

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 26TH DAY OF JUNE, 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 Mrs. White, seconded by Mr. MacIntyre, the minutes of the meeting of May 22, 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 June 13, 2013. It read as follows: "A public hearing will be held on Wednesday, June 26, 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: 2013-046, 2013-047, 2013-048, 2013-049, 2013-050, 2013-051, 2013-052, 2013-053, 2013-054, 2013-055, 2013-056, 2013-057 and 2013-058."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 2013-046, 2013-047, 2013-049, 2013-050, 2013-054, 2013-055, 2013-057 and 2013-058 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 2013-048, 2013-052,

2013-053 and 2013-056 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. Barley, Application 2013-051 was declared an Unlisted Action under Section 617.7(c)(1)(viii) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

Application 2013-046 of James and Laura Howell requesting a variance for a 216 square foot shed, whereas a 150 square foot shed is allowed by code on property located at 182 River Meadow Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2013-046 of James and Laura Howell be approved for a 180 square foot shed.

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

UNANIMOUSLY CARRIED

Application 2013-047 of Leo B. McClinton requesting a variance for a 4 foot high picket fence in front yard, whereas a 3 foot high picket fence is allowed by code on property located at 54 Beaconsfield Road.

On motion to approve by Mrs. Mossworth, seconded by Mr. Levey, it was RESOLVED THAT Application 2013-047 of Leo B. McClinton be approved.

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

UNANIMOUSLY CARRIED

Application 2013-048 of David Fields requesting a variance for a side setback for driveway of 1 foot and driveway width to be 34.4 feet, whereas side setback for driveway of 8 feet and driveway width of 24 feet is allowed by code on property located at 72 Nightfrost Lane.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2013-048 of David Fields be approved.

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

CARRIED

Application 2013-049 of Brandon Kennedy requesting a variance for a driveway that is more than 20 feet wide in areas and that goes beyond the rear of the garage structure, whereas the code requires that the maximum width of driveway shall be the greater of twenty feet or one foot beyond the garage dimensions of the entrance side of the garage and driveway extensions, and must be adjacent to the garage and cannot extend beyond the entrance or rear of the garage structure on property located at 96 Karenlee Drive.

On motion to approve by Mr. Breese, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 2013-049 of Brandon Kennedy be approved.

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

CARRIED

Application 2013-050 of Steven and Lori Rinker requesting a variance to permit prior non-conforming pre-existing driveway/RV pad to remain on east side of property which is on opposite side of garage structure, whereas driveway extension is not adjacent to the garage and is in the rear property of house located at 38 Cascade Road.

This application was withdrawn.

Application 2013-051 of Erie Station Village, LLC requesting a variance for two multiple-dwelling buildings with 40% studio composition and two multiple-dwelling buildings with 33.3% studio composition, whereas not more than 25% of the dwelling units in any multiple-dwelling building shall be efficiency or studio type is allowed by code on property located at 5575 West Henrietta Road.

On motion to approve by Mr. Breese, seconded by Mrs. White, it was RESOLVED THAT Application 2013-051 of Erie Station Village, LLC be approved.

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

UNANIMOUSLY CARRIED

Application 2013-052 of Erie Station Village, LLC requesting a variance for a front setback of 30 feet (in conjunction with development of 108 apartment units), whereas 60 feet is required by code on property located at 5575 West Henrietta Road.

On motion to approve by Mr. Breese, seconded by Mrs. White, it was RESOLVED THAT Application 2013-052 of Erie Station Village, LLC be approved.

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

CARRIED

Application 2013-053 of Erie Station Village, LLC requesting a variance for a minimum setback of 15 feet for building separation for multiple dwellings, whereas 40 feet is required by code on property located at 5575 West Henrietta Road.

On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 2013-053 of Erie Station Village, LLC be approved.

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

CARRIED

Application 2013-054 of Hospitality Syracuse, Inc. (dba Taco Bell) requesting a variance for a fourth wall sign, whereas three are allowed by code on property located at 950 Jefferson Road.

On motion to approve by Mr. MacIntyre, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-054 of Hospitality Syracuse, Inc. (dba Taco Bell) be approved.

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

CARRIED

Application 2013-055 of Hospitality Syracuse, Inc. (dba Taco Bell) requesting a variance for a fifth wall sign, whereas three are allowed by code on property located at 950 Jefferson Road.

On motion to approve by Mr. MacIntyre, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-055 of Hospitality Syracuse, Inc. (dba Taco Bell) be approved.

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

CARRIED

Application 2013-056 of Ron Bush requesting a variance for a front setback of 14 feet (to build a garage), whereas 60 feet is required by code on property located at 72 Farnsworth Road North.

On motion to approve by Mr. Breese, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 2013-056 of Ron Bush be approved.

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

UNANIMOUSLY CARRIED

Application 2013-057 of Ron Bush requesting a variance for a 36' x 30' garage, whereas a 35' x 30' garage is allowed by code on property located at 72 Farnsworth Road North.

On motion to approve by Mr. MacIntyre, seconded by Mr. Levey, it was RESOLVED THAT Application 2013-057 of Ron Bush be approved.

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

UNANIMOUSLY CARRIED

Application 2013-058 of Janet Pawelczyk requesting a variance for a 160 square foot shed, whereas a 150 square foot shed is allowed by code on property located at 79 Crimson Bramble Road.

This application was tabled and will be re-advertised and heard at the July 24, 2013 Zoning Board of Appeals meeting.

On motion to adjourn by Mr. Levey, seconded by Mrs. Mossworth, it was agreed that the meeting be adjourned at 8:17 P.M.

Respectfully Submitted,

Robert Steidle
Zoning Board Chairman