

Village of Scottsville  
Planning Board Meeting Agenda  
Wheatland Municipal Building  
Thursday, February 9, 2023 – 7:00pm

[Agenda](#)

1. **Call to Order:** Chairman Steve Cullum called the Thursday, February 9, 2023 Village of Scottsville Planning Board meeting to order at       pm.

2. **Pledge of Allegiance**

3. **Roll Call:**

Steve Cullum  
Kevin Marks  
Mark Smith  
Patti Brandes  
David Domina

**Also Present:**

Emily Clarke, Deputy Clerk  
Anne Hartman, Village Clerk  
Andy Fraser, Deputy Mayor

4. **Approval of Minutes:**

**Motion:** made by                   and seconded by  
January 12, 2023 Planning Board Meeting as submitted.

to approve the minutes of the Thursday,

**Vote:** Carries ( - )

Steve Cullum  
Kevin Marks  
Mark Smith

Patti Brandes  
David Domina

**Approval of Minutes:**

**Motion:** made by                   and seconded by  
December 8, 2022 Planning Board Meeting as submitted.

to approve the minutes of the Thursday,

**Vote:** Carries ( - )

Steve Cullum  
Kevin Marks  
Mark Smith

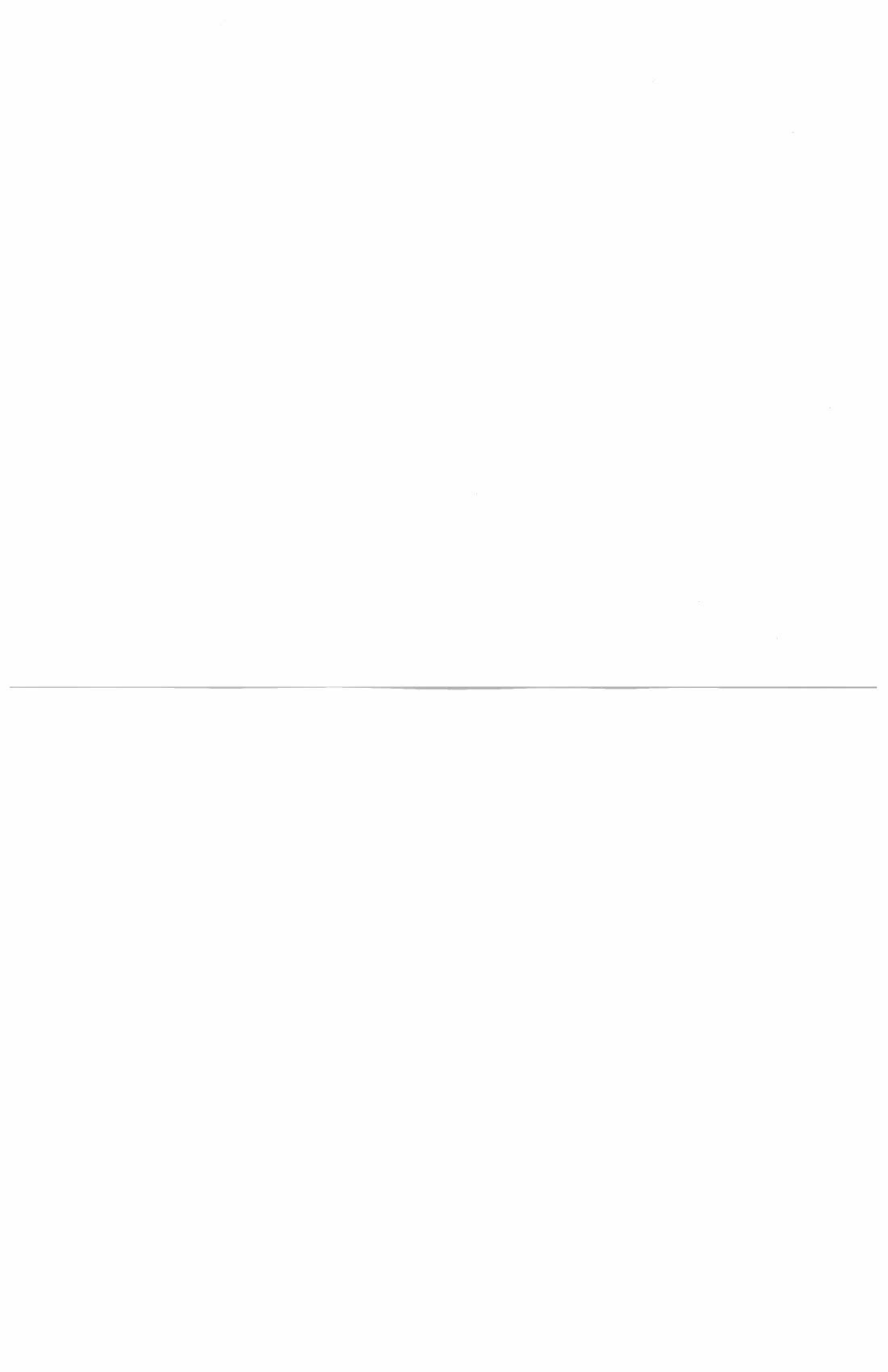
Patti Brandes  
David Domina

5. **Public Hearing to grant a special use permit 32 Main St.**

Chairman Cullum opened the public hearing by reading the notice form the Sentinel at       pm.

**Village of Scottsville**  
**NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE**, a public hearing of the Village of Scottsville Planning Board has been scheduled on Thursday, February 9<sup>th</sup>, 2023 at 7:00 pm at the Wheatland Municipal Building,



22 Main Street, Scottsville, NY to consider granting a special use permit for residential use for 32 Main Street, Scottsville, NY.

All interested persons will be given an opportunity to speak for or against the above proposed subdivision at the time and location set herein. Comments may also be sent via email to [villageclerk@scottsvilleny.org](mailto:villageclerk@scottsvilleny.org).

