

REQUEST FOR ACTION BY:
TOWN OF CLARENCE, N.Y.

- Appeal Board
- Planning Board
- Town Board

- Appeal
- Rezone
- Revise Ordinance
- Subdivision
- Limited Use Permit
- Other

Rec'd. by: Jonathan Bleuer
 Date January 27, 2016

Action Desired Applicant requests a variance of 2.5' to allow for a 10' side yard setback for a proposed residential single family home located at 5348 Glenview Drive in the Residential Single-Family zone.

Reason §229-52 (B)

PLEASE PRINT

Name	Forbes Capretto Homes		
Address	470 Cayuga Road		
	Buffalo,	NY	14225
Town/City		State	Zip
Phone	688-5597		
Signed	SIGNATURE ON FILE		

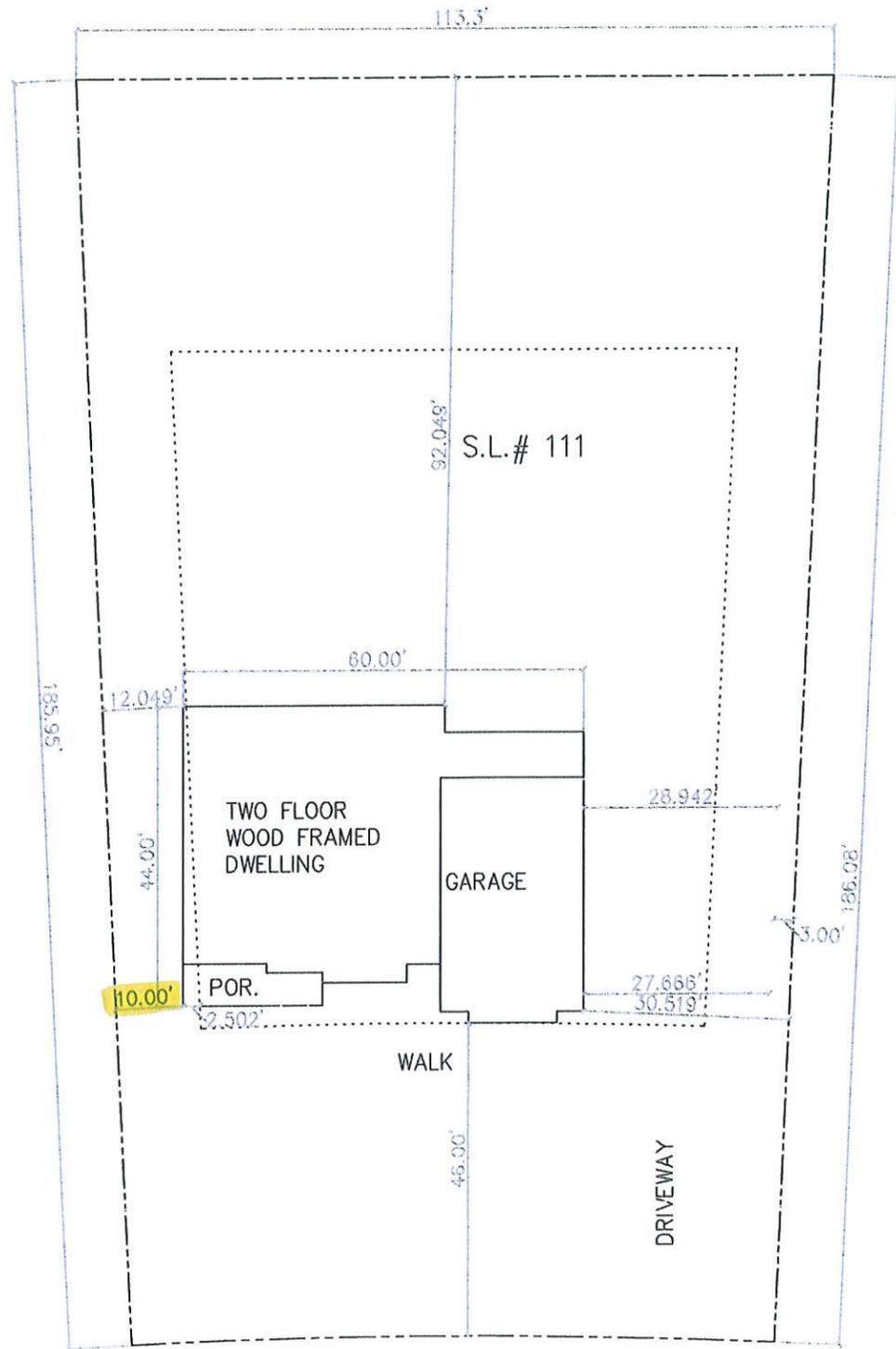
Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

