

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
SEPTEMBER 16, 2024**

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on September 16, 2024 at 6:30PM local time. The meeting took place in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street.

**PRESENT:** Phil Castleberry, Jennifer Iacobucci, Mary Ellen Spennacchio-Wagner, Jim Pergolizzi

**ABSENT:** George Dounce, Barbara Servé, Tom Kidera

**ALSO PRESENT:** April Zurowski, Planning Assistant; Bill Zink, Building Inspector

**ATTENDANCE:** There were 13 members of the public present.

Board Member Pergolizzi called the meeting to order at 6:45PM.

**NEW PUBLIC HEARINGS:**

**412 Thornell Road, Tax ID 178.15-2-31** – Applicant is requesting relief from Town Code Section 185-17 I. for the construction of an addition within the rear buffer. This property is zoned Residential Neighborhood (RN).

Board Member Pergolizzi opened the public hearing.

Joseph Pierce, of 412 Thornell Road, introduced the application. Mr. Pierce stated that the addition is proposed to create an extra bedroom for his mother-in-law. Board Member Pergolizzi asked when the addition is planned for construction. Mr. Pierce stated that following Design Review & Historic Preservation Board (DRHPB) approval, construction will begin.

Board Member Pergolizzi asked for public comment. Hearing none, Board Member Castleberry motioned to close the public hearing, seconded by Board Member Spennacchio-Wagner; all ayes, none opposed.

A written resolution to grant the area variance for 412 Thornell Road was unanimously approved.

**20 Stoney Clover Lane, Tax ID 163.02-1-42** – Applicant is requesting relief from Town Code Section 185-113 B. (3) for the construction of a shed forward of the rear wall of the main structure. This property is zoned Residential Neighborhood (RN).

Board Member Pergolizzi opened the public hearing.

Nancy Haggerty, of 20 Stoney Clover Lane, introduced her application. The proposed shed will replace an existing playhouse. She stated that the most affected neighbor submitted a letter of support. Board Member Pergolizzi asked when the shed is proposed for construction. Ms. Haggerty stated that construction is proposed as soon as possible.

Board Member Pergolizzi asked for public comment. Hearing none, Board Member Pergolizzi motioned to close the public hearing, seconded by Board Member Iacobucci; all ayes, none opposed.

A written resolution to grant the area variance for 20 Stoney Clover Lane was unanimously approved.

**3785 East Avenue, Tax ID 138.18-2-13** – Applicant is requesting relief from Town Code Section 185-17 I. for the construction of an addition within the rear buffer. This property is zoned Residential Neighborhood (RN).

APPROVED MINUTES 091624

Board Member Pergolizzi opened the public hearing.

Scott Odorisi, of 3785 East Avenue, introduced the application. Board Member Pergolizzi asked when the addition is planned for construction. Mr. Odorisi anticipated construction to be completed by the end of next summer.

Board Member Pergolizzi asked for public comment. Hearing none, Board Member Castleberry motioned to close the public hearing, seconded by Board Member Spennacchio-Wagner; all ayes, none opposed.

A written resolution to grant the area variance for 3785 East Avenue was unanimously approved.

**35 Old Forge Lane, Tax ID 193.13-1-25** – Applicant is requesting relief from Town Code Sections 185-113 B. (1) and 185-17 I. for the construction of an oversized shed within the rear buffer. This property is zoned Residential Neighborhood (RN).

Board Member Pergolizzi opened the public hearing.

Dave Weigand, of 35 Old Forge Lane, introduced the application. He began construction of the oversized shed without a permit. His neighbors submitted letters of support.

Board Member Pergolizzi asked for public comment. Hearing none, Board Member Spennachio-Wagner motioned to close the public hearing, seconded by Board Member Pergolizzi; all ayes, none opposed.

A written resolution to grant the area variances for 35 Old Forge Lane were unanimously approved.

**94 N Wilmarth Road, Tax ID 191.02-1-3.1** – Applicant is requesting relief from Town Code Sections 185-113 B. (1) and (3) and 185-116 C. (4) for the addition to an oversized and over height accessory structure not meeting the minimum setbacks for the stabling of horses. This property is zoned Residential Neighborhood (RN).

Board Member Pergolizzi opened the public hearing.

Curtis Ecklund, of 94 N Wilmarth Road, introduced the application. He is proposing an addition to his existing non-conforming barn. The addition is currently proposed for storage but may eventually be used as additional stabling for horses. Board Member Pergolizzi asked if the storage space eventually turning into stabling will be permitted. Ms. Zurowski confirmed that the variance includes the stabling of horses, so it will be covered as part of this request. Board Member Spennacchio-Wagner asked about the current state of this non-conforming structure. Ms. Zurowski stated that this structure was permitted by a previous Building Inspector, but the employee failed to subject the structure to an area variance. The referral form submitted to the Board encompasses all variances, both present and proposed, into this request. Christina Ecklund, of 94 N Wilmarth Road, stated that she understands that this variance is a considerable request, but is asking the Board to consider the property's proximity to neighbors. She stated that the additional space will be used to improve animal care. The residents have spoken to their neighbors and have received no concerns.

