

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
April 19, 2021**

PRESENT

George Dounce, Chairperson; Mary Ellen Spennacchio-Wagner, James Pergolizzi, Phil Castleberry
Barbara Servé, David Rowe

ALSO PRESENT

Robert Koegel, Town Attorney; Doug DeRue, Director of Planning and Zoning; Susan Donnelly, Secretary
to the Board

ABSENT

Mike Rose

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, April 19, 2021 at 7:00 P.M. local time. The meeting took place with Board members and applicants participating remotely using Zoom virtual meeting software.

George Dounce, Chairperson called the regularly scheduled meeting of the Zoning Board of Appeals to order at 7:00 pm.

The applications before the Board this evening is a Type II Action under 6-NYCRR §617.5 (c) (7) or (12) & (13) and, therefore, is not subject to Environmental Review under SEQRA. The applications are exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

PUBLIC HEARING FOR AN AREA VARIANCE

- 7 Rosewood Drive, Tax # 178.16-2-55, Applicant is requesting relief from Town Code §185- 121 (A) to erect a fence exceeding the height requirement of Town Code forward of the front wall of the home. This property is a corner lot and is zoned RN - Residential Neighborhood District.

George Dounce opened the public hearing.

The homeowner, Scott Goetz, was present.

Mr. Goetz described the need for the variance due to the circumstances of his home being located on a corner lot. The chain link fence will not prove to be obtrusive to the neighbors and will blend in when his shrubs fill in.

There were no further questions from the Board.

There was no public comment.

The timing of the project will be at the availability of the installer most likely in spring or summer.

Barb Servé moved to close the Public Hearing.

Phil Castleberry seconded.

All Ayes.

A resolution was moved by Zoning Board of Appeals member George Dounce, seconded by Board member Mary Ellen Spennacchio-Wagner, and voted upon by the Board members, as follows:

Michael Rose	Absent
James Pergolizzi voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner	Aye
George Dounce voted	Aye
Phil Castleberry voted	Aye
Barbara Servé voted	Aye

The Board, in granting the application, hereby imposes the following specific conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 12, 2021.
 2. All construction is to be completed by December 31, 2022.
 3. The application does not need the approval of the Design Review and Historic Preservation Board.
- 38 Coddington Grove, Tax # 177.08-1-61, Applicant is requesting relief from Town Code §185- 113 B (1) (2) & (6) and 185-17 (L) for the construction of an oversized accessory structure (storage shed) located in the rear yard and encroaching into the rear setback. Property is a flag lot and is zoned RN - Residential Neighborhood District.

George Dounce opened the public hearing.

The homeowner, David Mesmer, was present.

Mr. Mesmer explained that his property backs up to woods that is Town land. He has talked to two neighbors and there is no objection.

The time frame takes into account it will take 12 weeks for the shed to arrive.

There was no public comment.

There are no objections from the Town of Pittsford.

Phil Castleberry moved to close the public hearing.

David Rowe seconded.

All Ayes.

A resolution was moved by Zoning Board of Appeals member James Pergolizzi, seconded by Board member Mary Ellen Spennacchio-Wagner, and voted upon by the Board members, as follows:

Michael Rose	Absent
Barbara Servé	Aye
James Pergolizzi	Aye
David Rowe	Aye
Mary Ellen Spennacchio-Wagner	Aye
George Dounce	Aye
Phil Castleberry	Aye

The Board, in granting the application, hereby imposes the following specific conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 31, 2021.
2. All construction is to be completed by December 31, 2022.

- 53 Sutton Point, Tax # 163.02-3-33, Applicant is requesting relief from Town Code § 185 -113 (B) (6) 185-17 (E) to place a standby electrical generator in the side yard and encroaching into the side yard setback. Property is zoned RN – Residential Neighborhood District

George Dounce opened the public hearing.

Scott Schindler, the homeowner, was present. Ken Stavalone representing Home Power Systems was also present.

The generator cannot be placed in the back yard due to a pool in the back yard. The side of the house closest to the neighbor's garage at 51 Sutton Point is the best possible solution.

There was no public comment.

The Board had no further comments or questions.

Barb Servé moved to close the public hearing.

Jim Pergolizzi seconded.

All Ayes.