Initial Action

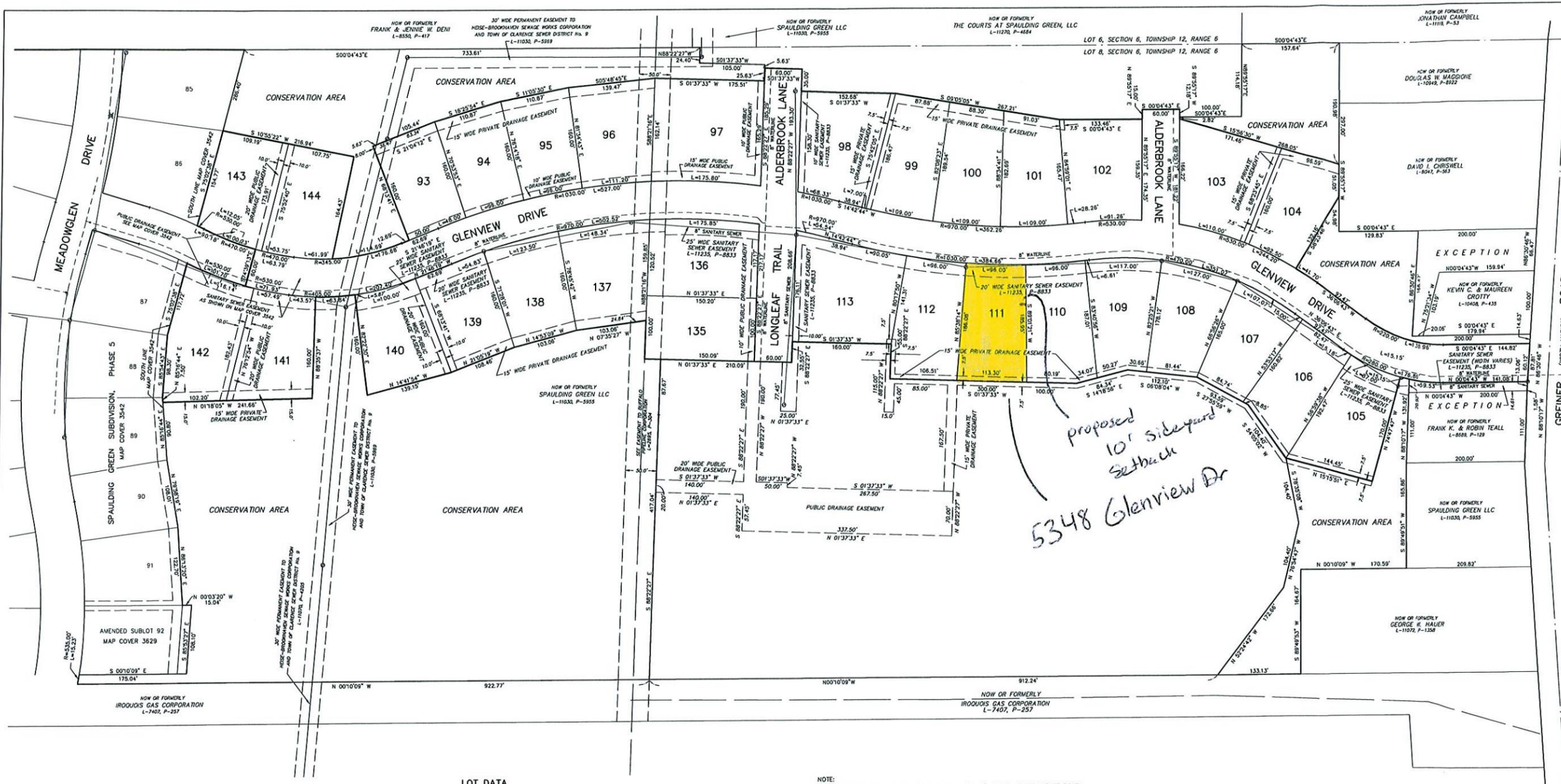
- Approved
- Rejected by on 20
- Approved
- Rejected by on 20
- Published (Attach Clipping) on 20
- Hearing Held by on 20