Board Member Pergolizzi asked for public comment. Hearing none, Board Member Iacobucci motioned to close the public hearing, seconded by Board Member Castleberry; all ayes, none opposed.

A written resolution to grant the area variances for 94 N Wilmarth Road were unanimously approved.

**OTHER DISCUSSION:**

Board Member Pergolizzi motioned to approve the minutes of August 19, 2024. Following a unanimous voice vote, the minutes were approved, none opposed.

APPROVED MINUTES 091624

Board Members Spennacchio-Wagner and Iacobucci commented on the proposed Zoning Code updates, stating that chickens should not be permitted on lots equal to or less than 0.5 acres.

Board Member Pergolizzi closed the meeting at 7:39PM.

Respectfully submitted,

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April Zurowski  
Planning Assistant

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

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
RESOLUTION**

**RE: 412 Thornell Road**

**Tax Parcel: 178.12-2-31  
Applicant: Joseph Pierce  
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-17 I. for the construction of a rear addition 15 feet from the rear property line where 20 feet is required by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on September 16, 2024, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(16) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

**FINDINGS OF FACT**

***As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:***

The proposed variance will not result in an undesirable change to the neighborhood or create a detriment to nearby properties. The addition is entirely in the backyard and will serve as a space for a guest bedroom and reconfiguration of the kitchen and powder room. The most affected neighbor at 14 Le Pere Drive is OK with the project. There is no reported neighborhood opposition.

***As to whether the benefit sought by the applicant can be achieved by other feasible means:***

The benefit sought by the applicant cannot be achieved by other feasible means. The additional bedroom space is needed to accommodate an aging family member. It will provide wheelchair access and sufficient space for an additional family member in the home. The addition could be relocated to expand a different portion of the existing house, but because of the internal layout, this is not practical.

***As to whether the application represents a substantial variance from Code, the Board finds, as follows:***

The request for the 5-foot rear setback variance is substantial from Code (25%).

***As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:***

The requested variance will have no impact on the physical and/or environmental conditions in the neighborhood or district.

***As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:***

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board’s decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the practical need for more living space and the secluded nature of the addition, so the variance is not precluded.

**CONDITIONS OF APPROVAL**

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 July 18, 2024, and attached hereto as Exhibit A.
2. All construction of the addition must be completed by December 31, 2026.

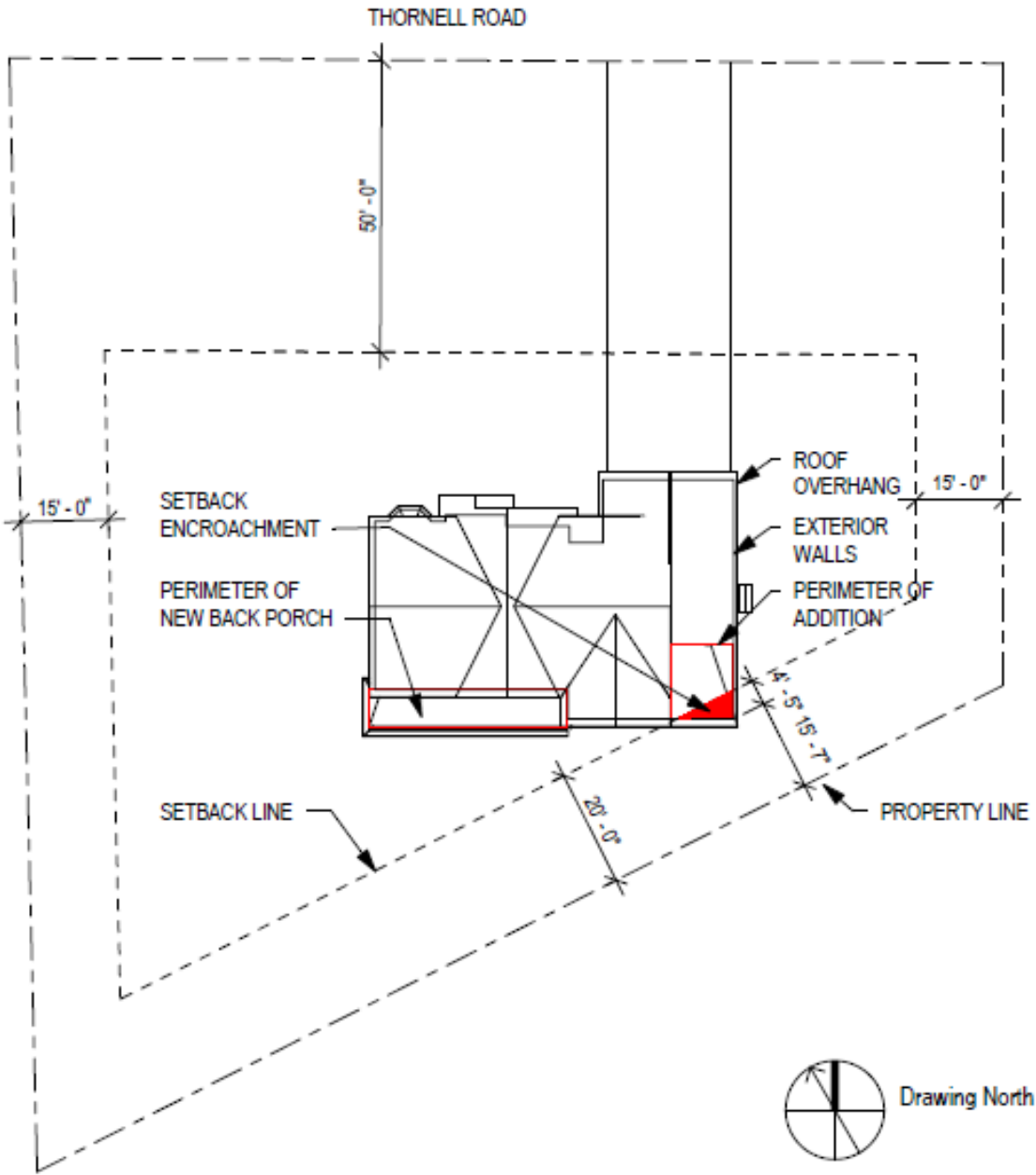
The within Resolution was moved by Board Member Castleberry, seconded by Board Member Spennacchio-Wagner, and voted upon by the Board, as follows:

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

The Zoning Board of Appeals adopted the above resolution on September 16, 2024.

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April Zurowski  
Planning Assistant



**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
RESOLUTION**

**RE: 20 Stoney Clover Lane**

**Tax Parcel: 163.02-1-42  
Applicant: Richard & Nancy Haggerty  
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-113 B. (3) for the construction of a shed forward of the rear wall of the main structure where code requires accessory structures to be located behind the rear wall of the main structure, at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on September 16, 2024, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(16) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

**FINDINGS OF FACT**

***As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:***

There will be no undesirable change produced in the neighborhood or detriment to nearby properties. The owners wish to construct a 10" x 16" manufactured garden shed for storage of lawn mowing equipment and garden/yard supplies. There are many other sheds in the neighborhood. The garden shed will barely be visible from the street and will be under an established tree for further shielding from the road. There is no neighborhood opposition and the most affected neighbor at 22 Stoney Clover Lane has submitted a letter of support.

***As to whether the benefit sought by the applicant can be achieved by other feasible means:***

The placement of the garden shed will be located on a very flat area and the highest point of the yard. To the east, a downward slope begins from this area of the yard. If the owner moved the shed eastward, there would need to be re-grading of this portion to accommodate the garden shed. It may require possible water run-off management of that section of the yard as it would not be at the highest location of this part of the yard. Water run-off would be flowing underneath the shed. The alternate site to the east will also result in the owner "backing up" his lawn mowing equipment at an increasingly steeper slope than the flat portion of the property. Considering a safety aspect, the driver/operator may egress and ingress the garden shed on flat land, not a slope. Therefore, the benefit sought by the applicant to build the garden shed at the site proposed on the property cannot be achieved unless the granting of the requested variance.

***As to whether the application represents a substantial variance from Code, the Board finds, as follows:***

The variance does not represent a substantial variance from Code. The layout of the house on the property is noteworthy. It is an L-shaped structure with the garage/driveway facing the street and the “front” of the house angled so as to face the driveway. The rear wall of the house is angled. As a result, what is perceived as the side-yard is also the yard viewed from within the house as the rear of the home, or their backyard, creating a unique dilemma for the owners.

***As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:***

The variance will have no adverse effect or impact on the physical and/or environmental conditions in the neighborhood or district.

***As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:***

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board’s decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by practical need to place the shed on a flat part of the yard, so the variance is not precluded.

**CONDITIONS OF APPROVAL**

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 July 27, 2024, and attached hereto as Exhibit A.
2. All construction of the shed must be completed by December 31, 2025.

