

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 21ST DAY OF NOVEMBER, 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. MacIntyre, seconded by Mrs. Mossworth, the minutes of the meeting of October 23, 2013 were approved.

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

CARRIED

The following notice was published in the *Henrietta Post* on November 7, 2013. It read as follows: "A public hearing will be held on Thursday, November 21, 2013 at 7:00P.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: 2013-100, 2013-101, 2013-102, 2013-103, 2013-104, 2013-105, 2013-106, 2013-107 and 2013-109."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 2013-100, 2013-101, 2013-102, 2013-103, 2013-104, 2013-105, 2013-106, 2013-107 and 2013-109 were declared Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 2013-103 and 2013-109 were declared Type II Actions under Section 617.5(c)(10) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

Application 2013-100 of Jacklyn Meloni requesting a variance for a 28.9 foot front setback to construct a 20' x 12' garage, whereas a 40 foot front setback is required by code on property located at 5 Reagan Way.

On motion to approve by Mr. Barley, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 2013-100 of Jacklyn Meloni be approved.

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

UNANIMOUSLY CARRIED

Application 2013-101 of Eileen H. Anderson requesting a variance for a 57.31 foot front setback to replace front steps, whereas a 60 foot front setback is required by code on property located at 153 Camelot Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2013-101 of Eileen H. Anderson be approved.

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

UNANIMOUSLY CARRIED

Application 2013-102 of JMDH Real Estate of Rochester, LLC d/b/a Restaurant Depot requesting a variance for a 75 foot front setback to construct a canopy for covered parking, whereas a 125 foot front setback is required by code on property located at 80 Ridgeland Road.

On motion to approve by Mr. Breese, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-102 of JMDH Real Estate of Rochester, LLC d/b/a Restaurant Depot be approved.

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

UNANIMOUSLY CARRIED

Application 2013-103 of M&T Bank requesting a variance for a freestanding ground sign, whereas a sign exists for the mall itself and is allowed by code on property located at 3400 West Henrietta Road (1400 Miracle Mile Drive).

On motion to approve by Mrs. Mossworth, seconded by Mr. Levey, it was RESOLVED THAT Application 2013-103 of M&T Bank be approved with the stipulation that the sign on the canopy be eliminated.

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

UNANIMOUSLY CARRIED

Application 2013-104 of Van Economides (Alpha Iron Co.) requesting a variance for a 73.5 foot front setback, whereas 80 feet is required by code (to build an addition) on property located at 65 Goodway Drive South.

On motion to approve by Mr. Levey, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-104 of Van Economides (Alpha Iron Co.) be approved.

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

UNANIMOUSLY CARRIED

Application 2013-105 of Van Economides (Alpha Iron Co.) requesting a variance for a 75 foot front setback, whereas 80 feet is required by code (to build an addition) on property located at 65 Goodway Drive South.

On motion to approve by Mr. Levey, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-105 of Van Economides (Alpha Iron Co.) be approved.

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

UNANIMOUSLY CARRIED

Application 2013-106 of Luis Ribeiro requesting a variance for an 8 foot rear buffer, whereas a 50 foot buffer is required by code on properties (to be combined for a Dunkin Donuts and 2 other commercial enterprises) located at 4178 and 4192 West Henrietta Road.

On motion to approve by Mr. Breese, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-106 of Luis Ribeiro be approved.

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

UNANIMOUSLY CARRIED

Application 2013-107 of Luis Ribeiro requesting a variance for a 10 foot front buffer, whereas a 20 foot buffer is required by code on properties (to be combined for a Dunkin Donuts and 2 other commercial enterprises) located at 4178 and 4192 West Henrietta Road.

On motion to approve by Mr. Breese, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2013-107 of Luis Ribeiro be approved.

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

UNANIMOUSLY CARRIED

Application 2013-109 of BHTLSH LLC requesting a variance for additional signage, whereas one pole sign is allowed by code on property located at 2299 Brighton-Henrietta TL Road and the Clay Road entrance.

This application was tabled indefinitely.

On motion to adjourn by Mr. Breese, seconded by Mr. Barley, it was agreed that the meeting be adjourned at 7:39 P.M.

Respectfully Submitted,

Robert Steidle
Zoning Board Chairman