



**TOWN OF HENRIETTA
ZONING BOARD OF APPEALS
SEPTEMBER 26, 2007
AGENDA**

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

**Marc Duclos, Zoning Board Attorney
Jeff Wilkinson, Fire Marshal/Building Inspector**

WORKSHOP: 6:30 P.M.

PUBLIC HEARINGS: 7:00 P.M.

PUBLIC HEARING APPLICATIONS:

- 1. Application 07-119 of Lehigh Senior Property LLC**
- 2. Application 07-120 of Lehigh Senior Property LLC**
- 3. Application 07-121 of Lehigh Senior Property LLC**
- 4. Application 07-122 of Lehigh Senior Property LLC**
- 5. Application 07-123 of Lehigh Senior Property LLC**
- 6. Application 07-125 of Best Western Rochester Marketplace**
- 7. Application 07-128 of Michael Voellinger**
- 8. Application 07-131 of Mark Winzenried**

MINUTES:

 **Minutes of August 22, 2007 (Copy Enclosed)**

RESERVED HEARINGS:

 **None**

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 SEPTEMBER, 2007 AT 7:00 P.M.

MEMBERS PRESENT

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

MEMBERS ABSENT

Marc Duclos, Attorney
Jeff Wilkinson, Fire Marshal/Building Inspector

On motion of Mr. Malcolm, seconded by Mr. Barley, the minutes of the meeting of August 22, 2007 were approved.

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

CARRIED

The following notice was published in the *Henrietta Post* on September 19, 2007. It read as follows: "A public hearing will be held on Wednesday, September 26, 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: 07-119, 07-120, 07-121, 07-122, 07-123, 07-125, 07-128 and 07-131."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Application 07-119 was declared a Type II Action under Section 617.5(c)(10) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 07-120, 07-121, 07-122, 07-123, 07-125, 07-128 and 07-131 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, Malcolm, Mossworth
NOES: None
ABSTAIN: None

UNANIMOUSLY CARRIED

Application 07-119 of Lehigh Senior Property LLC requesting a variance for a second ground sign, whereas only one ground sign is allowed by code on property located at 1260 Lehigh Station Road.

On motion to approve by Mr. Breese, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 07-119 of Lehigh Senior Property LLC be approved.

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

UNANIMOUSLY CARRIED

Application 07-120 of Lehigh Senior Property LLC requesting a variance for foundation walls of five buildings to be a minimum of 20' apart, whereas 40' is required by code on property located at 1260 Lehigh Station Road.

On motion to approve by Mr. Malcolm, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 07-120 of Lehigh Senior Property LLC be approved.

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

CARRIED

Application 07-121 of Lehigh Senior Property LLC requesting a variance for a 20' wide two-way drive aisle, whereas a 24' two-way drive aisle is required by code on property located at 1260 Lehigh Station Road.

The applicant withdrew this application.

Application 07-122 of Lehigh Senior Property LLC requesting a variance for a portion of parking lots and sidewalks to be constructed in setback, whereas a 60' setback is required by code on property located at 1260 Lehigh Station Road.

On motion to approve by Mr. Malcolm, seconded by Mr. Barley, it was

RESOLVED THAT Application 07-122 of Lehigh Senior Property LLC be approved with the following stipulation:

☒ Landscape buffering be provided between parking areas and residential areas.

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

CARRIED

Application 07-123 of Lehigh Senior Property LLC requesting a variance for a portion of buildings to be constructed in setback, whereas a 60' setback is required by code on property located at 1260 Lehigh Station Road.

On motion to approve by Mr. Malcolm, seconded by Mr. Barley, it was RESOLVED THAT Application 07-123 of Lehigh Senior Property LLC be approved with the following stipulations:

☒ Landscape buffering between parking areas and residential areas.

☒ An area variance of 30 feet be granted on the west and 56 feet be granted on the east.

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

CARRIED

Application 07-125 of Best Western Rochester Marketplace requesting a variance for a 65'11" front setback, whereas 125' is required by code to build a porte cochere on the front of the building on property located at 940 Jefferson Road.

On motion to approve by Mr. Breese, seconded by Mr. Malcolm, it was RESOLVED THAT Application 07-125 of Best Western Rochester Marketplace be approved.

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

CARRIED

Application 07-128 of Michael Voellinger requesting a variance for a 54.5' front setback, whereas a 60' front setback is required by code to build a 7'6" x 5'10" covered front porch on property located at 45 Aleta Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Malcolm, it was RESOLVED THAT Application 07-128 of Michael Voellinger be approved.

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

UNANIMOUSLY CARRIED

Application 07-131 of Mark Winzenried requesting a variance for a 20 ft. minimum front setback, whereas 40 ft. is required by code to build a 22' x 24'2" garage on property located at 101 Feasel Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Breese, it was RESOLVED THAT Application 07-131 of Mark Winzenried be approved.

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

UNANIMOUSLY CARRIED

On motion of Mr. MacIntyre, seconded by Mr. Barley, it was agreed that the meeting be adjourned at 9:02 P.M.

Respectfully Submitted,

Robert Steidle
Chairperson

RS/tm