

**AGENDA
TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
APRIL 21, 2025**

This agenda is subject to change.

Please take notice that the Town of Pittsford Zoning Board of Appeals will hold the following meeting on Monday, April 21, 2025, in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street, and beginning at 6:30PM local time.

PENDING DECISION

4000 East Avenue – Tax ID 151.06-2-45

Applicant is requesting relief from Town Code Section 185-121 A. for the substitution and relocation a 4.5-foot fence in front of the front setback off of East Avenue. This property is zoned Residential Neighborhood (RN).

NEW HEARING

2 Round Trail Drive – Tax ID 164.19-1-59

Applicant is requesting relief from Town Code Sections 185-113 C. (3) for the construction of permanent play equipment in the side yard area. This property is zoned Residential Neighborhood (RN).

OTHER BUSINESS

Approval of Minutes

The next scheduled meeting is for Monday, May 19, 2025.

Zoning Board of Appeals Referral Form Information

ZB24-000039

Property Address:

4000 East Avenue ROCHESTER, NY 14618

Property Owner:

Genroc LLC

4000 East Ave

Rochester, NY 14618

Present Zoning of Property: RN Residential Neighborhood

Area Variance - Residential and Non-Profit

Town Code Requirement is:

Right Lot Line:

0

Left Lot Line:

0

Front Setback:

0

Rear Setback:

0

Height:

0

Size:

0

Proposed Conditions:

Right Lot Line:

0

Left Lot Line:

0

Front Setback:

0

Rear Setback:

0

Height:

0

Size:

0

Resulting in the Following Variance:

Right Lot Line:

0.0

Left Lot Line:

0.0

Front Setback:

0.0

Rear Setback:

0.0

Height:

0.0

Size:

0.0

Code Section: Applicant is requesting relief from Town Code Section 185-121 A. for the substitution and relocation a 4.5-foot fence in front of the front setback off of East Avenue. This property is zoned Residential Neighborhood (RN).

Staff Notes: The applicant is returning to present a revised plan for the partial fence replacement proposal. The revised plan does not include a relocation of the fence but additional plantings have been added. I have marked up the old and new plan and included a comparison of the two.

