

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MAY 15, 2023**

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PITTSFORD
2023 JUL 18 A 8:44

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on May 15, 2023, at 7:00PM local time. The meeting took place in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street.

PRESENT: George Dounce, Barbara Servé, Phil Castleberry, Mary Ellen Spennacchio-Wagner, Jennifer Iacobucci, Tom Kidera, Jim Pergolizzi

ABSENT: None

ALSO PRESENT: April Zurowski, Planning Assistant; Doug DeRue, Director of Planning, Zoning, & Development; Robert Koegel, Town Attorney; Bill Zink, Building Inspector; Kate Munzinger, Town Board Liaison

ATTENDANCE: There were 11 members of the public present.

Zoning Board of Appeals Chairman George Dounce called the meeting to order at 7:00PM.

NEW PUBLIC HEARINGS:

2 Charter Oaks Drive

Applicant is requesting relief from Town Code Section 185-17 B. for a proposed garage expansion encroaching into the front setback. This property is zoned Residential Neighborhood (RN).

Scott Harder, of Professional Engineering Group, introduced the application. The applicant is seeking an 8.7-foot area variance for a garage expansion into the front setback. This property is a corner lot with two front setbacks. This garage expansion will avoid the need for a shed in the rear yard. The existing home is a single-story ranch approximately 18 feet in height. The expansion will match the existing home's elevation.

Vice Chairwoman Barb Servé asked if the Town has received any comments from neighbors. Mr. Zink stated that no comments were received. Chairman George Dounce asked the applicant for their expected construction timeline. Mr. Parcher stated that this application will also require approval from the Design Review and Historic Preservation Board (DRHPB). Once this approval is granted, the applicant expects to begin construction this summer. All work will be completed prior to December 31, 2024.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Member Phil Castleberry motioned to close the public hearing, seconded by Zoning Board of Appeals Member Tom Kidera. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the area variance for 2 Charter Oaks Drive was moved by Zoning Board of Appeals Vice Chairwoman Barb Servé, seconded by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner.

The resolution is contingent upon the following Conditions of Approval:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 28, 2023.
2. All construction is to be completed by December 31, 2024.

Chairman Dounce asked for a roll call vote.

Barbara Servé	Aye
Jim Pergolizzi	Aye
Mary Ellen Spennacchio-Wagner	Aye
Phil Castleberry	Aye
Tom Kidera	Aye
Jennifer Iacobucci	Aye
George Dounce	Aye

7 Grey Fawn

Applicant is requesting relief from Town Code Section 185-17 H. for greater than 40% lot coverage. This property is zoned Residential Neighborhood (RN).

Bob Hyman, of 7 Grey Fawn, introduced the application. The applicant is requesting an impervious coverage variance for the construction of a sunroom addition. The applicant stated that the property's impervious coverage has been over the allowed 40% since he moved in. The sunroom addition will add 120 square feet of coverage. The applicant plans to mitigate the increased coverage by removing sections of a brick walkway. In total, the property will result in 252 square feet over the allowed 8,274 square feet, 41.07% of impervious coverage where 40% is allowed by code. The applicant received Design Review Board approval for the sunroom addition in February 2023, at which time the impervious coverage issues were first discovered. Since this time, the applicant has been working closely with Rob Fromberger, the Town Engineer. Mr. Fromberger has submitted a letter to the Board regarding this variance request.

Board Member Spennacchio-Wagner stated that the brick pathway will be relocated to reduce impervious coverage and prevent small children from playing near the sunroom which creates safety concerns. Board Member Jennifer Iacobucci asked if the property was already over 40% impervious coverage. Board Member Spennacchio-Wagner confirmed. Vice Chairwoman Servé asked if there are current drainage issues at the property. Mr. Hyman stated that there are no ongoing drainage concerns. Neighbors were also surveyed regarding drainage issues. Board Member Jim Pergolizzi asked if the final impervious coverage percentage includes the relocation and reduction of the brick pathway. Mr. DeRue confirmed.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Member Jennifer Iacobucci motioned to close the public hearing, seconded by Zoning Board of Appeals Vice Chairwoman Barb Servé. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the area variance for 7 Grey Fawn was moved by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner, seconded by Zoning Board of Appeals Member Tom Kidera.

The resolution is contingent upon the following Conditions of Approval:

1. This variance is granted only for the plans modified and prepared by the Applicant presented at the Zoning Board meeting dated May 15, 2023.
2. All construction is to be completed by December 31, 2024.

Chairman Dounce asked for a roll call vote.

Barbara Servé	Aye
Jim Pergolizzi	Aye
Mary Ellen Spennacchio-Wagner	Aye
Phil Castleberry	Aye
Tom Kidera	Aye
Jennifer Iacobucci	Aye
George Dounce	Aye

10 Poinciana Drive (PVT)

Applicant is requesting relief from Town Code Section 185-113 B. (1)(2)(3) & (6) and 185-17 E. to locate an oversized and over-height accessory structure (detached garage) located forward of the rear wall of the home encroaching on the side setback of the property. The garage is proposed to be 20 feet from the side property line, 22 feet high, and 1,543 square feet in area. This property is zoned Residential Neighborhood (RN).

Koen Goorman, of 10 Poinciana Drive, introduced his application. The applicant was granted this variance in 2020, but the variance has now expired. The scope of work and variance request has not changed since the previous approval.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Member Jim Pergolizzi motioned to close the public hearing, seconded by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the area variance for 10 Poinciana Drive was moved by Zoning Board of Appeals Member Jim Pergolizzi, seconded by Zoning Board of Appeals Member Phil Castleberry.

