

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
DRAFT MINUTES
March 21, 2022**

PRESENT

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

ALSO PRESENT

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

ABSENT

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, March 21, 2022 at 7:00PM local time.

George Dounce, Chairperson called the regularly scheduled meeting of the Zoning Board of Appeals to order at 7:01PM.

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 AREA VARIANCE - RETURNING

- 15 Glendower Circle, Tax # 151.16-3-24, Applicant is requesting relief from Town Code §185 - 17 K. (2) for a proposed garden shed located less than both the required minimum side setbacks, property is a corner lot. This property is zoned Residential Neighborhood – (RN).

This hearing was open.

The homeowner, Christina Kozan, was present.

The homeowner is requesting this variance to avoid moving an existing flower bed and play gym. She stated that this is a vinyl sided shed so there is no upkeep and it is mulched around the shed. She stated that her neighbors are in support of the request.

There was no further questions from the Board.

There was no public comment.

Phil Castleberry moved to close the hearing.

Barbara Servé seconded.

All Ayes.

PUBLIC HEARINGS FOR AREA VARIANCES

- 49 Turning Leaf Drive, Tax # 177.04-3-18, Applicant is requesting relief from Town Code §185-119 A. (1) to place the pool filter and or heater equipment on the side of the home and 185-17 - I. for pool encroachment into the 20 foot rear buffer. This property is zoned Residential Neighborhood – (RN).

George Dounce opened the Public Hearing.

The homeowner, Kyle Monroe, was present.

Mr. Monroe indicated that finished landscaping will hide the view of the pool equipment and a generator that is already installed at the property. He said that he has talked to his neighbors and there is no objection.

There is Town of Pittsford land in the rear of the property. Chairman George Dounce asked the Town if there is any objection and town staff indicated no.

The timeframe is to complete the installation by Spring 2022.

There was no public comment and no further discussion by the Board.

Jim Pergolizzi moved to close the Public Hearing.

Tom Kidera seconded.

All Ayes.

- 35 Meadow Cove Road, Tax # 164.12-2-14, Applicant is requesting relief from Town Code §185-17 E. (1) to place a generator within the minimum side setback. This property is zoned Residential Neighborhood – (RN).

George Dounce opened the Public Hearing.

Terry Smith from Integrated Power Supply was present to represent the homeowners.

Mr. Smith indicated that the most affected neighbors does not have any issues with the proposed 6” variance.

Currently, the air-conditioning unit for this home also impedes into the current setback because zoning codes have changed since this structure was constructed.

There was no public comment.

Mary Ellen Spennacchio-Wagner moved to close the Public Hearing.

Barbara Servé seconded.

All Ayes.

- 4 Evesham Place, Tax # 178.03-2-50, Applicant is requesting relief from Town Code §185-113 B. (1), (2) and 185-17 E. for an oversized and over height accessory structure, greenhouse, that does not meet the minimum total setback measurement for lot. This property is zoned Residential Neighborhood – (RN).

George Dounce opened the Public Hearing.

J.R. McCarthy of Ted Collins Associates was present to represent the homeowners.

Mr. McCarthy indicated that the greenhouse is proposed to be located in the southeast corner of the property. The most affected neighbor is the Town of Pittsford as this property backs up to Town land on both sides. Doug DeRue expressed that this is not objectionable to the Town.

The timeframe for the construction is Spring of 2022.

There was no public comment.

Tom Kidera moved to close the Public Hearing.

Jim Pergolizzi seconded.

All Ayes.

- 3500 East Avenue, Tax # 138.14-1-13.21, Applicant is requesting relief from Town Code §185 – 134 D. (4) for the proposed 10 square foot oversized sign. This property is zoned Incentive Zoning.

George Dounce opened the Public Hearing.

Jerry Watkins of Riedman Associates was present.

Mr. Watkins was present to discuss the application for an oversized sign to identify Kilbourn Place on East Avenue.

Mr. Watkins indicated that the single sign would be the identifier of the project as opposed to the installation of multiple smaller signs. Doug DeRue stated that there may be future determination whether more smaller signs would be needed. This proposed sign will be located behind the proposed sidewalk.

An email communication to the Board from Don Frisbee, owner of the property at 3476 East Avenue which abuts Kilbourn Place, was discussed at the meeting. Doug DeRue communicated to the Board that he had spoken with Mr. Frisbee and the Board was satisfied that most of his concerns had been alleviated.

There was no further public comment.

Mary Ellen Spennacchio-Wagner moved to close the Public Hearing.

Phil Castleberry seconded.

All Ayes.

DECISION FOR 15 GLENDOWER CIRCLE – AREA VARIANCE

A written Resolution to grant the area variance for 15 Glendower Circle was moved by Mary Ellen Spennacchio-Wager and seconded by Board Member Barbara Servé.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	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 December 12, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 49 TURNING LEAF DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 49 Turning Leaf Drive was moved by Tom Kidera and seconded by Board Member George Dounce.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	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 February 17, 2022.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 35 MEADOW COVE ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 35 Meadow Cove Road was moved by Barb Servé and seconded by Board Member Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Servé	Aye
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Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	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 February 14, 2022.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 4 EVESHAM PLACE – AREA VARIANCE

A written Resolution to grant the area variance for 4 Evesham Place was moved by Mary Ellen Spennacchio-Wagner and seconded by Board Member Phil Castleberry.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	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 February 2, 2022.
2. All construction is to be completed by December 31, 2024.

DECISION FOR 3500 EAST AVENUE – AREA VARIANCE

A written Resolution to grant the area variance for 3500 East Avenue was moved by Phil Castleberry and seconded by Board Member Jim Pergolizzi.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	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 February 16, 2022.
2. All construction is to be completed by December 31, 2023.

POINT PERSONS FOR APRIL 18, 2022 MEETING

56 Landsdowne Lane – Tom Kidera

32 Le Pere Drive – Mary Ellen Spennacchio-Wagner

MEETING ADJOURNMENT/MINUTES APPROVAL

Chairman George Dounce motioned to approve the minutes of February 21, 2022 as written. Following a unanimous voice vote, the minutes were approved.

The meeting was adjourned at 7:55 PM.

Respectfully submitted,

Susan Donnelly
Secretary to the Zoning Board of Appeals