

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
MINUTES  
May 21, 2018**

**PRESENT**

George Dounce, Chairperson; Jaime Waldman, Mary Ellen Spennacchio-Wagner, Barbara Servé, David Rowe, Mike Rose

**ALSO PRESENT**

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

**ABSENT**

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 Type II Actions under 6-NYCRR §617.5(c)(12) & (13) and, therefore, are not subject to Environmental Review under SEQRA. These 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**

- 2 Knowlton Lane, Tax # 151.06-1-56, Applicant is requesting relief from Town Code section §185- 17 H to exceed the maximum lot coverage of the lot by adding an in-ground swimming pool to the rear of the property. This property is zoned RN-Residential Neighborhood.

Chip Law was present to discuss the project with the Board. The pool is a lap pool and dirt will be added to level the grade. He stated that it will take about 5 weeks to deliver and install the pool.

There was no public comment.

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

All Ayes.

- 90 Maywood Avenue, Tax # 138.18-1-39, Applicant is requesting relief from Town Code §185-17 E to construct an addition encroaching into the side yard setback by approximately two feet. The proposed construction will consist of a new garage and a rear addition. This property is zoned RN-Residential Neighborhood.

Patrick Morabito, architect for the project, was present to discuss the application with the Board. He indicated that the dormer had been moved back so a height variance is unnecessary. The timeframe indicates that they are about a month away from construction. Letters of support have been received from neighbors at 60, 94, 95 and 112 Maywood Avenue.

There was no public comment.

Mike Rose moved to close the Public Hearing. Jaime Waldman seconded.

All Ayes.

- 80 Long Meadow Circle, Tax # 150.16-2-26, Applicant is requesting relief from Town Code §185 – 17 E to place a generator encroaching approximately 5.5 feet into the side setback. This property is zoned RN – Residential Neighborhood.

Ken Stadler of Home Power Systems was present to discuss the application with the Board. He discussed the limitation of placing the generator in alternative locations in the yard due to a patio and other structures. He says the generator will be blocked by foliage but that the homeowners are willing to put up additional screening. The electric will be run underground and will run one time at week for five minutes during the afternoon and during power emergencies.

There was no public comment.

A letter of opposition was received from the neighbor at 267 Long Meadow Circle citing noise concerns and aesthetics.

Barbara Servé moved to close the Public Hearing. David Rowe seconded.

All Ayes.

- 330 Kilbourn Road, Tax # 138.17-1-14, Applicant is requesting relief from Town Code §185 – 121 A to construct a 4 foot tall fence forward of the front wall of the home. This property is located on the corner of two streets and is zoned RN – Residential Neighborhood.

The homeowners, Kelly and Paul Cerquone, were present to discuss the application. The Board was presented with updated photos of the fence style. It was noted that a 46” split rail fence was approved for this property during the time period of 1957-1963. Ms. Cerquone indicated that their property has a shared driveway and is often used as a “pass through” for bikers and dog walkers. She cited safety, privacy and security concerns were her motivations for requesting the fence.

The Board expressed concerns about the need for a 4 foot fence as opposed to the allowed 3 foot and whether the proposed art deco fence design was out of character for the neighborhood. The applicant discussed future fencing with an alternate plan “B” to include tall arbor vitae like foliage.

The Board also stated they would like to see a fence in another location that is similar to the proposed design and a landscaping plan for the property in relation to the proposed fencing. Mark Lenzi indicated that he will work with the applicant to resubmit revised plans.

There is no noted neighbor objection to this plan.

There was no public comment.

Barbara Serve moved to hold the application open. David Rowe seconded.

All ayes.

- 509 Allens Creek Road, Tax # 137.20-2-6.13, Applicant is requesting relief from Town Code §185 – 17 L to encroach into the side setback by approximately 40 feet for a flag lot. The request for relief from Town Code is a result of the subdivision of the existing lot into two lots. This property is zoned RN – Residential Neighborhood.

Richard Garrett Jr. was present to discuss the application with the Board. He discussed the plan to subdivide the property from his mother’s estate into two properties which would include a small transfer of land from the abutting Allendale Columbia School property. There were four letters of support from the other abutting neighbors.

There was no public comment.

Jaime Waldman moved to close the Public Hearing and Mike Rose seconded.

All ayes.

## **DECISION FOR 2 KNOWLTON DRIVE - AREA VARIANCE**

A written Resolution to grant the area variance for 2 Knowlton Drive was moved by Mike Rose and seconded by Barbara Servé.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	aye
Barbara Servé voted	aye
Jaime Waldman voted	aye
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	aye
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 on April 16, 2018.
2. All construction is to be completed by December 31, 2019.

## **DECISION FOR 90 MAYWOOD AVENUE - AREA VARIANCE**

A written Resolution to grant the area variance for 90 Maywood Avenue was moved by George Dounce and seconded by Mike Rose.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	aye
Barbara Servé voted	aye
Jaime Waldman voted	aye
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	aye
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 April 12, 2018.
2. All construction is to be completed by December 31, 2020.
3. The sign is subject to the approval of the Design Review and Historic Preservation Board.

## **DECISION FOR 80 LONG MEADOW CIRCLE - AREA VARIANCE**

A written Resolution to grant the area variance for 80 Long Meadow Circle was moved by David Rowe and seconded by George Dounce.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	aye
Barbara Servé voted	aye
Jaime Waldman voted	aye
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	aye
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 April 13, 2018.
2. All construction is to be completed by December 31, 2019.

**DECISION FOR 509 ALLENS CREEK ROAD - AREA VARIANCE**

A written Resolution to grant the area variance for 509 Allens Creek Road was moved by Mary Ellen Spennacchio-Wagner and seconded by Jaime Waldman.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	aye
Barbara Servé voted	aye
Jaime Waldman voted	aye
David Rowe voted	aye
Mary Ellen Spennacchio-Wagner voted	aye
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 21, 2018.
2. Subject to the subdivision approval by the Pittsford Planning Board.

**POINT PERSON ASSIGNMENTS FOR JUNE 18, 2018**

**25 Cricket Hill Drive – Jamie Waldman**

**APPROVAL OF THE MEETING MINUTES OF MAY 21, 2018**

George Dounce moved to accept the minutes of May 21, 2018

VOICE VOTE: Ayes – All

## **MEETING ADJOURNMENT**

The meeting adjourned at 8:25 pm.

VOICE VOTE: Ayes – All

Respectfully submitted,

Susan K. Donnelly  
Secretary to the Zoning Board of Appeals