

APPROVED MINUTES 111725

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

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on November 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: Jim Pergolizzi, Mary Ellen Spennacchio-Wagner, Tom Kidera, Phil Castleberry

ABSENT: Barbara Servé, Jennifer Iacobucci, Phil Bleecker

ALSO PRESENT: April Zurowski, Planning Assistant; Robert Koegel, Town Attorney

ATTENDANCE: There were 2 members of the public present.

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

NEW PUBLIC HEARING:

10 Escena Rise – Tax ID 178.03-4-34.1

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

Chairman Pergolizzi opened the public hearing. Michael LaLena, of 10 Escena Rise, introduced the application. He stated that he plans to construct an attached pavilion with solar panels to form the peak. He has spoken to both neighbors and the most affected neighbor at 8 Escena Rise has submitted a letter of support. Chairman Pergolizzi asked for an estimated construction timeline. Mr. LaLena plans to complete construction as soon as possible.

Chairman Pergolizzi asked for public comment. Hearing none, Board Member Castleberry motioned to close the hearing, seconded by Board Member Kidera; all ayes, none opposed. A written resolution to grant the area variances for 10 Escena Rise was unanimously approved.

OTHER DISCUSSION:

Chairman Pergolizzi motioned to approve the minutes of October 20, 2025, seconded by Board Member Spennacchio-Wagner. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman Pergolizzi motioned to approve the 2026 Zoning Board of Appeals meeting schedule, seconded by Board Member Kidera. Following a unanimous voice vote, the schedule was approved, none opposed.

Chairman Pergolizzi motioned to close the meeting at 6:49PM, seconded by Board Member Castleberry; all ayes, none opposed.

Respectfully submitted,

April Zurowski
Planning Assistant

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

RE: 10 Escena Rise

Tax Parcel: 178.03-4-34.1

Applicants: Michael LaLena and Julie Camardo

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 for the construction of a solar pergola addition not meeting the minimum or total side setbacks required by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on November 17, 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. The proposed solar pergola addition to the west of the existing pool will provide shade during the summer months and solar energy year-round. The proposed location of the solar pergola addition will maintain the existing green space to the east of the pool for family play and activities.

The 10.5-foot-tall structure will be partially screened by a 6-foot-tall fence in the backyard. This will limit the view from the adjacent neighbors and from the street. The existing landscaping in the town-owned open space provides visual buffering between the site and the motorists traveling south along Mendon Center Road. There is support from the most affected neighbor.

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 desire for solar cannot be achieved by roof-mounted panels because of the poor condition of the roof. A detached structure is not permitted within the deed restrictions, so a detached and shorter solar pergola is not an alternative option. Due to the positioning of the home and the sun, the deed restrictions, and the Town's zoning regulations, the desire for a solar energy installation cannot be achieved by other feasible means.

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

The application does represent a substantial variance from code. The closest point of the solar pergola addition will be 15 feet from the west property line, where a minimum of 20 feet is required (20%). The total side setback is proposed to be 54.8 feet, where 90 feet is required (39%). This property was built using different setback calculations, as it used to be zoned Incentive Zoning (IZ). During the Zoning Code Update completed in March, the setbacks were increased when the neighborhood was rezoned to Residential Neighborhood (RN).

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 and/or environmental conditions in the neighborhood or district.

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 lack of other opportunities for solar energy on site and the rear yard location of the structure, 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 October 14, 2025, and attached hereto as Exhibit A.
2. All construction of the solar pergola addition must be completed by December 31, 2027.

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

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

The Zoning Board of Appeals adopted the above resolution on November 17, 2025.

April Zurowski
Planning Assistant

EXHIBIT A

