

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 24<sup>TH</sup> DAY OF JULY, 2013 AT 7:00 P.M.

MEMBERS PRESENT

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

MEMBERS ABSENT

Terry Ekwel, Fire Marshal/Building Inspector  
Donald Young, Zoning Board Attorney

On motion of Mr. Breese, seconded by Mr. MacIntyre, the minutes of the meeting of June 26, 2013 were approved.

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

UNANIMOUSLY CARRIED

The following notice was published in the *Henrietta Post* on July 11, 2013. It read as follows: "A public hearing will be held on Wednesday, July 24, 2013 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: 2013-058, 2013-059, 2013-060, 2013-061, 2013-062, 2013-063, 2013-064, 2013-065, 2013-066, 2013-067, 2013-068, 2013-069, 2013-070, 2013-071, 2013-072, 2013-073 and 2013-074."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 2013-058, 2013-059, 2013-060, 2013-061, 2013-062, 2013-063, 2013-066, 2013-070, 2013-071 and 2013-074 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

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 2013-064, 2013-065, 2013-067, 2013-068, 2013-069, 2013-072 and 2013-073 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

Applications 2012-069, 2012-070 and 2012-071 of DePaul Properties, Inc. Request for six month extensions of the following previously approved applications:

- Application 2012-069 of DePaul Properties, Inc. requesting a variance for a 105' front setback, whereas a 125' front setback is required by code for a proposed new building on property located on West Henrietta Road (Lot #R-4-C of the Halpin Subdivision - Tax Acct.#175.06-2-88).
- Application 2012-070 of DePaul Properties, Inc. requesting a variance to reduce the number of parking spaces to 60, whereas 150 parking spaces are required by code on property located on West Henrietta Road (Lot #R-4-C of the Halpin Subdivision - Tax Acct.#175.06-2-88). This application was approved with the following stipulation: The applicant "land bank" enough space to provide a total of 10 (ten) handicap accessible spaces, including required access aisles, in addition to the 60 (sixty) proposed spaces.
- Application 2012-071 of DePaul Properties, Inc. requesting a variance to allow proposed parking lot to be located within the front setback on property located on West Henrietta Road (Lot #R-4-C of the Halpin Subdivision - Tax Acct.#175.06-2-88).

On motion to approve by Mr. Breese, seconded by Mr. MacIntyre, it was RESOLVED THAT Applications 2012-069, 2012-070 and 2012-071 of DePaul Properties, Inc. be approved for six month extensions.

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

UNANIMOUSLY CARRIED

The following application was tabled from the June 26, 2013 meeting and re-advertised:

Application 2013-058 of Janet Pawelczyk requesting a variance for a 192 square foot shed, whereas a 150 square foot shed is allowed by code on property located at 79 Crimson Bramble Road.

On motion to approve by Mr. Breese, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 2013-058 of Janet Pawelczyk be approved.

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

UNANIMOUSLY CARRIED

Application 2013-059 of Alphonse Marrale requesting a variance for a 60'4" x 40' garage, whereas a 35' x 30' garage is allowed by code on property located at 15 Bradford Road.

This application was tabled for more information. The following information was requested:

- Rendering
- Exterior Elevations
- Floor Plan
- Site Plan – Addressing Drainage
- Floor Plan with outlines of each vehicle and other uses.

Application 2013-060 of Carmax requesting a variance for a second wall sign, whereas one wall sign is allowed by code on property located at 3600 West Henrietta Road.

On motion to approve by Mrs. Mossworth, seconded by Mrs. White, it was RESOLVED THAT Application 2013-060 of Carmax be approved.

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

UNANIMOUSLY CARRIED

Application 2013-061 of Carmax requesting a variance for a third wall sign, whereas one wall sign is allowed by code on property located at 3600 West Henrietta Road.

On motion to approve by Mrs. Mossworth, seconded by Mrs. White, it was RESOLVED THAT Application 2013-061 of Carmax be approved.

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

UNANIMOUSLY CARRIED

Application 2013-062 of Faber Construction Co., Inc. requesting a variance for a 30 foot wide driveway and entrance, whereas a 24 foot wide driveway and entrance is allowed by code on property located at 20 Blaydon Loop.

On motion to approve by Mr. Breese, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 2013-062 of Faber Construction Co., Inc. be approved.

