

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
November 21, 2011  
MINUTES**

**PRESENT**

George Dounce, Peter Webster, Barbara Servé, Michael Rose, Mary Ellen Spennacchio-Wagner, Robert Shaddock and William Taylor

**ABSENT**

John Higgins, Town Board Liaison

**ALSO PRESENT**

Dave Rowe, Building Inspector; Sandie Freitag, Secretary; Richard T. Williams II, Town Attorney

George Dounce, Chairman, called the regularly scheduled meeting of the Zoning Board of Appeals to order at approximately 7:00 p.m.

**40 OLD FORGE LANE AREA VARIANCE PUBLIC HEARING**

Chairman George Dounce opened the Public Hearing for 40 Old Forge Lane as published in the Thursday, November 10, 2011 edition of the Brighton Pittsford Post.

The applicant, Greg Hampton stated that the deck was there when he bought the house and at that time it was not an issue. He is trying to sell his house and they discovered that the deck was in the side setback therefore, a variance was required. He had no additional information to add to his application.

Board members had the following comments or questions:

- What would it take to move the deck out of the side setback?

Applicant's responses:

- Moving the deck is not practical because the deck is built to the curves of the pool and moving to the deck would mean that it would have to be rebuilt.
- They discovered the problem of the deck being in the side setback when they went to sell the house.
- They would like to sell the house as soon as possible so they need to do the paperwork on the deck once the variance is granted.

There were no public comments regarding this application. Therefore, Peter Webster moved to close the Public Hearing and Barbara Servé seconded the motion. The Public Hearing was closed.

This matter is exempt from Monroe County Planning Department review and is a Type II Action and is not subject to SEQRA review.

**Discussion**

The deck is pre-existing when the applicant bought the house and now he is trying to sell the house and the deck was a problem for closing on the house due to current regulations. The deck is a nice looking deck.

**40 OLD FORGE LANE AREA VARIANCE APPROVAL**

A written Resolution to approve the Area Variance was moved by Barbara Servé and was seconded by Peter Webster.

ROLL CALL VOTE: Ayes: Dounce, Rose, Taylor, Webster, Spennacchio-Wagner, Servé and Shaddock  
The Resolution was declared carried.

**Note:** The approved Resolution is on file with the Town Clerk and contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated October 31, 2011.
2. This variance is granted only for the existing deck and stairs.

## **112 SOUTH MAIN STREET VARIANCE PUBLIC HEARING**

Chairman George Dounce opened the Public Hearing for 112 South Main Street as published in the Thursday, November 10, 2011 edition of the Brighton Pittsford Post.

The applicant, Ronald Silco stated that he would like to be able to use his garage during the winter. Right now there are so many items stored in the garage there is no room for his cars. This addition to the garage will be a screened porch/storage area to get some of the larger things out of the garage. He had no additional information to add to his application.

Board members had the following comments or questions:

- The garage is already within 2'+ from the lot line this screened storage area will be 4.6' from the lot line.
- What will you be storing in the screened area?

Applicant's responses:

- Anything that he can get out of his garage.

There were no public comments regarding this application. Therefore, Michael Rose moved to close the Public Hearing and Peter Webster seconded the motion. The Public Hearing was closed.

This matter is exempt from Monroe County Planning Department review and is a Type II Action and is not subject to SEQRA review.

Discussion

The garage is already non-conforming and the lot is fenced in with a 6' high fence in addition, the lot is small.

## **112 SOUTH MAIN STREET AREA VARIANCE APPROVAL**

A written Resolution to approve the Area Variance was moved by Peter Webster and was seconded by William Taylor.

ROLL CALL VOTE: Ayes: Dounce, Shaddock, Servé, Rose, Taylor, Webster and Spennacchio-Wagner  
The Resolution was declared carried.

**Note:** The approved Resolution is on file with the Town Clerk and contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant received on October 13, 2011.
2. All construction is to be completed by December 31, 2012.

## **439 KILBOURN ROAD AREA VARIANCE PUBLIC HEARING**

Chairman George Dounce opened the Public Hearing for 439 Kilbourn Road as published in the Thursday, November 10, 2011 edition of the Brighton Pittsford Post.

