

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
July 19, 2021**

PRESENT

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

ALSO PRESENT

Cathy Koshykar, Town Board Liaison; Allen Reitz, Building Inspector; Robert Koegel, Town Attorney; Susan Donnelly, Secretary to the Board

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, July 19 at 7:00 P.M. local time.

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) (16) or (17) 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 HEARINGS FOR AN AREA VARIANCE

- 1 Skytop Lane, Tax # 164.09-2-21, Applicant is requesting relief from Town Code §185 – 17 (E) for a proposed shed encroaching into the side setback. Property is zoned RN – Residential Neighborhood District.

Chairman Dounce opened the public hearing.

The homeowner, Judy Hill Smillie was present to discuss the application with the Board.

Ms. Smillie indicated that there is no opposition from the most affected neighbor and that they may construct a fence in the future.

The timeline was discussed and the Applicant indicated that they may need 6 months to a year to construct.

There was no public comment.

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

Barbara Servé seconded.

All Ayes.

- 8 Sugarbush Lane, Tax # 178.16-1-20, Applicant is requesting relief from Town Code §185 – 17 (E) for a proposed sunroom addition encroaching into the side setback. Property is zoned RN – Residential Neighborhood District.

Chairman George Dounce opened the public hearing.

The Applicant, Josh Fernandez, was present.

Mr. Fernandez indicated the neighbor not opposed to the addition.

There were no questions from the Board.

There was no public comment.

David Rowe moved to close the public hearing.

Tom Kidera seconded.

All Ayes.

- 810 Allens Creek Road, Tax # 138.13-1-40. Applicant is requesting relief from Town Code(s) §185-113 B. (1); (2); for an oversized, over height accessory structure (3 car garage, proposed to be 1260 +/- square feet and greater height than the 12 feet allowed by code). Property zoned RN – Residential Neighborhood District.

Chairman George Dounce opened the Public Hearing.

The property owner Kim Bailey was present.

The height of the structure was discussed. There will be dormers on the garage but not on the house.

The use of the second floor of the garage was discussed. The applicant stated there will be no rental/living space on this level.

There were no questions from the Board

There was no public comment.

Jim Pergolizzi moved to close the public hearing.

Phil Castleberry seconded.

All Ayes.

CONTINUED HEARING

- 18 Golf Avenue, Tax # 151.15-2-45.2 Applicant is requesting relief from Town Code(s) §185-113 B. (1); (2); for an oversized, over height accessory structure (garage/barn, proposed to be 1440 square feet and 29 feet in height). Property zoned RN – Residential Neighborhood District.

This hearing remains open.

Presently there are no advisory comments from the Design Review and Historic Preservation Board as no new plans have been received by the Town from the applicant for the Board to review.

George Dounce moved to continue to hold this hearing open.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

DECISION FOR 1 SKYTOP LANE – AREA VARIANCE

A written Resolution to grant the area variance for 1 Skytop Lane was moved by Phil Castleberry and seconded by George Dounce.

George Dounce called for a roll call vote.

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

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the site map and application submitted to the Zoning Board of Appeals dated June 7, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 8 SUGARBUSH LANE – AREA VARIANCE

A written Resolution to grant the area variance for 8 Sugarbush Lane was moved by Thomas Kidera and seconded by George Dounce.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	aye
Kidera	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 July 08, 2021.
2. All construction is to be completed by December 31, 2022.
3. This application is subject to the approval of the Design Review & Historic Preservation Board.

DECISION FOR 810 ALLENS CREEK ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 810 Allens Creek Road was moved by David Rowe and seconded by Phil Castleberry.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	aye
Kidera	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 June 14, 2021, with additional plans submitted on July 13, 2021.
2. All construction is to be completed by December 31, 2024.
3. This application including the size and height is subject to the granting of a Certificate of Appropriateness by the Design Review and Historic Preservation Board.

DISCUSSION

It was brought to the attention of the Board that an appeal which is being made to the Zoning Board of Appeals by an applicant residing at 145 Long Meadow Circle who is in disagreement with a condition of approval made by the Design Review and Historic Preservation Board on their application. A letter for a request of an appeal was received by the Town and forwarded to Chairman George Dounce on July 7, 2021. This appeal will require additional information and review and will be addressed by the Board in a future meeting to be announced.

REVIEW OF MEETING MINUTES OF JUNE 21, 2021

George Dounce moved to approve the minutes of June 21, 2021 as written.

All Ayes.

AMMENDMENT OF MEETING MINUTES OF MAY 17, 2021

George Dounce moved to amend the minutes of the May 17, 2021.

Barb Servé seconded.

The Board was polled individually.

All Ayes.

POINT PERSONS FOR AUGUST 16, 2020 MEETING

- 4 Harleston Lane - Mary Ellen Spennacchio-Wagner
- 18 Golf Avenue – Jim Pergolizzi

David Rowe and Phil Castleberry announced they would not attend the August 16, 2021 meeting.

MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 8:10 pm.

All Ayes.

Respectfully submitted,

Susan K. Donnelly
Secretary to the Zoning Board of Appeals