

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MAY 19, 2025**

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on May 19, 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: Mary Ellen Spennacchio-Wagner, Jim Pergolizzi, Tom Kidera, Jennifer Iacobucci, Barbara Servé, Phil Bleecker

ABSENT: Phil Castleberry

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

ATTENDANCE: There were 24 members of the public present.

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

RETURNING PUBLIC 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).

Chairman Pergolizzi stated that there is an open public hearing on this matter. He stated that after the last Zoning Board of Appeals meeting in April, the applicant and his neighbor at 4 Round Trail Drive discussed possible options for screening the play set. The applicant reported that his neighbor was unreasonable with his requests and felt that his neighbor should not be opposed to the play structure since it was already partially built when he purchased the home in mid-April.

Ray Pruitt, of 2 Round Trail Drive, reintroduced the application. He has not proposed any screening but has submitted photos from the listing of 4 Round Trail Drive.

Chairman Pergolizzi stated that this structure is in violation of the Zoning Code, and it has not yet been approved to remain where it was partially constructed. He was disappointed that the applicant and his neighbor could not come up with a new plan.

Ms. Zurowski recommended a new plan which moves the two new trees, shown on Mr. Pruitt's original submission, closer to the play structure in order to hide it from the neighbor and the roadway. Mr. Pruitt was not in favor of the plan.

Jody Pruitt, Mr. Pruitt's mother, stated that she was concerned with Ms. Zurowski's plan to install trees near the power lines running between 2 and 4 Round Trail Drive.

Sarah Remizowski, a resident in the neighborhood, stated her support for the project.

Nick Esposito, of 4 Round Trail Drive, stated that he submitted a letter of opposition. Chairman Pergolizzi confirmed that the letter was received. He stated his strong opposition for the variance but expressed his willingness to work with his neighbor on a plan for screening.

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Board Member Spennacchio-Wagner stated that the structure is not in keeping with the character of the neighborhood since there are no other permanent play sets of this size and in the side yard area within the neighborhood. Board Member Servé agreed.

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

Chairman Pergolizzi stated that although other neighbors are in favor, the most affected neighbor is in opposition, so the play set may cause a detriment to the neighborhood. Other members agreed. Board Member Iacobucci agreed to draft a denial for review at the next meeting.

NEW PUBLIC HEARINGS:

726 Stone Road – Tax ID 164.13-1-34

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

Chairman Pergolizzi opened the public hearing.

Rod Prossler, of Lakeside Engineering, introduced the application. He stated that the existing projection will be removed, and a deeper, taller single-bay garage will be constructed at the same setback. There are trees between the proposed new garage and the neighbor.

Chairman Pergolizzi asked if the neighbors were contacted about the project. Mr. Prossler was unsure.

Board Member Spennacchio-Wagner asked if trees will be removed. Mr. Prossler stated that no trees will need to be removed. Board Member Spennacchio-Wagner stated that she spoke with a neighbor, and they were not opposed.

Chairman Pergolizzi asked for public comment.

Karen Mackenzie, daughter of Marjorie Mackenzie, the owner of 730 Stone Road, spoke on her mother's behalf. She was not contacted by the neighbor of this proposal and only knew from a letter that was sent to the house from Ms. Zurowski. She stated no opposition to the project, so long as it remains at the same setback as the existing projection.

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

A written resolution to grant the area variance for 726 Stone Road was unanimously approved.

17 Whitley Court – Tax ID 177.03-2-64

Applicant is requesting relief from Town Code Section 185-113 C. (1) for the construction of an oversized pavilion exceeding 225 square feet and the total square footage of roofed or enclosed accessory structures exceeding 320 square feet. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi opened the public hearing.

Julie Judd, of JOSH Landscaping, introduced the application. She stated that the oversized pavilion is needed to provide space for a bar, fireplace, and table and chairs. The structures were carefully designed to provide privacy for the pool, match the existing grading, and provide an area for outdoor recreation. She stated that a door will be added into the basement to access the bathroom.

Board Member Servé asked Ms. Zurowski when the new Zoning Code was adopted. Ms. Zurowski stated the code was adopted about a month and a half ago. Board Member Servé asked the applicant if the pavilion

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could be reduced at all. Ms. Judd stated that she has reduced it as much as possible. Board Member Iacobucci stated that the shed would be removed, and the owners could store pool equipment under the existing deck.