Public comment opened at pm

Public Comment:

Public Comment closed and Board Comment opened at pm

Board Comment:

Public Hearing closed at pm

**Motion:** made by

Vote: Carries ( - )

Steve Cullum

Kevin Marks

Mark Smith

and seconded by

Patti Brandes

David Domina

to

6. New Business

7. Old Business

As discussed in last month's meeting, we have all of the other village's Building Permit Applications to compare and possibly modify our own.

8. Adjournment:

Motion: made by pm.

and seconded by

to adjourn the meeting at

Vote: Carries ( - )

Steve Cullum

Kevin Marks

Mark Smith

Patti Brandes

David Domina



[UNAPPROVED Minutes](#)

1. **Call to Order:** Chairman Steve Cullum called the Thursday, January 12, 2023 Village of Scottsville Planning Board meeting to order at 7:03pm.

2. **Pledge of Allegiance**

3. **Roll Call:**

Steve Cullum  
Kevin Marks  
Patti Brandes  
Mark Smith

**Also present:**

Emily Clarke, Deputy Clerk  
Anne Hartman, Village Clerk  
Andy Fraser, Deputy Mayor  
Kip Finley  
Henry Pazko

**Attorney:**

Lauren Baron

**Absent:**

David Domina

4. **Discussion:**

Attorney Lauren Baron is going to check into if this needs to be a separate special use permit for a one family dwelling or if it can be attached to the special use permit that is already in place for 32 Main Street.

Chairman Steve Cullum would like to see a site plan with parking before moving forward with the special use permit for 32 Main Street.

Talk of setting a Public Hearing set for February 9<sup>th</sup>, 2023 to move forward in the process for 32 Main street conditional upon the receipt of a completed building application and the site plan Chairman Steve Cullum asked for by January 19<sup>th</sup>, 2023.

5. **Motion:** made by Steve Cullum and seconded by Kevin Marks to set a Public Hearing contingent upon the receipt of a completed application and a full site plan for 32 Main Street by January 19<sup>th</sup>, 2023.

**Vote: Carries (3-0)**

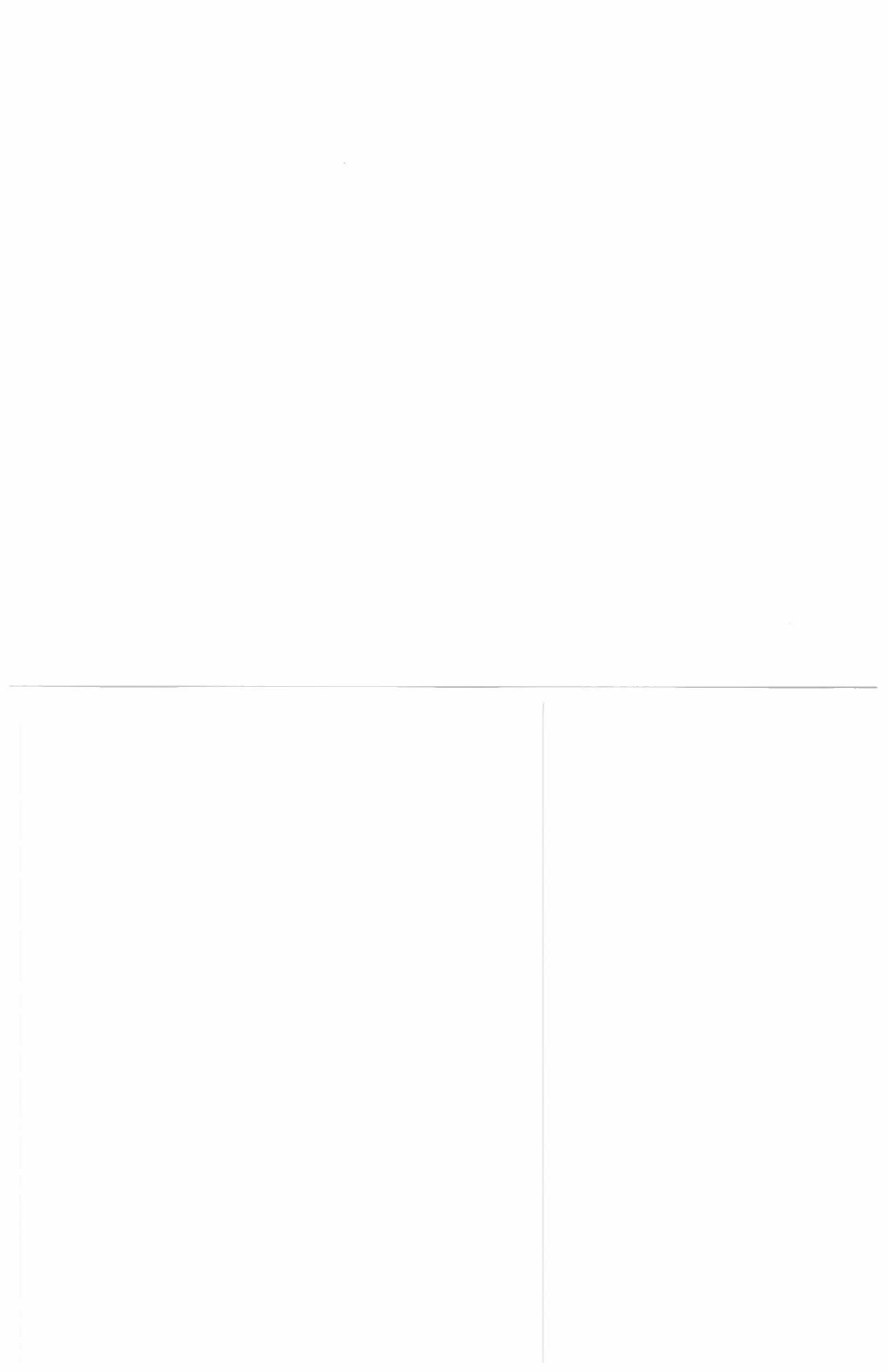
Steve Cullum AYE  
Kevin Marks AYE  
Mark Smith AYE

Patti Brandes AYE  
David Domina ABSENT

6. **Code Enforcement, Fire Marshall Report:**  
January CEO Report,

32 Main street has a special use permit application going before the PB to add an additional apartment in the future.

Coopervision warehouse construction nearing completion.