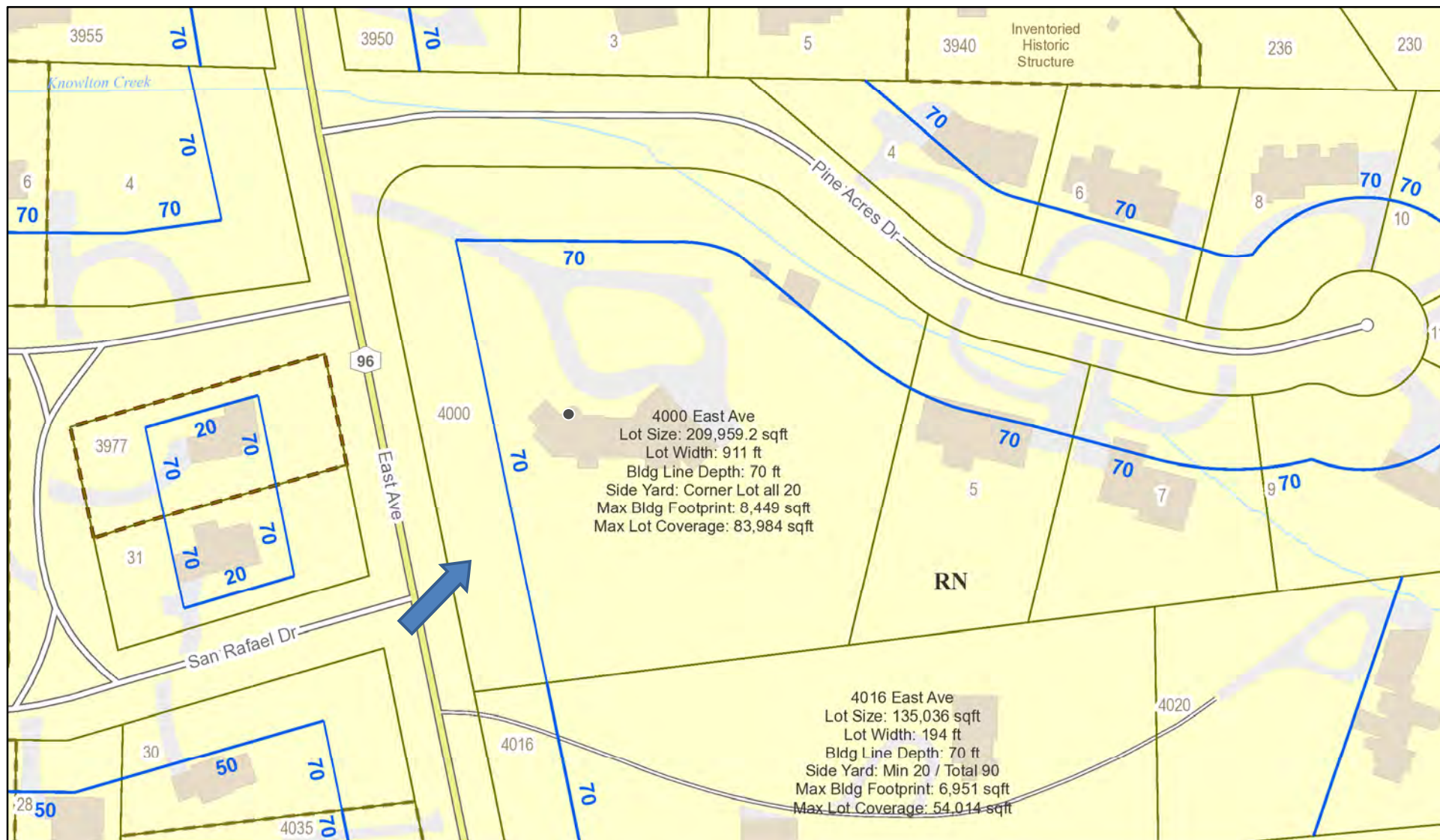
December 31, 2024

ARZ

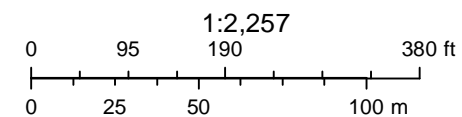
Date

April Zurowski -

4000 East Avenue



Printed November 18, 2024



Town of Pittsford GIS

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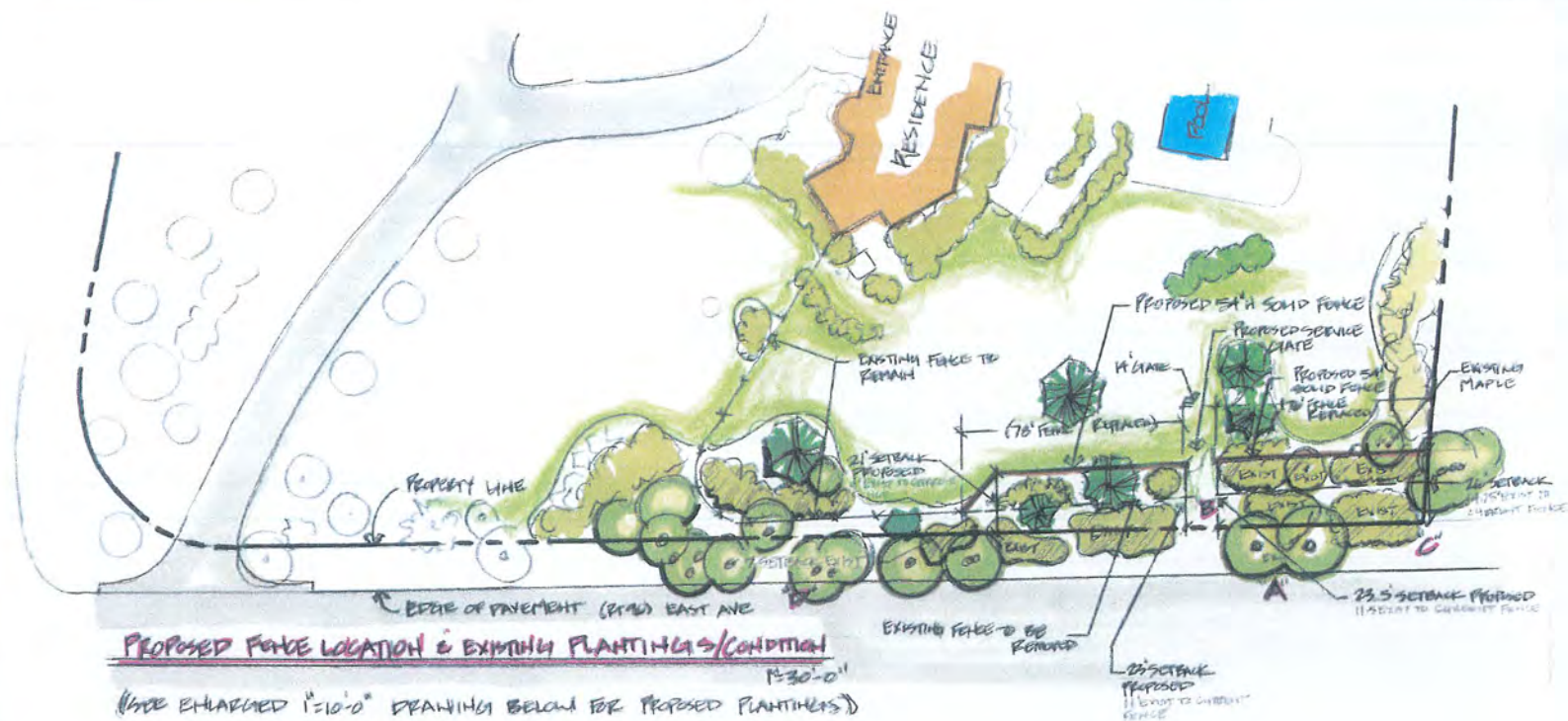


Thu Sep 5 2024

Imagery © 2024 Nearmap, HERE

50 ft

Nearmap



A PHOTO OF GATE AREA WITH FENCE PROPOSED TO BE MOVED BACK



C PHOTO OF LEFT (SOUTH) SIDE OF GATE SHOWING PROPOSED FENCE INSTALLED TO BE MOVED BACK (SCREENING)



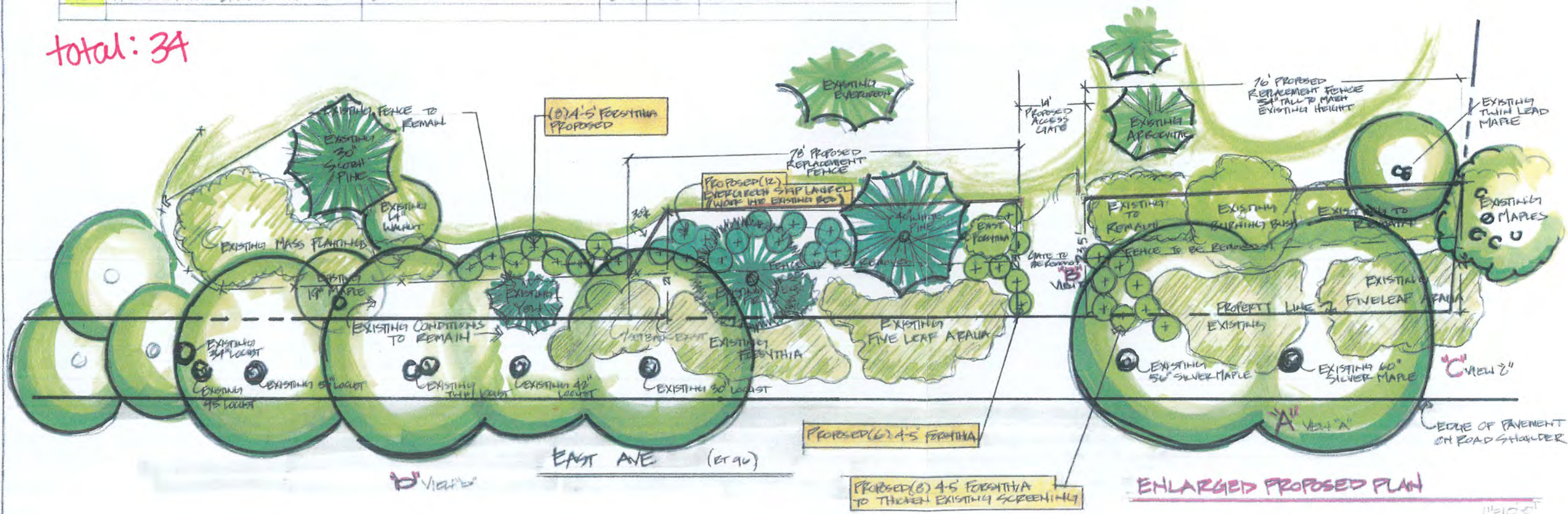
B PICTURE OF WORK AREA AT GATE TO BE MOVED BACK



D PICTURE OF OPEN AREA TO NORTH PAST LOCATION OF WHERE PROPOSED FENCE IS TO BE INSTALLED

PLANTING SCHEDULE:					
QUANT	SCIENTIFIC NAMES	COMMON NAME	SIZE	BALL	REMARKS
22	FOESCYNTHIA 'X' INTERMEDIA 'LAWWOOD DOWD'	LAWWOOD DOWD FOESCYNTHIA	4'S	2'S	HEAVY LEADER, FULL TWIGGY
12	PRUNUS LAUROCESTRUS 'SCHIPLAENSIS'	SKIP CHERRY LAUREL	3'S	2'S	FULL TO SHAL. TWIGGY

total: 34



SHEET TITLE
PLANTING
&
FENCE PLAN

CLIENT
KEVIN SURACE
400 EAST AVE
COCHESSETT, NY
14015

BY
DAN HANSEN RA
7003 JEFF
HAPLES, NY
14132

REVISIONS

DESCRIPTION	DATE
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

SCALES VARY

HORNT

SCALE

LOCATION MAP

DATE
10/28/11

DESIGNED BY
DAN HANSEN

CHECKED BY
DAN HANSEN

SHEET
L1-1

OLD
10/28

PLANTING SCHEDULE:					
QUANT	SCIENTIFIC NAME	COMMON NAME	SIZE	BALL	REMARKS
5	ABIES CONCOLOR	WHITE FIR	10'-12'	B&B	FULL
1	CORNUS FLORIDA	CHEEREE PRINCESS BOWWOOD	7'-8'	B&B	ROUNDED CROWN
1	CERCIS CANADENSIS	EASTERN REDBUD	8'-10'	B&B	MULTI-STEM
3	ABIES KOREANA	KOREAN FIR	9'-10'	B&B	HON HYBRID STRAIGHT VARIETY
6	PICEA ABIES	NORWAY SPRUCE	10'-12'	B&B	NON-SHEDDING NATURAL
2	Pinus strobus	EASTERN WHITE PINE	10'-12'	B&B	SHEDDING/FULL
33	Thuja plicata 'GREEN GIANT'	GREEN GIANT ARBOVITAE	7'-8'	B&B	FULL/NATURAL