Connie Harris, of 17 Whitley Court, stated that she has spoken with her neighbors and has heard no opposition.

Chairman Pergolizzi asked for other public comments. 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 17 Whitley Court was unanimously approved.

157 W Jefferson Road – Tax ID 164.01-1-3

Applicant is requesting relief from Town Code Section 185-113 C. (3) for the construction of an in-ground pool in the side yard area. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi opened the public hearing.

Bret Crane, of Ted Collins Tree & Landscape, introduced the application. He stated that the pool's location was chosen to protect the existing conditions of the backyard.

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

A written resolution to grant the area variance for 157 W Jefferson Road was unanimously approved.

121 Van Voorhis Road – Tax ID 192.07-1-1

Applicant is requesting relief from Town Code Sections 185-113 C. (1) and (2) for the construction of an oversized and over height detached garage exceeding 225 square feet and exceeding 12 feet in height, and the total square footage of roofed or enclosed accessory structures exceeding 320 square feet. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi opened the public hearing.

Tom O'Connor, of 121 Van Voorhis Road, introduced the application. He is proposing a detached 3-car garage to provide storage and garage space for his family. He stated that he has spoken with his neighbors and has heard no opposition.

Board Member Servé asked if the garage could be attached. Mr. O'Connor stated that he did investigate the option of attaching a garage, but it was not aesthetically pleasing on the property.

Ms. Zurowski asked the applicant to confirm that no living space is proposed within the detached garage. Mr. O'Connor confirmed.

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

A written resolution to grant the area variances for 121 Van Voorhis Road was unanimously approved.

15 Stonington Drive – Tax ID 178.09-2-3

Applicant is requesting relief from Town Code Section 185-113 C. (3) for the construction of a shed in the side yard area. This property is zoned Planned Unit Development (PUD).

Chairman Pergolizzi opened the public hearing.

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Joe Parrino, of 15 Stonington Drive, introduced the application. He stated that he is looking to place a shed on the side of his house. It will have the same siding and roofing as the existing house. The shed will store his lawnmower and other yard equipment.

Board Member Iacobucci asked why the shed could not be installed on the other side of the home. Mr. Parrino stated that it may block windows.

Ms. Zurowski stated that because the property has two road frontages, the shed would need to be placed in the middle of the yard, which may not be favorable. Mr. Parrino confirmed.

Chairman Pergolizzi asked for public comment.

Joan Potter, of 9 Stonington Drive, stated that she does not object to the shed so long as it matches the home.

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

A written resolution to grant the area variance for 15 Stonington Drive was unanimously approved.

OTHER DISCUSSION:

Chairman Pergolizzi motioned to approve the minutes of April 21, 2024. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman Pergolizzi closed the meeting at 8:11PM.

Respectfully submitted,

April Zurowski
Planning Assistant

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

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
RESOLUTION**

RE: 726 Stone Road

**Tax Parcel: 164.13-1-34
Applicant: Oksana Gallis & Aleks Kulya
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-17 E. to allow the construction of a garage 16.4 feet from the right-side property line where a 20-foot setback is required by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on May 19, 2025, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(17) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

FINDINGS OF FACT

As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:

There will be no undesirable change produced in the neighborhood or detriment to nearby properties. In 1977, the garage built with the home was turned into living space. Later, a storage shed was attached to the house. The current owners want to demolish and replace this shed with a single car garage utilizing the same setback as the storage shed. The residence will visually appear to have little change to an observer. The man door facing Stone Road will be replaced with a garage door. Garage doors facing the street are typical in this area of town.

As to whether the benefit sought by the applicant can be achieved by other feasible means:

The owners wish to enhance their property by removing an attached storage shed that is poorly constructed and of limited use. They wish to replace this shed with a one car garage with the same setback. Therefore, the desired benefit cannot be achieved unless the granting of the requested variance.

As to whether the application represents a substantial variance from Code, the Board finds, as follows:

The application represents a substantial variance from the code (18%). However, the location of the one car garage will utilize the exact setback of the current attached shed and the appearance of the garage will be consistent with the current residence on the lot.

As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:

There will be no undesirable change produced in the neighborhood or detriment to nearby properties.