New single family home plans being submitted for review , located at the approved building lot on Maple street . Will have further information later this month .

Fire restoration to begin at 34 Scottsville West Henrietta Rd .

Following up on open 2022 permits and closing them out to give list to Town assessor .

Annual Fire Marshal inspections starting on public assemblies for 2023 . No major violations found during last year's inspections of businesses.

Working with Heany Industries and the Village Attorney to reduce the noise complaints during off business hours .

Any questions feel free to contact me .

Doug Barber  
CEO  
Village of Scottsville

7. New Business

8. Old Business

9. Adjournment:

Motion: made by Mark Smith and seconded by Kevin Marks to adjourn the meeting at 7:55pm.

Vote: Carries (3-0)

10. Motion: made by Steve Cullum and seconded by Kevin Marks to set a Public Hearing contingent upon the receipt of a completed application and a full site plan for 32 Main Street.

Vote: Carries (3-0)

Steve Cullum AYE  
Kevin Marks AYE  
Mark Smith AYE

Pati Brandes AYE  
David Domina ABSENT

Respectfully submitted by,



Emily Clarke, Deputy Clerk







**BUILDING PERMIT APPLICATION**

**PAID**  
\$1204  
VILLAGE OF SCOTTSVILLE

\$180-  
\$1204  
For Vainier

Property where work will be performed:

Address: 32 Main Street, Suite B Henry Paszko

Owners Name: Beth Paszko VanHelsing Gap Email Address: hpaszko@gmail.com

Owners Address: 225 Stearns Rd Churchville Phone: (585) 802-8320

Contractor Information: Engineers info 14428

Name: T.O.D. Kip Finley Email Address: kip.finley@gmail.com

Address: \_\_\_\_\_ Phone: (585) 451-6538

Estimated Cost of Project: \$ 3,000 Square Footage: 730 Zoning District: CB

Project Description: Convert Suite B, 730 SF commercial space into a one-bedroom apartment or retail commercial space

- |              |   |   |   |
|--------------|---|---|---|
| Permit Type: | <input type="checkbox"/> Residential              | <input type="checkbox"/> Commercial       | <input type="checkbox"/> Industrial                     |
| Use:         | <input type="checkbox"/> New Construction         | <input type="checkbox"/> Addition         | <input checked="" type="checkbox"/> Interior Renovation |
|              | <input checked="" type="checkbox"/> Change of Use | <input type="checkbox"/> Demolition       | <input type="checkbox"/> Excavation/Fill/Site Work      |
|              | <input type="checkbox"/> Accessory Structure      | <input type="checkbox"/> Shed             | <input type="checkbox"/> Deck                           |
|              | <input type="checkbox"/> New Furnace              | <input type="checkbox"/> Fireplace Insert | <input type="checkbox"/> Wood/Pellet Stove              |
|              | <input type="checkbox"/> Fence                    | <input type="checkbox"/> Porch            | <input checked="" type="checkbox"/> Plumbing            |
|              | <input type="checkbox"/> Generator                | <input type="checkbox"/> Mechanical       | <input type="checkbox"/> Sign/Awning                    |
|              | <input type="checkbox"/> Roof Repair/Replace      | <input type="checkbox"/> Solar            |   |
|              | <input type="checkbox"/> New Swimming Pool:       | <input type="checkbox"/> In Ground Pool   | <input type="checkbox"/> Above Ground Pool              |
|              | <input type="checkbox"/> Other _____              |   |   |

**CERTIFICATION:**

Application is hereby made to the Village of Scottsville for the issuance of a Building Permit, Pursuant to the Zoning Ordinance of the Village of Scottsville as herein described. I acknowledge that no construction activities shall be commenced prior to the issuance of a valid building permit. I affirm that I have read the instructions and that the application, plans and supporting documentation are true and a complete statement and description of the work proposed and that all work will be performed in accordance with the NYS Building Code, local laws and ordinances and with local zoning regulations whether specified herein or not. I authorize access to the Code Enforcement Officer or representative during all phases of construction for the purpose of inspections. I agree to prominently display on the premises the building permit issued and abide by all Planning Board and Zoning Board of Appeals approvals and all plan amendments made by the Building Department. I further acknowledge and agree that prior to occupying the facilities governed by this building permit; I or my agents will obtain a Certificate of Occupancy.

Make checks payable to: Village of Scottsville Mail or deliver to: 22 Main Street, Suite 3, Scottsville, NY 14546

Engineer Sponsor Kip Finley DATE: 12/17/22

HOMEOWNER SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

CONTRACTOR SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

CODE ENFORCEMENT OFFICER: \_\_\_\_\_ DATE: \_\_\_\_\_

APPLICATION FOR A VARIANCE / SPECIAL USE PERMIT INTERPRETATION OF THE ZONING CODE

APPLICATION FOR:

Area (Use) Variance from Code Section Table 170-13.1 in CB zoning  
Special Use Permit for mixed use of Suite B for professional offices, Retailer  
Personal Service Store, or shop, danceport or music studio, or single family dwelling.  
Interpretation of a Zoning Code granted by Village Atty on 12/15/2022

ADDRESS OF PROPERTY INVOLVED: 32 Main Street  
Zoning Classification: CB Tax Map Number: 200.38-1-17

PROPERTY OWNER INFORMATION:

Signature X Beth Paszko

Print Name Beth Paszko or Henry Paszko

Mailing Address 225 Stearns Road Churchville, N.Y 14428

Phone Number Beth (585) 489-0914 Henry (585) 802-8320

Email Address Beth hbpaszko@yahoo.com Henry hpaszko@gmail.com

Answer the following questions for an Special Use ~~Area Variance~~ request:

- 1) Specific Request: To allow one family use in Suite B in addition to other commercial uses
- 2) Cost of Project: \$20000
- 3) Explain why a building cannot be built to comply with the existing code regulations.

