

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
MINUTES  
February 15, 2021**

**PRESENT**

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

**ALSO PRESENT**

Cathy Koshykar, Town Board Liaison; Mark Lenzi, Building Inspector; Robert Koegel, Town Attorney; 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, February 15, 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 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**

- 6 Canal Park Place, Tax # 150.19-1-5.71, Applicant is requesting relief from Town Code §185-17 (E) & §185 – 113 (B) (1) & (2) for the construction of a covered deck encroaching into the side setback and for an oversized and over height accessory structure (Cabana). This property is zoned RN – Residential Neighborhood District

George Dounce opened the Public Hearing.

The homeowners, Mandy and Scott Cooper, were present. Mr. Cooper discussed how they wish to maintain the scenic backyard without disturbing a lot of the foliage while being able to enjoy their pool area with a covered pavilion and safer new deck.

They have discussed the project with both neighbors and they have no problems with the plan.

There was no public comment.

The timeframe was discussed – the deck will be built first in the spring of 2021 and the pavilion will follow after the installation of an in-ground pool. The homeowners hope to be finished with the project by mid-September 2021.

Barbara Serve moved to close the public hearing.

David Rowe seconded.

All Ayes.

## **DECISION FOR 6 CANAL PARK PLACE – AREA VARIANCE**

A resolution to grant an area variance to 6 Canal Park Place 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:

Michael Rose was	absent
Barbara Servé voted	aye
James Pergolizzi voted	aye
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	aye
George Dounce voted	aye
Phil Castleberry voted	aye

The Board, in granting the application, imposed the following specific conditions:

1. This variance is granted only for the locations shown on the plot map received by the Zoning Board on January 13, 2021.
  2. All construction is to be completed by December 31, 2022.
  3. The application requires the approval of the Design Review and Historic Preservation Board.
- 115 Ellingwood Drive, Tax # 138.18-1-54, Applicant is requesting relief from Town Code §185 – 17 (B) (1) for the construction of a second story addition forward of the building line. This property is zoned RN – Residential Neighborhood District

George Dounce opened the Public Hearing.

Serge Tsvasman of Design Works Architecture was present to represent the homeowners.

There is no neighborhood objection to the second story addition.

There was no public comment.

The timeline is to start this year pending the contractor's availability.

Mary Ellen Spennacchio Wagner moved to close the Public Hearing.

Barbara Servé seconded.

All Ayes.

## **DECISION FOR 115 ELLINGWOOD DRIVE – AREA VARIANCE**

A resolution to grant an area variance to 115 Ellingwood Drive was moved by Zoning Board of Appeals member David Rowe, seconded by Board member Jim Pergolizzi, and voted upon by the Board members, as follows:

Michael Rose was	absent
Barbara Servé voted	aye
James Pergolizzi voted	aye
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	aye
George Dounce voted	aye
Phil Castleberry voted	aye

The Board, in granting the application, imposed the following specific conditions:

1. This variance is granted only for the plans and survey received by the Zoning Board on January 13, 2021.
  2. This application is subject to Design Review and Historic Preservation Board review.
  3. All construction is to be completed by December 31, 2023.
- 9 Northstone Rise, Tax # 164.15-1-66, Applicant is requesting relief from Town Code §185 – 17 (E) for the construction of a three season room encroaching into the side setback. Property is zoned RN – Residential Neighborhood District.

George Dounce opened the public hearing.

The homeowner, Brett Caroselli and Dominick Caroselli were present.

The variance is necessary because zoning changes required a 15 ft. setback as opposed to the previous 10 ft.

Mr. Caroselli has talked to both neighbors and showed drawings and there is no objection.

There was no public comment.

This application will need to be reviewed by the Design Review and Historic Preservation Board.

Phil Castleberry moved to close the Public Hearing.

Barbara Servé seconded.

All Ayes.

## **DECISION FOR 9 NORTHSTONE RISE – AREA VARIANCE**

A resolution to grant an area variance to 9 Northstone Rise 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 was	absent
Barbara Servé voted	aye
James Pergolizzi voted	aye
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	aye
George Dounce voted	aye
Phil Castleberry voted	aye

The Board, in granting the application, imposed the following specific conditions:

1. This variance is granted only for the site plan received by the Zoning Board on January 13, 2021.
  2. All construction is to be completed by December 31, 2022.
  3. This application is subject to the approval of the Design Review and Historic Preservation Board.
- 180 Kilbourn Road, Tax # 138.17-1-27, Applicant is requesting relief from Town Code §185 – 17 (B) (1) and 185 – 17 (K) (2) for the construction of a new home forward of the building line and encroaching into the side setback for the property. This property is a corner lot and is zoned RN – Residential Neighborhood District

George Dounce opened the public hearing.

The architect, Patrick Morabito, was present.

Mr. Morabito explained how this lot is a corner lot with 40 ft. front setbacks and 20 ft. side setbacks. The new two-story home is proposed to be built in the same footprint of the previous ranch home however, the setbacks have changed since the construction of the original home.

The neighbors next to this site have no problem with the construction.

The timeframe is to start in April of 2021.

George Dounce called for public comment. Mr. John Cake of 31 Overbrook Drive stated that he has no objections to this project. There will still be 75-80 ft. of separation from his property and he feels that the new construction will be a substantial improvement in the neighborhood.

Mary Ellen Spennacchio-Wagner moved to close the public hearing.

Barbara Servé seconded.

All Ayes.

## **DECISION FOR 180 KILBOURN ROAD – AREA VARIANCE**

A resolution to grant an area variance to 180 Kilbourn Road was moved by Zoning Board of Appeals member Barbara Servé, seconded by Board member Phil Castleberry, and voted upon by the Board members, as follows:

Michael Rose was	absent
Barbara Servé voted	aye
James Pergolizzi voted	aye
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	aye
George Dounce voted	aye
Phil Castleberry voted	aye

The Board, in granting the application, imposed the following specific conditions:

1. This variance is granted only for the plans received by the Zoning Board on dated January 14, 2021.
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 DECEMBER 21, 2020**

George Dounce moved to approve the minutes of December 21, 2020 as written.

All Ayes.

## **POINT PERSONS FOR MARCH 15, 2021 MEETING**

15 Blackwood Circle – Phil Castleberry

## **MEETING ADJOURNMENT**

George Dounce moved to adjourn the meeting at 7:50 pm.

All Ayes.

Respectfully submitted,

Susan K. Donnelly  
Secretary to the Zoning Board of Appeals