As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the construction of the garage at the same setback of the current attached shed, so the variance is not precluded.

CONDITIONS OF APPROVAL

The Board, in granting the within application, hereby imposes the following specific conditions:

1. This variance is granted only for the attached plans submitted and prepared by the applicant dated March 20, 2025, and attached hereto as Exhibit A.
2. All construction of the garage must be completed by December 31, 2026.

The within Resolution was moved by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner, seconded by Board Member Tom Kidera, and voted upon by the Board, as follows:

Phil Castleberry voted	Absent
Phil Bleecker voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Aye
James Pergolizzi voted	Aye

The Zoning Board of Appeals adopted the above resolution on May 19, 2025.

April Zurowski
Planning Assistant

CERTIFICATION:

I, STEVEN M. RYBINSKI, HEREBY CERTIFY TO:
-OKSANA GALI

-PREMIUM MORTGAGE CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS,
AS THEIR INTEREST MAY APPEAR

-VICTOR VISOCHAN, ESQ.

-BLOCK, LONGO, LAMARCA & BRZEZINSKI, P.C.

-CHICAGO TITLE INSURANCE COMPANY

THAT THIS MAP WAS MADE AUGUST 29, 2024

FROM NOTES OF AN INSTRUMENT SURVEY

COMPLETED AUGUST 16, 2024

AND REFERENCES LISTED HEREON

NOTES: 1.) PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD
NOT REFERENCED IN ABSTRACT OF TITLE.
2.) THE USE OF THIS MAP IN CONJUNCTION WITH AN AFFIDAVIT OF NO CHARGES
RELEASES THE SURVEYOR OF ALL RESPONSIBILITY



- REFERENCES:
- 1.) LIBER 12847 OF DEEDS, PAGE 468.
 - 2.) ABSTRACT OF TITLE No. 54N-24-31604 (INDEPENDENT TITLE).
 - 3.) LIBER 138 OF MAPS, PAGE 95. (REF. ONLY)
 - 4.) LIBER 254 OF MAPS, PAGE 36. (REF. ONLY)