A resolution was moved by Zoning Board of Appeals member Barbara Servé, seconded by Board member Mary Ellen Spennacchio-Wagner, and voted upon by the Board members, as follows:

Michael Rose	Absent
Barbara Servé	Aye
James Pergolizzi	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner	Aye
George Dounce	Aye
Phil Castleberry	Aye

The Board, in granting the application, hereby imposes the following specific conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 11, 2021.
 2. All construction is to be completed by December 31, 2022.
 3. This application is not subject to the approval of the Design Review and Historic Preservation Board.
- 85 Coventry Ridge, Tax # 177.04-3-59, Applicant is requesting relief from Town Code §185- 113 B (1), (2) & (6) and the approved Coventry Ridge Subdivision plans for the construction of an oversized accessory structure (Pavilion) located in the rear yard and encroaching into the side setback. Property is zoned IZ – Incentive Zoning.

George Dounce opened the Public Hearing.

Mike Taccone, contractor, and Joe O'Donnell, architect for the project were present.

The project should take about two weeks to complete.

George Dounce inquired about the most affected neighbor. It was stated that the neighbor had no issues.

There was no public comment.

There was no further comment from the Board.

Mary Ellen Spennacchio-Wagner seconded.

David Rowe seconded.

All Ayes.

A resolution was moved by Zoning Board of Appeals member Mary Ellen Spennacchio-Wagner, seconded by Board member Phil Castleberry, and voted upon by the Board members, as follows:

Mike Rose	Absent
Phil Castleberry voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Barbara Servé voted	Aye
James Pergolizzi voted	Aye
George Dounce voted	Aye

The Board, in granting the application, hereby imposes the following specific conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 10, 2021.
 2. All construction is to be completed by December 31, 2022.
 3. The application does need the approval of the Design Review and Historic Preservation Board.
- 110 Canfield Rd, Tax # 191.01-1-3.1, Applicant is requesting relief from Town Code §185- 113 B (1) & (3); 185 - 119 (A) (1) and 185 – 121 (A) for the construction of an oversized accessory structure (Pergola), an In ground swimming pool with spa & equipment, a recreation court located forward of the rear wall of the home and to erect a fence exceeding the height requirement of Town Code forward of the front wall of the home. Property is zoned RRSP – Rural Residential South Pittsford.

George Dounce opened the Public Hearing.

The homeowner, Sarah Taylor, and Ann Hubregson from Josh Landscaping were present.

The project was discussed. The fence will need to meet code for swimming pools. There are no neighbors to object to this application. The time frame is June – October and dependent on materials delays.

There was no public comment.

Jim Pergolizzi moved to close the Public Hearing.

David Rowe seconded.

All Ayes.

A resolution was moved by Zoning Board of Appeals member David Rowe, seconded by Board member Barbara Servé, and voted upon by the Board members, as follows:

Michael Rose	Absent
Barbara Servé	Aye
James Pergolizzi	Aye
David Rowe	Aye
Mary Ellen Spennacchio-Wagner	Aye
George Dounce	Aye
Phil Castleberry	Aye

The Board, in granting the application, hereby imposes the following specific conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 12, 2021.
 2. All construction is to be completed by December 31, 2022.
- 145 Long Meadow Cir, Tax # 150.20-2-12.1, Applicant is requesting relief from Town Code §185- 113 (B) (1), (2) & (3) for the construction of an oversized, over height storage shed forward of the rear wall of the home. Property is zoned RN - Residential Neighborhood District.

George Dounce opened the Public Hearing.

The homeowner, Danielle Fliss, was present.

Ms. Fliss described her need for an additional accessory structure to store four vehicles for their family of six.

The Board discussed their concern with the size and height of the proposed structure and the fact that the dimensions and height are not clearly defined in the application and by discussion with the applicant. Another concern was that this structure is out of character for the neighborhood.

There was no public comment at this time.

The Board felt it was best that the application be held over to the next meeting to give the applicant an opportunity to provide clearer definition of the project specifically:

1. The height of the structure
2. The dimensions of the structure to scale
3. A sketch of the structure
4. The location of the structure on the lot

Phil Castleberry moved to hold the application open.

All Ayes.

REVIEW OF MEETING MINUTES OF March 15, 2021

George Dounce moved to approve the minutes of March 15, 2021 as written.

All Ayes.

POINT PERSONS FOR MAY 17, 2021 MEETING

3 Falconbridge – Phil Castleberry

22 Mill Neck Lane – Barb Servé

96 Stoneleigh – David Rowe

30 Van Voorhis Road – Mary Ellen Spennacchio-Wagner

106 South Main Street – Jim Pergolizzi

153 Mendon Road – George Dounce

MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 8:25 pm.

All Ayes.

Respectfully submitted,

Susan K. Donnelly
Secretary to the Zoning Board of Appeals