

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
August 17, 2020**

PRESENT

Mary Ellen Spennacchio-Wagner, Phil Castleberry, James Pergolizzi, David Rowe

ALSO PRESENT

Mark Lenzi, Building Inspector; Robert Koegel, Town Attorney; Susan Donnelly, Secretary to the Board; Cathy Koshykar, Town Board liaison

ABSENT

George Dounce, Chairperson; Mike Rose, Barbara Servé

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, August 17 at 7:00 P.M. local time. The meeting took place with Board members and applicants participating remotely using Zoom virtual meeting software.

David Rowe, Acting 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 are Type II Actions 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 – RETURNING

- 25 Parker Drive, Tax # 164.10-2-67, Applicant is requesting relief from Town Code § 185 -113 B (1) & (2) and § 185 -17 E to construct an addition encroaching into the side setback. This property is zoned RN – Residential Neighborhood District.

This application for an area variance for a garage addition was held over from the July 20, 2020 meeting.

This application has been withdrawn by the Applicant.

Phil Castleberry made a motion to close the Public Hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

PUBLIC HEARING FOR AN AREA VARIANCE – NEW

- 31 Merryhill Lane, Tax # 163.16-2-23, Applicant is requesting relief from Town Code §185-17 (B) (1) & §185 – 119 (A) (1) to allow the placement of a pool filter and heater forward of the building line and forward of the rear wall of the home. Property is zoned RN – Residential Neighborhood District.

David Rowe opened the Public Hearing.

The homeowners, Mark and Megan Williams, were present to discuss the application with the Board.

There was no public comment.

Mary Ellen Spennacchio- Wagner moved to close the Public Hearing.

Phil Castleberry seconded.

All Ayes.

DECISION FOR 31 MERRYHILL LANE – AREA VARIANCE

A written Resolution to grant the area variance for 31 Merryhill Lane was moved by Jim Pergolizzi and seconded by Phil Castleberry.

David Rowe called for a roll call vote.

Dounce	absent
Servé	absent
Pergolizzi voted	aye
Spennacchio-Wagner voted	aye
Castleberry voted	aye
Rowe voted	aye
Rose	absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated June 18, 2020.
 2. All construction is to be completed by December 31, 2021.
- 55 N Country Club Drive, Tax # 151.05-1-25, Applicant is requesting relief from Town Code §185 – 17 (B) (1) to allow construction of an addition forward of the building line. Property is zoned RN – Residential Neighborhood District.

David Rowe moved to open the Public Hearing.

The contractor, Aaron Wolfe was present to discuss the project with the Board.

There were no further questions from the Board.

There was no public comment.

Mary Ellen Spennacchio-Wagner moved to close the Public Hearing.

Jim Pergolizzi seconded.

All Ayes.

DECISION FOR 55 N. COUNTRY CLUB ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 55 N. Country Club Road was moved by Mary Ellen Spennacchio-Wagner and seconded by Phil Castleberry.

David Rowe called for a roll call vote.

Dounce	absent
Servé	absent
Pergolizzi voted	aye

Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye
Rose absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated June 12, 2020.
 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
- 21 Wind Mill Road, Tax # 178.07-1-48, Applicant is requesting relief from Town Codes §185 – 17 (B) (1) & §185 – 17 (K) (2) for the construction of an addition encroaching into the side setback and extending forward of the building line. This property is a corner lot and is zoned RN-Residential Neighborhood.

David Rowe moved to open the Public Hearing.

The homeowner, Steve Johnson, and architect, Jack Sigrist, were present to discuss the project with the Board.

The lot is a corner lot with a 50 ft. setback on two sides and the proposed location is the only option available to the homeowner.

There was no public comment.

David Rowe moved to close the public hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

DECISION FOR 21 WIND MILL ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 21 Wind Mill Road was moved by Mary Ellen Spennacchio-Wagner and seconded by Phil Castleberry.

David Rowe called for a roll call vote.

Dounce absent
Servé absent
Pergolizzi voted aye
Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye
Rose absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated June 30, 2020.
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.

- 76 Knollwood Drive, Tax # 138.17-1-8, Applicant is requesting relief from Town Codes §185 – 17 (B) (1) for the construction of an addition extending forward of the building line. This property is zoned RN-Residential Neighborhood.