The request is to add one use (residential) to the list of other uses that are permitted through special permit review.

4) Explain why your situation is unique and is not shared by all properties alike in the immediate vicinity of your property.

*The problem of difficulty renting commercial space in the CBS district is shared by other properties*

5) Explain the effect on the character of the neighborhood.  
*no negative effect.*

APPLICATION FOR A VARIANCE / SPECIAL USE PERMIT OR AN INTERPRETATION OF  
THE ZONING ORDINANCE

Statement of Applicant and Owner with Respect to Reimbursement of Professional and Consulting Fees

In conjunction with an application made to the Village of Scottsville, the undersigned states, represents and warrants the following:

1. I/We am/are the applicant and/or owner with respect to an application to the Village of Scottsville.
2. I/We have been advised of, are aware of and understand the obligation to reimburse the Village of Scottsville for consulting and professional fees incurred in relation to my/our application(s), all in accordance with the Village of Scottsville Consultant Fee Reimbursement Law.
3. I/We understand that this obligation shall not be dependent upon the approval or success of the application.

Owner: Beth Ruszko or Henry Ruszko

<sup>Print</sup>

Signature: X Beth Ruszko

Dated: \_\_\_\_\_

Applicant (if different from Owner): NA Same

<sup>Print</sup>

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

Dated: \_\_\_\_\_

APPLICATION FOR A VARIANCE / SPECIAL USE PERMIT INTERPRETATION OF THE ZONING CODE

If applying for a Use Variance, Special Use Permit or an Interpretation to the Zoning Code please complete the top portion of the application and provide the necessary information separately

For a complete explanation of procedure, please refer to:

Village of Scottsville, NY Code  
Chapter 170: Zoning  
Special Uses Article IX  
ecode360.com/33079883

I, Beth Paszko or Henry Paszko (owner of property).

Print

Located at 32 Main Street hereby grant

Permission to members of the Scottsville Planning Board, Zoning Board of Appeals, Historic Preservation Commission and Village Staff to enter upon and review my premises in connection with my application:

X Beth Paszko

(signature of property owner)







Victory Hill Land Co.

December 17, 2022

Village of Scottsville  
Planning Board  
22 Main Street  
Scottsville, NY 14546

**Proposed Mixed-Use Special Permit  
32 Main Street, Suite B**

Dear Village Officials:

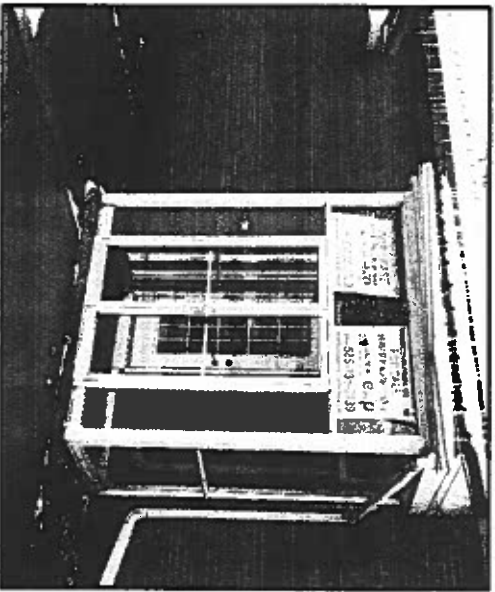
On behalf of Beth Paszko of Van Helsing Capital, LLC, the building owner and applicant, this correspondence submits an Application and supporting information to appear before the Planning Board for consideration of a Special Use Permit per Section 170-26 of the Zoning Code.

The applicant wishes to Change the Use of approximately 730 sf area of commercial space known as Suite B into a Mixed-Use space that would allow for leasing the space as one of the following uses per Table 170-13.1 of the Village Code:

- Professional, Medical, Dental Office(s)
- Retail or Personal Service Store or Shop
- Dance, Art, or Music Studio
- One Family Dwelling

The location of the space is currently vacant commercial space in the center of the building (pictured at right) that the applicant cannot keep rented. It has not been rented for about 18 months.

Although the building is currently for sale, the applicant wishes to pursue the change in use in case it does not sell so that he may renovate the interior space and keep the building fully leased.



As you recall, in 2019, The Village Planning Board approved a Special Use Permit to convert 370 sf area at the rear of building into a studio apartment, which has been a successful rental. The addition of 730 sf for the new Mixed-Use space will total 1,100 sf. This represents approximately 12% of the total 9,200 sf building floor area, which, is still a negligible amount of the building. The two large commercial areas, which comprise approximately 88% of the building to the left and the right of Suite B, remain successfully rented and are planned to remain in commercial use.

Engineering | Architecture | Planning & Design | Construction Management | Development | Building Rehabilitation

868 Winslow Road Churchville, NY 14428  
[kjp.finley@gmail.com](mailto:kjp.finley@gmail.com) 585-451-6538





As discussed at a meeting with the Board in 2019, the Paszkos have made several improvements to the building during his years as the owner. They essentially rescued this building after it was foreclosed upon and left to deteriorate. The business plan for maintaining this property requires continual leasing, which has been challenging in downtown Scottsville and in conjunction with the reduction in retail demand all over the country. Granting a Special Use Permit for the mixed-use of Suite B will provide the Paszkos with more potential tenants to keep the building fully utilized and profitable.

One topic to address with any conversion of use is the potential impact to neighbors. For this application, the size of the conversion is very small and will not result in any changes to the rear of the building facing residences. This leaves parking in the 10 space gravel lot as the one potential issue for discussion. Currently, at this time the Orthodontist tenant's customers utilize on-street parking. The tenant for the large commercial space on the right side of the building uses two spaces in the rear parking lot. Since the tenant on the right side uses much of their space for storage there are no customers. That leaves the remainder of the parking lot in the rear of the building available for employees and two parking spaces for the residential uses, which includes one space for the studio apartment tenant.

