



**TOWN OF HENRIETTA  
ZONING BOARD OF APPEALS  
OCTOBER 29, 2008**

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

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

**PUBLIC HEARING APPLICATIONS:**

- 1. Application 08-161 of Frank L. O'Rourke**
- 2. Application 08-163 of Gregory Quick**
- 3. Application 08-177 of Michael Papa**
- 4. Application 08-178 of Michael Papa**
- 5. Application 08-179 of Michael Papa**
- 6. Application 08-184 of Wayne and Marlene Goodwin**
- 7. Application 08-185 of Buy Buy Baby**
- 8. Application 08-186 of Lisa J. Schlapfer**

**MINUTES:**

 **Minutes of September 24, 2008**

**TABLED APPLICATIONS:**

 **Application 08-173 of Irene and Timothy Constas**

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 29TH DAY OF OCTOBER, 2008 AT 7:00 P.M.

MEMBERS PRESENT

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

MEMBERS ABSENT

David MacIntyre

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

On motion of Mr. Levey, seconded by Mrs. Mossworth, the minutes of the meeting of September 24, 2008 were approved.

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

UNANIMOUSLY CARRIED

The following notice was published in the *Henrietta Post* on October 22, 2008. It read as follows: "A public hearing will be held on Wednesday, October 29, 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: 08-161, 08-163, 08-177, 08-178, 08-179, 08-184, 08-185 and 08-186."

On motion of Mr. Breese, seconded by Mr. Levey, Application 08-161 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, Mossworth, White  
NOES: None  
ABSTAIN: None

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. Levey, Applications 08-163, 08-177, 08-179 and 08-184 were declared Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. Levey, Applications 08-178, 08-185 and 08-186 were declared Type II Actions under Section 617.5(c)(10) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

The following application was tabled at the September 24, 2008 meeting.

**Application 08-173 of Irene and Timothy Conostas** requesting a variance for a 35' front setback, whereas a 60' front setback is required by code to build a new 1 ½ car garage (existing one car garage to be converted to livable space) on property located at 155 Princess Drive.

***On motion to approve by Mr. Levey, seconded by Mr. Barley, it was RESOLVED THAT Application 08-173 of Irene and Timothy Conostas be approved.***

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

UNANIMOUSLY CARRIED

**Application 08-161 of Frank L. O'Rourke** requesting a variance to allow more than

four vehicles, whereas up to four vehicles are allowed by code on property located at 47 Springblossom Circle.

***On motion to approve by Mrs. White, seconded by Mr. Breese, it was RESOLVED THAT Application 08-161 of Frank L. O'Rourke be approved with the following stipulations:***

- 1. The number of vehicles be reduced to six, which will include trailers.***
- 2. The driveway be paved to accommodate six vehicles by June 30, 2009.***

AYES: Steidle, Barley, Breese, Levey, Mossworth, White

NOES: None

ABSTAIN: None

UNANIMOUSLY CARRIED

**Application 08-163 of Gregory Quick** requesting a variance for a 21.58 ft. front setback, whereas a 25 ft. front setback is required by code to construct an 8' x 12' front deck on property located at 111 Colonnade Drive.

***On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 08-163 of Gregory Quick be approved.***

AYES: Steidle, Barley, Breese, Levey, Mossworth, White

NOES: None

ABSTAIN: None

UNANIMOUSLY CARRIED

**Application 08-177 of Michael Papa** requesting a variance for a 1 ft. side setback, whereas a 5 ft. side setback is required by code to construct a building on property located at 2151 East Henrietta Road.

***On motion to approve by Mrs. White, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 08-177 of Michael Papa be approved.***

AYES: Steidle, Barley, Breese, Levey, Mossworth, White

NOES: None

ABSTAIN: None

UNANIMOUSLY CARRIED

**Application 08-178 of Michael Papa** requesting a variance to allow for a 15.5 ft. wide two-way drive lane in off-street parking lot on property located at 2151 East Henrietta Road.

***On motion to approve by Mrs. White, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 08-178 of Michael Papa be approved.***

AYES: Steidle, Barley, Breese, Levey, Mossworth, White

NOES: None

ABSTAIN: None

UNANIMOUSLY CARRIED

**Application 08-179 of Michael Papa** requesting a variance for a 1.5 ft. rear setback, whereas a 60' rear setback is required by code to construct a building on property located at 2151 East Henrietta Road.

***On motion to approve by Mrs. White, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 08-179 of Michael Papa be approved.***

AYES: Steidle, Barley, Breese, Levey, Mossworth, White

NOES: None

ABSTAIN: None

UNANIMOUSLY CARRIED

**Application 08-184 of Wayne and Marlene Goodwin** requesting a variance for a 35.2 ft. front setback, whereas a 40 ft. front setback is required by code to construct a front porch overhang on property located at 53 Campfire Road South.

***On motion to approve by Mrs. Mossworth, seconded by Mr. Barley, it was RESOLVED THAT Application 08-184 of Wayne and Marlene Goodwin be approved.***

AYES: Steidle, Barley, Breese, Levey, Mossworth, White

NOES: None

ABSTAIN: None

UNANIMOUSLY CARRIED

**Application 08-185 of Buy Buy Baby** requesting a variance for a second wall sign, whereas only one is allowed by code on property located at 790 Jefferson Road.

***On motion to approve by Mrs. Mossworth, seconded by Mr. Levey, it was RESOLVED THAT Application 08-185 of Buy Buy Baby be approved.***

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

UNANIMOUSLY CARRIED

**Application 08-186 of Lisa J. Schlapfer** requesting a variance to convert the one-car garage into shed space without building a one-car garage, whereas a one-car garage is required by code on property located at 43 Amador Parkway.

***On motion to approve by Mr. Breese, seconded by Mr. Levey, it was RESOLVED THAT Application 08-186 of Lisa J. Schlapfer be approved with the following stipulations:***

- 1. The applicant must apply for a building permit for the renovation.***
- 2. The space may not be turned into habitable living space without required permits from the Town of Henrietta.***

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. Levey, it was agreed that the meeting be adjourned at 8:15 P.M.

Respectfully Submitted,

Robert Steidle  
Chairperson

RS/tm