

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
June 21, 2021**

PRESENT

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

ALSO PRESENT

Cathy Koshykar, Town Board Liaison; Robert Koegel, Town Attorney; Doug DeRue, Director of Planning
and Zoning; Susan Donnelly, Secretary to the Board

ABSENT

Thomas Kidera

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 are Type II Actions under 6-NYCRR §617.5 (c) (7) or (12)
& (13) and, therefore, are 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

- 111 Overbrook Road, Tax # 138.18-1-36, Applicant is requesting relief from Town Code §185 – 17
(E) for the construction of an addition encroaching into the side setback. Property is zoned RN –
Residential Neighborhood District.

George Dounce moved to open the Public Hearing.

Roger Langer of Greater Living Architecture and the homeowner, Claudia Rubino were present.

Ms. Rubino desires to provide more space for her family and requires the variance to create an
addition. She indicates that she approached her closest neighbor and they did not have a problem
with the plan.

There was no public comment.

There was no further comment from the Board.

Phil Castleberry moved to close the Public Hearing.

David Rowe seconded.

All Ayes.

DECISION FOR 111 OVERBROOK ROAD – AREA VARIANCE

A written resolution was moved for 111 Overbrook Road was moved by Zoning Board of Appeals
member Phil Castleberry, seconded by Board member Mary Ellen Spennacchio-Wagner, and voted
upon by the Board members, as follows:

Thomas Kidera	Absent
James Pergolizzi voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner	Aye
George Dounce voted	Aye

Phil Castleberry voted Aye
Barbara Servé voted Aye

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

1. This variance is granted only for the site map submitted to the Zoning Board of Appeals dated May 12, 2021
 2. All construction is to be completed by December 31, 2023.
 3. This application is subject to the approval of the Design Review and Historic Preservation Board.
- 522 Marsh Road, Tax # 164.16-1-29 Applicant is requesting relief from Town Code §185-17 B (1) for a garage addition on a corner lot encroaching into the front setbacks of Cullens Run and Marsh Road. Property zoned RN – Residential Neighborhood District.

George Dounce moved to open the Public Hearing.

The owner, Nancy Booth, was present.

The setback request is needed to increase living space and replace a carport with a two-car garage. The construction cannot be placed in a different area due to the location of the septic tank and leech lines on the property.

It is determined that the garage will not impact the sight line. The tree at Cullens Run will not be removed.

Andy Roberts who resides at the home talked to the neighbors and there is no apparent concern.

There was no further public comment.

Mary Ellen Spennacchio-Wagner moved to close the Public Hearing.

Jim Pergolizzi seconded.

All Ayes.

DECISION FOR 522 MARSH ROAD – AREA VARIANCE

A written resolution was moved by Zoning Board of Appeals member Mary Ellen Spennacchio-Wagner, seconded by Board member George Dounce, and voted upon by the Board members, as follows:

Thomas Kidera voted Absent
James Pergolizzi voted Aye
David Rowe voted Aye
Mary Ellen Spennacchio-Wagner Aye
George Dounce voted Aye
Phil Castleberry voted Aye
Barbara Servé voted Aye

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

1. This variance is granted only for the plan submitted and prepared by the Applicant dated May 14, 2021.
 2. All construction is to be completed by December 31, 2024.
 3. The application is subject to the approval of the Design Review and Historic Preservation Board.
- 18 Golf Avenue, Tax # 151.15-2-45.2 Applicant is requesting relief from Town Code(s) §185-113 B. (1); (2); for an oversized, over height accessory structure (garage/barn, proposed to be 1440 square feet and 29 feet in height). Property zoned RN – Residential Neighborhood District.

George Dounce moved to open the Public Hearing.

The homeowner, John Flannery, was present.

Mr. Flannery described the project as a Colonial style barn that his family would utilize as storage space for cars and tools with a second floor which would be used as a recreation area. The location would be at the end of the driveway and would not encroach into the conservation easement. The location would be in an area that has a slope and the structure would sit 4 ft. lower than the driveway. Mr. Flannery indicated he does not want to take down any trees that are not necessary to remove.

It was discussed that this is a designated historic property that requires a Certificate of Appropriateness be granted. At present, the Design Review and Historic Preservation Board has determined that not enough information has been presented on size and location to make a recommendation to the Zoning Board of Appeals.

Mr. Flannery indicated that Bob Corby has been retained to draw up a plan for the barn.

The Board inquired whether the height could be adjusted on the barn and Mr. Flannery indicated that it could be an option. He indicated that Roger and Maria Powers have expressed their support for the project.

Phil Castleberry expressed that he felt the barn should not exceed the height of the house as viewed from Golf Avenue.

A straw poll of the Board unanimously supported Mr. Castleberry's opinion on the height.

Doug DeRue confirmed that this would not be a dwelling unit.

An email from Fran Kramer of 17 Golf Avenue was distributed to the Board. She is not in favor of the project as it currently stands.

There was no further public comment.

The Zoning Board of Appeals expressed that they do not wish to be lead agency on this application.

The Zoning Board requests new drawings and elevations of the proposed structure. They expressed they do not want to see the new structure tower over the existing house.

This hearing remains open.

REVIEW OF MEETING MINUTES OF JUNE 21, 2021

George Dounce moved to approve the minutes of June 21, 2021 as written.

All Ayes.

POINT PERSONS FOR JULY 19, 2021 MEETING

8 Sugarbush Lane – Tom Kidera

810 Allens Creek Road – David Rowe

MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 8:10 pm.

All Ayes.

Respectfully submitted,

Susan K. Donnelly
Secretary to the Zoning Board of Appeals