

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
DRAFT MINUTES
February 21, 2022**

PRESENT

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

ALSO PRESENT

Kate Munzinger, Town Board Liaison; Robert Koegel, Town Attorney; Doug DeRue, Director of Planning, Zoning, & Development; April Zurowski, Acting Secretary to the Board

ABSENT

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, February 21, 2022 at 7:00PM local time.

George Dounce, Chairperson called the regularly scheduled meeting of the Zoning Board of Appeals to order at 7:01PM.

There were 12 members of the public in attendance.

The applications before the Board this evening are Type II Actions under 6-NYCRR §617.5 (c) (16) 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 HEARINGS FOR AN AREA VARIANCE

- 14 Glenmore Circle, Tax # 163.04-1-9.31, Applicant is requesting relief from Town Code §185-119 A. (1) to place the pool filter and or heater equipment on the side of the home. This property is zoned Residential Neighborhood – (RN).

Jonathan and Jillian Coyles, of 14 Glenmore Circle, introduced their application. Mr. Coyles explained to the Board that both his pool company and landscaping company recommended that he place the heater and filter on the side of the home. Mr. Coyles stated that he has received some comments from neighbors who are worried about chemicals. He stated that he will not proceed with anything that would cause harm to neighbors. He would like neighbors to be comfortable with the placement of equipment. He plans to place the heater and filter flush with the rear wall of the home to prevent any future impact with patio and fencing plans.

Board Member Mary Ellen Spennacchio-Wagner requested the applicant to point out the exact proposed location on the map. The applicant advised the board that the equipment is proposed along the back line of the house, but still on the side of the house.

Mr. Coyles stated that the basement block window and dining room window would be blocked if the equipment was placed in accordance with Town Code.

Chairman George Dounce asked the applicant to describe any concerns received from neighbors. Mr. Coyles stated that regions of the side yard have been damaged, as the pool company has created a temporary roadway to complete work. He expressed intentions to remove this temporary pathway as soon as possible. A contracted landscaping company will regrade and replant the yard upon completion of the pool.

Chairman Dounce asked the applicant to address screening around the proposed equipment. Mr. Coyles stated that he plans to install shrubbery.

Manish Damani, of 12 Glenmore Circle, asked the applicant to address the proposed location for storage of pool chemicals. Mr. Coyles informed the neighbor and the Board that the pool will not be treated with chlorine, and will instead have a freshwater mineral sanitation system. If needed, extra storage of chemicals will be stored in or around the garage space closer to 15 Glenmore Circle.

Chairman Dounce asked the applicant to address noise levels of proposed equipment. Mr. Coyles stated that noise will not be an issue, as the pool company has assured the applicants that equipment will be completely silent.

Chairman Dounce opened the public hearing and asked for any public comment.

Mr. Damani asked the applicant to provide a mineral safety data sheet. Mr. Coyles agreed.

Board Member Mary Ellen Spennacchio-Wagner made a motion to close the public hearing, seconded by Board Member Barb Servé. Following a unanimous voice vote, the hearing was closed.

- 15 Glendower Circle, Tax # 151.16-3-24, Applicant is requesting relief from Town Code §185 - 17 K. (2) for a proposed garden shed located less than both the required minimum side setbacks, property is a corner lot. This property is zoned Residential Neighborhood – (RN).

There was no applicant present for this proposal. The Board agreed that further information would be needed from the applicant before voting on a resolution.

- 97 Country Club Drive Tax # 151.05-1-41, Applicant is requesting relief from Town Code §185 - 17 B. for a proposed garage expansion encroaching into the front setback. This property is zoned Residential Neighborhood – (RN).

Mark and Lisa Stein, of 97 Country Club Dr, represented their application.

Chairman Dounce asked if the applicants received any comments against their project. Mrs. Stein stated that she has only received comments in favor of the project.

Chairman Dounce asked the applicants to give an approximate timeline for completion of the project. Mr. Stein stated that they hope to complete the project within 2022.

Chairman Dounce opened the hearing and asked for public comment.

Hearing none, Board Member Tom Kidera made a motion to close the hearing, seconded by Board Member Phil Castleberry. Following a unanimous voice vote, the hearing was closed.

- 222 Shoreham Drive, Tax # 150.08-1-1.1, Applicant is requesting relief from Town Code §185- 113 B. (1), (2) (3) and §185-17, E for a proposed 700 square foot 20 foot tall oversized and over height garage located less than the required minimum side setback. This property is zoned Residential Neighborhood – (RN).

Anthony and Mariah DiMarco, of 222 Shoreham Dr, explained their application. They stated although they currently have a standard 2 car garage built under their home, they are requesting more garage space for new drivers in their family. The property is located on a curve and to prevent a safety hazard of parking on the street, they are proposing a garage to create additional parking.

Board Member Servé addressed the current gravel pad in place on their property. She asked the applicant if the gravel pad will be used for parking. Mrs. DiMarco stated that the gravel pad has been used for parking in the past, but the proposed garage will provide additional parking when needed.

Board Member Mary Ellen questioned the construction of the garage into the hillside. Tom Johnson, Designer, stated that the proposed garage will be pushed into the hillside. The variance is requested to allow for space to fit two cars with two garage doors as well as an exit door. The oversized height is requested to allow for storage above the car parking spaces in the garage.

Chairman Dounce asked the applicants if moving the garage over 1.5 ft was considered. Mr. Johnson stated that the proposed garage location is as close as possible to the existing pergola. The applicants do not want to invade the existing pergola structure during construction.