Final Action Taken

- Approved
- Rejected by on 20
- Published (Attach Clipping) on 20
- Filed with Town Clerk on 20
- Filed with County Clerk on 20



GLENVIEW DRIVE



Proposed
10' sidewalk
setback
5348 Glenview Dr

LOT DATA

LOT AREA	BASEMENT TYPE	MIN. SETBACK FROM STREET	LOT AREA	BASEMENT TYPE	MIN. SETBACK FROM STREET
LOT 93 16,232 ± Sq. Ft.	FL. DAYLIGHT	45.0'	LOT 113 26,900 ± Sq. Ft.	TRADITIONAL	45.0'
LOT 94 16,458 ± Sq. Ft.	FL. DAYLIGHT	45.0'	LOT 114 18,000 ± Sq. Ft.	TRADITIONAL	45.0'
LOT 95 16,458 ± Sq. Ft.	FL. DAYLIGHT	45.0'	LOT 135 17,564 ± Sq. Ft.	FL. DAYLIGHT	45.0'
LOT 96 19,978 ± Sq. Ft.	FL. DAYLIGHT	45.0'	LOT 136 21,335 ± Sq. Ft.	FL. DAYLIGHT	45.0'
LOT 97 25,289 ± Sq. Ft.	FL. DAYLIGHT	45.0'	LOT 137 20,963 ± Sq. Ft.	FL. DAYLIGHT	45.0'
LOT 98 22,659 ± Sq. Ft.	FL. TRADITIONAL	45.0'	LOT 138 18,243 ± Sq. Ft.	FL. DAYLIGHT	45.0'
LOT 99 18,579 ± Sq. Ft.	FL. TRADITIONAL	45.0'	LOT 139 18,131 ± Sq. Ft.	FL. DAYLIGHT	45.0'
LOT 100 18,413 ± Sq. Ft.	FL. TRADITIONAL	45.0'	LOT 140 20,121 ± Sq. Ft.	FL. DAYLIGHT	45.0'
LOT 101 17,351 ± Sq. Ft.	FL. TRADITIONAL	45.0'	LOT 141 18,243 ± Sq. Ft.	FL. DAYLIGHT	45.0'
LOT 102 20,291 ± Sq. Ft.	FL. TRADITIONAL	45.0'	LOT 142 22,718 ± Sq. Ft.	FL. DAYLIGHT	45.0'
LOT 103 22,225 ± Sq. Ft.	FL. TRADITIONAL	45.0'	LOT 143 18,340 ± Sq. Ft.	FL. DAYLIGHT	45.0'
LOT 104 17,525 ± Sq. Ft.	FL. TRADITIONAL	45.0'	LOT 144 19,120 ± Sq. Ft.	FL. DAYLIGHT	45.0'
LOT 105 20,322 ± Sq. Ft.	FL. WALKOUT	45.0'			
LOT 106 17,853 ± Sq. Ft.	FL. WALKOUT	45.0'			
LOT 107 17,016 ± Sq. Ft.	FL. DAYLIGHT	45.0'			
LOT 108 17,963 ± Sq. Ft.	FL. TRADITIONAL	45.0'			
LOT 109 18,399 ± Sq. Ft.	FL. TRADITIONAL	45.0'			
LOT 110 19,798 ± Sq. Ft.	FL. TRADITIONAL	45.0'			
LOT 111 19,370 ± Sq. Ft.	FL. TRADITIONAL	45.0'			
LOT 112 19,773 ± Sq. Ft.	FL. TRADITIONAL	45.0'			

TYPICAL LOT SETBACK DEPICTION



NOTE:
TOP OF FOUNDATION WALL TO BE A MAXIMUM OF 40' ABOVE CENTERLINE OF ROAD UNLESS THE NATURAL TOPOGRAPHY REQUIRES MORE THAN 40'.
CHANGES OF BASEMENT TYPE MUST BE APPROVED BY THE TOWN OF CLARENCE BUILDING DEPT.

