

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
MINUTES  
November 16, 2020**

**PRESENT**

George Dounce, Chairperson; Mary Ellen Spennacchio-Wagner, James Pergolizzi, Phil Castleberry  
Barbara Servé

**ALSO PRESENT**

Cathy Koshykar, Town Board Liaison; Mark Lenzi, Building Inspector; Robert Koegel, Town Attorney;  
Susan Donnelly, Secretary to the Board

**ABSENT**

Mike Rose, David Rowe

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, November 16 at 7:00 P.M. local time. The meeting took place with Board members and applicants participating remotely using Zoom virtual meeting software.

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

The applications before the Board this evening with the exception of the application for 145 Kilbourn Road are Type II Actions under 6-NYCRR §617.5 (c) (7) or (12) & (13) and, therefore, is not subject to Environmental Review under SEQRA. The applications are exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

**PUBLIC HEARING FOR AN AREA VARIANCE**

- 1 Merryhill Lane, Tax # 163.16-2-20, Applicant is requesting relief from Town Codes §185 – 121 (A) for the construction of a fence forward of the front wall of the home exceeding the height requirement of code. This property is zoned RN-Residential Neighborhood.

The homeowner, Todd Holmquist, was present. Mr. Holmquist discussed that his application is for a 4 ft. ornamental black wrought iron fence. He emphasized that the purpose of the fence is to provide safety for his young children due to the close proximity of the residence to Stone Road.

The timeframe for construction is spring or summer of 2021.

There was no public comment.

Barbara Servé moved to close the public hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

**DECISION FOR 1 MERRYHILL LANE – AREA VARIANCE**

A written Resolution to grant the area variance for 1 Merryhill Lane was moved by Phil Castleberry and seconded by Barbara Servé.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Rose	absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated September 18, 2020.
  2. All construction is to be completed by December 31, 2022.
- 16 Ingridshire Drive. Tax # 164.03-3-8, Applicant is requesting relief from Town Code §185-17 (B) (1); 185-17 E; 185-113 (B) (6) to allow the construction of a shed located forward of the building line and encroaching into the side yard setback. Property is zoned RN – Residential Neighborhood District.

The homeowners Lana and Vlad Pinchman were present.

Mr. Pinchman discussed that the neighbors are aware of the project and have no concerns.

They would like to start the project as soon as the permit is issued for the shed.

There was no public comment.

Phil Castleberry moved to close the public hearing.

Jim Pergolizzi seconded.

All Ayes.

**DECISION FOR 16 INGRIDSHIRE DRIVE – AREA VARIANCE**

A written Resolution to grant the area variance for 16 Ingridshire Drive was moved by George Dounce and seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Rose	absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated October 8, 2020.
  2. All construction is to be completed by December 31, 2021.
  3. This application is not subject to the approval of the Design Review and Historic Preservation Board.
- 50 Van Voorhis Road. Tax # 192.02-1-2, Applicant is requesting relief from Town Code §185-113 (B) (1) & (6) and 185-17 (E) to allow the construction of an oversized accessory structure (shed) located in the rear yard encroaching into the side yard setback. Property is zoned RN – Residential Neighborhood District.

The homeowners, Erin and Oliver Masaba, were present.

They discussed their need for an oversized shed to store their lawn tractor and pool items so that they may use the parking bay for vehicle storage in inclement weather.

The neighbor at 40 Van Voorhis has no opposition.

The timeframe is for completion of spring 2021.

There was no public comment.

Phil Castleberry moved to close the public hearing.

Barbara Servé seconded.

All Ayes.

#### **DECISION FOR 50 VAN VOORHIS ROAD – AREA VARIANCE**

A written Resolution to grant the area variance for 50 Van Voorhis Road was moved by Mary Ellen Spennacchio-Wagner and seconded by George Dounce.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Rose	absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated October 19, 2020.
  2. All construction is to be completed by December 31, 2022.
- 67 Knollwood Drive, Tax # 138.13-1-22, Applicant is requesting relief from Town Code §185-17 H to allow the paving of a stone driveway which will exceed the maximum lot coverage for the property. Property is zoned RN – Residential Neighborhood District.

