

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

PRESENT

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

ALSO PRESENT

Cathy Koshykar, Town Board Liaison; Robert Koegel, Town Attorney; Doug DeRue, Director of Planning and Zoning; Bill Zink, Building Inspector; Susan Donnelly, Secretary to the Board

ABSENT

David Rowe

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, November 15, 2021 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) 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

- 9 High Street Tax # 151.14-01-55, Applicant is requesting relief from Town Code §185 – 17, I and E. and §185- 113 B. (1) for a proposed addition to an existing, non-conforming, oversized garage encroaching into the side setback and rear setback. Property is zoned RN – Residential Neighborhood.

George Dounce opened the Public Hearing.

No representative was present. Neighbors were notified by mail of the public hearing. There is a shared driveway but it is reported that no one is living there.

The existing structure is pre-existing non-conforming and located close to the property line but has been there approximately fifty years. The Town of Pittsford was alerted to this structure by an individual in the neighborhood.

There was no public comment.

Phil Castleberry moved to close the public hearing.

George Dounce seconded.

All Ayes.

- 4044 A East Avenue Tax # 151.10-1-6.1, Applicant is requesting relief from Town Code §185- 113 B. (1), (2) for the proposed additions to an existing oversized and over height garage. Property is zoned RN - Residential Neighborhood.

George Dounce opened the Public Hearing.

The homeowner, Justin Hamilton, was present.

The neighbor on the west of the home is in support of the project. Additional screening will be installed on the left side of the property.

The timeframe is that the additions will be completed by July 2022.

There was no Public Comment.

There was no further discussion by the Board

Barb Servé moved to close the public hearing.

Phil Castleberry seconded.

All Ayes.

- 8 Candlewood Circle Tax # 163.03-1-19, Applicant is requesting relief form Town Code §185 – 113 B. (3) and §185-17, E. for a proposed garden shed located forward of the rear wall of the home and located less than the required minimum side setback. This property is zoned RN-Residential Neighborhood.

George Dounce opened the public hearing.

The homeowner, Shawn Carter was present.

The variance is requested for 6.66 feet.

There was no Board discussion.

There was no public comment.

Jim Pergolizzi moved to close the public hearing.

Tom Kidera seconded.

All Ayes.

- 74 Stuyvesant Road Tax # 178.11-1-79, Applicant is requesting relief from Town Code §185 – 17, I. and §185 – 113 B. (1) for a proposed oversized accessory structure encroaching into the rear setback. Property is zoned RN – Residential Neighborhood.

George Dounce opened the public hearing.

Steve Schaefer, the homeowner, was present.

The shed will provide additional storage for the family and will be 12' x 16' and be placed 10 ft. from the property line.

The neighbors at 72 Stuyvesant Road emailed a letter of support for the project.

The timeline for construction is Spring 2022.

There was no further discussion among the Board members.

There was no public comment.

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

Tom Kidera seconded.

All Ayes.

- 3 Escena Rise Tax # 178.03-4-50, Applicant is requesting relief from the minimum required setback for the proposed addition encroaching into the side setback. Property is zoned IZ- Incentive Zoning.

George Dounce opened the public hearing.

Bill Arieno, representing Pride Mark Builders, was present.

Mr. Arieno describes this as a spec house that was sold and the homeowner wants additional closet space. 1 ft. of relief will be required to accomplish this. The home is 110 ft. from Mendon Center Road and there is only one neighbor and borders Town land.

The timeframe for construction is as soon as possible.

There was no public comment.

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

Barbara Servé seconded.

All Ayes.

George Dounce asked if the Town had any objection to the 1 ft. variance and there is none.

- 115 Ellingwood Drive Tax # 138.18-1-54, Applicant is requesting relief from Town Code §185- 17, I. and §185- 113 B. (1) for the proposed addition to an existing, non-conforming, oversized garage encroaching into the rear setback. Property is zoned RN- Residential Neighborhood.

George Dounce opened the Public hearing.

There was no representative present as the homeowner was unable to attend.

It was reported that the homeowner had spoken with two neighbors and there was no objection.

The structure will be rebuilt on the footprint of the previous pre-existing, non-conforming garage.

There was no public comment.

Phil Castleberry closed the public hearing.

Jim Pergolizzi seconded.

All Ayes with the exception of Barb Servé who abstained citing that the homeowners are known to her.

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.

This hearing is open.

No new information has been received by the Town for this application.

It was determined if no new information is received by the December meeting the Board may choose to close this public hearing.

The hearing was left open.

DECISION FOR 9 HIGH STREET – AREA VARIANCE

A written Resolution to grant the area variance for 9 High Street was moved by Phil Castleberry 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 absent
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 October 15, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 4044 A EAST AVENUE – AREA VARIANCE

A written Resolution to grant the area variance for 4044A East Avenue was moved by Mary Ellen Spennacchio-Wagner 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 absent
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 October 15, 2021.
2. All construction is to be completed by December 31, 2024.

DECISION FOR 8 CANDLEWOOD CIRCLE – AREA VARIANCE

A written Resolution to grant the area variance for 8 Candlewood Circle was moved by Tom Kidera 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 absent
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 October 7, 2021.
2. All construction is to be completed by December 31, 2022.

DECISION FOR 74 STUYVESANT ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 74 Stuyvesant Road was moved by George Dounce 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	absent
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 October 15, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 3 ESCENA RISE – AREA VARIANCE

A written Resolution to grant the area variance for 3 Escena Rise was moved by Jim Pergolizzi 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	absent
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 October 15, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 115 ELLINGWOOD DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 115 Ellingwood Drive was moved by Mary Ellen Spennacchio-Wagner and seconded by Tom Kidera.

George Dounce called for a roll call vote.

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

