



**TOWN OF HENRIETTA
ZONING BOARD OF APPEALS
DECEMBER 18, 2008**

AGENDA

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

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

WORKSHOP: 6:15 P.M.

PUBLIC HEARINGS: 7:00 P.M.

PUBLIC HEARING APPLICATIONS:

- 1. Application 08-203 of Pitstop LLC**
- 2. Application 08-204 of Pitstop LLC**
- 3. Application 08-205 of Pitstop LLC**
- 4. Application 08-208 of Barnes & Noble @ RIT**
- 5. Application 08-209 of Barnes & Noble @ RIT**
- 6. Application 08-211 of Tracey Road Equipment, Inc.**
- 7. Application 08-212 of Delta Sonic Car Wash**
- 8. Application 08-213 of Tracey Road Equipment, Inc.**
- 9. Application 08-214 of Tracey Road Equipment, Inc.**
- 10. Application 08-215 of Mushroom Boulevard Realty LLC**
- 11. Application 08-216 of Patrick Pontiac, Inc.**
- 12. Application 08-217 of Patrick Pontiac, Inc.**
- 13. Application 08-218 of Delta Sonic Car Wash**

MINUTES:

 **Minutes of November 20, 2008**

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 18TH DAY OF DECEMBER, 2008 AT 7:00 P.M.

MEMBERS PRESENT

Robert Steidle, Chairperson
Robert Barley, Jr.
Kenneth Breese
Doug Levey
David MacIntyre
Beth Mossworth
Beth White

MEMBERS ABSENT

Marc Duclos, Attorney

Jeff Wilkinson, Fire Marshal/Building Inspector

On motion of Mr. Levey, seconded by Mrs. Mossworth, the minutes of the meeting of November 20, 2008 were approved.

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

CARRIED

The following notice was published in the *Henrietta Post* on December 11, 2008. It read as follows: "A public hearing will be held on Thursday, December 18, 2008 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: 08-203, 08-204, 08-205, 08-208, 08-209, 08-211, 08-212, 08-213, 08-214, 08-215, 08-216, 08-217 and 08-218."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 08-203, 08-204, 08-205, 08-208, 08-209, 08-211, 08-212, 08-213, 08-214, 08-216, 08-217 and 08-218 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

On motion of Mr. Breese, seconded by Mr. MacIntyre, Application 08-215 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, MacIntyre, Mossworth, White
NOES: None
ABSTAIN: None

UNANIMOUSLY CARRIED

Application 08-203 of Pitstop LLC requesting a variance for a seventh wall sign, whereas six are allowed by code on property located at 5300 West Henrietta Road.

This application was tabled.

Application 08-204 of Pitstop LLC requesting a variance for an eighth wall sign, whereas six are allowed by code on property located at 5300 West Henrietta Road.

This application was tabled.

Application 08-205 of Pitstop LLC requesting a variance for 460 sq.ft. of signage, whereas 272 sq.ft. of signage is allowed by code on property located at 5300 West Henrietta Road.

This application was tabled.

Application 08-208 of Barnes & Noble @ RIT requesting a variance to install a second wall sign, whereas one wall sign is allowed by code on property located at 205 Jefferson Road.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 08-208 of Barnes & Noble @ RIT be approved.

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

UNANIMOUSLY CARRIED

Application 08-209 of Barnes & Noble @ RIT requesting a variance to allow 427 sq.ft. of signage, whereas 250 sq.ft. of signage is allowed by code on property located at 205 Jefferson Road.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 08-209 of Barnes & Noble @ RIT be approved.

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

UNANIMOUSLY CARRIED

Application 08-211 of Tracey Road Equipment, Inc. requesting a variance for 418.5 sq.ft. of signage, whereas 374 sq.ft. of signage is allowed by code on property located at 300 Middle Road.

This application was tabled.

Application 08-212 of Delta Sonic Car Wash requesting a variance for a second pole sign (to be located at Brighton-Henrietta TL Road entrance), whereas one pole sign is allowed by code on property located at 2970 West Henrietta Road.

On motion to approve by Mr. Levey, seconded by Mr. Barley, it was RESOLVED THAT Application 08-212 of Delta Sonic Car Wash be approved with the stipulation that the sign graphic be limited to the graphic submitted and not change unless submitted and approved by the Zoning Board of Appeals.

AYES: Barley, Breese, Levey, MacIntyre, White
NOES: Steidle
ABSTAIN: Mossworth

CARRIED

Application 08-213 of Tracey Road Equipment, Inc. requesting a variance for a third wall sign ("Tracey Road Equipment, Inc." - 15.5 sq.ft.), whereas one wall sign is allowed by code on property located at 300 Middle Road.

This application was tabled.

Application 08-214 of Tracey Road Equipment, Inc. requesting a variance for a second wall sign (“New Holland Construction” - 29 sq.ft.), whereas one wall sign is allowed by code on property located at 300 Middle Road.

This application was tabled.

Application 08-215 of Mushroom Boulevard Realty LLC requesting a variance to allow for 23 parking spaces, whereas 37 parking spaces are required by code on property located at 105 Mushroom Boulevard.

On motion to approve by Mr. MacIntyre, seconded by Mr. Breese, it was RESOLVED THAT Application 08-215 of Mushroom Boulevard Realty LLC be approved.

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

UNANIMOUSLY CARRIED

Application 08-216 of Patrick Pontiac, Inc. requesting a variance for a tenth wall sign (“Buick”), whereas nine were previously approved, on property located at 4700 West Henrietta Road.

On motion to approve by Mrs. Mossworth, seconded by Mr. Levey, it was RESOLVED THAT Application 08-216 of Patrick Pontiac, Inc. be approved.

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

UNANIMOUSLY CARRIED

Application 08-217 of Patrick Pontiac, Inc. requesting a variance for 739.75 sq.ft. of signage, whereas 712 sq.ft. of signage was previously approved, on property located at 4700 West Henrietta Road.

On motion to approve by Mrs. Mossworth, seconded by Mr. Levey, it was RESOLVED THAT Application 08-217 of Patrick Pontiac, Inc. be approved.

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

UNANIMOUSLY CARRIED

Application 08-218 of Delta Sonic Car Wash requesting a variance for 537 sq.ft. of signage, whereas 321sq.ft.5 is allowed by code on property located at 2970 West Henrietta Road.

On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 08-218 of Delta Sonic Car Wash be approved with the following stipulations:

- 1. The square footage of signage be no more than 515 sq.ft.***
- 2. The Detail Shop sign be removed.***

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

UNANIMOUSLY CARRIED

On motion of Mr. MacIntyre, seconded by Mrs. Mossworth, it was agreed that the meeting be adjourned at 8:20 P.M.

Respectfully Submitted,

Robert Steidle
Chairperson

RS/tm