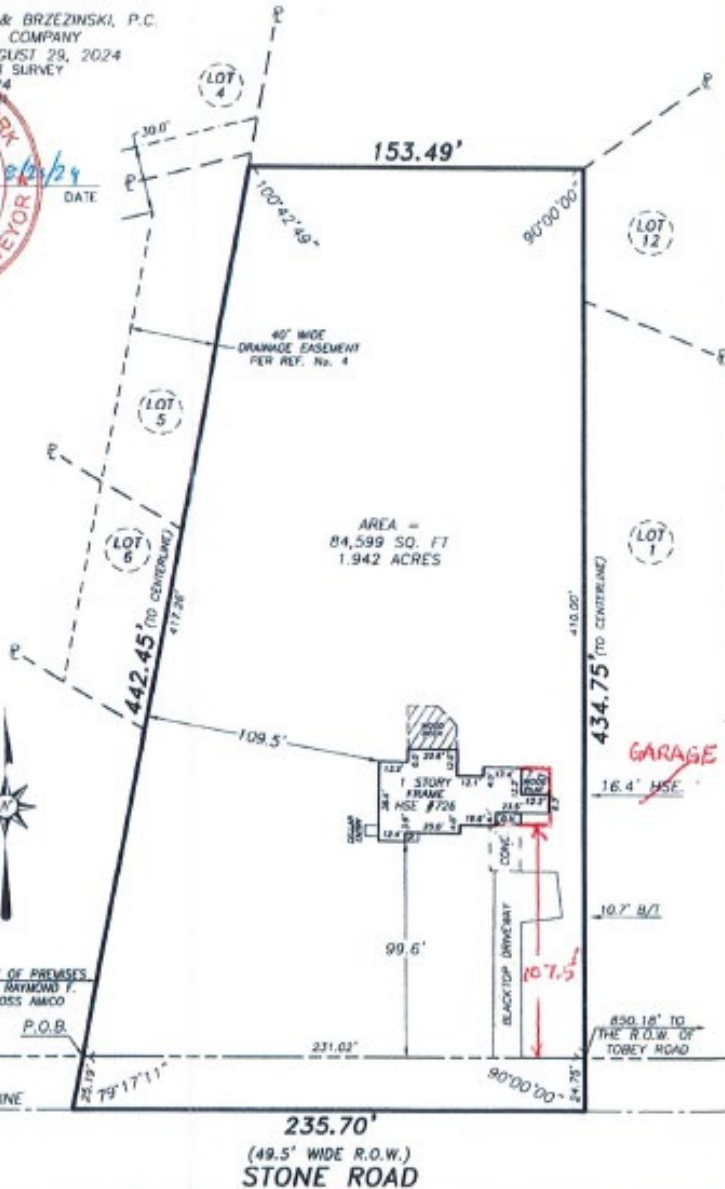
EAST BOUNDARY OF PREVIOUS
CONVEYED BY RAYMOND F.
STIVE TO ROSS AMICO

P.O.B.

R.O.W.
LINE

CENTERLINE

79°17'11"



TITLE:

INSTRUMENT SURVEY MAP

726 STONE ROAD **PROPOSED GARAGE**
BEING PART OF TOWN LOTS No. 55 & 57,
TOWN OF PITTSFORD, COUNTY OF MONROE, STATE OF NEW YORK

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation
of Section 1208, sub-section 2, of the New York State Education Law."

"Only copies from the original of this survey marked with an original of the land surveyor's red ink
seal shall be considered to be valid true copies."

"Certifications indicated herein signify that this survey was prepared in accordance with the existing Code
of Practice for Land Surveying adopted by the New York State Association of Professional Land Surveyors.
Such certifications shall run only to the person for whom the survey is prepared, and on its behalf to the
title company, governmental agency and lending institution listed herein, and to the assignees of the lending
institution. Certifications are not transferable to additional recipients or subsequent owners."

"All electronic files of Triple Point Land Surveying, LLC are solely the property of Triple Point Land Surveying, LLC.
Such electronic files may not be distributed or any form to other parties for any purpose whatsoever."



TRIPLE POINT LAND SURVEYING, LLC.

16 EAST MAIN STREET SUITE 200
ROCHESTER, NEW YORK 14614
PHONE (585) 263-0950
FAX (585) 434-0156
TRIPLEPOINTSURVEYING@YAHOO.COM

SCALE:

1" = 60'

TAX ACCOUNT:

164.13-1-34

JOB NO.:

1213-24

DATE:

AUG. 29, 2024

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
RESOLUTION**

RE: 17 Whitley Court

**Tax Parcel: 178.03-2-10
Applicant: Todd E. Harris
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-113 B. (1) for the construction of an oversized 336 square foot pavilion where 225 square feet is the maximum permitted by Code, and, with an additional proposed 100 square foot storage shed which will result in a total of 436 square feet of roofed or enclosed accessory structures, where 320 square feet is the maximum permitted by Code, and at the above location and bearing the above tax parcel number. This resolution follows a public hearing held on May 19, 2025, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(17) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

FINDINGS OF FACT

As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:

The proposed 336 square foot pavilion, by itself and together with the 100 square foot storage shed, will not produce an undesirable change in the neighborhood or detriment to nearby properties. The pavilion is designed to complement the existing style of the home on the property, as well as surrounding homes. Both structures are part of an overall inground pool plan and are placed to provide privacy and screening that is beneficial to the owners and neighbors.

As to whether the benefit sought by the applicant can be achieved by other feasible means:

The benefit sought by the applicant cannot be achieved by other feasible means. The pavilion provides necessary space for outdoor dining and recreation, and its size has been carefully planned to fit with the overall aesthetics of the applicant's outdoor living space.

As to whether the application represents a substantial variance from Code, the Board finds, as follows:

The 336 square foot pavilion (149%) and total 436 square feet of covered accessory structures (136%) each represent a substantial variance from Code but are mitigated by the privacy and screening created from neighbors.

As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:

The requested variance will not have an adverse impact on the physical or environmental conditions in the neighborhood. The proposed pavilion and storage shed will blend with existing landscaping, and careful consideration has been made to proper drainage and environmental factors.

As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision but shall not necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the structures creating screening and fitting in with the aesthetics of the home and surrounding properties.