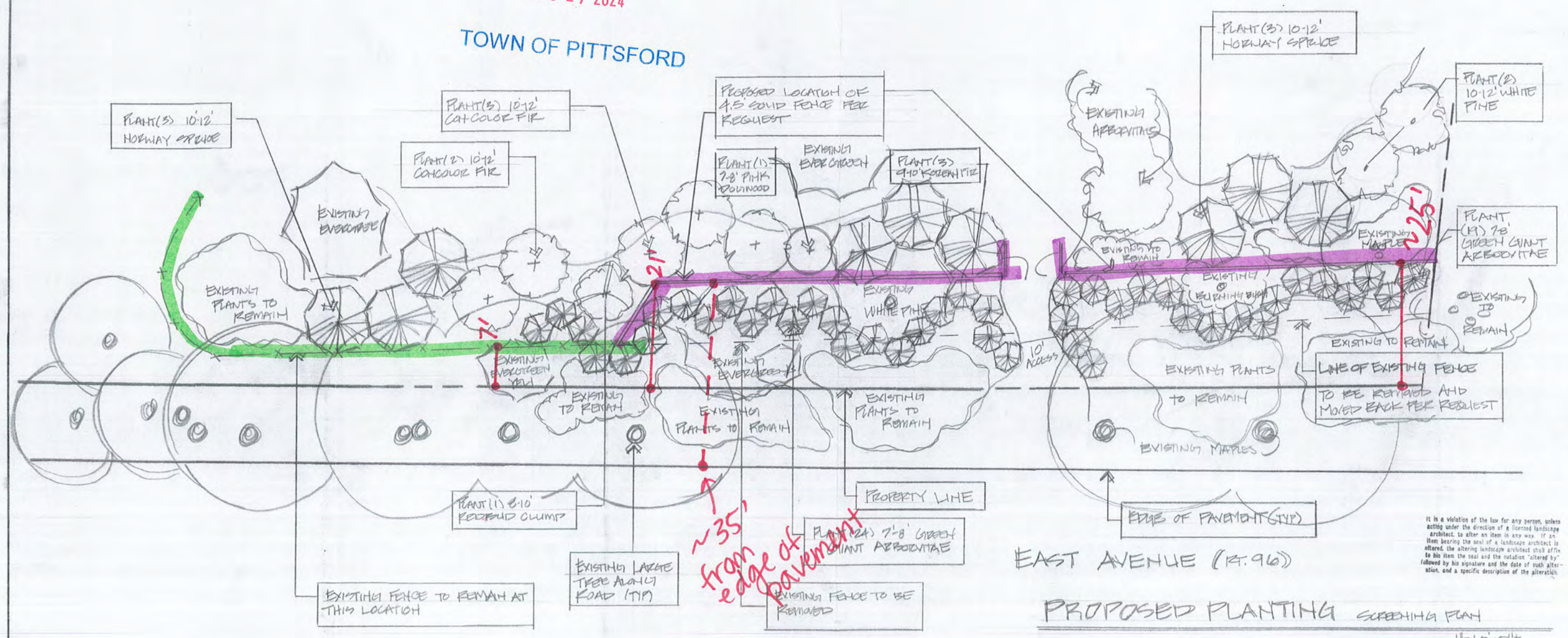
total: 51

RECEIVED

DEC 27 2024

TOWN OF PITTSFORD

NOTE:
THIS REQUEST FOR VARIANCE NOW HAS (49) EVERGREEN PLANTINGS AND (2) DECIDUOUS TREES. ALL EXISTING PLANTINGS SHALL BE PRESERVED AND WORKED AROUND DURING THE PLANTING PROCESS TO MAINTAIN AND ENHANCE A HEAVILY SCREENED AREA THAT WILL HIDE THE REQUESTED FENCE.



NEW 10/20

SHEET TITLE:
PLANTING SCREENING PLAN

CLIENT
KEVIN SURACE
100 EAST AVE
ROCHESTER, NY
14618

BY
JAN HACKETT PLA
7003 CRIZ
HARLES, NY
14512

REVISIONS:

DESCRIPTION	DATE
1. SHEET L2 OF 2 ADDED	12/20/24
2. PLANTING PLAN CHANGE	12/26/24
3.	
4.	
5.	
6.	

SCALE:
0 10' 5'

NORTH

SEAL
REGISTERED LANDSCAPE ARCHITECT
STATE OF NEW YORK
#001524
12-20-2024

LOCATION MAP
PITTSFORD

It is a violation of the law for any person, unless acting under the direction of a licensed landscape architect, to alter an item in any way. If an item bearing the seal of a landscape architect is altered, the altering landscape architect shall affix to the item the seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

PROPOSED PLANTING SCREENING PLAN
1"=10'-0"

NOTE:
THIS PLAN SHEET L2 OF 2 SHALL ACT AS THE PLANTING PLAN FOR THE FENCE VARIANCE REQUEST. SHEET L1 OF 1 AS QUANTIFIED SHALL ACT AS ONLY TO SHOW SITE LOCATIONS AND DIMENSIONS OF THE REQUEST THIS THAT PLANTING PLAN PROPOSAL SHALL BE NULLIFIED UNDER ACCEPTANCE OF

Job# 217877
SCALE: 1"=10'-0"
DATE: DEC 20 2024
DRAWN BY: JH
CHECKED BY: JH
SHEET

Zoning Board of Appeals Referral Form Information

ZB25-000005

Property Address:

2 Round Trail Drive PITTSFORD, NY 14534

Property Owner:

Pruitt, Raymond S
2 Round Trail Dr
Pittsford, NY 14534

Present Zoning of Property: RN Residential Neighborhood
Area Variance - Residential and Non-Profit

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section: Applicant is requesting relief from Town Code Sections 185-113 C. (3) for the construction of permanent play equipment in the side yard area. This property is zoned Residential Neighborhood (RN).

Staff Notes: This play equipment was already partially constructed when a Building Inspector inspected the site after a code complaint. The applicant was notified of the need for a variance and has now submitted an application.

