

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
October 15, 2018**

PRESENT

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

ALSO PRESENT

Mark Lenzi, Building Inspector; Sandie Freitag, Acting Recording Secretary to the Board

ABSENT

Robert Koegel, Town Attorney

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

Mark Lenzi indicated that 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. 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 – RETURNING APPLICATIONS

- 18 Cullens Run, Tax # 164.16-1-21, Applicant is requesting a special permit pursuant to Town Code § 148-9 C to allow the storage of a 32' long 9'6" high recreational vehicle to be located on the west side of the home next to the garage. This property is zoned RN – Residential Neighborhood.

Applicant Jeff Armstrong, reviewed his application and addresses the concern regarding drainage which will not pose a problem with the adjoining neighbor. The storage pad for the RV will be completed this year, if approved the construction will be 3-4 weeks for completion.

Board members concerns: Will the storage pad drainage affect the house foundation and when will the fence be installed?

Mr. Armstrong's response: The drainage will not affect the house foundation it is 3' or 4' away. The fence will be installed sometime next year. The RV will be stored off-site until everything is ready to have the RV stored on the property

Public comments:

The neighbor adjoining the location of the storage pad would like to have installed additional fencing along the property lines between the two properties. Discussion followed with the applicant and together they will discuss the additional fencing along their joint property line on the west side of the applicant's property.

There was no additional public comments.

Barbara Serve moved to close the Public Hearing and seconded by Michael Rose.

All Ayes

The within Resolution was moved by Zoning Board of Appeals member Mike Rose, seconded by Board member David Rowe, and voted upon by the Board members, as follows:

Michael Rose voted	Aye
Barbara Servé voted	Aye
Phil Castleberry voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jaime Waldman voted	Aye
George Dounce voted	Aye

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

1. Six foot tall fencing shall be installed from the corner of the garage to 22' to the property line and then approximately 6', one panel to the rear, along the property line between the neighbor's house at 16 Cullen's Run and the applicant's.
 2. Stone or asphalt is to be installed to level the storage area and create a parking pad.
 3. An access way to the storage area parking pad is to be constructed of stone or asphalt leading from parking pad to the driveway of an appropriate size to accommodate the Recreational Vehicle.
 4. The size and location of the access way and the storage area parking pad shall be approved by the building department.
 5. Evergreen plantings are to be installed at the rear of the RV storage area to mitigate the view from the rear neighbors.
 6. The Special Use Permit for Recreational Vehicle Storage is granted to allow the storage of the RV or one equal to or smaller in size, located at 18 Cullens Run as described in the application dated July 30, 2018.
 7. The storage pad and fencing should be completed by December 31, 2019.
- 790 Linden Avenue, Tax # 138.15-1-16, Applicant is requesting relief from Town Code section § 185-53 A (1) & § 185-53 D (1) & (2) to expand the parking area in front of the building with a visitor and staff parking area set back from the property line 21 feet. Town code requires staff parking areas to be located behind the front of the main building and visitor parking areas to be set back from the property line 40 feet. This property is zoned LI-Light Industrial.

On behalf of the applicant, Matt Tomlinson, Marathon Engineering, briefly outlined the application and stated that there was no additional information to add to the application. The Planning Board had granted preliminary site plan approval at the September 17, 2018 meeting.

There were no public comments.

Philip Castleberry moved to close the Public Hearing and seconded by Jamie Waldman.

All Ayes

The within Resolution was moved by Zoning Board of Appeals member David Rowe, seconded by Board member Philip Castleberry, and voted upon by the Board members, as follows:

Philip Castleberry voted	Aye
Michael Rose voted	Aye
Barbara Serve voted	Aye
Jamie Waldman voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
George Dounce voted	Aye

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

1. This variance is granted only for the plans submitted and prepared by the Marathon Engineering, dated August 17, 2018.
2. All construction is to be completed by December 31, 2020.

PUBLIC HEARING FOR AN AREA VARIANCE

- 25 Harwood Lane, Tax # 138.19-1-3, Applicant is requesting relief from Town Code section § 185-113 B (3) to place an electrical standby generator located forward of the front wall of the home. Town code requires electrical standby generators to be located behind the front wall of the main structure. This property is zoned RN – Residential Neighborhood.

On behalf of the applicant, 22 Saddle Brook, Kenneth Stavalone from Home Powers Systems, outlined the reasons that the generator would be located in the front of the house. The generator will be installed in a recessed area in front of the house and would be screened by the existing vegetation. The house is an older home and it would be difficult to run the gas line from the front of the house to the back of the house which would be very expensive for the homeowner. There is no place to install this generator that would advantage to the homeowner that the proposed location.