CONDITIONS OF APPROVAL

The Board, in granting the within application, hereby imposes the following specific conditions:

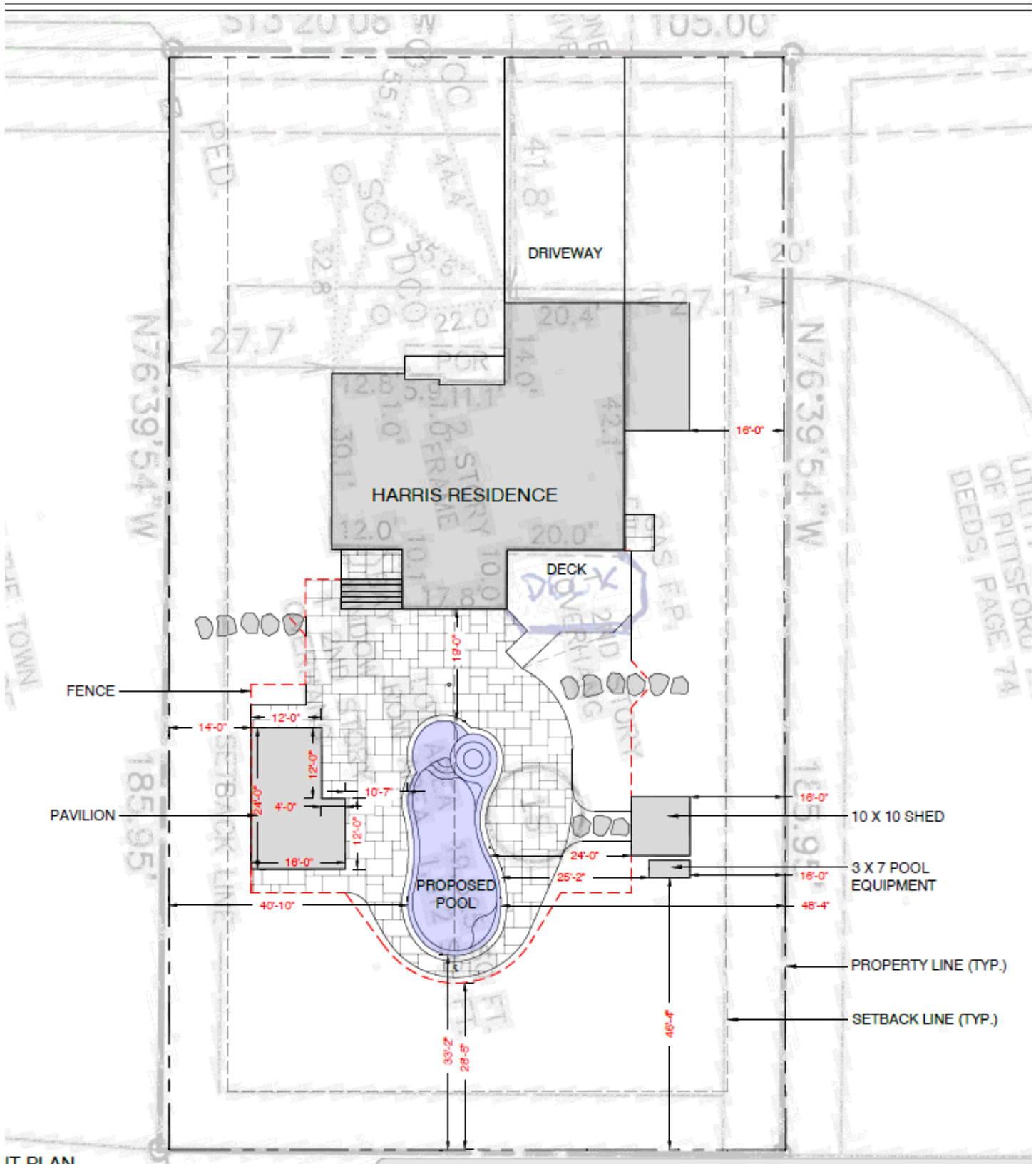
1. This variance is granted only for the plans submitted and prepared by the applicant dated March 31, 2025, amended May 19, 2025, and attached hereto as Exhibit A.
2. All construction must be completed by December 31, 2026.

The within Resolution was moved by Zoning Board of Appeals Chairman Jim Pergolizzi, seconded by Board Member Mary Ellen Spennacchio-Wagner, and voted upon by the Board, as follows:

Phil Castleberry voted	Absent
Phil Bleecker voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Aye
James Pergolizzi voted	Aye

The Zoning Board of Appeals adopted the above resolution on May 19, 2025.