The resolution is contingent upon the following Conditions of Approval:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated August 12, 2020.
2. All construction is to be completed by December 31, 2025.

Chairman Dounce asked for a roll call vote.

Barbara Servé	Aye
Jim Pergolizzi	Aye
Mary Ellen Spennacchio-Wagner	Aye
Phil Castleberry	Aye
Tom Kidera	Aye
Jennifer Iacobucci	Aye
George Dounce	Aye

9 Knickerbocker Road

Applicant is requesting relief from Town Code Section 185-113 B. and 185-120 A. to place a sports court forward of the rear wall of the home and less than the minimum setbacks from Mendon Road and Knickerbocker Road. This property is zoned Residential Neighborhood (RN).

Rich Williams, of 404 Kreag Rd and as agent for Erica Jacobs, owner of 9 Knickerbocker Road, introduced the application. This application is for a residential sports court, forward of the rear wall and less than the minimum front setbacks for the property. This property is a corner lot with two 70-foot setbacks. The proposed sports court will be screened by existing vegetation along both road frontages. An existing pool takes up a majority of the backyard, so the court is being proposed for the side yard area. The applicant has submitted two options for positioning of the court. The Board revised their resolution to include the option for either choice. Board Member Servé asked if the court would be illuminated. Mr. Williams stated that there is no lighting proposed. Chairman Dounce asked if arbor vitae will be planted to increase buffering. Mr. Williams confirmed. Board Member Pergolizzi asked if neighbors were contacted. Mr. Williams confirmed that neighbors were contacted, and none were opposed.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Member Mary Ellen Spennachio-Wagner motioned to close the public hearing, seconded by Zoning Board of Appeals Member Tom Kidera. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the area variance for 9 Knickerbocker Road was moved by Zoning Board of Appeals Member Jennifer Iacobucci, seconded by Zoning Board of Appeals Member Mary Ellen Spennachio-Wagner.

The resolution is contingent upon the following Conditions of Approval:

1. This variance is granted only one of either of the two options of plans submitted and prepared by the Applicant dated April 13, 2023.
2. All construction of the court must be completed by December 31, 2024.

Chairman Dounce asked for a roll call vote.

Barbara Servé	Aye
Jim Pergolizzi	Aye
Mary Ellen Spennacchio-Wagner	Aye
Phil Castleberry	Aye
Tom Kidera	Aye
Jennifer Iacobucci	Aye
George Dounce	Aye

16 Cedarwood Circle

Applicant is requesting relief from Town Code Section 185-17 L. for a garage/den addition encroaching into the side setback. This property is zoned Residential Neighborhood (RN).

Lynn Timineri, of 16 Cedarwood Circle, introduced her application. The proposed garage and den addition is positioned to allow the home to become handicap accessible. Jake Smith, agent

for Ms. Timineri, stated that the driveway will be completely redone and will be realigned to meet the garage addition.

Board Member Iacobucci stated her concern that neighbors may have trouble accessing the cul-de-sac during construction. Mr. Smith stated that he will consider this during construction. Mary Ellen Spennachio-Wagner asked if this property will be encroaching its impervious coverage limit. Mr. Zink stated that the property is not at or over impervious coverage maximum. Chairman Dounce asked for the applicant's timeline for construction. Mr. Smith stated that he expects to begin the project this summer.

Chairman Dounce opened the public hearing. No public comments were offered.

Zoning Board of Appeals Member Jennifer Iacobucci motioned to close the public hearing, seconded by Zoning Board of Appeals Member Phil Castleberry. Following a unanimous voice vote, the hearing was closed.

A written resolution to grant the area variance for 16 Cedarwood Circle was moved by Zoning Board of Appeals Chairman George Dounce, seconded by Zoning Board of Appeals Member Jennifer Iacobucci.

The resolution passed requiring the following Conditions of Approval:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated April 14, 2023.
2. All construction of the exterior walls of the building must be completed by December 31, 2024.

Chairman Dounce asked for a roll call vote.

Barbara Servé	Aye
Jim Pergolizzi	Aye
Mary Ellen Spennacchio-Wagner	Aye
Phil Castleberry	Aye
Tom Kidera	Aye
Jennifer Iacobucci	Aye
George Dounce	Aye

OTHER DISCUSSION:

The minutes of April 17, 2023 were approved following a motion by Zoning Board of Appeals Chairman George Dounce. Following a unanimous voice vote, the minutes were approved, none opposed.

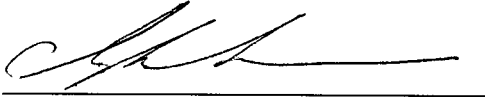
Verizon Wireless has an open public hearing for an application at 60 Golf Avenue, the Town's Highway Department, for a 125-foot monopole cellular facility. The Planning Board and Zoning Board of Appeals will conduct a coordinated SEQRA review for this application. Chairman George Dounce motioned to waive the Zoning Board of Appeals' right to lead agency. Following a unanimous voice vote, the motion was approved.

APPROVED Minutes 051523

Mr. Zink reminded the Board that there will be no meeting in June. The next meeting is scheduled for July 17, 2023. Mr. Zink will reach out when the next application deadline has passed.

Zoning Board of Appeals Chairman George Dounce closed the meeting. Following a unanimous voice vote, the meeting concluded at 8:11PM.

Respectfully submitted,



Meghan Brooks
Building Department Assistant
April Zurewski
Planning Assistant

OFFICIAL MINUTES ARE ON FILE IN THE OFFICE OF THE PLANNING
DEPARTMENT