Chairman Dounce asked the applicant to provide a timeline for construction. Mr. Johnson stated that upon the issuance of a building permit, construction is expected to begin in the spring.

Board Member Spennacchio-Wagner asked if the driveway will allow for a turn-around space, preventing new drivers from backing out of the driveway. Mr. Johnson confirmed.

Board Member Spennacchio-Wagner asked the applicants to describe the proposed exterior. Mr. Johnson stated that the design will blend with the existing home structure.

Chairman Dounce asked the applicants to confirm the proposed garage will line up with the neighboring home. Mr. Johnson confirmed.

Chairman Dounce asked if the applicants have been in contact with neighbors to describe the project. Mrs. DiMarco stated that she did reach out to abutting neighbors, both of which did not express major concerns.

Chairman Dounce opened the public hearing and asked for public comment.

Judy Van Houten, of 205 Shoreham Dr, stated that she had concerns with the proposal. She expressed concerns for increased traffic in recent years, which she believes may cause safety hazards with those who walk in the neighborhood.

Chairman Dounce asked Ms. Van Houten to confirm she was in opposition of the proposal. Ms. Van Houten stated that she believes the garage is too large and that there are no other detached garages in the neighborhood.

Board Member Spennacchio-Wagner stated that this proposal may reduce safety concerns, as the new drivers will not be parking in the street and will be able to K-turn in the driveway instead of backing out.

Board Member Servé asked Ms. Van Houten how the Zoning Board of Appeals will be able to satisfy her concerns. Ms. Van Houten expressed her concern with safety within the neighborhood.

Board Member Barb Servé motioned to close the hearing, seconded by Board Member Tom Kidera. Following a unanimous voice vote, the hearing was closed.

PUBLIC HEARING FOR SPECIAL USE PERMIT

- 2 Round Trail, Tax # 164.19-1-59, Applicant is requesting Special Use Permit approval for the storage of a recreational vehicle adjacent to the existing attached garage pursuant to 148-9 C. of Town Code. This property is zoned Residential Neighborhood – (RN).

Ray Pruitt, of 2 Round Trail Dr, represented the application.

Chairman Dounce asked Town staff to confirm that the recreational vehicle does not exceed the maximum size allowed by Code. Doug DeRue stated that although the reported measurement of the RV is 9'1", the measurement may be slightly inaccurate. The Board conversed about the actual height of the RV.

Board Member Servé asked the applicant to consider screening. Mr. Pruitt stated that he intends to implement screening, but would like flexibility upon a resolution. Board Member Servé stated that a condition of approval for this proposal may be to provide screening.

The Board discussed appropriate height and number of trees that may be included in the resolution.

Board Member Servé expressed satisfaction with plantings to hide the RV. Chairman Dounce asked the Board to agree on a reasonable tree height.

Board Member Spennacchio-Wagner expressed safety concerns with the applicant parking the RV in the driveway, though per Code, the RV may remain in the driveway year-round.

Chairman Dounce opened the public hearing and allowed for public comments.

Hearing none, Board Member Jim Pergolizzi motioned to close the hearing, seconded by Board Member Mary Ellen Spennacchio-Wagner. Following a unanimous voice vote, the hearing was closed.

DECISION FOR 14 GLENMORE CIRCLE – AREA VARIANCE

A written Resolution to grant the area variance for 14 Glenmore Circle was moved by Chairman George Dounce and seconded by Board Member Jim Pergolizzi.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

The approved Resolution contains the following Specific Conditions:

The Board requested the individual to clearly label a map for Town staff, which will be included in the conditions of approval for this resolution.

DECISION FOR 15 GLENDOWER CIRCLE – AREA VARIANCE

A written Resolution to hold over the area variance for 15 Glendower Circle was moved by Chairman George Dounce and seconded by Board Member Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

The application was held over for a future meeting.

DECISION FOR 97 COUNTRY CLUB DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 97 Country Club Drive was moved by Board Member Jim Pergolizzi and seconded by Chairman George Dounce.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

DECISION FOR 222 SHOREHAM DRIVE – AREA VARIANCE

Chairman George Dounce requested the Town Board look into possible ways to reduce safety concerns within the Shoreham Drive neighborhood. Town Board Liaison Kate Munzinger agreed to work with Town staff.

A written Resolution to grant the area variance for 222 Shoreham Drive was moved by Board Member Barb Servé and seconded by Board Member Phil Castleberry.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

DECISION FOR 2 ROUND TRAIL DRIVE – SPECIAL USE PERMIT

A written Resolution to grant the Special Use Permit for 2 Round Trail Drive was moved by Board Member Phil Castleberry and seconded by Chairman George Dounce.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

The approved Resolution contains the following Specific Conditions:

The Board required, as a condition of approval, the applicant shall install plantings at least five feet in height, reasonably consistent with the proposed map created at the meeting. These plantings must be installed prior to June 1, 2022.

POINT PERSONS FOR MARCH 21, 2022 MEETING

3500 East Avenue	Phil Castleberry
35 Meadow Cove Road	Barb Servé
4 Evesham Place	Mary Ellen Spennacchio-Wagner
49 Turning Leaf Drive	Tom Kidera

MEETING ADJOURNMENT/MINUTES APPROVAL

Chairman George Dounce motioned to approve the minutes of December 21, 2021 as written. Following a unanimous voice vote, the minutes were approved.

The meeting was adjourned at 8:50PM.

Respectfully submitted,

April Zurowski
Acting Secretary to the Zoning Board of Appeals