AREAS:
WITHIN SUB LOTS: 13.938 ± Acres
WITHIN PUBLIC STREETS: 3.751 ± Acres
WITHIN CONSERVATION AREAS: 13.336 ± Acres
TOTAL AREA: 31.025 ± Acres

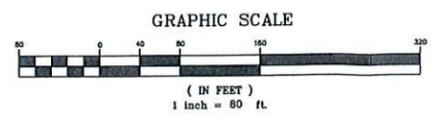
NOTES:
ALL IMPROVEMENTS WILL BE INSTALLED UNDER TOWN PERMITS WITH ALL PLANS CONSISTANT WITH PRELIMINARY PLAN
THE CONSERVATION AREAS SHOWN ON THIS MAP ARE INTENDED FOR THE COMMON USE AND ENJOYMENT OF THE RESIDENTS OF THE TOWN OF CLARENCE. SEE THE RESTRICTIONS SET FORTH IN THE "SPAULDING GREEN SUBDIVISION" HOMEOWNERS DECLARATION FILED OR TO BE FILED IN THE ERIE COUNTY CLERK'S OFFICE.

PRIVATE DRAINAGE EASEMENTS SET FORTH ON THE SUBDIVISION MAP ARE FOR THE BENEFIT OF THE OWNERS OF THE PROPERTY WITHIN THE SUBDIVISION AND THE BENEFIT DERIVED FROM THESE EASEMENTS IS FOR THE PROPERTY ONLY AND THE TOWN OF CLARENCE ASSUMES NO RESPONSIBILITY FOR MAINTENANCE THEREOF.
PUBLIC DRAINAGE EASEMENTS SHALL BE GRANTED TO THE TOWN OF CLARENCE. NO STRUCTURES, PLANTINGS OR OTHER MATERIALS SHALL BE PLACED OR BE PERMITTED TO REMAIN WHICH MAY DAMAGE OR OTHERWISE INTERFERE WITH OR CHANGE THE FLOW OF DRAINAGE CHANNELS, SWALES AND/OR FACILITIES IN THE DRAINAGE EASEMENTS.

SANITARY SEWER EASEMENTS ARE GRANTED TO THE TOWN OF CLARENCE SEWER DIST. No. 4 FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER UBER 11235 PAGE 8833.
SEE SURVEY PREPARED BY GPI ENGINEERING & SURVEYING, LLP
JOB No. 200308, DATED DECEMBER 19, 2007

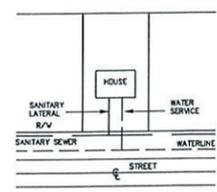
INDICATES MONUMENT TO BE INSTALLED BY THE DEVELOPER.
BENCHMARK: TOP OF SHUT-OFF ON HYDRANT ON WEST SIDE OF MEADOWGLEN DRIVE SOUTH OF HOUSE No. 5660 - ELEVATION: 656.32

SUBJECT TO SANITARY SEWER EASEMENTS GRANTED TO THE COUNTY OF ERIE AND ERIE COUNTY SEWER DISTRICT No. 5 FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER UBER 11235 PAGE 8833.



MARK J. ANDREWS, L.S.
NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

SANITARY SEWER FACILITIES, EXISTING AND PROPOSED, AND WATER SUPPLY FACILITIES, EXISTING AND PROPOSED, SHOWN ON THIS SUBDIVISION MAP ARE FOR THE PURPOSE OF COMPLIANCE WITH NEW YORK STATE SUBDIVISION LAW. GPI ENGINEERING AND SURVEYING, LLP, ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF SANITARY SEWER AND WATER FACILITIES SHOWN ON THIS MAP OR FOR THE APPROVAL, CONSTRUCTION OR ACCEPTANCE BY APPROPRIATE GOVERNMENT AGENCIES OF SAID FACILITIES.