The within Resolution was moved by Zoning Board of Appeals Member Spennacchio-Wagner, seconded by Board Member Castleberry, and voted upon by the Board, as follows:

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

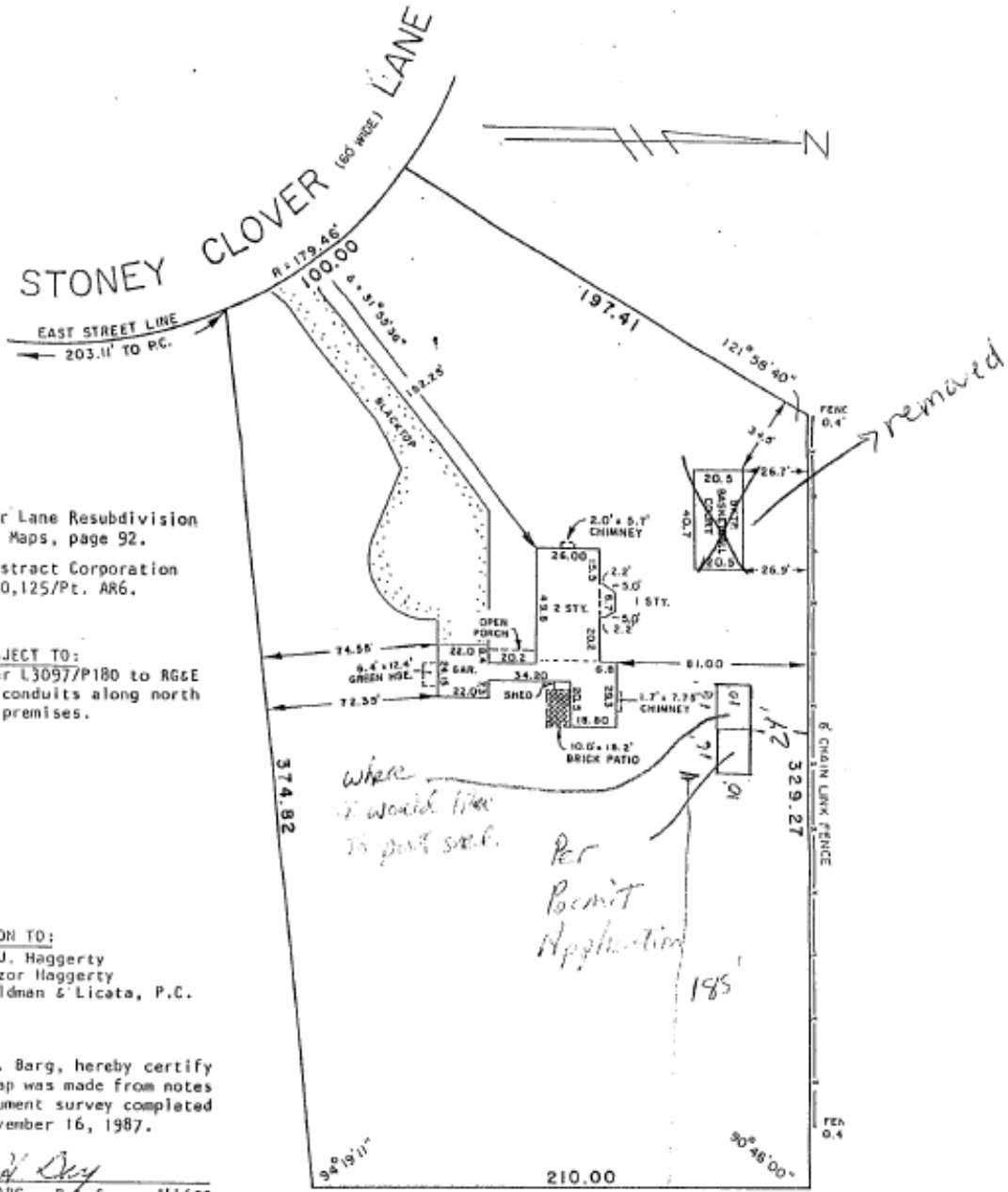
The Zoning Board of Appeals adopted the above resolution on September 16, 2024.

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April Zurowski  
Planning Assistant

**EXHIBIT A**





**REFERENCES**

Stoney Clover Lane Resubdivision  
 Number 135 of Maps, page 92.  
 Rochester Abstract Corporation  
 Record No. 30,125/Pt. AR6.

**REMISES SUBJECT TO:**  
 Easement per L30977P180 to RG&E  
 and RTC for conduits along north  
 boundary of premises.

**CERTIFICATION TO:**

- 1. Richard J. Haggerty
- 2. Nancy Lazor Haggerty
- 3. Lavy, Feldman & Licata, P.C.

I, Edward H. Barg, hereby certify  
 that this map was made from notes  
 of an instrument survey completed  
 by me on November 16, 1987.

*Edward H. Barg*  
 EDWARD H. BARG P.L.S. #44602

*where I would like to put shed.*

*Per Permit Application 1985*

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
RESOLUTION**

**RE: 3785 East Avenue**

**Tax Parcel: 138.18-2-13  
Applicant: Scott Odorisi  
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-17 I. to allow the construction of an addition 15 feet from the rear property line where 20 feet is required by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on September 16, 2024, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(16) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

**FINDINGS OF FACT**

***As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:***

The requested variance will not produce an undesirable change in the character of the neighborhood. This lot is a corner lot on a semi-private road running parallel to East Avenue. The addition will be visible from East Avenue and Kilbourn Road. The applicant has submitted letters of support from the most affected neighbors. The code requires a rear setback of 20 feet, but this structure is proposed 15 feet from the rear property line. The applicant is proposing a third garage bay addition as well, but it meets zoning requirements and is not part of this variance application.