Comments from the board members, Why not place the generator to the side of the house? What about the existing vegetation. If the homeowner decided to remove some of the screening?

Mr. Stavalone stated that the generator would be visible from the street and to the neighbors. This unit is very quiet and should not disturb the neighbors and the homeowner will continue to maintain the screening of the generator.

There were no public comments.

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

All Ayes

The within Resolution was moved by Zoning Board of Appeals member Philip Castleberry, seconded by Board member Jamie Waldman, and voted upon by the Board members, as follows:

Michael Rose voted	Aye
Barbara Servé voted	Aye
Jaime Waldman voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Phil Castleberry voted	Aye
George Dounce voted	Aye

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

1. This variance is granted only for the plans submitted and prepared by the Applicant dated September 14, 2018.
 2. The vegetative screening should be sufficiently maintained indefinitely.
 3. The installation is to be completed by December 31, 2019.
- 2 Laureldale Drive, Tax # 178.12-2-1, Applicant is requesting relief from Town Codes § 185-113 B (6); 185-119 A (1) & 185-17 I to replace an existing damaged in-ground with a larger in-ground pool. The proposed swimming pool will encroach into the rear setback approximately 12 feet. This property is zoned RN – Residential Neighborhood.

Applicant Chris Shatzel stated that the pool was built in 1967 with plywood for construction and the pool is in bad shape. He can find no one who will repair the pool. Northeastern Pools will replace it

but not repair it. The will be larger in size and at the time of construction in 1967 the pool was built so that there was no need for a variance to install it. With the larger size of the new pool will be encroaching into the side and rear setbacks.

Comments from the board, how long will the construction take and will the fence be replaced?

Applicant stated that it would take about 3-4 weeks from the start of construction and will the fence be replaced.

Building Inspector Mark Lenzi, stated that the fence will be replaced to NYS Building Code and will be inspected by the Building Department.

There were no public comments.

Barbara Serve moved to close the Public Hearing and seconded by Michael Rose.

All Ayes

The within 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:

Michael Rose voted	Aye
Barbara Servé voted	Aye
Jaime Waldman voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Phil Castleberry	Aye
George Dounce voted	Aye

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

1. This variance is granted only for the plans submitted and prepared by the Applicant dated September 14, 2018.
 2. All construction is to be completed by December 31, 2020.
- 370 Canfield Road, Tax # 191.04-2-4.2, Applicant is requesting relief from Town Code section § 185-113 B (1) & (2) to construct an oversized over height accessory structure (pool house). The proposed structure will be located in the rear yard in a similar location as the existing accessory structure. The existing structure is planned to be demolished prior to construction of the new structure. This property is zoned RRSP – Rural Residential South Pittsford.

Applicant, Robert Fornataro reviewed his application regarding replacing the existing pool house which was built in 1973. The side facing the neighbors at 643 Mendon Center Road rear yard will be only 8' in height and the rest of the proposed pool house would be approximately 12' in height.

Comments from the board members, will the fencing around the area be replaced when will the construction begin?

Building Inspector Mark Lenzi stated that the picket fence around the pool area will need to be replaced it does not meet NYS Building Code.

Mr. Fornataro stated that they would probably do the construction in the spring.

Public comments:

Sharon & Leo Knauf, 643 Mendon Center Road, from their backyard they would be able to see this new structure, they have lived there for 40 years and the existing structure is quite visible from their family room and back yard. They would like to see evergreen trees planted for a buffer to screen this

structure.

The board members stated that they would like to see a landscape plan for screening this oversized structure from the neighbor's property to the rear of the applicant's property.

There were no additional public comments.

George Dounce moved to hold the Public Hearing open until the next meeting and seconded by Barbara Serve.

All Ayes

POINT PERSON ASSIGNMENTS FOR NOVEMBER 19, 2018

10 Cullens Run – George Dounce

7 Coventry Ridge – Barbara

APPROVAL OF THE MEETING MINUTES OF SEPTEMBER 17, 2018

George Dounce moved to accept the minutes of September 17, 2018.

VOICE VOTE: Ayes – All

2 Kimberly Drive – Per telephone conversation to the Building Inspector Mark Lenzi the applicant has withdrawn this application.

George Dounce moved to accept the applicant's withdrawal of their application Mary Ellen Spennacchio-Wagner seconded.

VOICE VOTE: All Ayes

MEETING ADJOURNMENT

The meeting adjourned at 8:15 pm.

VOICE VOTE: Ayes – All

Respectfully submitted,

Sandra Freitag
Acting Recording Secretary to the Zoning Board of Appeals