The applicant, Michael Hall, of Mossien Associates, representing the owner of 439 Kilbourn Road reviewed the application and discussed the reasons for the covered front porch and the addition within the side setback. The applicant would like to have a covered front porch so that in inclement weather the entryway would be covered. And the rear addition will square off the kitchen for the interior renovations.

Board members had the following comments or questions:

- Why is the chimney enclosure in this location?
- When do you anticipate being finished with the construction?
- Have you spoken to your neighbor on the right side?

Applicant's responses:

- That is where the chimney is right now they are just replacing it with a gas fireplace.
- They would like to be completed with the construction in April 2012.
- There have been no comments from the neighbors.

There were no public comments regarding this application. Therefore, Barbara Servé moved to close the Public Hearing and Mary Ellen Spennacchio-Wagner seconded the motion. The Public Hearing was closed.

This matter is exempt from Monroe County Planning Department review and is a Type II Action and is not subject to SEQRA review.

#### Discussion

There have been lots of changes to the homes in this neighborhood and all for the better.

### **439 KILBOURN ROAD AREA VARIANCE APPROVAL**

A written Resolution to approve the Area Variance was moved by Michael Rose and was seconded by Mary Ellen Spennacchio-Wagner.

ROLL CALL VOTE: Ayes: Dounce, Shaddock, Servé, Rose, Taylor, Webster and Spennacchio-Wagner  
The Resolution was declared carried.

**Note:** The approved Resolution is on file with the Town Clerk and contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated October 14, 2011.
2. All construction is to be completed by December 31, 2012.
3. The proposed additions are subject to review and approval of Architectural Review Board.

### **264 THORNELL ROAD AREA VARIANCE PUBLIC HEARING**

Chairman George Dounce opened the Public Hearing for 264 Thornell Road as published in the Thursday, November 10, 2011 edition of the Brighton Pittsford Post.

The applicant, Dennis Gurnett stated that he is tired of trying to chip off the ice from the front step. He has no additional information to add to their application.

Board members had the following comments or questions:

- When will you have this completed?

Applicant's responses:

- They want to have this completed before the snow flies. So as soon as possible.

There were no public comments regarding this application. Therefore, Michael Rose moved to close the Public Hearing and Robert Shaddock seconded the motion. The Public Hearing was closed.

This matter is exempt from Monroe County Planning Department review and is a Type II Action and is not subject to SEQRA review.

### **264 THORNELL ROAD AREA VARIANCE APPROVAL**

A written Resolution to approve the Area Variance was moved by Robert Shaddock and was seconded by Barbara Servé.

ROLL CALL VOTE: Ayes: Dounce, Shaddock, Servé, Rose, Taylor, Webster and Spennacchio-Wagner  
The Resolution was declared carried.

**Note:** The approved Resolution is on file with the Town Clerk and contains the following Specific Conditions:

1. Only for the sketch submitted by applicant with the application dated November 1, 2011.
2. All construction to be completed by December 31, 2012.
3. The proposed application for the covered front porch is subject to approval of the Architectural Review Board.

### **MINUTES OF OCTOBER 17, 2011 REVIEWED FOR APPROVAL**

The minutes of the October 17, 2011 Zoning Board of Appeals were approved.

ROLL CALL VOTE: Ayes: Dounce, Shaddock, Servé, Rose, Taylor, Spennacchio-Wagner and Webster  
The Resolution was declared carried.

**REVIEW AND APPROVE THE 2012 MEETING SCHEDULE**

The board members unanimously approved the 2012 meeting schedule with the date change of September 17, 2012 due to the Rush Hashanah holiday. The meeting date has not been confirmed for the September 2012 meeting.

**DUE TO THE LACK OF APPLICATIONS THE DECEMBER 19, 2011 MEETING WILL BE CANCELED**

The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Sandie Freitag  
Secretary of the Zoning Board of Appeals

**OFFICIAL BOARD MINUTES ARE ON FILE IN THE OFFICE OF THE TOWN CLERK**