RESERVED FOR ERIE COUNTY HEALTH DEPARTMENT

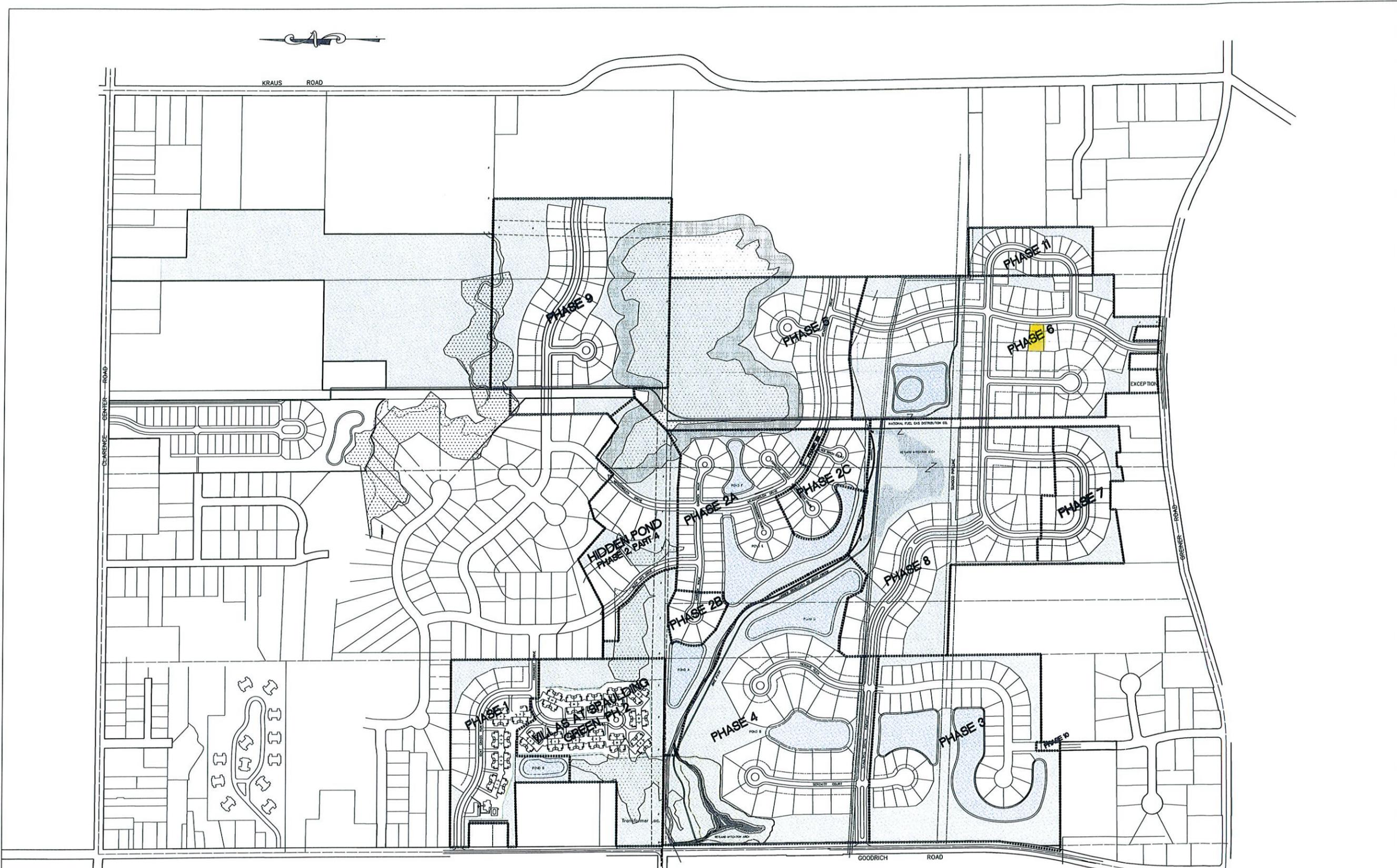
RESERVED FOR ERIE COUNTY DEPARTMENT OF FINANCE

OWNER'S CONSENT FOR FILING:
OWNER _____ DATE _____
APPROVED BY THE TOWN OF CLARENCE PLANNING BOARD:
CHAIRPERSON _____ DATE _____
FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER:
MAP COVER: _____ DATE: _____

SUBDIVISION MAP OF
Spaulding Green
Subdivision, Phase 6A
OPEN SPACE DESIGN DEVELOPMENT OVERLAY
TOWN OF CLARENCE, ERIE COUNTY, NEW YORK
BEING PART OF LOT 8, SECTION 6, TOWNSHIP 12, RANGE 6
HOLLAND LAND SURVEY

GPI
GREENMAN-PEDERSEN, INC.
CONSULTING ENGINEERS
ENGINEERING • SURVEYING • PLANNING
SURVEYING SERVICES PERFORMED BY GPI ENGINEERING AND SURVEYING LLP
4950 GENESSEE STREET SUITE 100 BUFFALO, NY 14225
(716) 833-4844 FAX (716) 833-4940