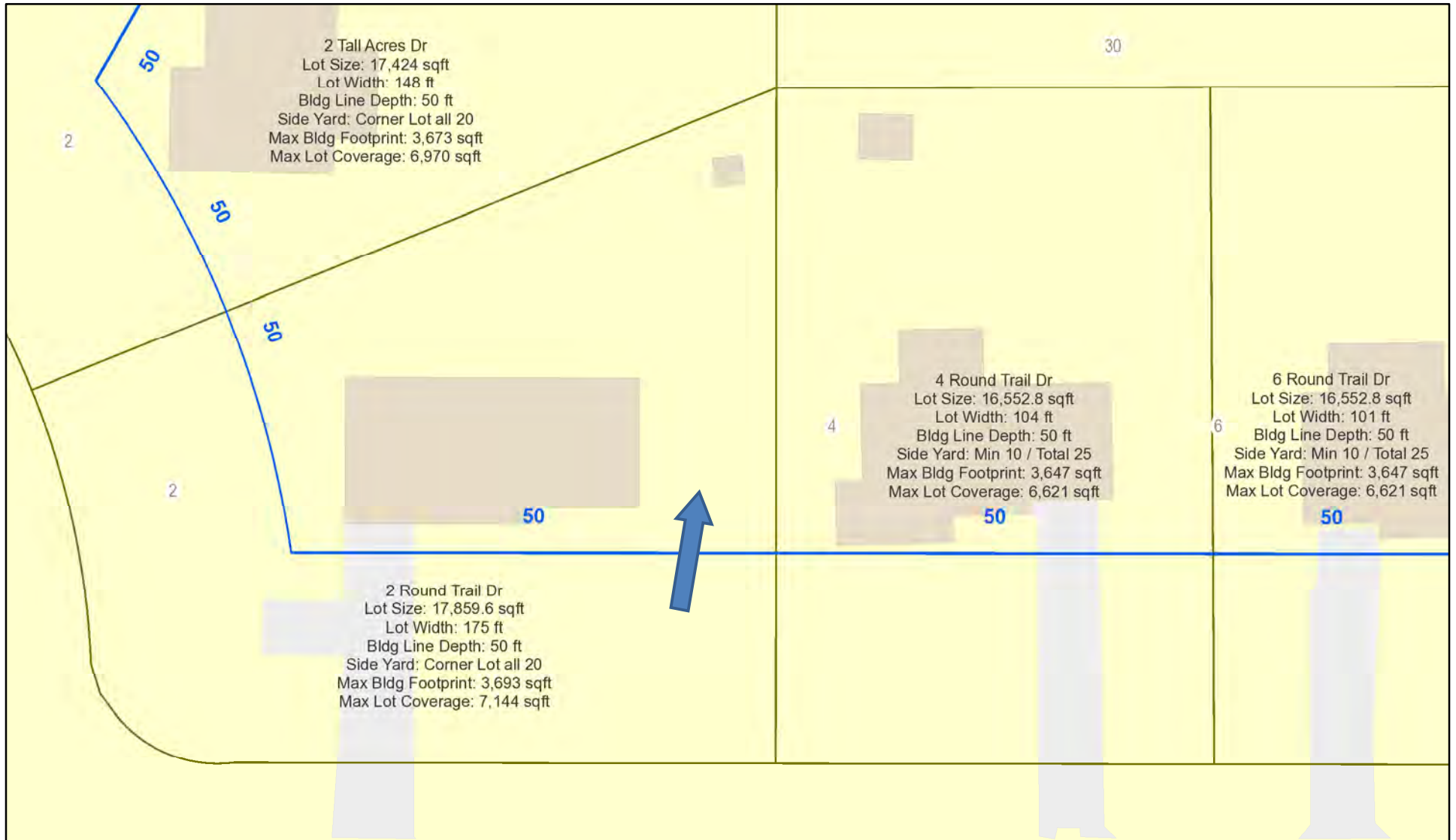
March 19, 2025

ARZ

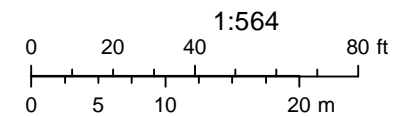
Date

April Zurowski -

2 Round Trail Drive

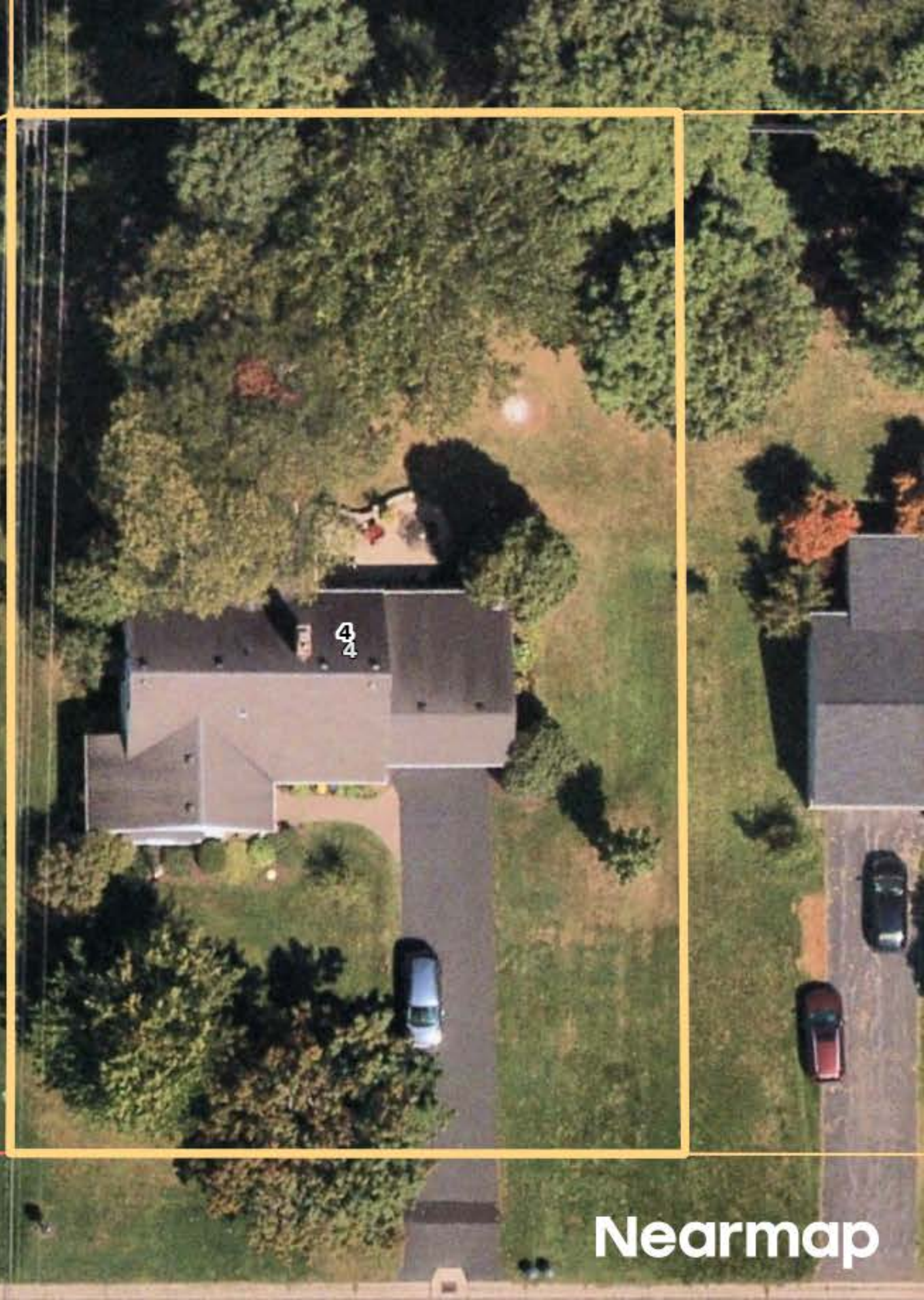
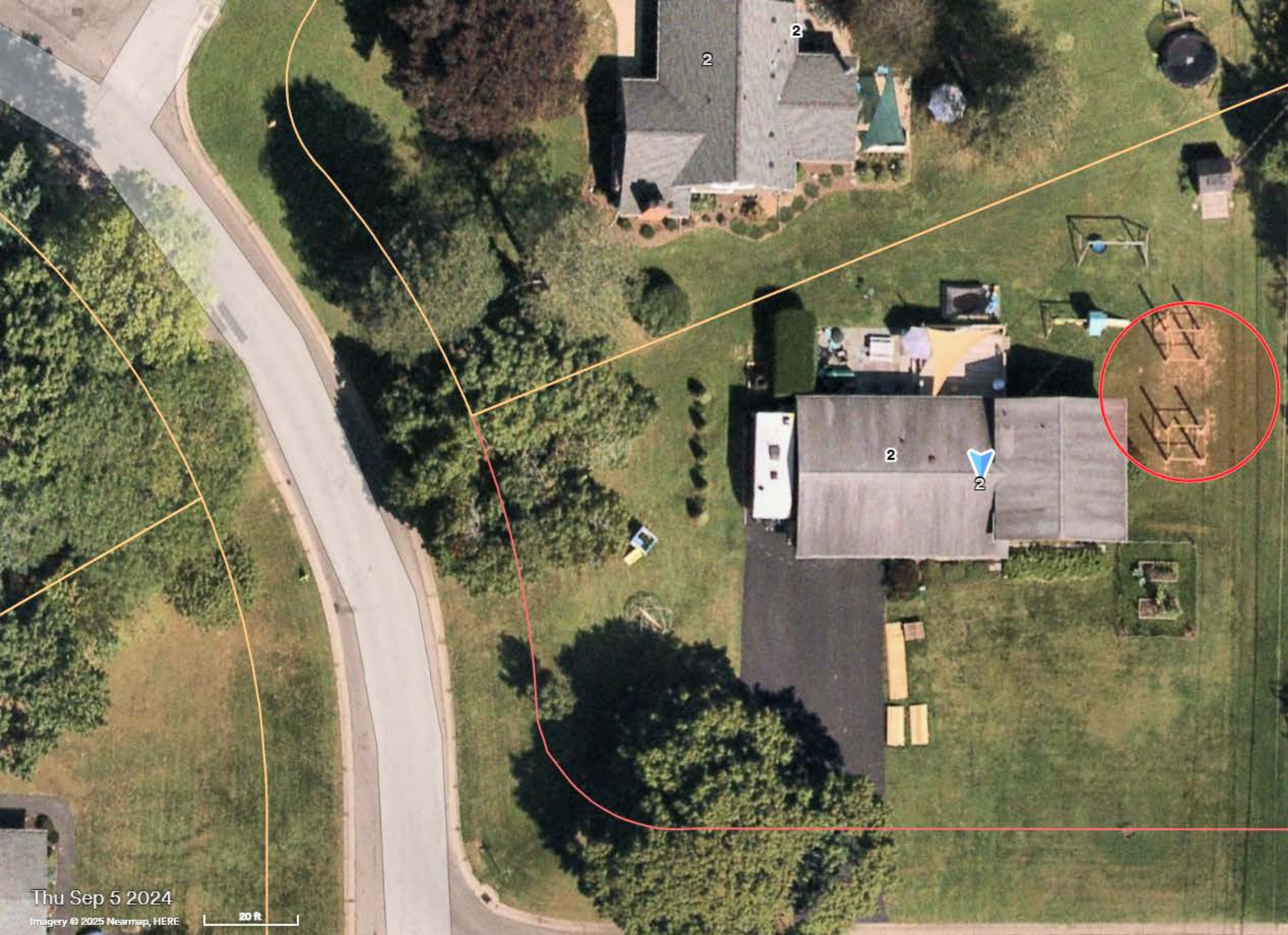