Access to both the existing studio apartment and the new Mixed-Use space will be via a shared vestibule at the rear of the building, which also serves the Dr. Dingus' Orthodontic clinic. The existing entrance from Main Street will continue to exist.

Electric service (lights, HVAC and hot water) will be separately metered. The attached drawings show the minor improvements of adding a shower, a kitchenette, and windows on the rear of the building, which are needed to add residential use to the space. The space is already permitted for office and retail.

We understand that this application must be reviewed by the Planning Board for approval of the residential conversion, and that the technical details of construction will be addressed with Code Enforcement Officials. Please schedule this application for the next Planning Board meeting in January 2023. Please call me at (585) 451-6538 or send email to [kip.finley@gmail.com](mailto:kip.finley@gmail.com) if there are questions.

Sincerely,



Kip Finley, PE

Xc: Beth Paszko Van Helsing Capital, LLC

Attachments:  
Application  
Engineering Drawings

Engineering | Architecture | Planning & Design | Construction Management | Development | Building Rehabilitation

868 Winslow Road Churchville, NY 14428  
[kip.finley@gmail.com](mailto:kip.finley@gmail.com) 585-451-6538



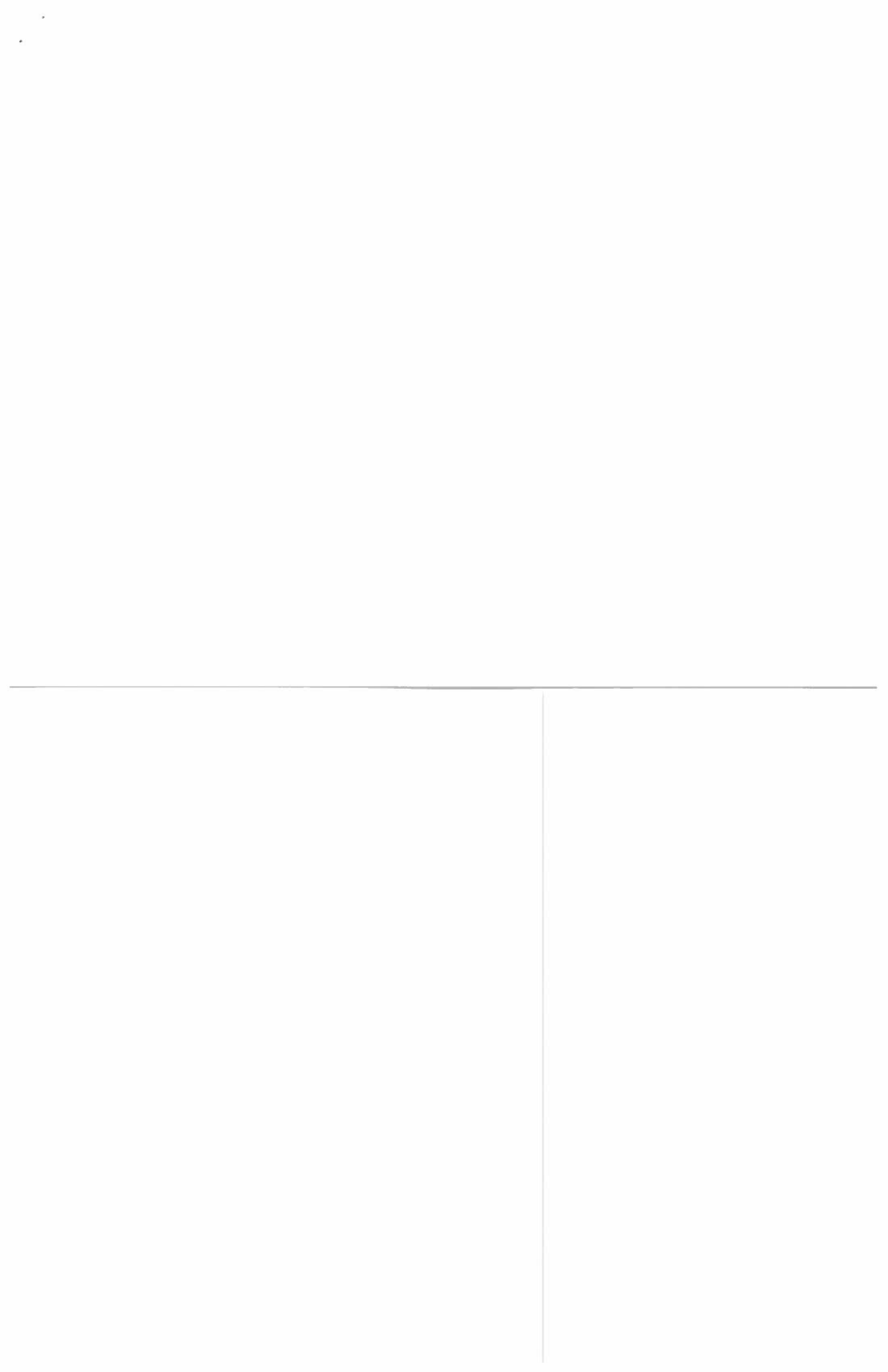
Village of Scottsville, NY  
Thursday, January 12, 2023

## Chapter 170. Zoning

### Article III. Districts and Boundaries

#### § 170-13. Dimensional and use regulations for business districts.

- A. Business district use regulations. Uses are allowed in residential or "B" zoning districts in accordance with Table 170-13.1.<sup>[1]</sup>
- (1) Uses identified with a "P" in Table 170-13.1 are permitted as-of-right in the subject zoning district, subject to compliance with all other applicable standards of this zoning ordinance.
  - (2) Uses identified with an "SP" in Table 170-13.1 may be allowed if reviewed and approved in accordance with the special use permit procedures contained in Article IX.
  - (3) Uses not listed and those identified with a "-" are expressly prohibited.
- [1] *Editor's Note: Table 170-13.1 is included as an attachment to this chapter (170 Attachment 4).*
- B. Business district dimensional requirements. The following lot, area, and yard requirements listed in Table 170-13.2 shall apply to the residential districts within the Village.<sup>[2]</sup>
- [2] *Editor's Note: Table 170-13.2 is included as an attachment to this chapter (170 Attachment 5).*
- C. Business district bulk requirements. The following bulk requirements listed in Table 170-13.3 shall apply to the business districts within the Village.<sup>[3]</sup>
- [3] *Editor's Note: Table 170-13.3 is included as an attachment to this chapter (170 Attachment 6).*
- D. Additional business district regulations. Where applicable, the design standards and guidelines contained in Article V of this chapter shall apply to all uses within a business district.