The homeowners, Peter and Lauren Fox, were present.

Ms. Fox indicated the paving of the driveway is necessary for the safety of their children, to lessen the potential of car damage from stone chips and to improve the aesthetics of the property.

Barbara Servé noted that the neighbors are in favor. She asked if trees would be removed and the homeowner indicated yes.

The Board asked for feedback from the Town. Mark Lenzi indicated the homeowners will need a permit to work in the right of way from the Town.

There were no public comments.

Barbara Servé moved to close the public hearing.

Jim Pergolizzi seconded.

All Ayes.

### **DECISION FOR 67 KNOLLWOOD DRIVE- AREA VARIANCE**

A written Resolution to grant the area variance for 67 Knollwood Drive was moved by Barbara Servé seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Rose	absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated November 2, 2020.
  2. All construction is to be completed by December 31, 2022.
- 145 Kilbourn Road, Tax # 138.17-1-13.111, Applicant is requesting relief from Town Code §185- 39 to allow the construction of four 5,000 Sq. Ft. guest houses along the main entrance drive. The guest houses are proposed to be constructed to approximately 35' in height where code allows 30'. Property is zoned SRAA – Suburban Residential District.

Brian Burri and Jim Durfee were present to represent Oak Hill Country Club.

Mr. Durfee indicated that the Oak Hill membership had approved the construction of overnight accommodations on the grounds of the Club. He stated that only three of the four proposed structures will be built over an extended period of time.

This would be project that would last 5-6 years for all three buildings to be constructed. Robert Koegel noted that this time frame would be acceptable as long as it is noted in the resolution.

Mark Lenzi noted that this is an unlisted action pursuant to SEQRA, the Planning Board has conducted a coordinated review with the Zoning Board of Appeals and the Design Review Board and granted a Negative Declaration of significance on November 9, 2020.

There was no public comment.

Phil Castleberry moved to close the public hearing.

Barb Servé seconded.

All Ayes.

### **DECISION FOR 145 KILBOURN ROAD – AREA VARIANCE**

A written Resolution to grant the area variance for 145 Kilbourn Road was moved by Mary Ellen Spennacchio-Wagner and seconded by Jim Pergolizzi.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Rose	absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 4, 2020 with the exception of Cottage #4 which is not included.
  2. All construction is to be completed by December 31, 2027.
  3. The application requires the approval of the Design Review and Historic Preservation Board.
- 597 Mendon Road, Tax # 178.03-2-10, Applicant is requesting relief from Town Code §185-113 (B) (1) & (2) to allow the construction of an oversized and over height accessory structure (garage) located in the rear yard encroaching into the side yard setback. Property is zoned RN – Residential Neighborhood District.

Gregg Bowering, contractor for the project, was present to represent the homeowners.

The Board inquired about the timeline. Mr. Bowering indicated that they are looking to demolish the current structure as soon as possible.

There is no neighbor opposition to this project.

George Dounce called for public comment.

John Darling of 611 Mendon Road indicated that he had met with the applicants and he had no objections to the project.

Barbara Servé moved to close the public hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

**DECISION FOR 597 MENDON ROAD – AREA VARIANCE**

A written Resolution to grant the area variance for 597 Mendon Road was moved by Jim Pergolizzi and seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Rose	absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated October 16, 2020.
2. All construction is to be completed by December 31, 2022.

**REVIEW OF MEETING MINUTES OF OCTOBER 19, 2020**

George Dounce moved to approve the minutes of October 19, 2020 as written.

All Ayes.

**POINT PERSONS FOR DECEMBER 21, 2020 MEETING**

28 Crestwood Circle – Barbara Serve

331 Fairport Road – Jim Pergolizzi

15 Stoney Clover Lane – Phil Castleberry

305 West Bloomfield Road – David Rowe

**MEETING ADJOURNMENT**

George Dounce moved to adjourn the meeting at 8:15 pm.

All Ayes.

Respectfully submitted,

Susan K. Donnelly  
Secretary to the Zoning Board of Appeals