***As to whether the benefit sought by the applicant can be achieved by other feasible means:***

The benefit sought by the applicant cannot be achieved by other feasible means due to the internal layout of the home and the practical need for additional living space.

***As to whether the application represents a substantial variance from Code, the Board finds, as follows:***

The requested variance to place the addition 15 feet from the rear property line, where code requires 20 feet, is considered substantial (25%).

***As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:***

The requested variances will not have an adverse effect on the physical and environmental conditions of the neighborhood.

***As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:***

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board’s decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the practical need for additional living space and the internal layout of the home, so the variance is not precluded.

**CONDITIONS OF APPROVAL**

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 July 24, 2024, and attached hereto as Exhibit A.
2. All construction of the addition must be completed by December 31, 2026.

The within Resolution was moved by Zoning Board of Appeals Member Iacobucci, seconded by Board Member Pergolizzi, and voted upon by the Board, as follows:

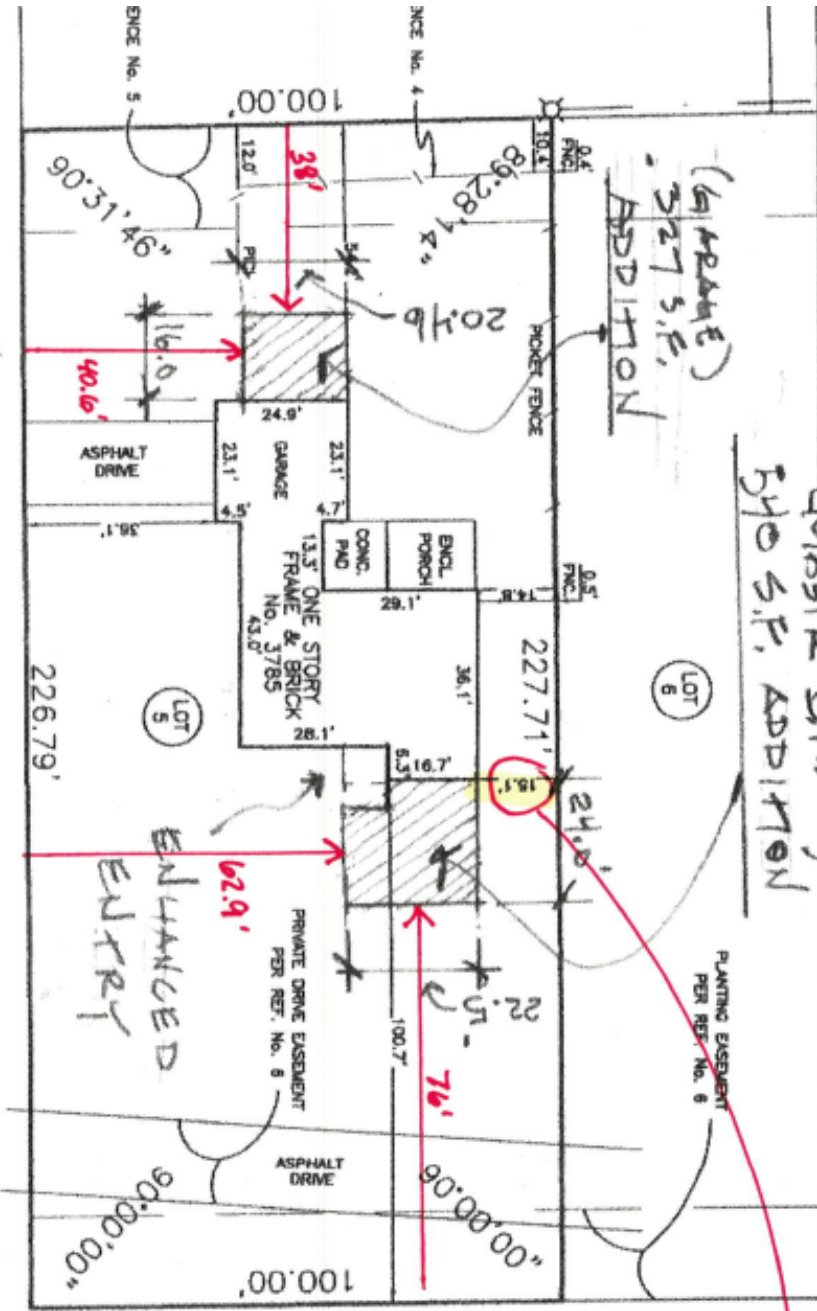
Phil Castleberry voted	Aye
James Pergolizzi voted	Aye
Barbara Servé voted	Absent
Thomas Kidera voted	Absent
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Aye
George Dounce voted	Absent

The Zoning Board of Appeals adopted the above resolution on September 16, 2024.