Printed March 19, 2025



Town of Pittsford GIS

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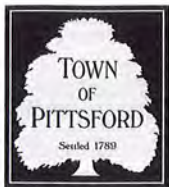


Thu Sep 5 2024

Imagery © 2025 Nearmap, HERE

20 ft

Nearmap



2B25-000005
**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
APPLICATION FOR AREA VARIANCE**

Submission Date: March 14, 2025 **Hearing Date:** April 21, 2025

Applicant: Raymond Pruitt

Address: 2 Round Trail Dr. Pittsford, NY 14534

Phone: (315) 879-7227 **E-Mail:** raymond.s.pruitt@gmail.com

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ **E-Mail:** _____

Property Owner: _____
(if different than Applicant)

Address: _____

Phone: _____ **E-Mail:** _____

(If applicant is not the property owner please complete the Authorization to Make Application Form.)

Property Location: _____ **Current Zoning:** Residential Neighborhood

Tax Map Number: 164.19-1-59

Application For: ☒ **Residential** ☐ **Commercial** ☐ **Other**

Please describe, in detail, the proposed project:

I am seeking a variance to complete the construction of a children's outdoor play structure. The structure consists of two sections with a bridge between them. Section one is complete. Construction of section two and the bridge between them has been paused waiting on approval from the Town of Pittsford. The placement of section two is restricted as outlined later in the application. The variance is requested because the farthest point of section two would be twelve feet forward of the rear wall of the house. The structure is six and a half feet by eight feet with a deck height of seven feet and a maximum height of eleven and a half feet, consisting of railing and top of posts.

SWORN STATEMENT: As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.

Raymond A. Pruitt
(Owner or Applicant Signature)

3/14/25
(Date)

April's Renew Copy



NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b).

TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:

(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

The variance will not produce an undesirable change in the character of the neighborhood for many reasons. Most notable is the fact the variance is for a child play structure. The neighborhood is full of families with children that agree a play structure is a benefit. Only the east neighbor would be impacted as the placement of the structure is on the east side of the property. Please note that property has recently sold. With current trees and the addition of two new trees being planted in the spring visibility of the structure from the road (Round Trail dr.) will be minimal.

2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

The variance is needed. There are obstacles in all directions except to the south. There are utility lines running along the east property line and a ten foot right of way for RGE. There are power and utility lines on an angle connecting to the house bisecting the back yard reducing placement options even further. There is a shed in the north east corner of the property. The house also has a different setback compared to the rest of the street. The house is approximately 10 feet farther back from the road compared to all other homes on the street. Those 10 feet would almost completely eliminate the need for this variance. Please see attached diagrams.

TESTS FOR GRANTING AREA VARIANCES (Continued)

3. Please explain whether the requested area variance is minimal or substantial:

Taking into account all of the factors this request is minimal. The first half of the structure is fifteen feet to the north of section two. Any person concerned with seeing the new structure would still see the first one regardless. The appearance of an object does not change much between 75 and 90 feet away. The addition of two deciduous trees to match the aesthetic of the neighborhood will be planted in the south east quadrant of the property to aid in screening.

4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

The variance will have a neutral or positive impact on the neighborhood and environment. The number of families in the neighborhood has been increasing. Academic research continues to prove that our children are spending too much time inside and on digital devices. This play structure will provide a safe and welcoming place for my children and their neighborhood friends. The approval of this variance is also a testament to the Pittsford's commitment to children and their well being.

- **NOTE:** *Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;*

5. Is the alleged difficulty self-created?

The necessity of a variance is self created. My wife and I chose to have children and chose to live in Pittsford. We want to create an outdoor space that will keep them engaged and challenged. We believe that our family values and the values of the Town of Pittsford are aligned when it comes to positive impacts for children. We are simply asking for your support as we do the best we can for our children.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Outdoor play structure

(Project Name)

The undersigned, being the applicant(s) to the...

☐ Town Board ☒ Zoning Board of Appeals ☐ Planning Board ☐ Architectural Review Board

...of the Town of Pittsford, for a...