April Zurowski
Planning Assistant



**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
RESOLUTION**

RE: 157 W Jefferson Road

**Tax Parcel: 164.01-1-3
Applicant: Bret Crane of Ted Collins
on behalf of Brigitte Diaz
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-113 C. (3) to allow the construction of an inground pool in the side yard area where it must be placed in the rear yard area as required by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on May 19, 2025, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(17) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

FINDINGS OF FACT

As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:

The requested variance will not produce an undesirable change in the neighborhood or detriment to nearby properties. Because of the jagged rear wall of the home, the proposed inground pool's location is considered the side yard area. The pool will not be seen from the road or by adjacent neighbors since the pool is shielded by the home and existing vegetation. The vegetative buffer is proposed to remain.

As to whether the benefit sought by the applicant can be achieved by other feasible means:

The benefit sought by the applicant cannot be achieved by other feasible means. Because of the irregular rear wall of the home, to meet zoning the pool would need to be pushed into an area that has large trees and is on a slope. The applicant has proposed the location of the pool to provide a minimal impact to their yard's existing function.

As to whether the application represents a substantial variance from Code, the Board finds, as follows:

The requested variance is not considered substantial. Although the pool is technically in the side yard area, it is not forward of the entire rear wall of the home and is still visually behind the house.

As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:

The proposed variance will not have an adverse impact on the physical and/or environmental conditions in the neighborhood or district. The existing pond to be removed does not provide stormwater storage and is only for aesthetic purposes. The existing plantings and proposed landscaping will provide infiltration for stormwater.

As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:

- 1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board’s decision, but shall not, necessarily preclude the granting of a requested variance.
- 2. The need for this variance is self-created but is mitigated by the irregular rear wall of the home and the existing vegetative buffer, so the variance is not precluded.

CONDITIONS OF APPROVAL

The Board, in granting the within application, hereby imposes the following specific conditions:

- 1. This variance is granted only for the plans submitted and prepared by the applicant dated April 15, 2025, and attached hereto as Exhibit A.
- 2. All construction of the inground pool must be completed by December 31, 2026.

The within Resolution was moved by Zoning Board of Appeals Vice Chairperson Barb Servé, seconded by Board Member Jennifer Iacobucci, and voted upon by the Board, as follows:

Phil Castleberry voted	Absent
Phil Bleecker voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Aye
James Pergolizzi voted	Aye

The Zoning Board of Appeals adopted the above resolution on May 19, 2025.

April Zurowski
Planning Assistant

WEST JEFFERSON ROAD



LIBER 77 OF MAPS, PAGE 17 (REF. ONLY).
NO EASEMENTS RECORDED IN ABSTRACT OF TITLE PROVIDED.

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
RESOLUTION**

RE: 121 Van Voorhis Road

**Tax Parcel: 192.07-1-1
Applicant: Rebecca O'Connor
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-113 C. (1) and (2) to allow the construction of a 13.5-foot-tall 1,200 square-foot detached garage where 12 feet in height and 225 square feet in size is the maximum permitted by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on May 19, 2025, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(17) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

FINDINGS OF FACT

As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:

The requested variances will not produce an undesirable change in the neighborhood or detriment to nearby properties. The lot is 2.8 acres and is at the top of a hill and the existing home is only visible when traveling west on Van Voorhis Road. The location of the proposed garage will be mostly behind the existing home, making it almost completely shielded from motorists. The garage will be visible to the neighbor to the rear, but the existing line of large trees and vegetation will mostly block the garage. There has been no opposition heard from the neighborhood and a letter of support was submitted by the owners of 165 Van Voorhis Road.

As to whether the benefit sought by the applicant can be achieved by other feasible means:

Although there is an existing basement garage, it is small and hard to access. Therefore, the applicant's cars and storage items cannot be stored inside without the construction of the garage. It is not desirable to construct an addition to the home to service these needs.

As to whether the application represents a substantial variance from Code, the Board finds, as follows:

The requested variances for size (433%) and height (13%) are considered substantial, but is mitigated by the location of the property, its hillside, and the existing trees obscuring the property from the neighborhood.

