

FEBRUARY MINUTES FOR APPROVAL

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 FEBRUARY, 2014 AT 7:00 P.M.

MEMBERS PRESENT

Robert Steidle, Chairman
Robert Barley, Jr.
Douglas Levey
David MacIntyre
Beth Mossworth
Beth White
John Migliorini

MEMBERS ABSENT

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

On motion of Ms. White, seconded by Ms. Mossworth, the minutes of the meeting of January 22, 2014 were approved.

AYES: Steidle, Barley, MacIntyre, White, Migliorini
NOES: None
ABSTAIN: Levey

Board Member Levey was not in attendance at the January Meeting.

UNANIMOUSLY CARRIED.

The following notice was published in the Henrietta Post on February 20, 2014. It read as follows: "A public hearing will be held on Wednesday, February 20, 2014 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: 2013-0126, 014-001, 2014-002, 2014-003, 204-004, 2014-005, 2014-006, 2014-007, 2014-008, 2014-009, 2014-010, 2014-011, 2014-012, 2014-13 and 2014-14 "

On motion of Mr. MacIntyre, seconded by Chairman Steidle, Applications 2013-0126, 2014-001, 2014-002, 2014-003, 204-004, 2014-005, 2014-007, 2014-008, 2014-009, 2014-13 and 2014-14 were declared a Type II Actions under Section 617.5(c)(10) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED.

On motion of Mr. MacIntyre, seconded by Chairman Steidle, Applications 2014-006, 2014-010, 2014-011, 2014-012, were declared a Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED.

Tabled Application 2013-109 of BHTLSH LLC requesting additional signage. Property located at 2299 Brighton Henrietta Town Line Road and the Clay Road entrance.

On motion of Ms. White, seconded by Chairman Steidle, it was RESOLVED THAT Application 2013-109 by BHTLSH LLC be approved.

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

UNANIMOUSLY CARRIED

Application 2014-001 of Lisa and Bob LiVecchi requesting a 6 foot stockade fence and vinyl fence to replace existing non-conforming 6 foot chain link fence. Property is located at 31 Palamino Drive.

On motion of Ms. Mossworth, seconded by Mr. Migliorini, it was RESOLVED THAT Application 2014-001 by Lisa and Bob LiVecchi be approved.

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

UNANIMOUSLY CARRIED.

Application 2014-002 of Lisa and Bob LiVecchi requesting permission to place an 8 x 8 foot shed in the front yard. Property is located at 31 Palamino Drive.

On motion of Ms. Mossworth, seconded by Mr. Migliorini, it was RESOLVED THAT Application 2014-002 by Lisa and Bob LiVecchi be approved.

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

UNANIMOUSLY CARRIED.

Application 2014-003 of Lisa and Bob LiVecchi requesting permission to place an 18 - 20 foot above ground swimming pool in the front yard. Property is located at 31 Palamino Drive.

On motion of Mr. Barley Jr., seconded by Mr. Migliorini, it was
RESOLVED THAT Application 2014-003 by Lisa and Bob LiVecchi be approved.

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

UNANIMOUSLY CARRIED.

Application 2014-004 of Marketplace Mazda requesting permission for a second pole sign. Whereas, one pole sign is allowable by Henrietta Town Code 224-8B (1). Property is located at 3755 West Henrietta Road.

Application 2014-004 by Marketplace Mazola remains open pending additional information.

Application 2014-005 of Faber Homes requesting approval to construct a driveway 30 feet in width. Whereas, proposed width does not comply with the Henrietta Town Code requirement of a maximum 24 foot width. Property is located at 123 Southend Square.

On motion of M. MacIntyre, seconded by Ms. Mossworth, it was
RESOLVED THAT Application 2014-005 by Faber Homes be approved.

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

UNANIMOUSLY CARRIED.

Application 2014-006 of Roy W. Davis Jr. requesting a side setback variance of 5 feet for a proposed 40 x 24 foot garage. Location does not comply with 295-9C of the Henrietta Town Code. Property is located at 6401 West Henrietta Road.

On motion of Chairman Steidle, seconded by Ms. White, it was
RESOLVED THAT Application 2014-006 of Roy W. Davis Jr. be approved.

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

UNANIMOUSLY CARRIED.