☐ change of zoning ☐ special permit ☐ building permit ☐ permit ☐ amendment

☒ variance ☐ approval of a plat ☐ exemption from a plat or official map

...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name(s)

Address(es)



(Signature of Applicant)

March 14, 2025

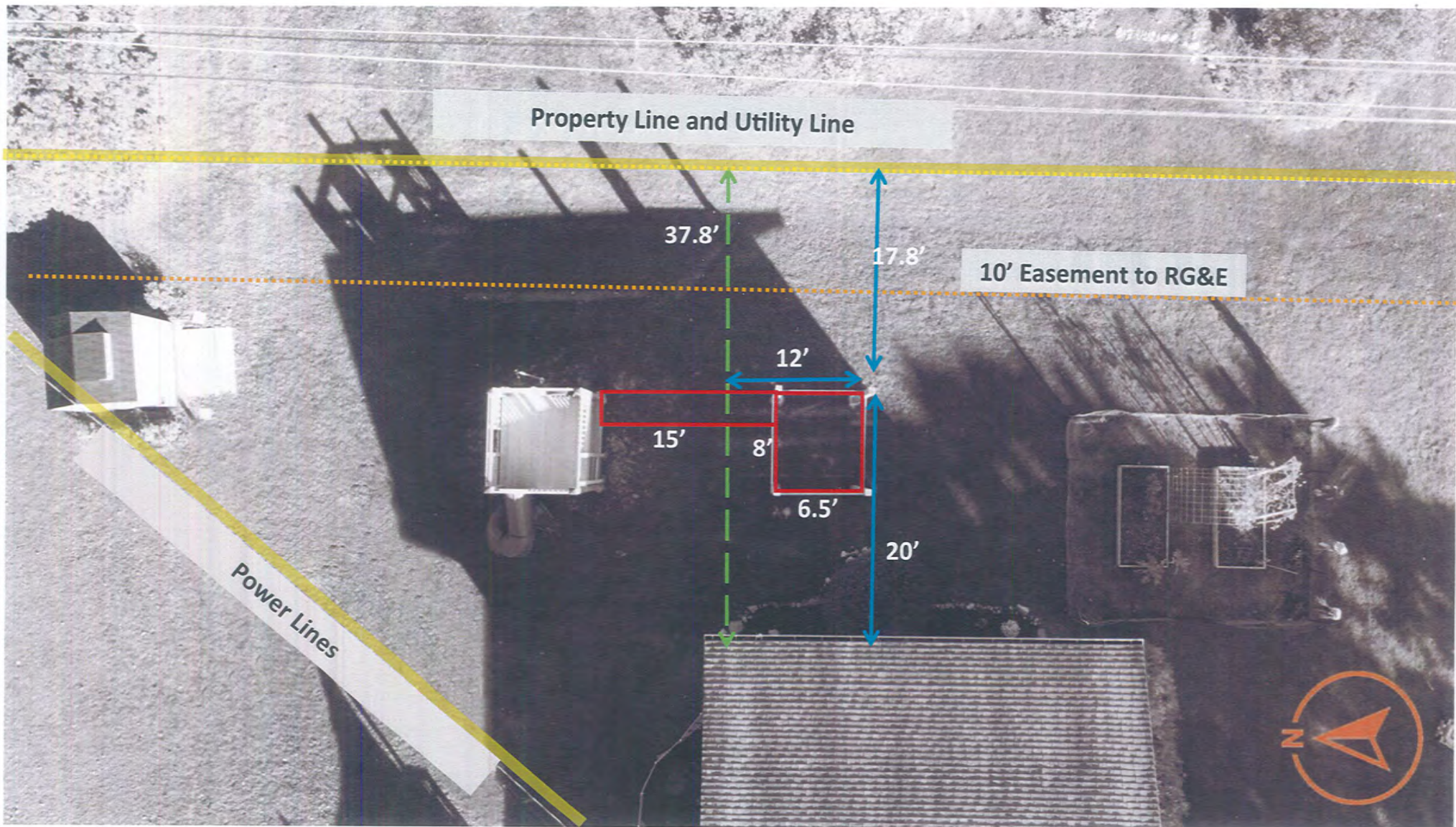
(Dated)

2 Round Trail Dr.

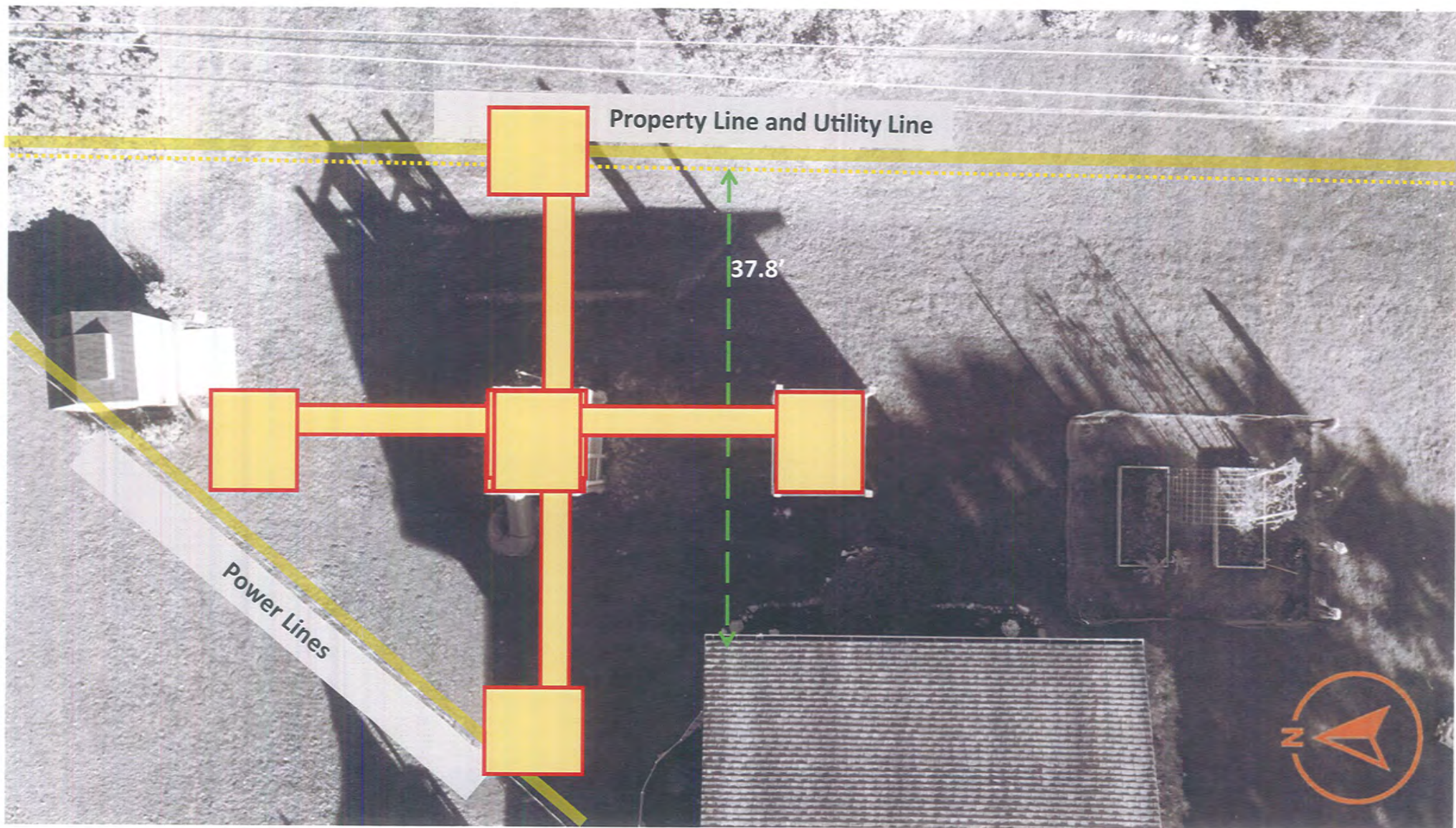
(Street Address)

Pittsford, NY 14534

(City/Town, State, Zip Code)



Location of second structure.



Limited placement options.



BOUNDARY SYMBOL KEY

⊙ 5/8" REBAR SET

SETBACKS:

FRONT = 50'

R.O.W.

STUYVESANT ROAD
(60' R.O.W.)

187

R.O.W.

