

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 22ND DAY OF MAY, 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 Beth Mossworth, the minutes of the meeting of April 24, 2013 were approved.

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

CARRIED

The following notice was published in the *Henrietta Post* on May 9, 2013. It read as follows: "A public hearing will be held on Wednesday, May 22, 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: 2013-038, 2013-039, 2013-040, 2013-041, 2013-042, 2013-043, 2013-044 and 2013-045."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 2013-038 and 2013-041 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, Applications 2013-039, 2013-040, 2013-042, 2013-043, 2013-044 and 2013-045 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 2013-038 of Jason and Sarah Horan requesting a variance for a 52 foot front setback, whereas a 60 foot front setback is required by code on property located at 88 Finucane Road.

On motion to approve by Mr. MacIntyre, seconded by Mr. Levey, it was RESOLVED THAT Application 2013-038 of Jason and Sarah Horan be approved.

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

UNANIMOUSLY CARRIED

Application 2013-039 of Alfred Farnam requesting a variance for a driveway to be 3 feet at closest point to lot line, whereas 8 feet is required by code on property located at 90 Gate House Trail.

On motion to approve by Mr. Breese, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-039 of Alfred Farnam be approved.

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

UNANIMOUSLY CARRIED

Application 2013-040 of David and Sarahanne Roberts requesting a variance for a 12 foot high fence in some areas, whereas a 6 foot high fence is allowed by code on property located at 167 Nevins Road.

This application was withdrawn by the applicant.

Application 2013-041 of Konar Properties requesting a variance for an 80 foot front setback, whereas a 125 foot front setback is required by code on property located at 250 Thruway Park Drive.

On motion to approve by Mr. Barley, seconded by Mr. Levey, it was RESOLVED THAT Application 2013-041 of Konar Properties be approved.

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

UNANIMOUSLY CARRIED

Application 2013-042 of O'Connor Chevrolet, Inc. requesting a variance for a second pole sign, whereas one pole sign is allowed by code on property located at 3850 West Henrietta Road.

On motion to deny by Mr. MacIntyre, seconded by Mr. Breese, it was RESOLVED THAT Application 2013-042 of O'Connor Chevrolet, Inc. be denied with the following finding of facts:

- Viable alternatives exist, including a sign attached to the building;
- The variance would be substantial, in that it would increase allowable pole signs by 100%; and
- The need for the variance is self-created.

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

DENIED

Application 2013-043 of O'Connor Chevrolet, Inc. requesting a variance for 128 square feet of additional signage on pole (new), whereas 300 square feet (old) is allowed by code on property located at 3850 West Henrietta Road.

On motion to deny by Mr. Breese, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 2013-043 of O'Connor Chevrolet, Inc. be denied with the following finding of facts:

- Viable alternatives exist, including a sign attached to the building;
- The variance would be substantial, in that it would increase allowable pole signs by 100%; and
- The need for the variance is self-created.

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

DENIED

Application 2013-044 of John A. May requesting a variance for a 192 square foot shed, whereas a 128 square foot shed is allowed by code on property located at 88 Kenwick Drive.

On motion to approve by Mrs. Mossworth, seconded by Mr. Levey, it was RESOLVED THAT Application 2013-044 of John A. May be approved.

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

UNANIMOUSLY CARRIED

Application 2013-045 of Ray McEvily requesting a variance for a zero foot side setback to extend asphalt two (2) feet past garage extension to the property line, whereas a two (2) foot side setback was approved through previous variance approval on property located at 39 Tomahawk Trail.

On motion to approve by Mr. MacIntyre, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-045 of Ray McEvily be approved.

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

UNANIMOUSLY CARRIED

On motion to adjourn by Mr. MacIntyre, seconded by Mr. Barley, it was agreed that the meeting be adjourned at 7:48 P.M.

Respectfully Submitted,

Robert Steidle
Zoning Board Chairman