

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
December 21, 2020**

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, December 21, 2020 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

- 4 Candlewood Drive. Tax # 163.03-1-41, Applicant is requesting relief from Town Codes §185-113 (B) (6) for the construction of an accessory structure (greenhouse) in the rear setback. This property is zoned RN-Residential Neighborhood.

The homeowners, David Walker and Hilarie LLOYD were present. They had no further comment to add on their application.

Barbara Servé asked if the neighbors were in support. Ms. Lloyd indicated that they had left flyers for the neighbors to explain their project.

George Dounce asked about the timeline for construction. Mr. Walker stated that they would like to construct the structure in the late spring or summer of 2021.

There was a question from the daughter of the resident at 460 Stone Road.

Mr. Walker indicated they needed to construct the dome closer to the property line in order to take advantage of the optimal sun exposure for the greenhouse. The structure is a closed environment so there should not be any concerns about attracting insects.

There was no further public comment.

Barbara Servé moved to close the Public Hearing.

Phil Castleberry seconded.

All Ayes.

The Board discussed a change to condition #1 on the resolution.

DECISION FOR 4 CANDLEWOOD DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 4 Candlewood Drive was moved by Mary Ellen Spennacchio-Wagner and seconded by Jim Pergolizzi.

George Dounce called for a roll call vote.

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

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the location shown on the plot map received by the Town of Pittsford Building Department on November 10, 2020.
 2. All construction is to be completed by December 31, 2022.
- 15 Stoney Clover Lane. Tax # 163.02-1-46, Applicant is requesting relief from Town Code §185-113 (B) (1) & (6) and 185-17 (I) to allow the construction of an oversized accessory structure (shed) located in the rear yard encroaching into the rear setback. Property is zoned RN – Residential Neighborhood District.

The homeowner, Robert Jones, was present.

George Dounce asked for the timeframe for the project. Mr. Jones stated April or May of 2021.

Phil Castleberry inquired about the opinions of the most impacted neighbor. Mr. Jones that he has had limited exposure to his neighbors during this COVID era but one neighbor did text him to inquire.

There was no public comment.

Barbara Servé moved to close the Public Hearing.

David Rowe seconded.

All Ayes.

DECISION FOR 15 STONEY CLOVER LANE – AREA VARIANCE

A written Resolution to grant the area variance for 15 Stoney Clover Lane was moved by Phil Castleberry and seconded by David Rowe.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye

Rowe aye
Rose absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the location shown on the plot/survey map received by the Town of Pittsford Building Department on November 13, 2020.
 2. All construction is to be completed by December 31, 2022.
- 28 Crest Wood Circle. Tax # 192.02-3-25, Applicant is requesting relief from Town Code §185-119 (A) (1) to locate the filter and heater of an in-ground swimming pool forward of the rear wall of the home. This property is zoned RN – Residential Neighborhood District

The homeowners Jennifer and James Iacobucci were present.

There was discussion about the placement of the pool equipment. It will be placed near the garage side of the most affected neighbor. The homeowners are working on installing additional landscaping.

The Board had no further questions.

There was no public comment.

David Rowe moved to close the Public Hearing.

George Dounce seconded.

All Ayes.

The Board discussed how this placement is the most viable area for the applicant to achieve their needs while keeping the placement out of the view of the neighbors.

DECISION FOR 28 CREST WOOD CIRCLE – AREA VARIANCE

A written Resolution to grant the area variance for 28 Crest Wood Circle was moved by Barbara Servé and seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

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

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the location shown on the plot map received by the Town of Pittsford Building Department on October 20, 2020.
 2. All construction is to be completed by December 31, 2022.
- 305 W. Bloomfield Road. Tax # 192.01-1-29.1, Applicant is requesting relief from Town Code §185-17 (B) (1) to allow the construction of an addition forward of the building line. Property is zoned RN – Residential Neighborhood District.

The homeowners Leigh Van Ostrand and Michael Krenzer were present.

They indicated that the neighbors are supportive of the proposed changes.

The timeline for construction is spring/summer of 2021.

There were no questions from the Board.

There was no public comment.

Barbara Servé moved to close the public hearing

Phil Castleberry seconded.

All Ayes.

DECISION FOR 305 WEST BLOOMFIELD ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 305 W. Bloomfield Road was moved by David Rowe and seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

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

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans and plot map received by the Town of Pittsford Building Department on December 8, 2020.
 2. This application is subject to Design Review Board approval.
 3. All construction is to be completed by December 31, 2022.
- 331 Fairport Road. Tax # 152.09-1-3, Applicant is requesting relief from Town Code §185 -17 (E) for the construction of a garage addition encroaching on the side setback of the property. Property is zoned RN – Residential Neighborhood District.

The homeowners Peter and Lois Houlihan were present.

Mr. Houlihan stated their need for a garage. The time frame for construction would be April-May of 2021.

Barb Serve indicated that the most affected neighbor is in support of the garage being built.

There was no Board discussion.

There was no public comment.

Jim Pergolizzi moved to close the public hearing.

David Rowe seconded.

All Ayes.

There was no further discussion.

DECISION FOR 331 FAIRPORT ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 331 Fairport Road was moved by Jim Pergolizzi and seconded by Phil Castleberry.

George Dounce called for a roll call vote.

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

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans and the addition's location shown on the plot map received by the Town of Pittsford Building Department on November 13, 2020.
2. All construction is to be completed by December 31, 2022.

REVIEW OF MEETING MINUTES OF NOVEMBER 16, 2020

George Dounce moved to approve the minutes of November 16, 2020 as written.

All Ayes.

POINT PERSONS FOR JANUARY 18, 2021 MEETING

There are no applications to review for the January 18, 2021 meeting.

MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 8:00 pm.

All Ayes.

Respectfully submitted,

Susan K. Donnelly
Secretary to the Zoning Board of Appeals