L=65.04'
R=242.73'

Δ=86°55'16" MEAS.
L=45.51' MEAS.
R=30.00'
(Δ=83°47'05" MAP)
(L=43.82' MAP)

SECTION 2
SECTION 6

N67°28'57"E 190.62'

92

93

20' WIDE TRANSMISSION LINE
EASEMENT TO RG&E LIBER
152 OF MAPS. PAGE 52

STEPS

GARAGE

SPLIT LEVEL
FRAME

PORCH

ASPHALT DRIVE

SETBACK LINE

2ND STORY
OVERHANG
24.1'X1.0'

New Trees

S89°09'00"W 130.00'

ROUND TRAIL DRIVE

(60' R.O.W.)

SECTION 2
SECTION 4
PP

60

SECTION 4
SECTION 6

20.0'



0.0'

17.8'

N00°51'00"W 160.00'

94



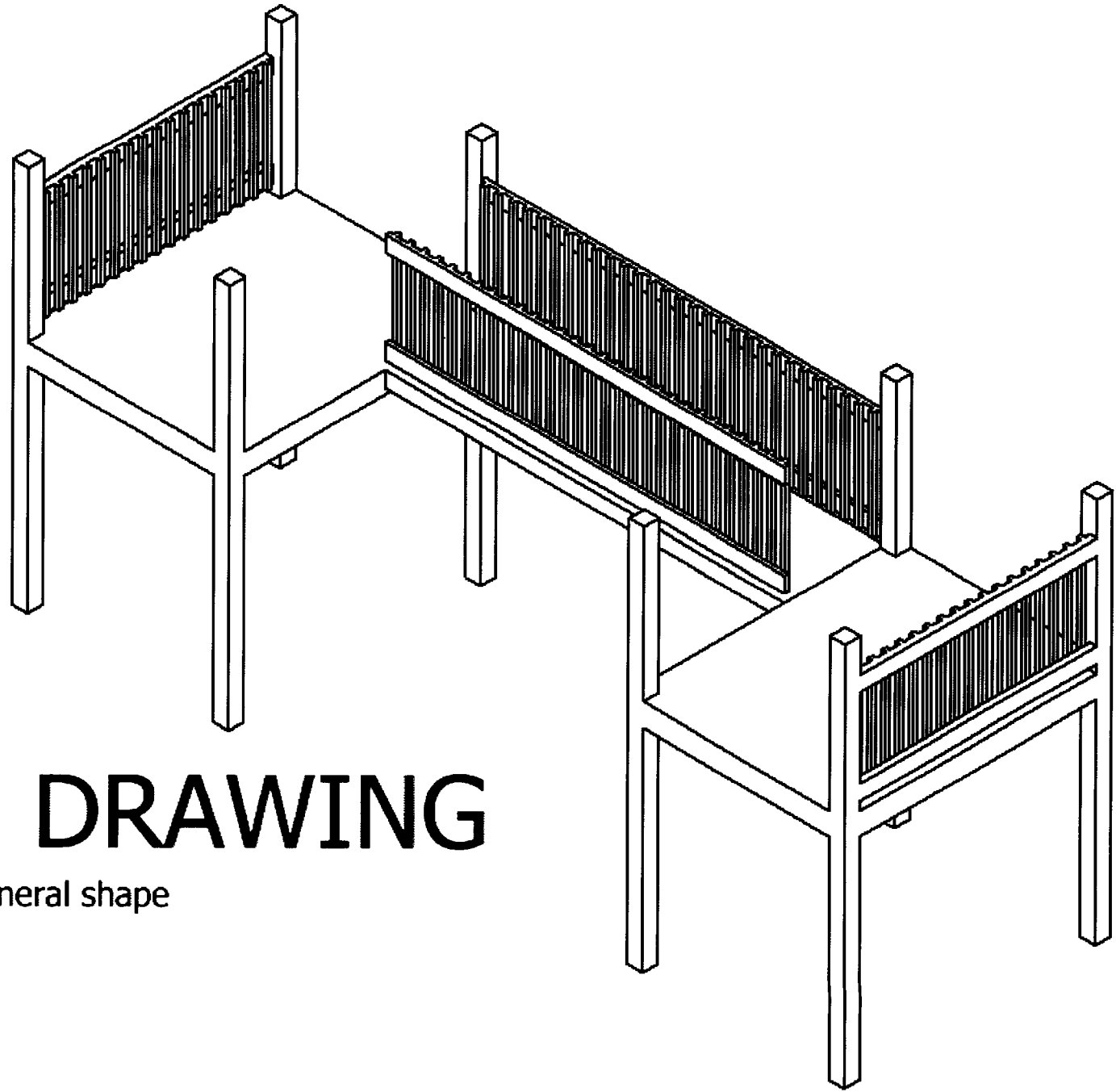
R.O.W.



Only House on the street with a different set back from the road. This results in a substantially smaller back yard.



Current state of project. 3/11/25

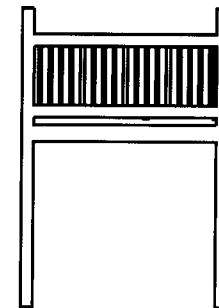
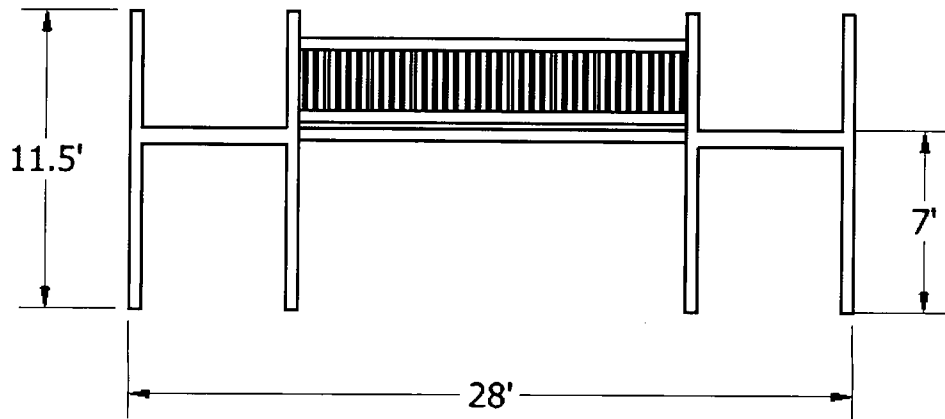
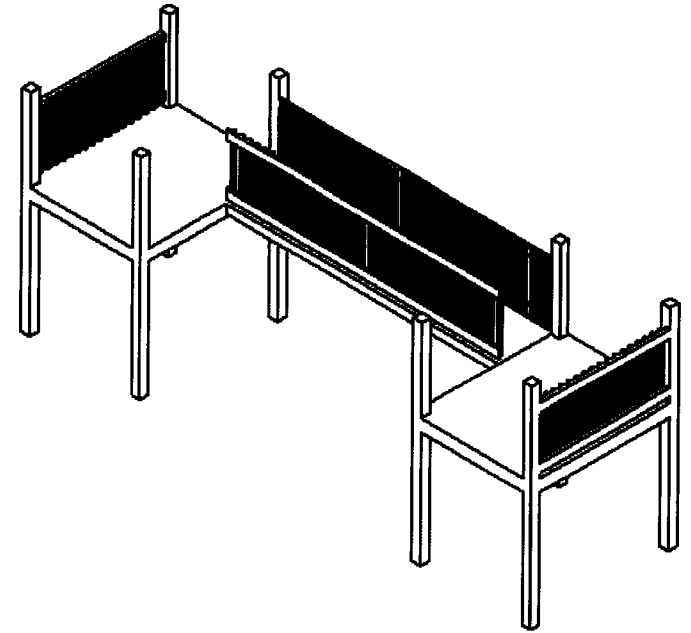
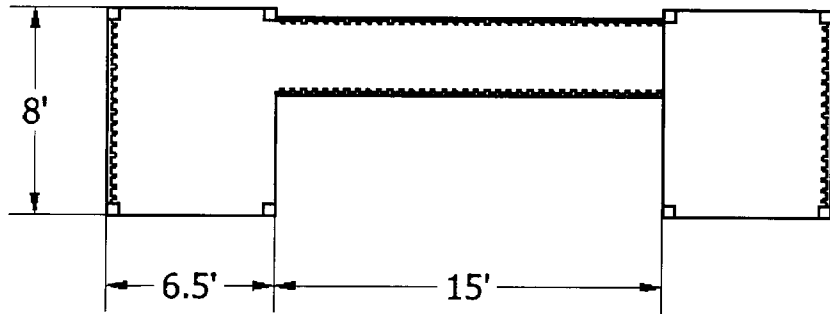


