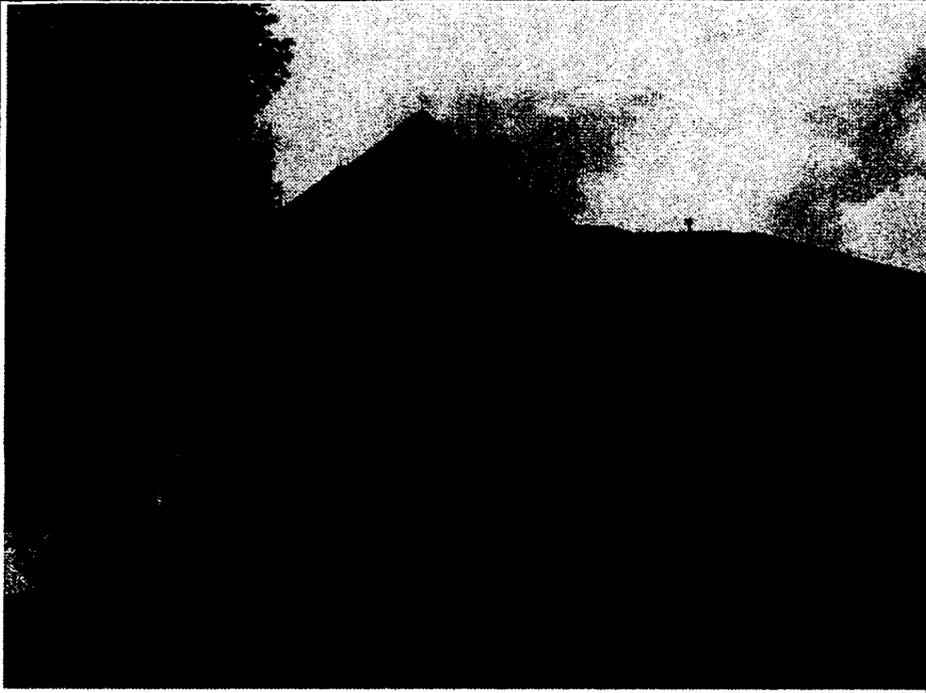
**Porch:** Small covered porch or entry area sometimes found, often with roof which is an extension of main roof above.

**Windows:** Typically double-hung, simulated divided light, often with decorative (non-functional) shutters.

**Details:** Full pediment gables.



## Neo-Eclectic



### Common Characteristics:

**Typically Built:** 1980 - Present

**Design:** Asymmetrical layout with prominent front facade, gabled roof and steep roof pitch, one or more cross gables. Attached garage.

**Height:** 2 story.

**Materials:** Most commonly brick, with some wood clapboard, sometimes mixed with stone. Asphalt shingles most common.

**Roof:** Steep roof pitch, broken pediment gable. Roof often made of complex forms, hip roof and smaller gables nested inside of larger gables.

**Porch:** No porch. Shallow covered or recessed entryway often found.

**Windows:** Typically double-hung or casement with simulated divided light. Decorative (non-functional) shutters often found. Bay windows common.

**Details:** Very prominent front entryway, often 2 stories in height highlighted with large windows above and/or flanked by large columns.