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April Zurowski  
Planning Assistant

**KILBOURN ROAD**  
( 80' WIDE )



( 5x5 FT )  
ADDITION

( 5x5 FT )  
ADDITION

**EAST AVENUE**  
( 66' WIDE )

PLANTED = 15 FT  
REQUIRED = 20 FT



COUN  
SCALE 1

EAST

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
RESOLUTION**

**RE: 35 Old Forge Lane**

**Tax Parcel: 193.13-1-25  
Applicant: David Weigand  
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Sections 183-113 B. (1) and 185-17 I. to allow the construction of a 290 SF shed 15 feet from the rear property line, where the maximum size is 180 SF and structures must be 20 feet from the rear property line per code, at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on September 16, 2024, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(16) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

**FINDINGS OF FACT**

***As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:***

The requested variance will not produce an undesirable change in the character of the neighborhood. The structure is barely visible from the road and is largely hidden from view by the residence. Two neighbors will be visually impacted but according to the applicant, they have both given their support of the structure. 33 Old Forge Lane has submitted a letter of support. There is no rear neighbor. This lot backs up to vacant land in the Town of Mendon.

***As to whether the benefit sought by the applicant can be achieved by other feasible means:***

The benefit sought by the applicant cannot be achieved by other feasible means. He wishes to construct a suitable size structure to house personal equipment and a boat.

***As to whether the application represents a substantial variance from Code, the Board finds, as follows:***

The requested variances are substantial but are mitigated by the lack of neighbors to the rear and lack of neighbor opposition, and that there is a practical need for additional storage. The zoning code limits the size of the structure to be 180 square feet, but the proposed structure is 290 square feet (61%). The zoning code also requires there to be a rear setback of 20 feet, but this structure is proposed 15 feet from the rear property line (25%).

***As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:***

The requested variances will not have an adverse effect on the physical and environmental conditions of the neighborhood or district. The accessory structure will be obscured from the view of all but two neighbors.

***As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:***

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by its obscured location and the practical need for additional storage space, so the variance is not precluded.

**CONDITIONS OF APPROVAL**

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 August 14, 2024, and attached hereto as Exhibit A.
2. All construction of the shed must be completed by December 31, 2025.

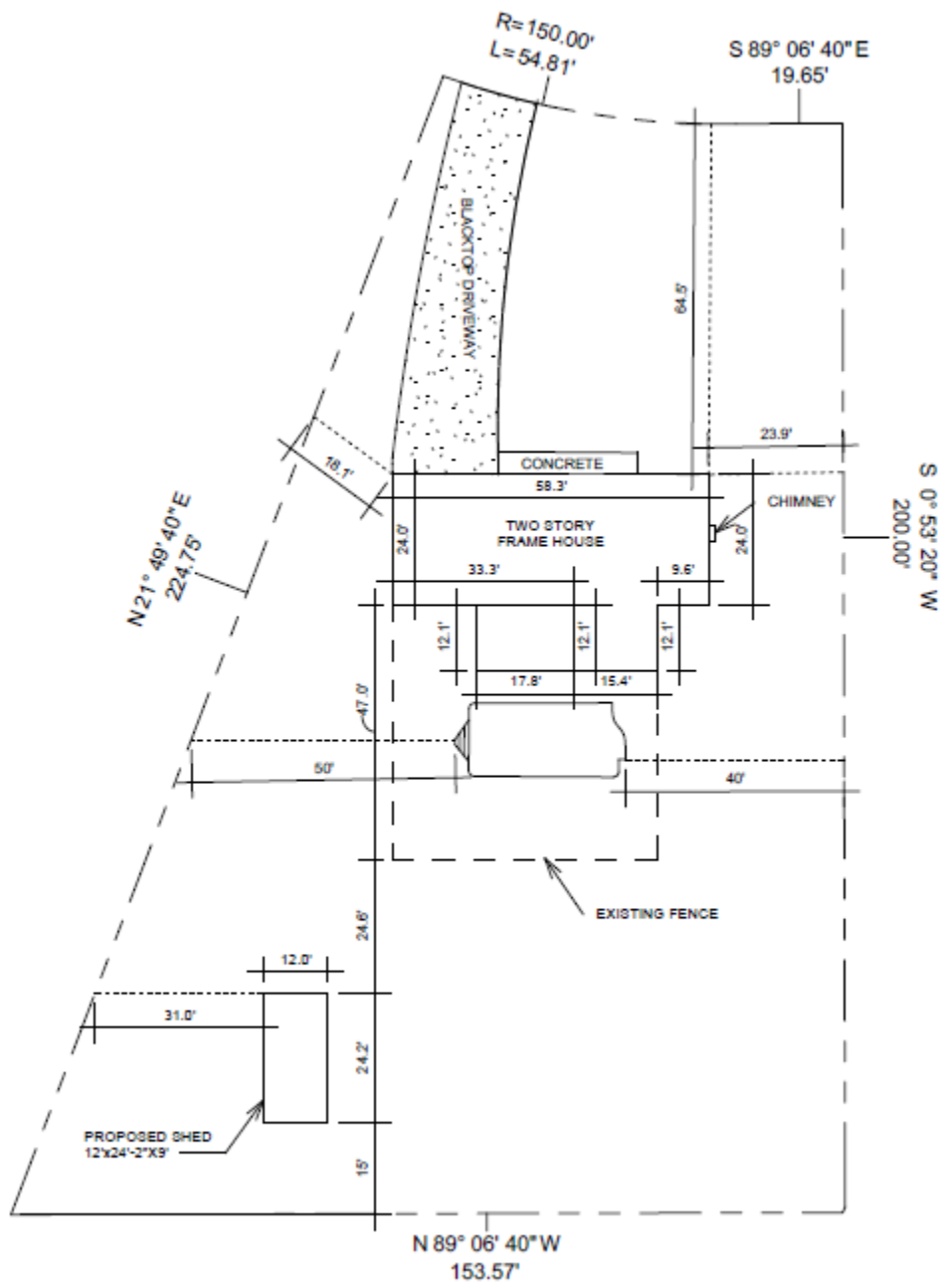
The within Resolution was moved by Zoning Board of Appeals Member Iacobucci, seconded by Board Member Pergolizzi, and voted upon by the Board, as follows:

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

The Zoning Board of Appeals adopted the above resolution on September 16, 2024.

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April Zurowski  
Planning Assistant



**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
RESOLUTION**

**RE: 94 N Wilmarth Rd**

**Tax Parcel: 191.02-1-3.1  
Applicant: Curtis Ecklund  
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant to the above applicant relief from Town Code Section 185-113 B. (1) and (3), and 185-116 C. (4) to allow for the construction of an oversized (1,540sf where 180sf is permitted) and over height (17' where 12' is permitted) barn used in connection with the stabling of horses, located within front and right side setbacks (86' from the front and 69' from the right where 150' is required from all property lines) at the above location and bearing the above tax parcel number. The within resolution follows public hearings held on September 16, 2024, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(17) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

**FINDINGS OF FACT**

***As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:***

The requested variances will not produce an undesirable change in the neighborhood or detriment to nearby properties. The neighborhood is comprised of large lots. Topography and trees create visual separation of the barn from neighbors. The existing structure received a permit when it was constructed but not an area variance for being over height, oversized, and within the front and right setbacks. The applicant now seeks to replace a 10'x15' shed attached to the barn on the east with a 20'x36' pole barn, which will also be attached to the east walls of the barn. The additional structure will be used for storage of hay, feed, and equipment. The project, including removal of the existing shed and new addition, will result in a 1540sf structure, which is an increase over the currently oversized 966sf structure. The existing barn is already over height, at 17', while the new addition will be less than the 12' height permitted by Code. The addition will result in an increase in the variance required for the right side setback by 12'+/- from existing conditions, while the front setback variance required will not change. The applicant is currently stabling horses, so the continuation will not create new impacts to neighbors.

***As to whether the benefit sought by the applicant can be achieved by other feasible means:***

The benefit sought of additional storage space for stabling horses cannot be achieved by other feasible means. The existing barn, which is already over height and oversized, does not meet the storage needs of the applicant.



***As to whether the application represents a substantial variance from Code, the Board finds, as follows:***

The requested variances are substantial, but the effect of each is mitigated by the fact that the barn is largely screened from the view of neighbors and is in character with the large, rural lots in the neighborhood. Two of the variances required will be greater with the proposed addition than existing conditions: the size, and the right side setback.

***As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:***

The requested variances will not have an adverse impact on the physical or environmental conditions in the neighborhood. The proposed addition will encroach on an existing barnyard and garden. It will have a minimal effect on drainage and no effect on any natural resources.

***As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:***

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision.
2. The need for the requested variance is self-created but is mitigated by the existing use and size of the barn and its proximity to neighbors.

**CONDITIONS OF APPROVAL**

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 August 15, 2024, and attached hereto as Exhibit A.
2. All construction of the barn addition is to be completed by December 31, 2026.

