

## PLANNING BOARD AGENDA

JUNE 27, 2023 @ 7:00 PM

### ***APPEAL : 105SP-23***

John and Jacqueline Nacca Site Plan of New lot areas and House Plot.

Site Plots to Big to Mail you will have to come to Toms office to look at them.

### ***APPEAL : 104AV-23***

Joe Nacca Site Area of New House and Planned area of work

Site Plots to Big to Mail you will have to come to Toms office to look at them.

### **SOLAR SEQR**

**Septic Review from Jeff Graff**

# TOWN OF BENTON

## PLANNING BOARD - ZONING BOARD OF APPEALS APPLICATION

Application No. 105 SP-23 Date 12/01/22 Fee \$50

Name: John & Jacqueline Nacca phone 585.453.7730

Address: 30 West Broad Street, Suite 406, Rochester, NY 14614 email \_\_\_\_\_

Applicant is applying for the following:

- |   |  |
|---|--|
| <input type="checkbox"/> Area Variance      | <input type="checkbox"/> Zoning Interpretation       |
| <input type="checkbox"/> Use Variance       | <input checked="" type="checkbox"/> Subdivision      |
| <input type="checkbox"/> Special Use Permit | <input checked="" type="checkbox"/> Site Plan Review |

Other \_\_\_\_\_

Location of Property 940 Angus Point Rd.

Tax Map No. 19.42-1-1, 19.34-1-11 & 19.42-1-3 Zoning District Ar-1 & LR

Describe Action requested:

This project involves the lot line adjustment of 3 parcels that are currently oriented in a way that does not optimize the lake front for all parties involved in the project. The new configuration will allow both land owners to have proper access and ownership of lakefront property. The new lot line adjustment will allow for two lots to have lake views and lake access, with the remaining portion to remain wooded. This application will also have a proposed new single family residence on the new lot farthest to the north.

Area Variance Information:

	Required	Actual	Variance Request
Frontage:	_____	_____	_____
Front Setback:	_____	_____	_____
Side Setback:	_____	_____	_____
Rear Setback:	_____	_____	_____
Lot Size:	_____	_____	_____

Attached to this application is the following documentation:

Site Plan  Construction Plans  SEQR  Other \_\_\_\_\_

Property Owner \_\_\_\_\_ Telephone \_\_\_\_\_  
Address \_\_\_\_\_

Signature John Nacca Date 12/01/22

# TOWN OF BENTON

## BUILDING AND ZONING APPLICATION

1000 SR 14A, PENN YAN, NY 14527

585-329-6904 315-536-9600

FAX 315-536-7715

E-MAIL: [zoning@townofbenton.us](mailto:zoning@townofbenton.us)

Name of Applicant John & Jacqueline Nacca Date: 11/17/22

Address 30 West Broad Street, Suite 406, Rochester, NY 14614 Phone: 585.453.7730

Property Owner (if not same) \_\_\_\_\_

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

### APPLICATION IS BEING MADE FOR:

Building Permit  Variance/Special Use \*\*  Septic System Permit\*\*  
 Site Plan \*\*  Subdivision\*\*  Other (\*\* Add'l Forms)  
Annexation

On Land Located at 940 Angus Point Rd. (Same) or \_\_\_\_\_

Zoning District \_\_\_\_\_ Tax Map # 19.42-1-1 & 19.42-1-3

Present Use of Property Vacant Land

Description of Proposed Improvements and/or Use: This project consists of a lot line adjustment and the construction of a new single-family residence. Site improvements include grading, drainage, and utilities.

Size of Improvement 3,120 Sq. Ft. Estimated Cost: \$100,000

Type of Construction: Wood , Metal \_\_\_\_\_, Masonry \_\_\_\_\_, Other \_\_\_\_\_

Height: In Stories 1-story, In Feet 25'

Yard Setback: Front 79.4', Rear 308.5'

Side (Widest) 50', Side (Narrowest) \_\_\_\_\_

Signature: *John Nacca* Date: 11/21/2022  
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Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Variance Requested \_\_\_\_\_

Variance Granted: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_

Permit # 105SP-23 Fee \$ 50.-

Code Enforcement Officer *John & Nacca* Date: 6-9-23

Contractor Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

Insurance: Workman's Comp. Liability Exemption Form

*Contractor/Owner agrees to comply with all New York State and Local Codes and Laws.*

*Contractor/Owner agrees to call for all inspections as required.*

# TOWN OF BENTON

## PLANNING BOARD - ZONING BOARD OF APPEALS APPLICATION

Application No. 104AV-23 Date 6-9-23 Fee 200

Name: Joe Nacca phone \_\_\_\_\_

Address: 43 W. Church St., Fairport, NY 14450 email jnacca@sagerutty.com

Applicant is applying for the following:

- Area Variance
- Use Variance
- Special Use Permit
- Zoning Interpretation
- Subdivision
- Site Plan Review

Other \_\_\_\_\_

Location of Property 940 Angus Point Rd.