David Rowe moved to open the Public Hearing.

The homeowner, Sara Odenbach, was present.

The Board had no questions for the Applicant.

There was no public comment.

Phil Castleberry moved to close the Public Hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

DECISION FOR 76 KNOLLWOOD DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 76 Knollwood Drive was moved by Jim Pergolizzi and seconded by Phil Castleberry

David Rowe called for a roll call vote.

Dounce	absent
Servé	absent
Pergolizzi voted	aye
Spennacchio-Wagner voted	aye
Castleberry voted	aye
Rowe voted	aye
Rose was	absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the existing garage as shown and described by the Applicant dated July 13, 2020.
 2. All construction will be completed by December 31, 2022.
 3. This application is subject to approval of the Design Review and Historic Preservation Board.
- 16 Cedarwood Circle, Tax # 178.11-2-26, Applicant is requesting relief from Town Code §185 – 17 (L) (1) & 185 – 113 (B) (6) to locate an accessory structure (standby generator) on the side of the home encroaching on the side setback of the property. This property is a flag lot and is zoned RN – Residential Neighborhood District

David Rowe opened the Public Hearing.

The homeowner, Brian Williamson, was present.

The proposed generator will have minimal effect on the neighboring properties. The generator will be facing the garage of the closest neighbor. The gas and electric meters will be on the same side of the home as the generator.

There was no public comment.

David Rowe moved to close the Public Hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

DECISION FOR 16 CEDARWOOD CIRCLE – AREA VARIANCE

A written Resolution to grant the area variance for 16 Cedarwood Circle was moved by Phil Castleberry and seconded by Mary Ellen Spennacchio-Wagner.

David Rowe called for a roll call vote.

Dounce	absent
Servé	absent
Pergolizzi voted	aye
Spennacchio-Wagner voted	aye
Castleberry voted	aye
Rowe voted	aye
Rose	absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated July 17, 2020.
 2. All construction is to be completed by December 31, 2021.
- 3765 East Avenue. Tax # 138.18-2-15, Applicant is requesting relief from Town Code § 185 - 17 (E) to construct an addition encroaching into the side setback. This property is zoned RN – Residential Neighborhood District.

David Rowe opened the Public Hearing.

The homeowner Glenn Paynter and architect Joe O’ Donnell were present.

The application was discussed and the applicant explained that additional space for storage is needed by the family and a bigger garage is needed to provide space for larger vehicles and lawn equipment.

There is no neighborhood opposition to this application.

There was no public comment.

David Rowe moved to close the Public Hearing.

Phil Castleberry seconded.

All Ayes.

DECISION FOR 3765 EAST AVENUE – AREA VARIANCE

A written Resolution to grant the area variance for 3765 East Avenue was moved by Phil Castleberry and seconded by David Rowe.

David Rowe called for a roll call vote.

Dounce	absent
Servé	absent
Pergolizzi voted	aye

Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye
Rose absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated July 17, 2020.
2. All construction is to be completed by December 31, 2023.
3. This application is subject to the approval of the Design Review and Historic Preservation Board.

REVIEW OF MEETING MINUTES OF JULY 20, 2020

Acting Chairman David Rowe moved to accept the meeting minutes of July 20, 2020 as written.
Jim Pergolizzi seconded.

A poll was taken of the Board.

Mary Ellen Spennacchio-Wagner voted aye
Phil Castleberry voted aye
Jim Pergolizzi voted aye
David Rowe voted aye

OTHER

POINT PERSONS FOR September 21, 2020 MEETING

166 Mill Road – Barb Serve

12 Locke Drive – Mary Ellen Spennacchio-Wagner

10 Poinciana Drive - Jim Pergolizzo

345 Kilbourn Road – David Rowe

MEETING ADJOURNMENT

David Rowe moved to adjourn the meeting at 8:15 pm.

David Rowe called for a roll call vote.

Phil Castleberry voted aye
Mary Ellen Spennacchio-Wagner voted aye
James Pergolizzi voted aye
David Rowe voted aye

Respectfully submitted,

Susan K. Donnelly
Secretary to the Zoning Board of Appeals