As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:

The requested variance will not have an adverse effect on the physical and/or environmental conditions in the neighborhood or district. The garage will not create a substantial increase in impervious surface.

As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the mostly invisible location of the garage, so the variance is not precluded.

CONDITIONS OF APPROVAL

The Board, in granting the within application, hereby imposes the following specific conditions:

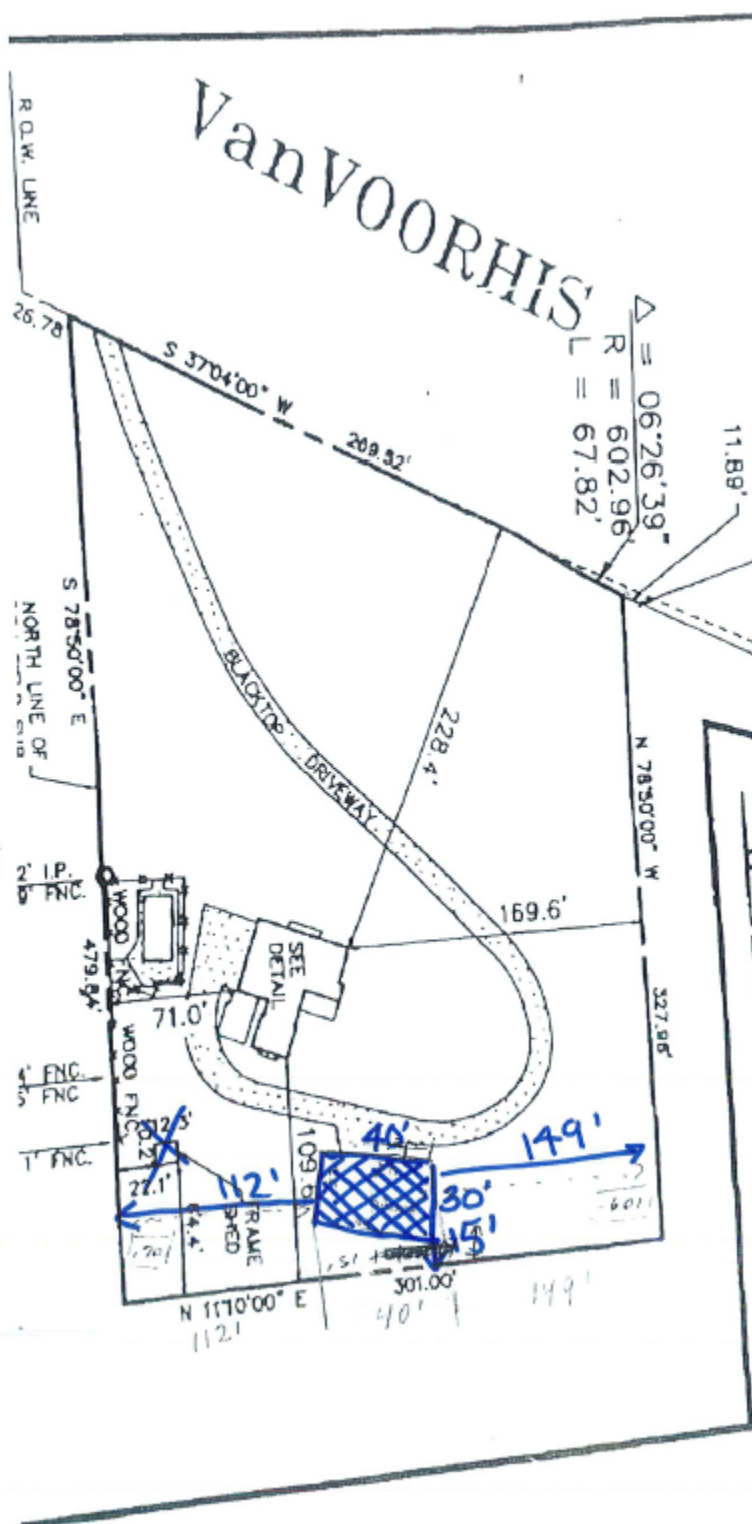
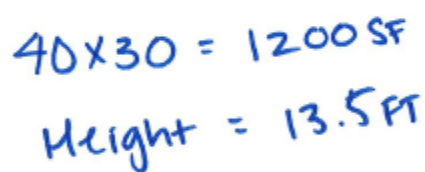
1. This variance is granted only for the plans submitted and prepared by the applicant dated April 17, 2025, and attached hereto as Exhibit A.
2. No living space is permitted within the detached garage.
3. All construction of the garage must be completed by December 31, 2026.

