

TOWN CLERK  
TOWN OF  
PITTSFORD, NY

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
OCTOBER 16, 2023**

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Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on October 16, 2023, at 7:00PM local time. The meeting took place in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street.

**PRESENT:** George Dounce, Mary Ellen Spennacchio-Wagner, Jennifer Iacobucci, Jim Pergolizzi, Phil Castleberry, Tom Kidera, Barbara Servé

**ABSENT:**

**ALSO PRESENT:** April Zurowski, Planning Assistant; Bill Zink, Building Inspector; Robert Koegel, Town Attorney

**ATTENDANCE:** There were 13 members of the public present.

Chairman George Dounce called the meeting to order at 7:00PM.

**RETURNING PUBLIC HEARING:**

**7 Black Wood Circle**

Applicant is requesting relief from Town Code Section 185-17 H. for the expansion of a driveway resulting in maximum lot coverage exceeding 40% of the total area of the property. This property is zoned Incentive Zoning (IZ).

Chairman Dounce stated that this is an open public hearing. The applicant was not present at the September 18, 2023, meeting.

Noah Saulpaugh, of Pride Mark Homes, introduced the application. The applicant is requesting a wider driveway to accommodate family vehicles. Pride Mark Homes has been working closely with the Town Engineer, Rob Fromberger, to alleviate impervious coverage and drainage concerns. Board Member Spennacchio-Wagner stated that the Zoning Board commented on impervious coverage issues during the subdivision process and was assured by Morrell Builders that issues would not arise. Mr. Saulpaugh stated that the pond storage is not currently at capacity but may be as development continues.

Board Member Spennacchio-Wagner asked if Pride Mark Homes will be contracted to expand the pond. Mr. Saulpaugh confirmed.

Vice Chairwoman Servé asked if the applicant had heard any neighbor opposition. Mr. Saulpaugh stated there was no opposition. Chairman Dounce asked if Town staff had concerns with the project. Mr. Zink stated that the applicant has been working towards resolution with the Town Engineer. Board Member Spennacchio-Wagner asked if the applicant would be willing to reduce the driveway expansion request. Mr. Saulpaugh could not confirm prior to a discussion with the homeowners. Board Member Pergolizzi asked the width of a typical driveway. Mr. Saulpaugh stated that a typical driveway is 17 feet wide. Chairman Dounce asked for an estimated timeline for construction. Mr. Saulpaugh stated that paving would be completed this season.

## APPROVED MINUTES 101623

Chairman Dounce asked for public comment. Hearing none, Vice Chairwoman Servé motioned to close the public hearing, seconded by Chairman Dounce, none opposed.

Board Member Pergolizzi stated concern for the use of off-site mitigation. Board Member Iacobucci agreed and stated that the extra driveway was not necessary. Board Member Spennacchio-Wagner stated concern that the 47.1% impervious coverage was too much and would feel more comfortable if 43-44% was requested. She questioned the precedence this request may set in the development.

Chairman Dounce motioned to reopen the public hearing, seconded by Board Member Kidera. Mr. Saulpaugh requested that this application is not held until November. The applicant will need to pave the stone drive before winter. He stated that although the mitigation is off-site, the pond is located directly behind this property. He stated that a reduction in the request would likely deter the homeowner from the project, as the developer and homeowner plan to share the cost for pond capacity expansion.

Board Member Castleberry motioned to close the public hearing, seconded by Vice Chairwoman Servé, none opposed.

A written resolution to grant the 7.1% impervious coverage area variance for 7 Black Wood Circle was moved by Board Member Castleberry, seconded by Chairman Dounce. The resolution did not pass, two aye, 5 no. Kidera and Dounce: aye. Castleberry, Pergolizzi, Servé, Spennacchio-Wagner, Iacobucci: no.

A written resolution to grant the 4.7% impervious coverage area variance for 7 Black Wood Circle, as revised per agreement with the applicant, was moved by Board Member Castleberry, seconded by Chairman Dounce. The resolution passed, 6 aye, 1 no. Castleberry, Pergolizzi, Servé, Kidera, Iacobucci, Dounce: aye. Spennacchio-Wagner: no.

### **NEW PUBLIC HEARINGS:**

#### **20 Bromley Road**

Applicant is requesting relief from Town Code Section 185-17 E. for the construction of a garage addition and covered rear patio within the side setback. This property is zoned Residential Neighborhood (RN).

Josh Conslor, of 20 Bromley Road, and Kip Finley, of Victory Hill Land Company, introduced the application. The applicant intends to add a third bay to their existing two-car garage and extend the roofline to the backyard for a covered patio. Chairman Dounce asked if the applicant was willing to reduce the variance request. Mr. Finley stated that the homeowners are willing to reduce the 12-foot garage bay to 10 feet. This would result in an 8.5" variance. Board Member Spennacchio-Wagner asked if the existing trailer would be stored within the new garage bay. Mr. Conslor stated that he plans to sell the trailer, so it will not be on the property at all. Board Member Iacobucci asked if the applicant had received neighbor opposition. Mr. Conslor acknowledged that neighbors were in attendance for public comment. He predicted that this addition would impact overall neighborhood property values. Vice Chairwoman Servé stated that a 3-car garage is out of character for this neighborhood. Chairman Dounce asked for an estimated timeline for construction. Mr. Conslor intends to begin in the spring.

