

APPROVED MINUTES 102025

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
OCTOBER 20, 2025**

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on October 20, 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:** Jim Pergolizzi, Barbara Servé, Mary Ellen Spennacchio-Wagner, Jennifer Iacobucci, Tom Kidera, Phil Bleecker, Phil Castleberry

**ABSENT:**

**ALSO PRESENT:** April Zurowski, Planning Assistant; Patricia Keating, Building Department Assistant; Robert Koegel, Town Attorney

**ATTENDANCE:** There were 31 members of the public present.

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

**NEW PUBLIC HEARINGS:**

**166 Mill Road – Tax ID 178.04-1-72.1**

Applicant is requesting relief from Town Code Section 185-17 B. for the construction of an addition forward of the building line. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi opened the public hearing.

Paul Zachman, of 166 Mill Road, introduced the application. He described the unique orientation of his property which has necessitated his request for a variance. Mr. Zachman stated that the non-enclosed roof addition will be used to cover an existing patio.

Board Member Iacobucci asked if the neighbors had provided any feedback regarding the project. Mr. Zachman stated that he was unaware of any neighbor feedback. Ms. Zurowski stated that a letter of support was provided to the Town from the neighbor residing at 169 Mill Road. Board Member Iacobucci stated that the property is well covered by trees which block views of the proposed addition.

Chairman Pergolizzi asked about the completion date of the project. Mr. Zachman stated that the project would be finalized by the end of 2026.

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

A written resolution to grant the area variances for 166 Mill Road was unanimously approved.

**4048 East Avenue – Tax ID 151.10-1-7.1**

Applicant is requesting relief from Town Code Sections 185-17 E., and 185-113 C. (1) and (2) for the construction of an addition to an existing oversized and over height detached garage not meeting the minimum side setback and total side setback requirements. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi opened the public hearing.

Dan Coughlin, of 4048 East Avenue, introduced the application. He stated that two additional bays would be added to the rear of the existing garage with storage above. Mr. Coughlin stated that the plans for the addition will be aesthetically pleasing and in keeping with the neighborhood.

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Chairman Pergolizzi asked if the neighbors had shared any concerns. Mr. Coughlin stated that he had heard no negative comments from neighbors.

Chairman Pergolizzi asked about proposed lot line adjustments. Mr. Coughlin stated that he is working with his neighbor to purchase around a 20-foot strip of land, though this is not imminent. If finalized, it would remove the need for the side setback variance.

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

A written resolution to grant the area variances for 4048 East Avenue was unanimously approved.

### **OTHER DISCUSSION:**

Chairman Pergolizzi motioned to approve the minutes of September 15, 2025, seconded by Board Member Iacobucci. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman Pergolizzi closed the meeting at 6:53PM.

Respectfully submitted,

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Patricia Keating  
Building Department Assistant

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

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

**RE: 166 Mill Road**

**Tax Parcel: 178.04-1-72.1  
Applicant: Paul Zachman  
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 B. for the construction of an addition forward of the building line at 58 feet where 70 feet is required by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on October 20, 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 not be an undesirable change produced in the neighborhood or detriment to nearby properties created by the granting of the variance. The property is heavily wooded between the home and the road, and the home is barely visible to motorists. The proposed addition matches the existing architectural style of the home, including the house's unique 45-degree angle from the street.

The neighbor at 169 Mill Road has submitted a letter of support. There has been no neighborhood opposition.

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

The benefit sought by the applicant for the unenclosed roof addition cannot be achieved by other feasible means. There is an existing patio and the roof will add overhead protection for outdoor seating and dining.

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

The proposed 12-foot encroachment into the front setback does not represent a substantial variance from the 70-foot setback code (17%).

***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 physical and/or environmental conditions in the neighborhood or district. Drainage and existing grade conditions will not be affected. No tree removal or canopy cover reduction is required. The addition will not alter any view-scapes to the surrounding residents will match well with the mass scale and style of the existing home.

***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 unique orientation of the house and the lack of visibility from the street, so the variance is not precluded.