The within Resolution was moved by Zoning Board of Appeals Member Jennifer Iacobucci, seconded by Chairman Jim Pergolizzi, and voted upon by the Board, as follows:

Phil Castleberry voted	Absent
Phil Bleecker voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Aye
James Pergolizzi voted	Aye

The Zoning Board of Appeals adopted the above resolution on May 19, 2025.

April Zurowski
Planning Assistant



**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
RESOLUTION**

RE: 15 Stonington Drive

**Tax Parcel: 178.09-2-3
Applicant: Joseph Parrino
Zoned: Planned Unit Development (PUD)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-113 C. (3) to allow for the construction of a shed in the side yard area at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on May 19, 2025, and a review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(17) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

FINDINGS OF FACT

As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:

There will be no undesirable change in the neighborhood or detriment to nearby properties if this application is granted. The variance is requested to allow for the installation of a storage shed in the side yard area that will abut an existing small addition built by the previous homeowner. The proposed shed will be less than the 225 square foot maximum size and it will not encroach into the side setback. The shed will have matching siding with the rest of the home and the proposed location would be the least visually disruptive from views at either Stonington Drive or Mendon Center Road.

As to whether the benefit sought by the applicant can be achieved by other feasible means:

The benefit sought by the applicant cannot be achieved by other feasible means. The rear of the house already has an enclosed porch, and the previous owner converted a shed that was built to the rear of the house into a home gymnasium. That leaves little or no space to the rear of the home for a storage shed to be built without being in the 70-foot front setback off of Mendon Center Road. Given the shape of the property and the location of the house on the lot, the least conspicuous location for this shed would be the proposed location against the south facing wall of the house.

As to whether the application represents a substantial variance from Code, the Board finds, as follows:

The application to allow for the placement of a shed forward the rear of the home does represent a substantial variance from Code.

As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:

The requested variance will not have an adverse impact on the physical or environmental conditions in the neighborhood. The shed will have color matching siding with the rest of the house and it will be within code as to its size and any required side setbacks. The proposed location was chosen by the owner in an effort to minimize any visual or physical/environmental impact to the neighborhood character and motorists.

As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the limited size of the shed and the location chosen to minimize any visual impact to the neighborhood or motorists.

CONDITIONS OF APPROVAL

The Board, in granting the within application, hereby imposes the following specific conditions:

1. This variance is granted only for the plans submitted and prepared by the applicant dated April 21, 2025, and attached hereto as Exhibit A.
2. All construction must be completed by December 31, 2026.

The within Resolution was moved by Zoning Board of Appeals Member Tom Kidera, seconded by Board Member Jennifer Iacobucci, and voted upon by the Board, as follows:

Phil Castleberry voted	Absent
Phil Bleecker voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Aye
James Pergolizzi voted	Aye

The Zoning Board of Appeals adopted the above resolution on May 19, 2025.

April Zurowski
Planning Assistant

PITTSFORD-MENDON CENTER ROAD

(66' WIDE)

N 18°59'50" E

10' WIDE
UTILITY EASEMENT
L 6549 DP 79

UTILITY RISER 125.00'

STREET LINE

UTILITY RISERS
ON CONC.

5' WIDE
SIDEWALK EASEMENT
L 6424 DP 198

20' WIDE
GENERAL EASEMENT
TO THE TOWN OF PITTSFORD
L 5202 DP 236

30' WIDE
WATER MAIN EASEMENT
L 5210 DP 195

70' MINIMUM
SETBACK

LOT 2

LOT 3

S 71°00'10" E

S 71°00'10" E

10' WIDE
UTILITY EASEMENT
L 5276 DP 5

P.C. REBAR FOUND

L=110.67'
R=122.89'
Δ=51°48'40"

50' MINIMUM
SETBACK

N 05°00'10" W
37.16'

STONINGTON DRIVE
(66' WIDE)

BENT PIN FOUND

BENT REBAR FOUND

STREET LINE

