Town of Pittsford
Zoning Board of Adjustment Meeting
April 27, 2026
Hearing for Application #26-13: Gwen Sherow appeal of ZA Decision

Members present: Sam Markowski, Charlie Simpson, Jim LaCoille, Ed Keith, Ernie Racette, Rick Conway

Others Present: Gary Kupferer – Town Attorney, Ann Reed, Gwen Sherow, Kief Sherow, Lauri Contarino, Alicia Malay, Lisa Hudson, and David Hudson

The meeting was called to order at 7:00 by Sam Markowski.

There was a motion by Rick Conway and seconded by Jim LaCoille to accept the agenda as written. This motion passed unanimously.

Sam Markowski introduced the ZBA members in attendance, then read the application for appeal of the zoning administrator decision March 12, 2025.

Sam Markowski then swore in Gwen Sherow, Kief Sherow, Lauri Contarino, and David Hudson to give testimony.

Sam Markowski stated that the previous zoning administrator rendered a decision that a permit was not needed.

Lauri Contarino, who is the daughter of Gwen Sherow, stated there are a couple of confusing things. She said one of them was that if this is a structure/accessory structure. She said that she and her mother agree it does not need a permit. They are appealing that in plain language, setbacks do not need to be followed. He (previous zoning administrator) applied the height but not the horizontal setbacks. On page 16 of the zoning regulations for the setbacks table states that setbacks need to be abided by. A variance should have been done. The letter, which was the basis for this appeal, was an informal determination. This letter was learned about at the selectboard meeting on March 18, 2026. Lauri and her mother feel like this was the public notice date. Ann stated then that she could not override a previous zoning administrator decision.

Gary Kupferer asked when Gwen Sherow knew about the structure.

Gwen Sherow stated it was after March 2025.

David Hudson stated that he built it around a year ago, maybe April 2025.

Kief Sherow said he talked to Jeff Biasuzzi, the previous zoning administrator, and was told to drop it, that the coop was okay.

Gary Kupferer stated he was trying to get a timeline.

Kief Sherow stated it was approximately April or May 2025.

Gary Kupferer asked for clarification from Gwen Sherow that her only concern was that the setbacks were not followed.

Both Gwen and Kief Sherow stated that it is the side setback that was not followed.

Gary Kupferer then asked for the classification of the property.

This property falls under rural general on the zoning maps for the Town of Pittsford zoning regulations.

Gwen and Kief Sherow stated this has created a hardship for them due to the guinea hens being so noisy. Every time they are in their yard, the guinea hens make noise. The guinea hens are territorial and make noise all night long.

Sam Markowski asked what the actual setback is currently.

It is approximately four to five feet from the side property line according to Gwen and Kief Sherow. David Hudson believes it is closer to about six feet from the property line.

Gary Kupferer asked if it could be agreed that the current side setbacks according to the zoning regulations is twenty-five feet.

Rick Conway asked David Hudson if it would be possible to move it back onto the property further.

David Hudson stated that it was not possible as it is creating a privacy and cost issue for him to move it.

Rick Conway then asked if this was considered a timely appeal, as this letter was written in 2025. Gary Kupferer stated that is the question for this hearing.

Lisa Hudson stated that by moving the chicken coop, the trail between Pinewoods Road and the neighborhood would have the chicken coop in the middle of it. There is also a bank on the property that would make it hard.

Gwen Sherow stated that poultry was not put into the coop right away, so it was not a hardship.

Rick Conway asked if twenty feet would make a difference. Gwen Sherow believes it would make a differerence.

Lisa Hudson stated that the guinea hens were hatched at the preschool she works and she brought them home April 21, 2025. They have not been out of the coop at all since being brought home.

Kief Sherow stated they did not start making noise for several months. The crowing at night is the worst.

Lisa Hudson stated there are lights, music, and noise at night from the Sherow property that may cause the guinea hens to make noise.

David Hudson stated he felt this was the case of someone that does not like a rural setting that bought property in a rural setting.

Gwen Sherow asked what happens next.

Gary Kupferer stated that the Zoning Board of Adjustment has forty-five days to render their decision and all those present would be given the decision.

David Hudson stated he did not pick the location that the Sherow's bought property. He did all of this in good faith. He had a couple of meetings and a letter from the zoning administrator before building.

Lauri Contarino read from the Grounds for Appeal sent by Gwen Sherow the six concerns as listed below:

1) Error of Law – Misinterpretation of Bylaw Definitions
2) Error of Law – Improper Exemption from Setbacks
3) Improper Reliance on Nin-Binding Legal Advice
4) Procedural Defect – Lack of Notice/ Due Process
5) Failure to Enforce Zoning Bylaws
6) Improper Reliance on Prior Informal Determinations

The full details of the grounds for appeal were in the zoning board of adjustment's packets of information for the meeting.

Lauri Contarino also brought to the attention of the zoning board of adjustment that there was a relief requested. She asked if that needed to be read as well.

Gary Kupferer stated that the entire letter would be put into evidence, so there was no need to read the entire letter.

Rick Conway made the motion to close the evidence for this hearing. Charlie Simpson seconded the motion. Motion passed unanimously.

Ed Keith made the motion to go into deliberative session, which was seconded by Charlie Simpson. The motion passed unanimously.

The zoning board of adjustment went into deliberative session at 7:28pm.

The zoning board of adjustment exited deliberative session at 7:45pm.

Jim LaCoille made the motion to deny the appeal, as it is untimely. Ed Keith seconded the motion. This motion passed unanimously.

The zoning board of adjustment asked Gary Kupferer to write the answer.

Motion by Rick Conway and seconded by Jim LaCoille to adjourn the meeting. Motion passed unanimously.