**CONDITIONS OF APPROVAL**

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

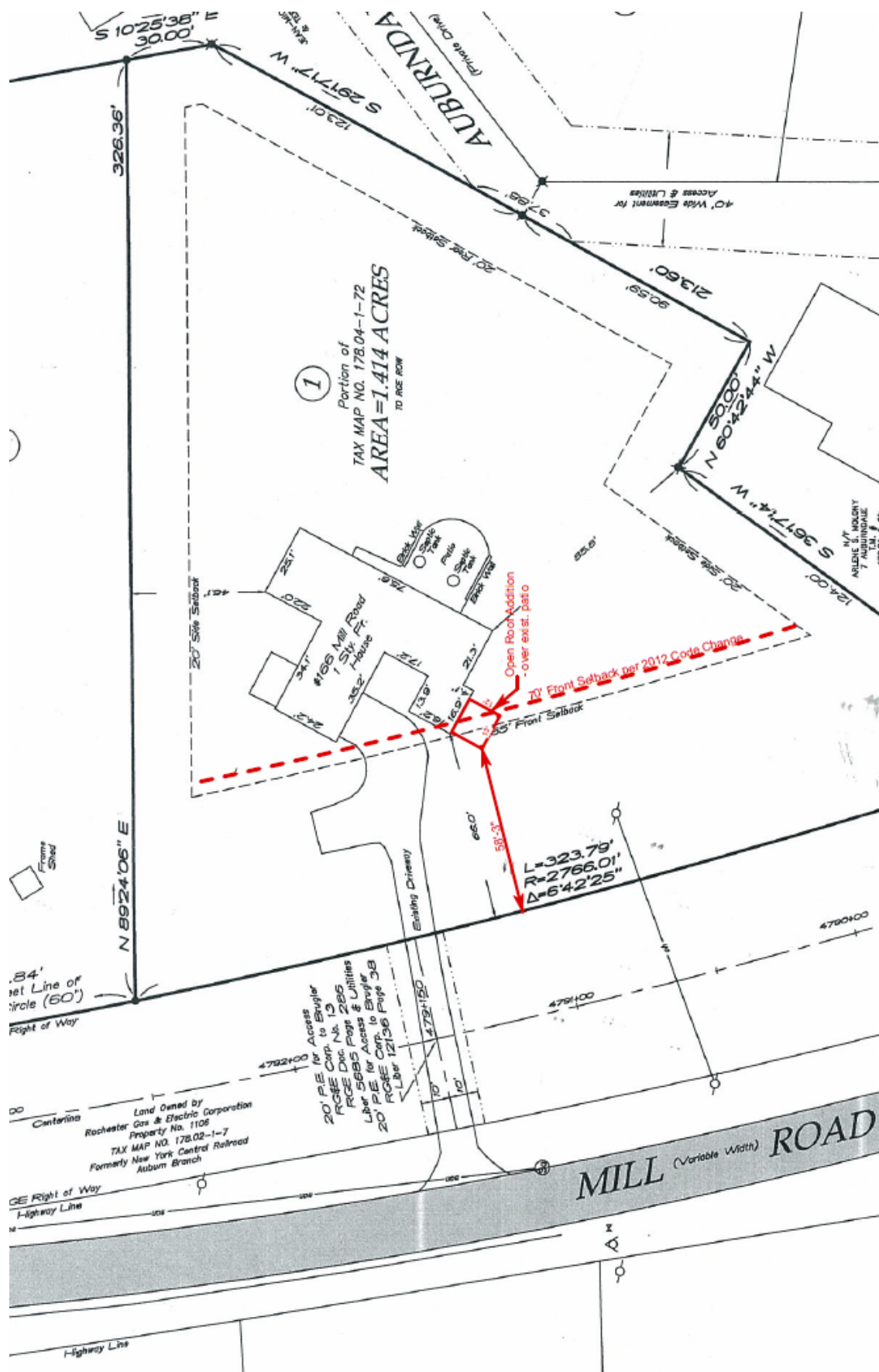
- 1. This variance is granted only for the plans submitted and prepared by the applicant dated August 20, 2025, and attached hereto as Exhibit A.
- 2. All construction of the addition must be completed by December 31, 2026.

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

|                                     |     |
|-------------------------------------|-----|
| Phil Bleecker voted                 | Aye |
| Phil Castleberry 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 October 20, 2025.

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April Zurowski  
Planning Assistant



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

**RE: 4048 East Avenue**

**Tax Parcel: 151.10-1-7-1**

**Applicant: Design Works Architecture on behalf of Daniel M. Coughlin  
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. and 185-113 C. (1) and (2) to allow for the construction of an addition to an oversized and over height detached garage not meeting the minimum side setback and total side setback requirements, resulting in a 1190 square foot 20-foot-tall structure 6.75 feet from the left lot line, at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on October 20, 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 character of the neighborhood and will not produce a detriment to nearby properties. The addition is proposed behind the existing garage and designed to appropriately match the existing structure. A variance was granted for an oversized and over height detached garage at the property in 2007 and there have been no issues.

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

In order to align the addition with the existing garage slab, as well as provide the preferred amount of height clearance below and in the attic storage space, there are no other feasible means to achieve the benefit sought by the applicant.

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

The requested variances are each a substantial variance from Code but are mitigated by the minimal impact on other properties and previously issued variance. The owner has indicated their intent to purchase land from their neighbor, which would eliminate the side setback variance once that occurs, but it is not being taken into consideration for this application. The total size (429%), height (67%), and side setback (55%) still represent substantial variances 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 effect on the physical and environmental conditions in the neighborhood.

***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 its minimal impact on the neighborhood and support of the most impacted neighbor.

**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 September 12, 2025, and attached hereto as Exhibit A.
2. All construction must be completed by December 31, 2027.
3. No living space is permitted within the detached garage.

The within Resolution was moved by Zoning Board of Appeals Member Phil Castleberry, seconded by Board Member Barb Servé, and voted upon by the Board, as follows:

|                                     |     |
|-------------------------------------|-----|
| Phil Bleecker voted                 | Aye |
| Phil Castleberry 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 October 20, 2025.

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April Zurowski  
Planning Assistant