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

UNANIMOUSLY CARRIED

Application 2013-063 of David Ranelli requesting a variance for a 192 square foot shed, whereas a 150 square foot shed is allowed by code on property located at 250 Chelsea Meadows Drive.

On motion to approve by Dave MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2013-063 of David Ranelli be approved.

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

UNANIMOUSLY CARRIED

Application 2013-064 of David Ranelli requesting a variance for a side setback of three feet to install a shed, whereas a four foot side setback is required by code on property located at 250 Chelsea Meadows Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2013-064 of David Ranelli be approved.

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

UNANIMOUSLY CARRIED

Application 2013-065 of Matthew Winner requesting a variance for a 56 foot front setback to build a deck, whereas a 60 foot front setback is required by code on property located at 267 Valiant Drive.

On motion to approve by Mr. Barley, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-065 of Matthew Winner be approved.

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

UNANIMOUSLY CARRIED

Application 2013-066 of RRL Acquisitions, LLC requesting a variance for loading docks in the front of proposed building, whereas they are only allowed by code on side and rear of proposed building on vacant property located on John Street (Tax Parcel ID #174.02-1-44).

On motion to approve by Mr. Breese, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-066 of RRL Acquisitions, LLC be approved.

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

UNANIMOUSLY CARRIED

Application 2013-067 of RRL Acquisitions, LLC requesting a variance to allow parking 14 feet within residential buffer area, whereas a 50 foot buffer area is required by code on property located on John Street (Tax Parcel ID #174.02-1-44).

On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 2013-067 of RRL Acquisitions, LLC be approved.

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

UNANIMOUSLY CARRIED

Application 2013-068 of NY Assembly Hall of Jehovah's Witnesses, Inc. requesting a variance for a side setback of 2 feet to build a pergola, whereas an 80 foot side setback is required by code on property located at 272 Farrell Road Extension.

On motion to approve by Mr. MacIntyre, seconded by Mr. Levey, it was RESOLVED THAT Application 2013-068 of NY Assembly Hall of Jehovah's Witnesses, Inc. be approved.

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

UNANIMOUSLY CARRIED

Application 2013-069 of Lucille Kramer requesting a variance for a front setback of 43.74' to build an addition, whereas a front setback of 59.74' is required by code on property located at 201 Camelot Drive.

On motion to approve by Mr. Breese, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-069 of Lucille Kramer be approved.

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

UNANIMOUSLY CARRIED

Application 2013-070 of O'Connor Chevrolet, Inc. requesting a variance for a second pole sign, whereas only one pole sign is allowed by code on property located at 3850 West Henrietta Road.

On motion to approve by Mrs. Mossworth, seconded by Mrs. White, it was RESOLVED THAT Application 2013-070 of O'Connor Chevrolet be approved with the stipulation that the pole sign be no greater than 18 feet high.

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

CARRIED

Application 2013-071 of O'Connor Chevrolet, Inc. requesting a variance for 428 square feet of signage, whereas 300 square feet of signage is allowed by code on property located at 3850 West Henrietta Road.

On motion to approve by Mrs. Mossworth, seconded by Mrs. White, it was RESOLVED THAT Application 2013-071 of O'Connor Chevrolet, Inc. be approved.

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

CARRIED

Application 2013-072 of Laurie Ardieta of LA Salon requesting a variance for a 56 foot front setback to construct a covered porch addition, whereas an 80 foot front setback is required by code on property located at 49 Wildbriar Road.

On motion to approve by Mr. MacIntyre, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-072 of Laurie Ardieta of LA Salon be approved.

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

CARRIED

Application 2013-073 of Laurie Ardieta of LA Salon requesting a variance for a 52.5 foot rear setback to construct a covered porch addition, whereas a 60 foot rear setback is required by code on property located at 49 Wildbriar Road.

On motion to approve by Mr. MacIntyre, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-073 of Laurie Ardieta of LA Salon be approved.

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

CARRIED

Application 2013-074 of BRM Realty Associates requesting a variance for a shopping plaza sign with business name, whereas a simple shopping plaza sign is allowed by code on property located at 2975 Brighton Henrietta TL Road.

This application was tabled.

On motion to adjourn by Mr. Breese, seconded by Mr. MacIntyre, it was agreed that the meeting be adjourned at 8:45 P.M.

Respectfully Submitted,

Robert Steidle  
Zoning Board Chairman