JOB No.: 20070806 DATE: FEBRUARY 5, 2015



SITE DATA

PROJECT ACREAGE: 400.6± acres (Excludes TND Area)
 EXISTING ZONING: R-SF, A-RR
 UTILIZES THE OPEN SPACE DESIGN DEVELOPMENT
 SINGLE FAMILY HOMES: 203
 PATIO STYLE HOMES: 154
 QUADPLEX UNITS: 68
 TOTAL NUMBER OF UNITS PROPOSED: 425± (Excludes TND Area)
 REQUIRED OPEN SPACE (50%): 200.3± acres
 PROPOSED OPEN SPACE: 211.9± acres (53%)

CONSTRUCTION WORK COMPLETED

PHASE 1:	10 LOTS	COMPLETED 2011
VILLAS AT SPAULDING, PH 1:	20 UNITS	COMPLETED 2011
HIDDEN POND, PH 2, PT 4:	8 LOTS	COMPLETED 2011
PHASE 2A:	44 LOTS	COMPLETED 2011
PHASE 5A:	21 LOTS	COMPLETED 2012
PHASE 2B:	9 LOTS	COMPLETED 2013
PHASE 2C:	18 LOTS	COMPLETED 2013
VILLAS AT SPAULDING, PH 2:	48 UNITS	COMPLETED 2013
PHASE 6A:	31 LOTS	COMPLETED 2014
209 LOTS TOTAL		

PHASES APPROVED/PROCESSING

PHASE 11:	33 LOTS	UNDER CONSTRUCTION
PHASE 6B:	21 UNITS	DEVELOPMENT PLAN APPROVED
PHASE 4:	27 LOTS	ENGINEERING REVIEW
PHASE 3:	50 LOTS	ENGINEERING REVIEW
131 LOTS TOTAL		

PROPOSED PHASES (WITHIN 380 TOTAL)

PHASE 8:	40± UNITS
40 LOTS TOTAL	

PROPOSED EXPANSION PHASES

PHASE 7:	17± UNITS
PHASE 9:	28± LOTS
45 LOTS TOTAL	

Town of Clarence
 ERIE COUNTY NEW YORK
 TOWN JOB NO.:
 APPROVED BY: DATE:
 TOWN ENGINEER: DATE:
 REVISION: DATE: BY:
 DATE: JULY 2013
 SCALE: 1" = 32'

SPAULDING GREEN

PROPOSED OVERALL PLAN



DATE:	JULY 2013	SHEET NO.:	1 of 1
DESIGNED:		SCALE:	1" = 32'
DRAWN:			



Ref: 9265 Roll Rd

Jane Yousey
9255 Roll Rd

Jane,

I know you are not happy with the thought of Barb and I building a second garage regardless of where I put it as you previously had stated your displeasure with us even building our home on the property. We had given it much thought and the proposed placement seemed to be the best resolution and the least intrusive to your view.

The proposed layout had the back of the garage in front of the front of your house (see additional sheet marked A). The front of your house is at a calculated setback (distance from the property line) of 215'. The setback distance of the rear of the garage would be at approximately 192' feet. Knowing the layout of your house when you gave me a tour back in November I was familiar with the Livingroom and kitchen on the rear of the house along with your rear patio. Keeping this in mind we tried to keep the garage out of your line of site from your rear deck and family room and limited view obstruction from your kitchen window and side porch. The setback is also ideal for not interfering with the line of site for pulling out of our driveways and making the building less visible from the street.

We would be happy to consider moving it to a greater set back but we felt if anything this would have been even more visually intrusive to you. If we move it back to 200' (as the board had suggested) it would make the rear of the garage almost parallel to the rear of your house totally blocking any view from the side of your house and partially obstructing the view from your rear patio. If we go any further back than that it will clearly obstruct any view from the rear area of your house and turn your side view into looking at a driveway.

Any setback further than my proposed layout would also require me to remove the shrubbery, evergreens and small berm that are on my property but separate our homes and currently provide you with some privacy.

Since my property goes back 600+ feet we can go even further back but that just compounds the problem of you having to look at a barn.

I have already spoken to Matt (neighbor to my east) and have cc'd him on this correspondence. The building permit will address any drainage concerns.

Please advise what you are suggesting or proposing for a location so that we can consider this alternative. I have included my home address for response or if you would like to meet for coffee I am also open for that.

David & Barbara Thompson
1308 Cleveland Dr
Cheektowaga, NY 14225
716-481-4418 cell / text

CC Matt and Brittany Richards, 9275 Roll rd
T.O. Clarence, Variance and Zoning

RECEIVED

JAN 13 2016

ZONING OFFICE