SAMPLE DRAWING

to better understand general shape

SAMPLE DRAWING

to better understand general shape



**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MARCH 17, 2025**

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on March 17, 2025 at 6:30PM local time. The meeting took place in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street.

PRESENT: Phil Castleberry, Mary Ellen Spennacchio-Wagner, Jim Pergolizzi, Tom Kidera

ABSENT: Jennifer Iacobucci, Barbara Servé, Phil Bleecker

ALSO PRESENT: April Zurowski, Planning Assistant; Naveen Havannavar, Town Board Liaison

ATTENDANCE: There were 14 members of the public present.

Chairman Pergolizzi called the meeting to order at 6:30PM.

RETURNING PUBLIC HEARING:

4000 East Avenue – Tax ID 151.06-2-45

Applicant is requesting relief from Town Code Section 185-121 A. for the substitution and relocation of a 4.5-foot fence in front of the front setback off of East Avenue. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi stated that there is an open public hearing on this matter.

Board Member Phil Castleberry abstained.

Peter Ragusa, Property Manager for 4000 East Avenue, reintroduced the application. He stated that at the last meeting the Board liked the project and just needed to draft a resolution. He brought a sample of the wood to be used. Ms. Zurowski asked if the presented wood sample will gray over time. Mr. Ragusa confirmed. He stated that the applicant plans to begin the project as soon as possible.

Chairman Pergolizzi asked for public comment, but none was heard.

Votes to close the hearing and approve the draft resolution failed to be approved, as Board Member Castleberry abstained, and therefore only three members voted in favor of the resolution, when four votes in favor were needed. Chairman Pergolizzi recommended the applicant return to the next meeting where more members will hopefully be in attendance.

NEW PUBLIC HEARINGS:

526 Pittsford Henrietta Townline Road – Tax ID 177.03-2-38

Applicant is requesting relief from Town Code Sections 185-113 B. (1) & (2) for the construction of an oversized and over-height pool house. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi opened the public hearing.

Paul Morabito, of Morabito Architects, introduced the application. Matthew Keenan, of 526 Pittsford Henrietta Townline Road, was also in attendance. Mr. Morabito stated that the property is almost five acres in size and the proposed pool house will be set off the road. Landscaping is proposed to screen adjoining properties.

DRAFT MINUTES 031725

Chairman Pergolizzi asked if the materials of the pool house would match the home. Mr. Morabito confirmed. Chairman Pergolizzi asked if the neighbors were contacted. Mr. Keenan confirmed and stated that no opposition was heard.

Chairman Pergolizzi asked for public comment. Hearing none, Board Member Castleberry motioned to close the hearing, seconded by Board Member Spennacchio-Wagner; all ayes, none opposed.

A written resolution to grant the area variances for 526 Pittsford Henrietta Townline Road was unanimously approved.

597 Mendon Road – Tax ID 178.03-2-10

Applicant is requesting relief from Town Code Sections 185-113 B. (1) & (2) for an addition to the existing oversized and over-height detached garage/pool house. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi opened the public hearing.

Gregg Bowering, of Bowering Homes, and Pat Morabito, of Morabito Architects, introduced the application. Mr. Morabito stated that variances were received in the past to reconstruct a detached garage. The applicant has since installed a pool and would like to add a bathroom and game room to the detached garage. The addition will blend with the existing structure. Construction is planned to begin soon after Design Review & Historic Preservation Board approval.

Chairman Pergolizzi asked if the neighbors were contacted. Mr. Bowering stated that no opposition was heard.

Chairman Pergolizzi asked for public comment. Hearing none, Board Member Kidera motioned to close the hearing, seconded by Chairman Pergolizzi; all ayes, none opposed.

A written resolution to grant the area variances for 597 Mendon Road was unanimously approved.

155 West Brook Road – Tax ID 150.20-2-2

Applicant is requesting relief from Town Code Section 185-17 E. for the construction of a garage addition not meeting the minimum side setback and total side setback requirements. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi opened the public hearing.

Kip Finley, of Victory Hill Land Company, introduced the application. Leo Finucane, of 155 West Brook Road, was also in attendance. Mr. Finley stated that the applicant has reviewed the letter submitted by the neighbor, Mary Scheurman, of 155 West Brook Road. In her letter, she requested four issues be addressed: the proposed height of the garage, no expansion of the driveway, the gutter downspout be directed away from the shared property line, and that new vegetative screening be planted, at least seven feet in height. Mr. Finley stated that there are no concerns with her requests, except that the new plantings would start at four feet in height and grow to 13-14 feet over time. He stated that construction is planned to begin in the summer.

Board Member Spennacchio-Wagner asked if the trash cans will be stored inside the garage. Mr. Finley confirmed.

Chairman Pergolizzi asked for public comment. Ms. Scheurman asked if the Board could include her requests as conditions. Ms. Zurowski stated that the Board should consider the garage encroachment alone, and its decision should be based on its impact at the requested setback. She advised the Board to include a statement that the neighbors have come to an agreement on Ms. Scheurman's requests. Conditions are hard for the Town to revoke when the garage addition is already built. The Board agreed to add the statement into the resolution.

DRAFT MINUTES 031725

Board Member Castleberry motioned to close the hearing, seconded by Board Member Kidera; all ayes, none opposed.

A written resolution to grant the area variance for 155 West Brook Road was unanimously approved.

148 West Jefferson Road – Tax ID 164.01-1-8.1

Applicant is requesting relief from Town Code Section 185-113 B. (3) for the installation of a hot tub and inground pool with associated pool equipment and hardscape forward of the rear wall of the home. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi opened the public hearing.

David Crowe, of DJC Architecture, introduced the application. He stated that the Board approved a variance for an addition to this home in January, where Ms. Zurowski pointed out another variance that would be needed for the pool, hot tub, and pool equipment.

Ms. Zurowski stated that the Town Board is deliberating changes to the Zoning Code, which includes that pool equipment must be shielded with a fence. Though this is not approved yet, the Board agreed to add this condition into the resolution. Mr. Crowe had no opposition.

Chairman Pergolizzi asked for public comment. Hearing none, Board Member Kidera motioned to close the hearing, seconded by Board Member Spennacchio-Wagner; all ayes, none opposed.

OTHER DISCUSSION:

Chairman Pergolizzi motioned to approve the minutes of January 20, 2024. Following a unanimous voice vote, the minutes were approved, none opposed.

Ms. Zurowski discussed some of the proposed changes to the Zoning Code being reviewed by the Town Board. The Board had no concerns.

Board Member Pergolizzi closed the meeting at 7:34PM.

Respectfully submitted,

April Zurowski
Planning Assistant

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