The within Resolution was moved by Zoning Board of Appeals Member Pergolizzi, seconded by Board Member Spennacchio-Wagner, and voted upon by the Board, as follows:

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

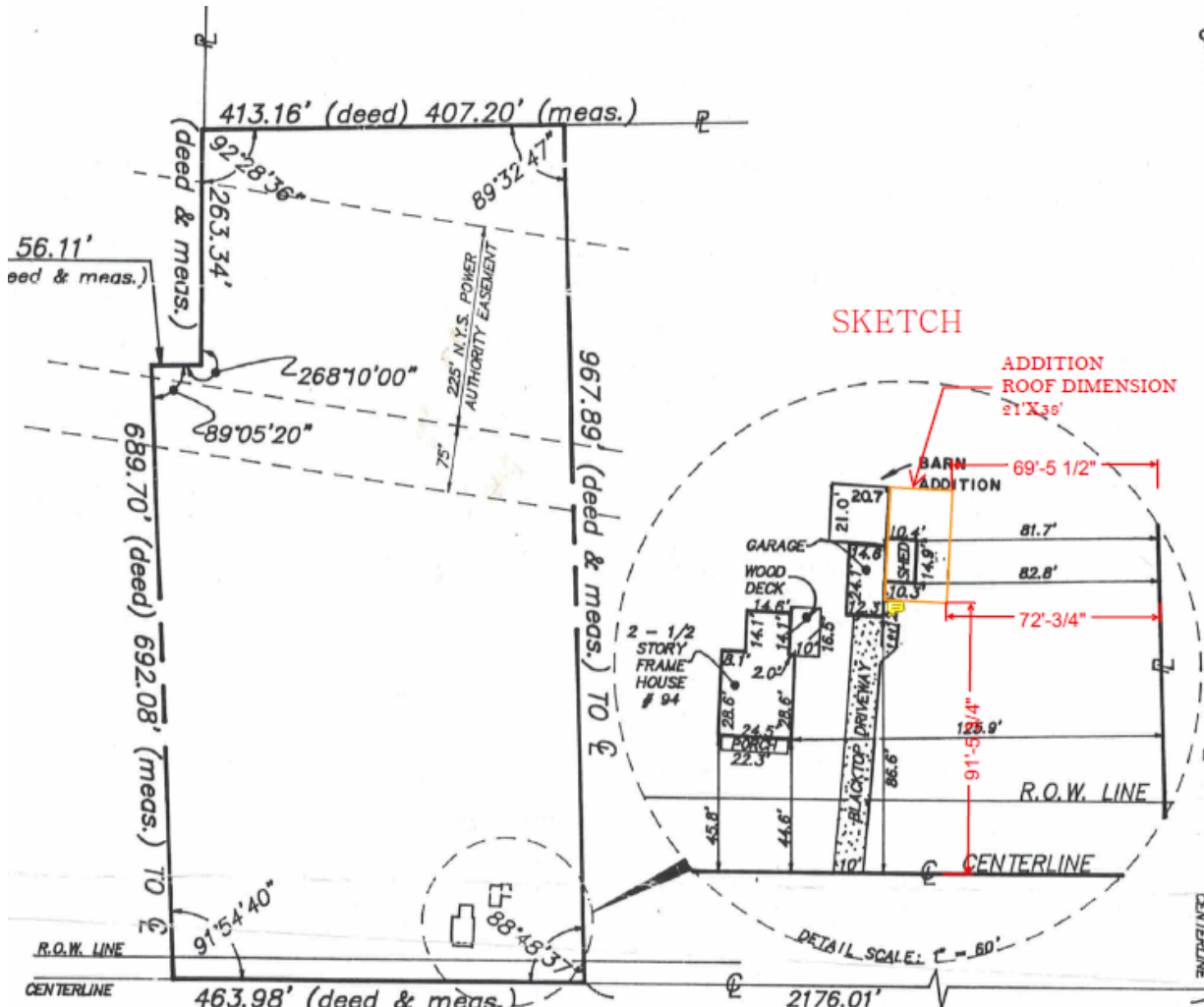
The Zoning Board of Appeals adopted the above resolution on September 16, 2024.

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April Zurowski  
Planning Assistant



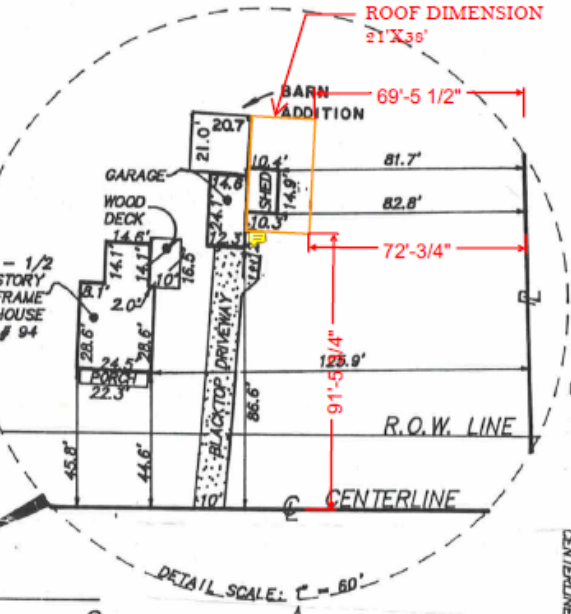
MENDON CENTER ROAD



SKETCH

ADDITION ROOF DIMENSION 21'X39'

BARN ADDITION 69'-5 1/2"



NORTH WILMARTH (49.5' R.O.W.) ROAD

