



**TOWN OF HENRIETTA  
ZONING BOARD OF APPEALS  
MAY 23, 2007  
AGENDA**

**Robert Steidle, Chairman  
Robert Barley, Jr.  
Kenneth Breese  
Douglas Levey  
David MacIntyre  
Andrew Malcolm  
Beth Mossworth**

**Marc Duclos, Zoning Board Attorney  
Christopher Roth, Fire Marshal/Building Inspector**

**WORKSHOP: 6:30 P.M.**

**PUBLIC HEARINGS: 7:00 P.M.**

**PUBLIC HEARING APPLICATIONS:**

- 1. Application 07-045 of NVR, Inc. d.b.a. Ryan Homes of New York**
- 2. Application 07-046 of Corrigan Moving Systems**
- 3. Application 07-047 of Roy J. Cleveland**
- 4. Application 07-048 of Target Corporation**

**MINUTES:**

 **Minutes of April 25, 2007 (Copy Enclosed)**

**RESERVED HEARINGS:**

 **Application 07-023 of Wild Noodles  
(Reserved from 4/25/07 Meeting - To be heard at 5/23/07 meeting)**

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 23<sup>RD</sup> DAY OF MAY, 2007 AT 7:00 P.M.

MEMBERS PRESENT

Robert Steidle, Chairperson  
Robert Barley, Jr.  
Kenneth Breese  
Douglas Levey  
Andrew Malcolm  
Beth Mossworth

MEMBERS ABSENT

David MacIntyre

Marc Duclos, Attorney  
Christopher Roth, Fire Marshal/Building Inspector

On motion of Mrs. Mossworth, seconded by Mr. Barley, the minutes of the meeting of April 25, 2007 were approved.

AYES: Steidle, Barley, Breese, Malcolm, Mossworth  
NOES: None  
ABSTAIN: Levey

CARRIED

The following notice was published in the *Henrietta Post* on May 16, 2007. It read as follows: "A public hearing will be held on Wednesday, May 23, 2007 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: 07-045, 07-046, 07-047, and 07-048."

On motion of Mr. Breese, seconded by Mrs. Mossworth, Applications 07-045 and 07-046 were declared Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

AYES: Steidle, Barley, Breese, Levey, Malcolm, Mossworth  
NOES: None  
ABSTAIN: None

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mrs. Mossworth, Application 07-047 was declared a Type II Action under Section 617.5(c)(9) of the State Environmental Quality

Review Act (SEQRA).

AYES: Steidle, Barley, Breese, Levey, Malcolm, Mossworth  
NOES: None  
ABSTAIN: None

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mrs. Mossworth, Application 07-048 was declared an Unlisted Action under Section 617.6(b)(4)(i) of the State Environmental Quality Review Act (SEQRA).

AYES: Steidle, Barley, Breese, Levey, Malcolm, Mossworth  
NOES: None  
ABSTAIN: None

UNANIMOUSLY CARRIED

**Application 07-045 of NVR, Inc. d.b.a. Ryan Homes of New York** requesting a variance for a 7.5' side setback, whereas an 8' side setback is required by code for an existing attached garage on property located at 12 Sweet Pea Drive.

***On motion to approve by Mr. Malcolm, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 07-045 of NVR, Inc. d.b.a. Ryan Homes of New York be approved.***

AYES: Steidle, Levey, Malcolm, Mossworth  
NOES: Barley, Breese  
ABSTAIN: None

CARRIED

**Application 07-046 of Corrigan Moving Systems** requesting a variance for a 60' front setback, whereas a 125' front setback is required by code to construct a 25,300 sq.ft. building on vacant property (Tax Acct.#149.18-1-24.1) located on Jarley Road.

***On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 07-046 of Corrigan Moving Systems be approved***

*with the following stipulation(s):*

***☒ The front setback shall be 60 feet for cul-de-sac right of way and 110 feet for the remainder of the property.***

AYES: Steidle, Barley, Breese, Levey, Malcolm, Mossworth  
NOES: None  
ABSTAIN: None

UNANIMOUSLY CARRIED

**Application 07-047 of Roy J. Cleveland** requesting a variance for a 240 sq.ft. shed, whereas a 150 sq.ft. shed is allowed by code on property located at 63 Derrick Drive.

***On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 07-047 of Roy J. Cleveland be approved.***

AYES: Steidle, Barley, Breese, Levey, Malcolm, Mossworth  
NOES: None  
ABSTAIN: None

UNANIMOUSLY CARRIED

**Application 07-048 of Target Corporation** requesting a variance for a parking space reduction of 131 parking spaces (for a total of 578 parking spaces) to accommodate an expansion/remodel of existing building, whereas 709 parking spaces are required by code on property located at 2325 Marketplace Drive.

***On motion to approve by Mr. Malcolm, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 07-048 of Target Corporation be approved.***

AYES: Steidle, Barley, Breese, Levey, Malcolm, Mossworth  
NOES: None  
ABSTAIN: None

UNANIMOUSLY CARRIED

**The following application was reserved from the April 25, 2007 meeting.**

**Application 07-023 of Wild Noodles** (located at 1635 East Henrietta Road) requesting a variance for an additional 5'6" x 10' sign on an existing pole sign, whereas one pole sign is allowed by code on property located at 942 Jefferson Road.

***On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 07-023 of Wild Noodles be approved.***

AYES: Steidle, Barley, Breese, Levey, Malcolm, Mossworth  
NOES: None  
ABSTAIN: None

UNANIMOUSLY CARRIED

On motion of Mrs. Mossworth, seconded by Mr. Levey, it was agreed that the meeting be adjourned at 8:07 P.M.

Respectfully Submitted,

Robert Steidle  
Chairperson

RS/tm