



**TOWN OF HENRIETTA  
ZONING BOARD OF APPEALS  
SEPTEMBER 24, 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.     08-167 of TC Riley's**
- 2.     08-169 of Sharon Bernardi Holmes**
- 3.     08-170 of Five Guys**
- 4.     08-171 of Abbott's**
- 5.     08-172 of Gallery Solon Too**
- 6.     08-173 of Irene and Timothy Constas**

**MINUTES:**

 **Minutes of August 27, 2008 (Copy Enclosed)**

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 24TH DAY OF SEPTEMBER, 2008 AT 7:00 P.M.

MEMBERS PRESENT

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

MEMBERS ABSENT

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

On motion of Mr. Levey, seconded by Mr. Breese, the minutes of the meeting of August 27, 2008 were approved.

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

NOES: None

ABSTAIN: MacIntyre

UNANIMOUSLY CARRIED

The following notice was published in the *Henrietta Post* on September 18, 2008. It read as follows: "A public hearing will be held on Wednesday, September 24, 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: 08-167, 08-169, 08-170, 08-171, 08-172 and 08-173."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 08-167, 08-170, 08-171 and 08-172 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 08-169 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, MacIntyre, Mossworth, White  
NOES: None  
ABSTAIN: None

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. MacIntyre, Application 08-173 was declared a Type II Action under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

**Application 08-167 of TC Riley's** requesting a variance for a second wall sign, whereas one wall sign is allowed by code on property located at 205 Jefferson Road (Park Point).

***On motion to approve by Mr. MacIntyre, seconded by Mrs. White, it was RESOLVED THAT Application 08-167 of TC Riley's be approved with the stipulation that the applicant must abide by the written sign criteria set by Wilmorite.***

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

CARRIED

**Application 08-169 of Sharon Bernardi Holmes** requesting a variance for a 200 sq.ft. shed (10' x 20'), whereas a 150 sq.ft. shed is allowed by code on property located at 65 Gingerwood Way.

***On motion to approve by Mrs. Mossworth, seconded by Mr. Barley, it was RESOLVED THAT Application 08-169 of Sharon Bernardi Holmes be approved with the stipulation that the existing shed be removed within 30 days.***

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

UNANIMOUSLY CARRIED

**Application 08-170 of Five Guys** requesting a variance for a second wall sign, whereas one wall sign is allowed by code on property located at 1100 Jefferson Road.

***On motion to approve by Mr. Barley, seconded by Mr. Breese, it was RESOLVED THAT Application 08-170 of Five Guys be approved.***

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

UNANIMOUSLY CARRIED

**Application 08-171 of Abbott's** requesting a variance for a second wall sign, whereas one wall sign is allowed by code on property located at 205 Jefferson Road (Park Point).

***On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 08-171 of Abbott's be approved with the following stipulations:***

- 1. The sign be a variation of Blue and White.***
- 2. Applicant must abide by the written sign criteria set by Wilmorite.***

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

UNANIMOUSLY CARRIED

**Application 08-172 of Gallery Salon TOO** requesting a variance for a second wall sign, whereas one wall sign is allowed by code on property located at 205 Jefferson Road (Park Point).

***On motion to approve by Mr. MacIntyre, seconded by Mr. Breese, it was RESOLVED THAT Application 08-172 of Gallery Salon TOO be approved with the following stipulations:***

- 1. The lettering "TOO" on the sign be white in color.***
- 2. Applicant must abide by the written sign criteria set by Wilmorite.***

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

NOES: None

ABSTAIN: None

UNANIMOUSLY CARRIED

**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.

***This application was tabled.***

On motion of Mr. MacIntyre, seconded by Mr. Breese, it was agreed that the meeting be adjourned at 7:40 P.M.

Respectfully Submitted,

Robert Steidle  
Chairperson

RS/tm