

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
September 20, 2021**

PRESENT

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

ALSO PRESENT

Cathy Koshykar, Town Board Liaison; Robert Koegel, Town Attorney; Doug DeRue, Director of Planning & Zoning; Susan Donnelly, Secretary to the Board

ABSENT

Tom Kidera

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, September 20 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) (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

- 2585 Clover Street. Tax # 150.11-2-22, Applicant is requesting relief from Town Code §185 – 121 (A) for the construction of a fence forward of the Front Setback, that exceeds the 3-foot maximum height allowed by Code. This property is zoned RN-Residential Neighborhood District.

George Dounce opened the public hearing

The homeowner was not present but the Board felt that they had enough information to go forward with reviewing the application.

There was no public comment.

Jim Pergolizzi moved to close the public hearing.

Phil Castleberry seconded.

All Ayes.

- 121 Van Voorhis Road. Tax # 192.07-1-1, Applicant is requesting relief from Town Code §185- 113 (B) (3) for the construction of a deck forward of the rear wall of the home as well as an existing pool and 185-121 A. for over height fencing in association with the pool forward of the rear wall. Property is zoned RN - Residential Neighborhood District.

George Dounce opened the public hearing.

The homeowner, Henry Hoak, was present. Mr. Hoak indicated the pool and fence are pre-existing non-conforming to current code.

The timeframe for deck construction is within the next month.

There was no public comment.

Barb Servé moved to close the public hearing.

David Rowe seconded.

All Ayes.

- 2 Harwood Lane, Tax # 151.07-1-11, Applicant is requesting relief from Town Code §185- 113 (B) (1), (2) & (3) for the construction of an oversized, over height storage shed forward of the rear wall of the home. Property is zoned RN - Residential Neighborhood District.

George Dounce opened the public hearing.

The homeowner, Larry Castellano, was present.

Mr. Castellano is requesting the shed to store lawn equipment. He stated that no trees will be removed. He would like to start construction as soon as possible. He has talked to his neighbors and there is no objection.

There was no public comment.

Phil Castleberry moved to close the public hearing.

Jim Pergolizzi seconded.

All Ayes.

- 14 Round Trail. Tax # 164.19-2-55, 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.

George Dounce opened the public hearing.

The homeowner, Alexei Kozlov, was present. He would like to start construction as soon as possible.

There was no public comment.

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

David Rowe seconded.

All Ayes.

- 23 Butternut Drive. Tax # 165.09-1-26, Applicant is requesting relief from Town Code §185- 113 (B) (1), (2) & (3) for the construction of an oversized, over height garage forward of the rear wall of the home. Property is zoned RN - Residential Neighborhood District.

George Dounce opened the public hearing.

The architect, Paul Morabito, was present to represent the homeowner, JoAnne Arena Davis.

The timeframe for construction is fall of 2021.

The homeowner indicated that her neighbors who can see the structure have no objection to the project.

There was no public comment. An email citing opposition was received by the Town however the individual was unidentified so the Board could not weigh the impact the variance would have.

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

Barbara Servé seconded.

All Ayes.

TO BE REMOVED

- 26 Linden Park. Tax # 138.15-1-9.12/L, ATT Mobility is requesting relief from Code §185-126 (b) [2], limiting the maximum height for telecommunication towers to 100 feet. Application proposes to extend the existing tower to 150 feet. Zoned, Light Industrial.

No representative was present.

Doug DeRue explained that the Board has no authority regarding this application. They cannot deny this application by Law.

George Dounce made a motion to remove this item from the agenda.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

CONTINUED PUBLIC HEARING FOR AN AREA VARIANCE

- 18 Golf Avenue, Tax # 151.15-2-45.2 Applicant is requesting relief from Town Codes §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.

No representative was present to discuss this application. Additional information has not been received by the Town.

This hearing remains open.

DECISION FOR 2585 CLOVER STREET – AREA VARIANCE

A written Resolution to grant the area variance for 2585 Clover Street was moved by Barbara Servé 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 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 August 2, 2021.
2. All construction is to be completed by December 31, 2022.

DECISION FOR 121 VAN VOORHIS ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 121 Van Voorhis Road was moved by Mary Ellen Spennacchio-Wagner 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	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 August 17, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 2 HARWOOD LANE – AREA VARIANCE

A written Resolution to grant the area variance for 2 Harwood Lane was moved by Jim Pergolizzi 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	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 August 12, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 14 ROUND TRAIL DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 14 Round Trail Drive was moved by George Dounce 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
Kidera 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 August 13, 2021.
2. All construction is to be completed by December 31, 2022.

DECISION FOR 23 BUTTERNUT DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 23 Butternut Drive was moved by Phil Castleberry 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
Kidera 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 August 8, 2021.
2. All construction is to be completed by December 31, 2023.

REVIEW OF MEETING MINUTES OF AUGUST 16, 2021

George Dounce moved to approve the minutes of August 16, 2021 as written.

All Ayes.

POINT PERSONS FOR OCTOBER 18, 2021 MEETING

80 N. Country Club Drive – Phil Castleberry
103 Knickerbocker Drive – George Dounce
4000 East Avenue – David Rowe
18 Butternut Drive – Barb Servé

MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 8 pm.

All Ayes.

Respectfully submitted,

Susan K. Donnelly
Secretary to the Zoning Board of Appeals