Tax Map No. 19.42-1-3 & 19.42-1-1 Zoning District LR (Lake Residential)

Describe Action requested:

This project involves the construction of a cottage at the very end of Angus Point Rd. Due to the proximity of the cottage and the retaining wall along the lake front, this project will require a front setback variance of 40.2 feet.  
The cottage retaining wall will be setback from the mean high water level at a distance of 9.2 feet when 50 feet is required

Area Variance Information:

	Required	Actual	Variance Request
Frontage:	_____	_____	_____
Front Setback:	<u>50'</u>	<u>9.2'</u>	<u>40.2'</u>
Side Setback:	_____	_____	_____
Rear Setback:	_____	_____	_____
Lot Size:	_____	_____	_____

Attached to this application is the following documentation:

Site Plan  Construction Plans  SEQR  Other \_\_\_\_\_

Property Owner Joe Nacca Telephone \_\_\_\_\_

Address 43 W. Church St., Fairport, NY 14450

Signature Joe Nacca Date 6/6/2023

**Application for an Area Variance:**

To enable the Zoning board of appeals to grant an area variance, the applicant should address the five factors listed below. Attach additional sheets if necessary. The Zoning Board of Appeals will consider these five factors when balancing two elements: (1) the benefit to the applicant from the variance and (2) the detriment to the health, safety, and welfare of the community or neighborhood that would occur if the variance were to be granted.

Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the grant of the variance.

An undesirable change will not be produced in the character of the neighborhood or the detriment of the nearby properties as this project will match the way the houses are currently placed along Angus Point Extension.

Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance.

Given the size of the lot along the lakefront there is no feasible way to achieve the desired result without an area variance

Whether the requested variance is substantial.

This variance request is not substantial as this project will match the orientation of the buildings along the lakefront

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or the district.

This project will not have an adverse effect on the physical or environmental conditions within the neighborhood.

With the construction of this project we will be stabilizing the lake front and preventing any further erosion occurring on this site, due to the steepness of the banks running down to the lake.

Whether the alleged difficulty was self-created.

This difficulty is a result of the railroad dissecting the property and leaving a small lot along the lake front.

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

DocuSigned by:  
*Joe Nacca*  
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Date: 6/6/2023

# TOWN OF BENTON

## BUILDING AND ZONING APPLICATION

1000 SR 14A, PENN YAN, NY 14527  
585-329-6904 315-536-9600  
FAX 315-536-7715  
E-MAIL: [zoning@townofbenton.us](mailto:zoning@townofbenton.us)

Name of Applicant Joe Nacca Date: 06/06/23  
Address 43 W. Church St., Fairport, NY 14450 Phone: \_\_\_\_\_  
Property Owner (if not same) \_\_\_\_\_  
Address \_\_\_\_\_ Phone: \_\_\_\_\_

### APPLICATION IS BEING MADE FOR:

Building Permit  Variance/Special Use \*\*  Septic System Permit\*\*  
 Site Plan \*\*  Subdivision\*\*  Other (\*\* Add'l Forms)

On Land Located at 940 Angus Point Rd. (Same) or \_\_\_\_\_

Zoning District \_\_\_\_\_ Tax Map # N/A - New number to be assigned. It is currently part of 19.42-1-1 & 19.42-1-3.

Present Use of Property Vacant

Description of Proposed Improvements and/or Use: This project consists of the construction of a new single-family cottage on what will be Lot #2 of the the 3-lot subdivision of the subject parcel(s). Site improvements include grading, drainage, and utilities.

Size of Improvement 1,236 Sq. Ft. Estimated Cost: \$100,000

Type of Construction: Wood , Metal \_\_\_\_\_, Masonry \_\_\_\_\_, Other \_\_\_\_\_

Height: In Stories 1-story, In Feet 23.5'

Yard Setback: Front 9.2', Rear 15.0'

Side (Widest) 15', Side (Narrowest) 15'

Signature: Joe Nacca Date: 6/6/2023  
DocuSigned by: B51B557906B44F4...

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Variance Requested \_\_\_\_\_

Variance Granted: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_

Permit # 104AV-23 Fee \$ 200

Code Enforcement Officer [Signature] Date: 6-9-23

Contractor Name: TBD Phone: \_\_\_\_\_

Address: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

Insurance: Workman's Comp. Liability Exemption Form

*Contractor/Owner agrees to comply with all New York State and Local Codes and Laws.*

*Contractor/Owner agrees to call for all inspections as required.*