

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

**PRESENT**

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

**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**

Phil Castleberry

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, December 20, 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 except for 736 Linden Avenue 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**

- 36 Meadow Cove Tax # 164.12-2-24, Applicant is requesting relief from Town Code §185 - 17 E. for a proposed garden shed located less than the required minimum side setback as well as the minimum total required setbacks. This property is zoned RN-Residential Neighborhood.

George Dounce opened the public hearing.

The homeowner, Cameron Kelly, was present.

Mr. Kelly described the need for additional storage space for his lawn and garden equipment. There will be a fence and vegetation between the most affected neighbor at 34 Meadow Cove Road so the visibility of the shed will be limited.

A letter of support from the neighbor at 34 Meadow Cove Road was submitted to the Town.

There was no further public comment.

Mary Ellen Spennacchio Wagner moved to close the public hearing.

Barb Servé seconded.

All Ayes.

- 25 Knollwood Drive Tax # 138.13-1-5, Applicant is requesting relief from Town Code §185 - 17 B. for a proposed roofed entry encroaching into the front setback. Property is zoned RN – Residential Neighborhood District.

George Dounce opened the public hearing.

This entire home is located in within the 70' setback making the variance necessary. Any renovations or additions to the property would require a variance for this home which is located on a long narrow lot.

The roofed entry and large front porch addition will not be a detriment to the neighborhood or be out of character.

There was no public comment.

Barb Servé moved to close the public hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

- 155 Sylvania Tax # 151.06-1-4, Applicant is requesting relief from Town Code §185 - 17 E. for a proposed addition located less than the required minimum side setback as well as the minimum total required setbacks. Also requesting relief from Town Code §185 -17 G. for exceeding the allowed maximum building footprint by 195 square feet. This property is zoned RN-Residential Neighborhood.

George Dounce opened the public hearing.

James Fahy was present to discuss this application with the Board.

The owner is proposing a major renovation to the home which includes in part the addition of a third bay to the garage and a cabana for the pool area. The setback variances are required to achieve this.

There is no neighborhood opposition.

George Dounce moved to close the public hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

- 736 Linden Ave Tax # 138.15-1-19.1 Applicant is requesting relief from Town Code §185 - 52 C. and §185 - 53 D. (1)(2) for the proposed building encroaching into the front setbacks as well as parking area less than 40 feet from the ROW and not located behind the front line of the building. Property is zoned LI-Light Industrial.

George Dounce opened the public hearing.

This application is an unlisted SEQR action. Doug DeRue indicated that this area is not a significant habitat. Robert Koegel also confirmed that he is comfortable with this determination, as it will prove minimal or no environmental impact. Doug DeRue advised that a negative determination by the Board would be appropriate.

George Dounce moved to approve the approval of the short form EAF of SEQR as a negative determination as presented on December 20, 2021.

Jim Pergolizzi seconded.

The Board was polled individually.

Tom Kidera voted aye  
Barb Servé voted aye  
Jim Pergolizzi voted aye  
David Rowe voted aye  
Mary Ellen Spennacchio-Wagner voted aye  
George Dounce voted aye  
Phil Castleberry was absent

The requested variance is not causing an undesirable change in the area. This placement is consistent with other office buildings in the area. Existing mature trees will buffer the project from adjacent roadways. Despite the fact that the variances are substantial, they are mitigated by the wide right of way of Route 441 and Linden Avenue.

There was no public comment.

Dave Rowe moved to close the public hearing.

Jim Pergolizzi 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.

This hearing is open.

No representative was present to discuss this application with the Board and no new information has been provided. This hearing has been open for several months without new information or contact from the homeowners.

The Board moved to close this hearing without prejudice.

All Ayes.

**DECISION FOR 36 MEADOW COVE ROAD – AREA VARIANCE**

A written Resolution to grant the area variance for 36 Meadow Cove Road was moved by Mary Ellen Spennacchio-Wagner and seconded by David Rowe.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	absent
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 October 15, 2021.
2. All construction is to be completed by December 31, 2023.

**DECISION FOR 25 KNOLLWOOD DRIVE – AREA VARIANCE**

A written Resolution to grant the area variance for 25 Knollwood Drive 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	absent
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 October 14, 2021.
2. All construction is to be completed by December 31, 2023.

**DECISION FOR 155 SYLVANIA ROAD – AREA VARIANCE**

A written Resolution to grant the area variance for 155 Sylvania Road was moved by George Dounce and seconded by Barbara Servé.

George Dounce called for a roll call vote.

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

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 October 15, 2021.
2. All construction is to be completed by December 31, 2024.

**DECISION FOR 736 LINDEN AVENUE – AREA VARIANCE**

A written Resolution to grant the area variance for 736 Linden Avenue was moved by James Pergolizzi and seconded by George Dounce.

George Dounce called for a roll call vote.

Dounce aye  
Servé aye  
Pergolizzi aye  
Spennacchio-Wagner aye  
Castleberry absent  
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 October 15, 2021, excepting site plan adjustments made by the Planning Board that do not materially increase the amount of the granted variances.
2. All construction is to be completed by December 31, 2024.

**POINT PERSONS FOR JANUARY 17, 2021 MEETING**

14 Glenmore Circle – George Dounce

15 Glendower Circle – Mary Ellen Spennacchio-Wagner

**MEETING ADJOURNMENT/MINUTES APPROVAL**

George Dounce moved to approve the minutes of the November 15th meeting as written.

All Ayes

The meeting was adjourned at 8:07 pm.

Respectfully submitted,

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Susan K. Donnelly  
Secretary to the Zoning Board of Appeals