Application 2014-007 of Roy W. Davis Jr. requesting a variance to construct a 40 x 24 foot garage. Proposed garage size does not comply with 295-6A of the Henrietta Town Code. Property is located at 6401 West Henrietta Road.

On motion of Chairman Steidle, seconded by Ms. Mossworth, it was
RESOLVED THAT Application 2014-007 by Roy W. Davis Jr. be approved.

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

UNANIMOUSLY CARRIED.

Application 2014-008 by Porsche of Rochester requesting permission for a second pole sign. Whereas, one pole sign is allowable by Henrietta Town Code 224-8B (1). Property is located at 3955 West Henrietta Road.

Application 2014-004 by Marketplace Mazola remains open pending additional information.

Application 2014-009 by Porsche of Rochester requesting permission to install additional wall signage on the north side of building. Proposed signage does not comply with Henrietta Town Code 224-8B (1). Property is located at 3955 West Henrietta Road.

On motion of Ms. Mossworth, seconded by Ms. White, it was
RESOLVED THAT Application 2014-009 by Porsche of Rochester be approved.

AYES: Steidle, Barley, Levey, White, Migliorini
NOES: Levey, Mossworth
ABSTAIN: None

UNANIMOUSLY CARRIED.

Application 2014-010 of Jarvee Associates/Horizon Solutions requesting a front setback variance of 80 feet for construction of a 30,925 square foot industrial building. Proposed location does not comply with the require 125 foot setback set forth in Henrietta Town Code 295-23. Property is located at 125 Josons Drive.

On motion of Mr. MacIntyre, seconded by Mr. Migliorini, it was RESOLVED THAT Application 2014-010 by Jarvee Associates/Horizon Solutions be approved with the condition that the dirt piles on the property be removed.

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

UNANIMOUSLY CARRIED.

Application 2014-011 of Jarvee Associates/Horizon Solutions requesting a front setback variance of 80 feet for construction of a 30,925 square foot industrial building. Proposed location does not comply with the require 125 foot setback set forth in Henrietta Town Code 295-23. Property is located at 175 Josons Drive.

On motion of Mr. MacIntyre, seconded by Mr. Migliorini, it was RESOLVED THAT Application 2014-011 by Jarvee Associates/Horizon Solutions be approved with the condition that the dirt piles on the property be removed.

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

UNANIMOUSLY CARRIED.

Application 2014-012 of Jarvee Associates/Horizon Solutions requesting a front setback variance of 80 feet for construction of a 30,925 square foot industrial building. Proposed location does not comply with the require 125 foot setback set forth in Henrietta Town Code 295-23. Property is located at 200 Josons Drive.

On motion of Mr. MacIntyre, seconded by Mr. Migliorini, it was RESOLVED THAT Application 2014-012 by Jarvee Associates/Horizon Solutions be approved with the condition that the dirt piles on the property be removed.

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

UNANIMOUSLY CARRIED.

Application 2014-013 Frontier Communities requesting the addition of a reader board to the existing pole sign. Proposed reader board does not comply with Henrietta Town Code 224-8(2) requiring a simple pole sign. Property is located at 2199 East Henrietta Road.

On motion of Mr. MacIntyre, seconded by Ms. White, it was
RESOLVED THAT Application 2014-013 by Frontier Communities be approved.

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

UNANIMOUSLY CARRIED.

Application 2014-014 of Frontier Communities requesting 352 square feet of signage. Proposed square footage does not comply with the maximum requirement on 200 square feet as per Henrietta Town Code 224-8 (table1). Property is located at 2199 East Henrietta Road.

On motion of Mr. MacIntyre, seconded by Ms. White, it was
RESOLVED THAT Application 2014-014 by Frontier Communities be approved.

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

UNANIMOUSLY CARRIED.

On motion of Mr. MacIntyre, seconded by Chairman Steidle, it was
RESOLVED THAT **Application 2013-005** by Raymond McElvily of 39 Tomahawk Trail, Henrietta, New York, requesting a six (6) month extension for a previously approved garage variance be granted.

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

On a motion to adjourn by Mr. MacIntyre, seconded by Ms. White, it was agreed that the meeting be adjourned at 8:40pm.

Respectfully Submitted,

Robert Steidle
Zoning Board Chairman