

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
FEBRUARY 20, 2023**

PRESENT

George Dounce, Chairperson; Barbara Servé, Vice Chair; Phil Castleberry, Mary Ellen Spennacchio-Wagner, Jennifer Iacobucci, Tom Kidera

ALSO PRESENT

Kate Munzinger, Town Board Liaison; Bill Zink, Building Inspector; April Zurowski, Planning Assistant

ABSENT

Jim Pergolizzi

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, February 20, 2023, at 7:00 PM local time.

George Dounce, Chairperson called the regularly scheduled meeting of the Zoning Board of Appeals to order.

The applications before the Board this evening are Type II Actions under 6-NYCRR §617.5 (c) and, therefore, are 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 - RETURNING

108 Stoneleigh Court, Tax # 138.18-1-13, Applicant is requesting relief from Town Code §185-17 E. for an addition (garage) encroaching into and not meeting the total required side yard setbacks. This property is zoned Residential Neighborhood – (RN).

This public hearing is open.

Patrick Morabito, of Morabito Architects, introduced the application. He gave the Board photos to show the existing conditions and garage to be demolished. The proposed garage will be within the side setback, but the existing garage is even further into the side setback. Chairman George Dounce asked the applicant for his proposed time frame for construction completion. Mr. Morabito stated that the applicant would like to begin work rather quickly. Board Member Spennacchio-Wagner asked the applicant if any landscaping or screening is proposed to mitigate neighbor impacts. Mr. Morabito stated that he is not aware of any proposed landscaping. Chairman Dounce acknowledged the neighbor's indication to install a fence along the property line.

Chairman Dounce asked for public comment. Hearing none, Board Member Serve motioned to close the public hearing, seconded by Board Member Spennacchio-Wagner. Following a unanimous voice vote, the hearing was closed.

PUBLIC HEARING FOR AN AREA VARIANCE - NEW

31 Brickston Drive, Tax # 178.19-1-8, Applicant is requesting relief from Town Code §185-121 A. for a fence more than six feet in height. This property is zoned Residential Neighborhood – (RN).

Brian White, Land Surveyor at McMahon LaRue, introduced the application. He stated that the proposed fence will not sit directly atop the 6-foot retaining wall, but the entire facade will total 11 feet in height. The replacement will be lower in height than what exists now. Chairman Dounce asked if motorists will be able to see the wall and fence from the road. Mr. White stated that the wall and fence are in the backyard, but because of the total height, motorists may be able to see a small portion. Mr. White stated that the total height is requested for safety reasons. Neighbors have given positive feedback; Mr. White provided the Board with neighbor emails. Chairman Dounce asked the applicant for his proposed time frame for construction completion. Geoff Porosoff, of 31 Brickston Dr, stated that he anticipates completion by late Summer or early Fall.

Chairman Dounce asked for public comment. Hearing none, Board Member Iacobucci motioned to close the public hearing, seconded by Board Member Kidera. Following a unanimous voice vote, the hearing was closed.

PUBLIC HEARING FOR AN AREA VARIANCE - NEW

5637 Palmyra Road, Tax # 164.16-1-14, Applicant is requesting relief from Town Code §185-113 B. (1) (2) (3) and §185-17, L (1) for a proposed 288 square foot, 17 foot tall oversized and over height accessory structure, shed located forward of the rear wall and less than the required minimum side setback. This property is zoned Residential Neighborhood – (RN).

James Donsbach, of 5637 Palmyra Rd, introduced the application. He provided photos of existing conditions to the Board. He stated that adjacent neighbors will be shielded from the proposed structure through existing vegetation. He stated that neighbors were contacted and were not opposed. Mr. Donsbach explained that the proposed structure will be painted to match the house and landscaping will be added. The building is to be placed on support beams and no footing is proposed. The building is requested to be over-height so that the homeowner can store materials on top beams. Chairman Dounce asked if an attic is proposed for the building. Mr. Donsbach confirmed; he plans to use the loft area as storage. Board Member Iacobucci asked the height of the existing home compared to the new structure. Mr. Donsbach stated that the building will not be constructed taller than the existing home. Chairman Dounce asked the applicant for his proposed time frame for construction completion. Mr. Donsbach estimated mid to late Spring.

Chairman Dounce asked for public comment. Hearing none, Board Member Castleberry motioned to close the public hearing, seconded by Board Member Spennacchio-Wagner. Following a unanimous voice vote, the hearing was closed.

DECISION FOR 108 STONELEIGH COURT – AREA VARIANCE

A written Resolution to grant the area variance for 108 Stoneleigh Court was moved by Board Member Barbara Serve and seconded by Board Member Mary Ellen Spennachio-Wagner.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Absent
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Iacobucci	Aye
Dounce	Aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated November 6, 2022.
2. All construction is to be completed by December 31, 2024.

DECISION FOR 31 BRICKSTON DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 31 Brickston Drive was moved by Board Member Phil Castleberry and seconded by Board Chairman George Dounce.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Absent
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Iacobucci	Aye
Dounce	Aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated January 13, 2023.
2. This variance is contingent upon the applicant obtaining an approved Flood Plain Permit from the Town prior to commencing work.
3. All construction is to be completed by December 31, 2024.

DECISION FOR 5637 PALMYRA ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 5637 Palmyra Rd was moved by Board Member Jennifer Iacobucci and seconded by Board Member Phil Castleberry.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Absent
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Iacobucci	Aye
Dounce	Aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated January 13, 2023.
2. All construction is to be completed by December 31, 2024.

POINT PERSONS FOR MARCH 20, 2023, MEETING

2490 Lehigh Station Rd – Tom Kidera
33 Aden Hill – George Dounce
114 Sunset Blvd – Mary Ellen Spennacchio-Wagner

MINUTES AND ADJOURNMENT

The Board corrected the January 16, 2023, minutes to remove Board Member Castleberry from the “present” list. Chairman George Dounce motioned to approve the minutes of January 16, 2023, seconded by Board Member Phil Castleberry. Following a unanimous voice vote, the minutes were approved.

The meeting was adjourned at 7:49PM.

Respectfully submitted,

April Zurowski
Planning Assistant