ZONING

170 Attachment 4

Village of Scottsville

Table 170-13.1

Business District Use Regulations

	Business District	
	GB	CB
<b>A. Residential</b>		
One-family dwelling, attached or detached	-	SP
Two-family dwelling, attached or detached	-	SP
* Multifamily dwelling	-	SP
Dwelling unit above nonresidential use	P	P
Dwelling lawfully existing prior to adoption	SP	SP
* Bed-and-breakfast	SP	P
<b>B. Institutional</b>		
Educational institution, primary or secondary	-	P
Vocational school	P	P
* Nursery school	SP	SP
Church or religious institutions	SP	P
Public or semipublic building or use	P	P
Public park or playground	P	P
* Public utility structure or right-of-way	SP	SP
Public passenger transportation station or terminal	SP	-
<b>C. Commercial</b>		
* Car wash	SP	-
* Gasoline station	SP	-
* Vehicle sales or rental	SP	-
* Vehicle repair shop or service station	SP	-
Day-care facility (youth or adult)	SP	SP
Nursing home, rest home, hospice	SP	SP
Club, private, nonprofit	SP	SP
* Funeral home	SP	-
Professional, medical or dental office	P	P
Dance, art, or music studio	P	P
Bank or financial institution	P	P
Retail or personal service store or shop	P	P
Multi-tenant retail structure	SP	-
Restaurant or tavern	P	P
Indoor recreation facility	SP	SP
Lodging	SP	SP
Conference or meeting center, auditorium	SP	SP
Laundromat, dry-cleaning outlet (up to 4,000 square feet)	P	P
Commercial greenhouse, plant nursery	SP	SP
* Outdoor sales or display	SP	SP
* Drive-through in conjunction with a permitted use	SP	-



SCOTTSVILLE CODE

	Business District	
	GB	CB
<b>D. Industrial</b>		
Enclosed assembly of previously manufactured goods and services	SP	SP
Warehouse and enclosed storage	SP	SP
Enclosed research, development, or testing lab	SP	SP
* Planned industrial park	SP	SP
<b>E. Other</b>		
* Accessory use or structure to permitted use	SP	SP
Parking lot	SP	SP
Mix of permitted uses	P	P

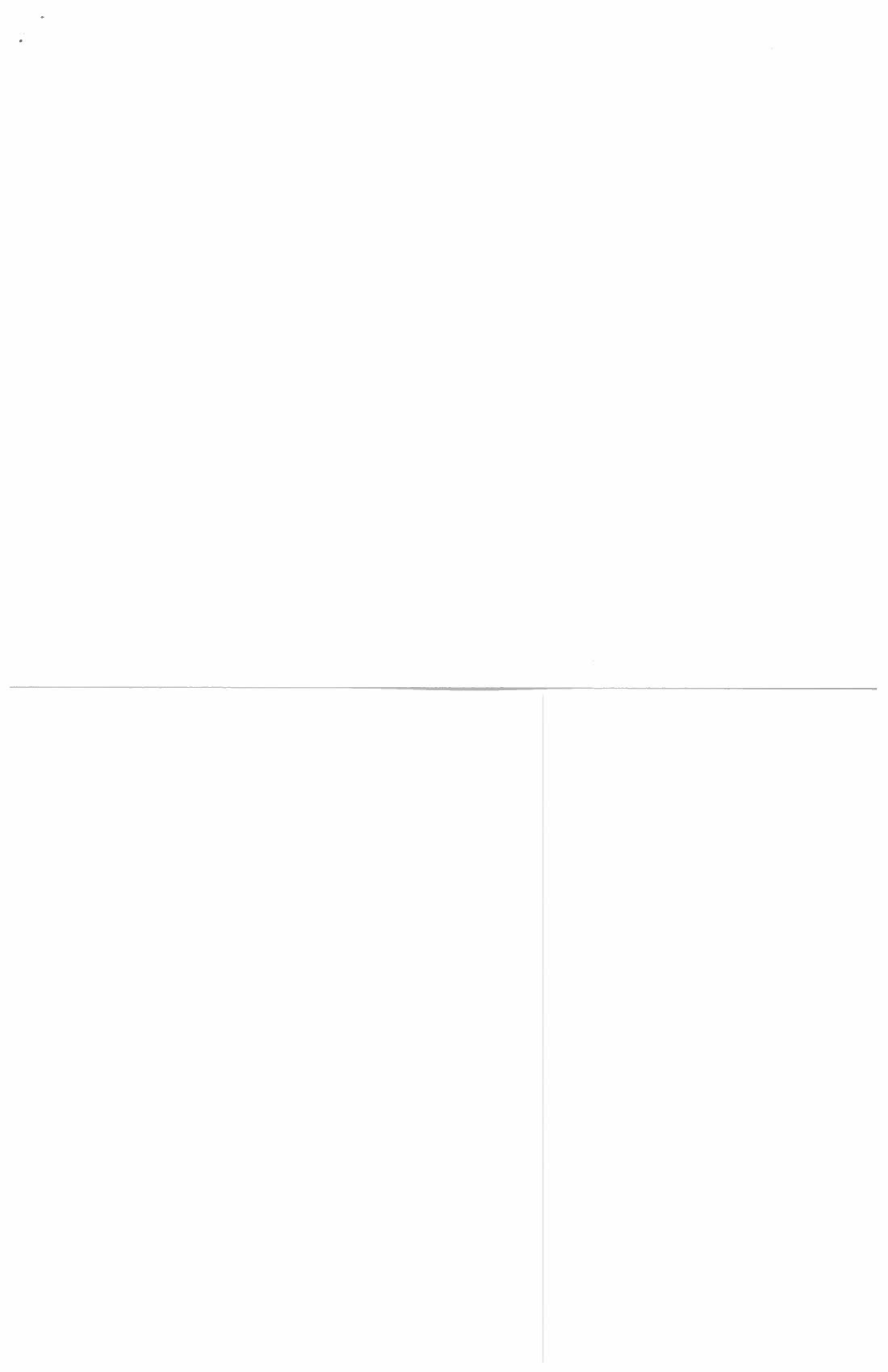
NOTES:

"P" = Permitted

"SP" = Specially Permitted

"\_" = Prohibited

Uses with an asterisk (\*) are Special Uses, subject to the additional regulations set forth in Article IX of this chapter.





**PROJECT NOTES**

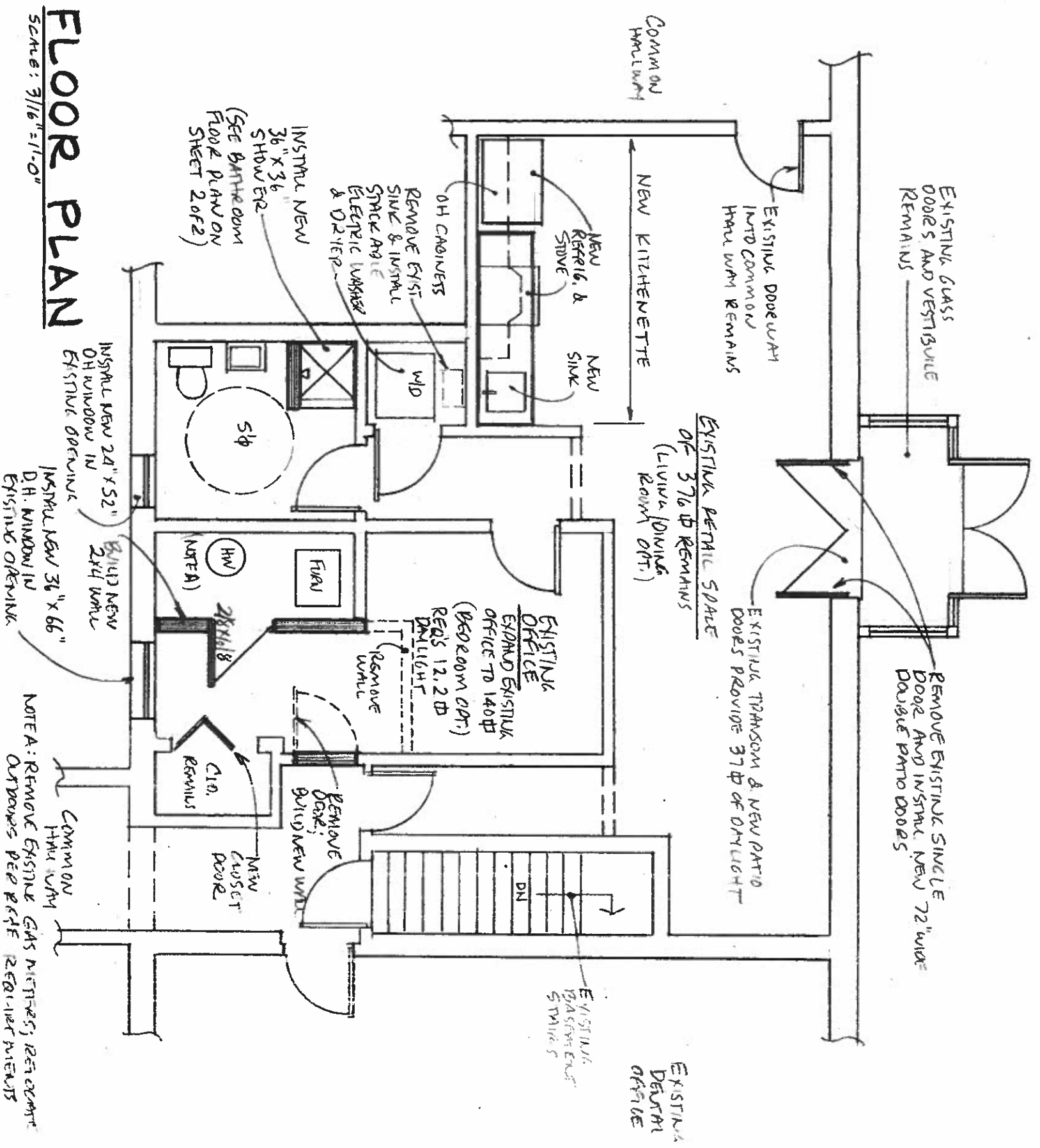
1. THE OVERALL BUILDING SIZE IS APPROXIMATELY 9,200 SF AND IS PRIMARILY BUSINESS USES.
2. THIS PROJECT PROPOSES CONVERSION OF AN APPROXIMATELY 730 SF (8%) SUITE B FROM PURE BUSINESS USE INTO MIXED USE, WHICH INCLUDES:
  - Professional, Medical, Dental Office(s)
  - Retail or Personal Service Store or Shop
  - Dance, Art, or Music Studio
  - One Family Dwelling
3. THERE IS ONE RESIDENTIAL SUITE OF 370 SF IN THE REAR OF THE BUILDING. THE EXISTING RESIDENCE IS 4% OF THE TOTAL BUILDING SIZE.
4. THE CONVERSION WILL INCLUDE A RETAIL AREA (aka LIVING-DINING ROOM); AN OFFICE (aka BEDROOM); A BATHROOM; AND A KITCHENETTE AREA THAT CAN BE USED FOR BUSINESS OR RESIDENTIAL USE.
5. THE INTENT IS TO LEASE THE SPACE FOR BUSINESS USE, AS POSSIBLE, WITH THE POTENTIAL FOR LEASING AS RESIDENTIAL USE WHEN COMMERCIAL TENANTS ARE NOT AVAILABLE.
6. THERE ARE TWO ENTRANCES INTO THE SUITE. THERE IS AN ADA-ACCESSIBLE ENTRANCE FROM THE REAR PARKING LOT THROUGH A COMMON HALLWAY USED TO ACCESS THE APARTMENT AND THE DENTAL OFFICE. THERE IS ALSO A VESTIBULE WITH AN ENTRANCE OFF OF MAIN STREET.
7. THE NEW BEDROOM AND LIVING AREA MEETS DAYLIGHT AND EGRESS STANDARDS FOR RESIDENTIAL USE.

