



**TOWN OF HENRIETTA
ZONING BOARD OF APPEALS
JANUARY 23, 2008**

AGENDA

**Robert Steidle, Chairman
Robert Barley, Jr.
Kenneth Breese
Douglas Levey
David MacIntyre
Beth Mossworth
Beth White**

**Marc Duclos, Zoning Board Attorney
Jeff Wilkinson, Fire Marshal/Building Inspector**

WORKSHOP: 6:30 P.M.

PUBLIC HEARINGS: 7:00 P.M.

PUBLIC HEARING APPLICATIONS:

- 1. Application 07-159 of Richard J. Dorschel (Dorschel Auto Group)**
- 2. Application 07-160 of Alpha Iron Works, Inc.**
- 3. Application 07-161 of Stuart Chait/Chait Studios**
- 4. Application 07-162 of Kost Tire**
- 5. Application 07-163 of Kost Tire**
- 6. Application 07-164 of Kost Tire**
- 7. Application 07-165 of Kost Tire**
- 8. Application 07-166 of John Namkeopannha**

MINUTES:

 **Minutes of December 20, 2007 (Copy Enclosed)**

RESERVED HEARINGS:

 **None**

PURSUANT TO CALL A MEETING OF THE ZONING BOARD OF APPEALS OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, HELD AT THE HENRIETTA TOWN HALL, 475 CALKINS ROAD, HENRIETTA, NEW YORK ON THE 23RD DAY OF JANUARY, 2008 AT 7:00 P.M.

MEMBERS PRESENT

Robert Steidle, Chairperson
Robert Barley, Jr.
Kenneth Breese
Douglas Levey
David MacIntyre
Beth Mossworth
Beth White

MEMBERS ABSENT

Marc Duclos, Attorney
Jeff Wilkinson, Fire Marshal/Building Inspector

On motion of Mr. Levey, seconded by Mr. Breese, the minutes of the meeting of December 20, 2007 were approved.

AYES: Steidle, Barley, Breese, Levey, MacIntyre, Mossworth

NOES: None

ABSTAIN: White

CARRIED

The following notice was published in the *Henrietta Post* on January 16, 2008. It read as follows: "A public hearing will be held on Wednesday, January 23, 2008 at 7:00 P.M. in the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York before the Zoning Board of Appeals of the Town of Henrietta regarding the following applications: 07-159, 07-160, 07-161, 07-162, 07-163, 07-164, 07-165 and 07-166."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 07-159 and 07-160 were declared Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

AYES: Steidle, Barley, Breese, Levey, MacIntyre, Mossworth, White

NOES: None

ABSTAIN: None

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. MacIntyre, Application 07-161 was declared an Unlisted Action under Section 617.6(b)(4)(I) of the State Environmental Quality Review Act (SEQRA).

AYES: Steidle, Barley, Breese, Levey, MacIntyre, Mossworth, White
NOES: None
ABSTAIN: None

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 07-162, 07-163, 07-164, 07-165 and 07-166 were declared Type II Actions under Section 617.5(c)(10) of the State Environmental Quality Review Act (SEQRA).

AYES: Steidle, Barley, Breese, Levey, MacIntyre, Mossworth, White
NOES: None
ABSTAIN: None

UNANIMOUSLY CARRIED

Application 07-159 of Richard J. Dorschel (Dorschel Auto Group) requesting a variance for a 54.25' front setback to remodel building facade, whereas a 60.41' front setback exists on property located at 3817 West Henrietta Road.

On motion to approve by Mr. MacIntyre, seconded by Mr. Breese, it was RESOLVED THAT Application 07-159 of Richard J. Dorschel (Dorschel Auto Group) be approved.

AYES: Steidle, Breese, Barley, Levey, MacIntyre, Mossworth, White
NOES: None
ABSTAIN: None

UNANIMOUSLY CARRIED

Application 07-160 of Alpha Iron Works, Inc. requesting a variance for a 53.3' rear setback to expand an existing building, whereas 60' is required by code on property located at 65 Goodway Drive South.

On motion to approve by Mr. Breese, seconded by Mr. Levey, it was RESOLVED THAT Application 07-160 of Alpha Iron Works, Inc. be approved.

AYES: Steidle, Breese, Barley, Levey, MacIntyre, Mossworth, White
NOES: None
ABSTAIN: None

UNANIMOUSLY CARRIED

Application 07-161 of Stuart Chait/Chait Studios requesting a variance for 65 parking spaces, whereas 268 parking spaces are required by code on property located at 3025 Winton Road South.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 07-161 of Stuart Chait/Chait Studios be approved with the following stipulations:

- ☒ 86 parking spaces were approved and 87 parking spaces are to be land banked for future development. If property changes ownership and/or use this approval becomes null and void.***

AYES: Steidle, Breese, Barley, Levey, MacIntyre, Mossworth, White
NOES: None
ABSTAIN: None

UNANIMOUSLY CARRIED

Application 07-162 of Kost Tire requesting a second wall sign (south elevation), whereas only one wall sign is allowed by code on property located at 3535 West Henrietta Road.

This application was withdrawn by the applicant at the meeting.

Application 07-163 of Kost Tire requesting a third wall sign (east elevation), whereas only one wall sign is allowed by code on property located at 3535 West Henrietta Road.

This application was withdrawn by the applicant at the meeting.

Application 07-164 of Kost Tire requesting a reader board sign (on the pole sign), whereas a reader board sign is not allowed by code on property located at 3535 West Henrietta Road.

On motion to approve by Mrs. Mossworth, seconded by Mr. Barley, it was RESOLVED THAT Application 07-164 of Kost Tire be approved with the following stipulation:

- ☒ The message change frequency is not to change more than once in a 24 hour period.***

AYES: Steidle, Barley, Mossworth, White
NOES: Breese, Levey, MacIntyre
ABSTAIN: None

CARRIED

Application 07-165 of Kost Tire requesting a variance for 438.5 square feet of signage, whereas 250 square feet of signage is allowed by code on property located at 3535 West Henrietta Road.

This application was withdrawn by the applicant at the meeting.

Application 07-166 of John Namkeopannha requesting a variance for a pre-existing garage with a depth of 31', whereas 30' is allowed by code on property located at 224 Gatehouse Trail.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 07-166 of John Namkeopannha be approved.

AYES: Steidle, Breese, Barley, Levey, MacIntyre, Mossworth, White

NOES: None

ABSTAIN: None

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. Barley, it was agreed that the meeting be adjourned at 8:30 P.M.

Respectfully Submitted,

Robert Steidle
Chairperson

RS/tm