Chairman Dounce asked for public comment.

Mark Bradley, of 22 Bromley Road, stated his concern for the garage addition encroaching further towards his property. He stated that his home is configured with most bedrooms along the wall adjacent to 20 Bromley Road's garage. He has voiced opposition directly to the applicant in the past. Ellie Bradley, of 22 Bromley Road, stated that she would have no opposition if this garage addition would encroach on her garage, but her house is not configured as such. Chairman Dounce, also a realtor, stated that he would not predict a negative impact on direct neighbors' property values. The Board also referenced a written comment submitted from Kathy Haywood, of 26 Bromley Road.

Chairman Dounce motioned to hold the public hearing open, seconded by Board Member Spennacchio-Wagner, none opposed. Chairman Dounce asked neighbors and the applicant to discuss a reasonable resolution. The application will be revisited at the November 20, 2023, meeting.

#### **5 Laureldale Drive**

Applicant is requesting relief from Town Code Section 185-17 B. (1) and 185-17 E. for the installation of a shed past the building line off of East Street and within the side setback. This property is zoned Residential Neighborhood (RN).

Dan Sargent, of 5 Laureldale Drive, introduced the application. He stated his need for more storage on the property. The proposed shed would be placed adjacent to his neighbor's shed. Chairman Dounce asked for an estimated timeline for installation. Mr. Sargent stated that the shed will be delivered this week.

Chairman Dounce asked for public comment. Hearing none, Board Member Castleberry motioned to close the public hearing, seconded by Board Member Kidera.

A written resolution to grant the area variance for 5 Laureldale Drive was moved by Board Member Spennacchio-Wagner, seconded by Board Member Castleberry. The resolution was unanimously approved, none opposed.

#### **49 Coventry Ridge**

Applicant is requesting relief from the Final Planning Board approval of the Coventry Ridge Subdivision plat map for a constructed deck located within the side setback. This property is zoned Incentive Zoning (IZ).

Austin Miller, of Spall Homes, introduced the application. The applicant plans to plant trees along the property line as homes are developed in the adjacent future section of the Coventry Ridge Subdivision. Vice Chairwoman Servé asked if the property abuts Town-owned land. Mr. Miller confirmed.

Chairman Dounce asked for public comment. Hearing none, Board Member Iacobucci motioned to close the public hearing, seconded by Board Member Spennacchio-Wagner.

A written resolution to grant the area variance for 49 Coventry Ridge was moved by Board Member Kidera, seconded by Chairman Dounce. The resolution was unanimously approved, none opposed.

**24 Whitestone Lane**

Applicant is requesting relief from Town Code Section 185-113 B. (1) and (2) for the construction of an oversized pavilion with an over height chimney. This property is zoned Residential Neighborhood (RN).

Dave Crowe, of HB Cornerstone, and Lindsey Loosen, of 24 Whitestone Lane, introduced the application. The applicant has ensured that the pavilion will meet side and rear setbacks. The roofline will meet the maximum 12-foot height requirement, but the chimney must exceed the roofline to meet NYS Building Code. Ms. Zurowski stated that Town Code references an exception for chimneys on primary structures but does not mention an exception for accessory structures.

Board Member Spennacchio-Wagner noticed the plan submitted includes a pool, hot tub, and expansive patio. She asked the applicant if impervious coverage was calculated. Mr. Crowe was unsure if impervious coverage was calculated for this application. Board Member Castleberry asked for an estimated timeline for construction. Mr. Crowe stated that the applicant plans to begin construction in the spring.

Chairman Dounce asked for public comment. Hearing none, Chairman Dounce motioned to hold the public hearing open, seconded by Board Member Pergolizzi, none opposed. The Board asked Mr. Crowe to check impervious coverage before a resolution. The application will be revisited at the November 20, 2023, meeting.

**4 Knowlton Lane**

Applicant is requesting relief from Town Code Section 185-17 B. (1) for the construction of a second-floor addition extending past the building line. This property is zoned Residential Neighborhood (RN).

Kim Bailey, of Stahl Properties, introduced the application. The applicant will not be increasing the footprint of the home. Knowlton Lane is a private drive with few homes. Chairman Dounce asked for an estimated timeline for construction. Ms. Stahl stated that the applicant is looking to begin construction as soon as possible.

Chairman Dounce asked for public comment. Hearing none, Board Member Castleberry motioned to close the public hearing, seconded by Board Member Pergolizzi, none opposed.

A written resolution to grant the area variance for 4 Knowlton Lane was moved by Board Member Castleberry, seconded by Board Member Spennacchio-Wagner. The resolution was unanimously approved, none opposed.

**OTHER DISCUSSION:**

Chairman Dounce motioned to approve the minutes of September 18, 2023, as submitted. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman George Dounce closed the meeting at 9:20PM.

Respectfully submitted,



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April Zurowski  
Planning Assistant

OFFICIAL MINUTES ARE ON FILE IN THE OFFICE OF THE PLANNING  
DEPARTMENT