Kip Finley, PE  
 d.b.a Victory Hill Land Company  
 868 Winslow Road  
 Churchville, NY 14428  
 kip.finley@gmail.com  
 (585) 451-6538

Copyright 2022: Alterations  
 Permitted by Engineer Only

**REVISIONS**

REVISIONS



**SUITE B - PROPOSED MIXED USE**  
**RETAIL, OFFICE, APARTMENT**  
**32 MAIN STREET**  
**Village of Scottsville, New York**  
**SHEET 1 OF 2**





# Floor Plan

Not To Scale

# RETAIL/OFFICE SPACE

32 Main Street • Scottsville, NY 14546

Kip Finley, PE  
 Victory Hill Land Company  
 868 Winslow Road  
 Churchville, NY 14428

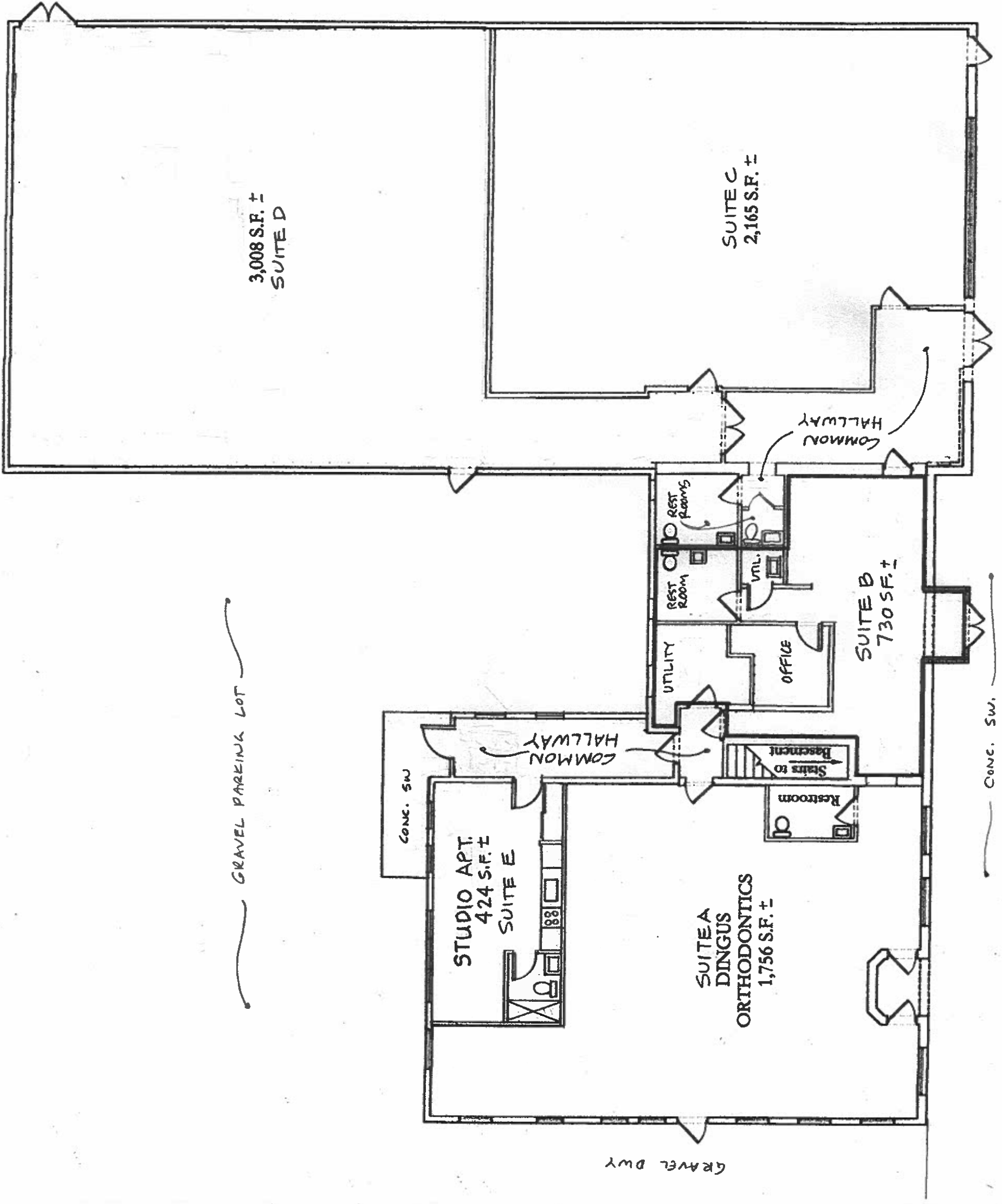


1/14/2023

Total - 8,980 SF ±

Total Common Area - 897 SF ±

Total Leasable - 8,083 SF ±



GRAVEL PARKING LOT

GRAVEL DRY

Edge Of Curb

