

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
June 19, 2017**

PRESENT

George Dounce, Chairperson; Mike Rose, David Rowe, Barb Collins, Barbara Servé

ALSO PRESENT

Robert Koegel, Town Attorney; Kate Munzinger, Town Board Liaison; Mark Lenzi, Building Inspector, Doug Derue, Director of Planning Zoning and Development

ABSENT

Jaime Waldman, Mary Ellen Spennacchio-Wagner, Susan Donnelly, Secretary to the Board

George Dounce, Chairperson, called the regularly scheduled meeting of the Zoning Board of Appeals to order at 7:00 pm.

Staff member Mark Lenzi indicated that the applications before the Board this evening are exempt from Monroe County Planning Department review and is a Type II action 617.5 (c) and not subject to SEQRA review.

PUBLIC HEARING FOR AN AREA VARIANCE

- 2112 West Jefferson Road, Tax # 163.01-1-1, Applicant is requesting relief from Town Code §185-134 D (5) to construct a 5' 8" tall wall structure for the placement of a 12 sq. ft. "Greenpoint" subdivision identification sign. Property zoned RN – Residential Neighborhood District.

George Dounce moved to open the Public Hearing for 2112 West Jefferson Road.

Scott Morrell co-owner presented photos of the existing stone and masonry entrance structures that are at the entrance of Greenpoint Trail and W. Jefferson. Mr. Morrell explained that to make the letters readable they need to be nearly a foot tall and the name "Greenpoint Trail" is quite long so the size of the sign is larger than the 6 sq. ft. that code allows.

Ms. Serve' questioned why the stone structures were already built prior to the Variance or Building Permit being granted?

Mr. Morrell explained it was an honest mistake in that the entrance structures and sign details were included on the final plans, but there was a note that was not noticed until after the structures were built. The note said that the sign details were not approved with the plans.

Mark Lenzi clarified the variances as being for an oversize sign and for the height of the structure being 5'-8" where 4' is allowed.

The Board asked about the proposed lighting, and was concerned with the term used in code of "landscape lighting", but after some discussion it was agreed that the decorative sign and structure lighting was within the parameters of landscape lighting as long as it could be ensured that it did not have unreasonable impacts.

The hearing was opened up to the public, no public comment was offered.

Dave Rowe moved to close the Public Hearing and Barb Collins seconded, the Board voted all ayes, and the hearing was closed.

- 4 Arlington Drive, Tax # 164.08-1-24. Applicant is requesting relief from Town Code §185-113 B (3); 185 – 119 A (1) and 185 -17 B (1) to allow construction of a 27’ round above ground pool with an associated deck located forward of the rear wall of the home and forward of the building line. The swimming pool is proposed to be located on the Marsh Road side of the property. Property zoned RN – Residential Neighborhood District.

George Dounce moved to open the Public Hearing for 4 Arlington Drive.

The owner of 4 Arlington explained that their home is on the corner of Marsh Road and Arlington therefore they don’t have an ordinary back yard. One side of the back yard has their septic system so the pool is being located toward Marsh Road. There is an existing 6’ fence that received a variance in the past which provides privacy, but there was no way to avoid the variance for the pool.

The Board inquired about the height of the pool, but expressed no other concerns.

The Chairman opened the hearing for public comment, but no comments were offered.

Mike Rose moved to close the Public Hearing and Barb Collins seconded. The Board voted all ayes and the hearing closed.

- 1 Monterey Drive, Tax # 192.07-1-14. Applicant is requesting relief from Town Code §185-17 I to reconstruct a deck that was previously non-compliant and structurally unsound in the rear setback. Property zoned RN – Residential Neighborhood District.

George Dounce moved to open the Public Hearing for 1 Monterey Drive.

Mr. Vaccaro representing the owner explained that the homeowners wished to reconstruct an existing deck that was in poor condition and is within the rear setback.

Barb Servé indicated that the deck was unsafe which prompted the application.

Mark Lenzi, clarified that the original owner had a pool with a permit, but they had built a deck all the way around the pool without a permit.

The Chairman opened the hearing for public comment, no comments were offered.

Dave Rowe moved to close the Public Hearing and Mike Rose seconded. The Board voted all ayes and the hearing closed.

DECISION FOR GREENPOINT SUBDIVISION FORMERLY 2112 WEST JEFFERSON ROAD - AREA VARIANCE

A written Resolution to grant the area variance for 2112 West Jefferson Road was moved by Chairman Dounce and seconded by Dave Rowe.

Chairman George Dounce called for a roll call vote.

Barb Collins voted	aye
Michael Rose voted	aye
Barbara Servé was	aye
Jaime Waldman voted	absent
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	absent
George Dounce voted	aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated June 6, 2017.
2. All construction is to be completed by December 31, 2017.
3. The proposed sign is subject to review and approval of Design Review & Historic Preservation Board.
4. If unreasonable lighting impacts occur the Code Enforcement Officer can require shielding or other adjustments to the lights.

DECISION FOR 4 ARLINGTON DRIVE - AREA VARIANCE

A written Resolution to grant the area variance for 4 Arlington Drive was moved by Dave Rowe and seconded by George Dounce.

Chairman George Dounce called for a roll call vote.

Barb Collins voted	aye
Michael Rose voted	aye
Barbara Servé was	aye
Jaime Waldman voted	absent
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	absent
George Dounce voted	aye

The approved Resolution contains the following Specific Conditions:

1. Only for the sketch submitted by the applicant with the application dated May 25, 2017.
2. All construction to be completed by December 31, 2018.

DECISION FOR 1 MONTEREY DRIVE - AREA VARIANCE

A written Resolution to grant the area variance for 1 Monterey Drive was moved by Barb Servé and seconded by Barb Collins.

Chairman George Dounce called for a roll call vote.

Barb Collins voted	aye
Michael Rose voted	aye
Barbara Servé was	aye
Jaime Waldman voted	absent
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	absent
George Dounce voted	aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated May 5, 2017.
2. All construction is to be completed by December 31, 2018.

POINT PERSON ASSIGNMENTS FOR JULY 17, 2017

1 Oak Manor Lane, Generator - Barb Collins

777 Allens Creek, Pergola, oversize, over height, basketball court side lot line - Barb Servé

14 Rippingale Road, shed - Mike Rose

45 Shelwood Drive - detached garage oversize, over height, side and rear setback - Mary Ellen Spennacchio-Wagner

Nazareth College Field house - Jamie Waldman

APPROVAL OF THE MEETING MINUTES OF MAY 15, 2017

George Dounce moved to accept the minutes of May 15, 2017 as written.

VOICE VOTE: Ayes – All

MEETING ADJOURNMENT

The meeting was adjourned at 8:15 pm.

VOICE VOTE: Ayes – All

Respectfully submitted,

Doug DeRue
for Susan K. Donnelly
Secretary to the Zoning Board of Appeals