

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
October 17, 2022**

PRESENT

George Dounce, Chairperson; Barbara Servé, Vice Chair; James Pergolizzi, Phil Castleberry

ALSO PRESENT

Kate Munzinger, Town Board liaison; Bill Zink, Building Inspector; Susan Donnelly, Secretary to the Board

ABSENT

Mary Ellen Spennacchio-Wagner, Tom Kidera, Jennifer Iacobucci

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, October 17, 2022, at 7:00 PM 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) 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 - NEW

- 38 Old Farm Circle, Tax # 164.19-2-40, Applicant is requesting relief from Town Code §185-113 B. (1) for a proposed oversized accessory structure, pavilion. This property is zoned Residential Neighborhood – (RN).

George Dounce opened the public hearing.

The homeowner, Chelsea Madden, was present.

The project is to construct a pavilion on the north side of the property. The applicant submitted to the Board letters of support from neighbors.

There was no public comment.

Barbara Servé moved to close the public hearing.

Jim Pergolizzi seconded.

All Ayes.

- Lehigh Station Road Subdivision, Tax # 177.01-2-8.1, Applicant is requesting relief from Code Section 185-120 A, to allow for a front setback less than what is required for Lots 1, 3, & 4; Code Section 185-121 A, to allow for fencing taller than what is required along road frontage for Lots 1, 3, & 4; Code Section 185-17 I, to allow for a rear buffer less than what is required for Lots 1 & 2. This property is zoned Residential Neighborhood – (RN).

George Dounce opened the public hearing.

Fred Shelley of BME Associates was present. Kody Young was also present.

Mr. Shelley indicated that preliminary subdivision approval has been received for three new homes on the property. The setback variances are to provide consistency with other homes in the area. The fence variance will provide for code allowance for any future inground pool construction.

The Board had no further comment.

Sean Fallon of 2511 Lehigh Station Road expressed concerns about any proposed fencing which would limit visibility on the street. Doug DeRue indicated that this will be addressed in the Planning Board approval process. Restrictions will be noted on the subdivision plans.

Phil Castleberry moved to close the public hearing.

Jim Pergolizzi seconded.

All Ayes.

- 1 Morningside Park, Tax # 191.01-1-7, Applicant is requesting relief from Town Code §185 – 33.5 B. (3) for a proposed garage addition encroaching into the front setback. Property is zoned Rural Residential South Pittsford – (RRSP).

George Dounce opened the public hearing.

Jeff Kline of Oaks Construction was present.

The project entails adding an additional bay to the garage. The siding and windows will match the existing.

A letter of support has been received from the neighbor.

The timeframe is to complete by December 2023.

There were no questions from the Board.

There was no public comment.

Phil Castleberry moved to close the public hearing.

Barbara Servé seconded.

- 165 French Road, Tax # 151.13-1-8, Applicant is requesting relief from Town Code §185 - 17 E and §185 - 113 B. (3), for a proposed garden shed located less than the required minimum side setback and forward of the rear wall of the house. This property is zoned Residential Neighborhood – (RN).

George Dounce opened the public hearing.

The homeowner, Meghan Crough, was present.

The project will not be started until next spring 2023.

The neighbors are in agreement with the project.

There was no public comment

There was no further discussion from the Board.

George Dounce moved to close the public hearing.

Phil Castleberry seconded.

All Ayes.

- 37 Devonwood Lane, Tax # 164.17-2-12, Applicant is requesting relief from Town Code §185- 113 B. (1), (2) for a proposed oversized and over height accessory structure, multiuse structure. Property is zoned RN - Residential Neighborhood.

George Dounce opened the public hearing.

Mike Volpe of Josh Landscaping was present to act as agent for the homeowner.

Mr. Volpe clarified that they are not requesting a variance for height.

The timeframe is Spring of 2023.

There were no questions from the Board.

There was no public comment.

Jim Pergolizzi moved to close the public hearing.

Barbara Servé seconded.

All Ayes.

DECISION FOR 38 OLD FARM CIRCLE – AREA VARIANCE

A written Resolution to grant the area variance for 38 Old Farm Circle was moved by George Dounce and seconded by Board Member Jim Pergolizzi.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Absent
Castleberry	Aye
Kidera	Absent
Dounce	Aye
Iacobucci	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 September 19, 2022.
2. All construction is to be completed by December 31, 2024.

DECISION FOR LEHIGH STATION ROAD SUBDIVISION – AREA VARIANCE

A written Resolution to grant the area variance for Lehigh Station Road Subdivision was moved by George Dounce and seconded by Board Member Jim Pergolizzi.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Absent
Castleberry	Aye
Kidera	Absent
Dounce	Aye
Iacobucci	Absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted as indicated on the site map attached to the resolution.
2. These variances shall be noted on the Subdivision Plat Map prior to the Planning Board’s signature.

DECISION FOR 1 MORNINGSIDE PARK – AREA VARIANCE

A written Resolution to grant the area variance for 1 Morningside Park was moved by Jim Pergolizzi and seconded by Board Member George Dounce.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Absent
Castleberry	Aye
Kidera	Absent
Dounce	Aye

Iacobucci 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, 2022
2. All construction is to be completed by December 31, 2024.

DECISION FOR 165 FRENCH ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 165 French Road was moved by Phil Castleberry and seconded by Board Member George Dounce.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Absent
Castleberry	Aye
Kidera	Absent
Dounce	Aye
Iacobucci	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 September 15, 2022.
2. All construction is to be completed by December 31, 2024.

DECISION FOR 37 DEVONWOOD LANE – AREA VARIANCE

A written Resolution to grant the area variance for 37 Devonwood Lane was moved by George Dounce and seconded by Board Member Phil Castleberry

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Absent
Castleberry	Aye
Kidera	Absent
Dounce	Aye
Iacobucci	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 September 9, 2022.

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

POINT PERSONS FOR NOVEMBER 21 MEETING

79 West Bloomfield Road – Phil Castleberry

4000 East Avenue – Thomas Kidera

93 Kilbourn Road – Jim Pergolizzi

Chairman George Dounce motioned to approve the minutes of September 19, 2022, with corrections.

All Ayes.

The meeting was adjourned at 8:05 pm.

Respectfully submitted,

Susan Donnelly
Secretary to the Zoning Board of Appeals