



**TOWN OF HENRIETTA
ZONING BOARD OF APPEALS
THURSDAY - DECEMBER 17, 2009**

AGENDA

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

**Terry Ekwel, Fire Marshal/Building Inspector
Marc Duclos, Zoning Board Attorney**

WORKSHOP: 6:30 P.M.

PUBLIC HEARINGS: 7:00 P.M.

PUBLIC HEARING APPLICATIONS:

- 1. Application 09-121 of Santo Viola**
- 2. Application 09-122 of Santo Viola**
- 3. Application 09-123 of Roberta and John Legno**
- 4. Application 09-124 of Cyberstorm Premier Gaming**

MINUTES:

- Minutes of November 19, 2009**

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 17TH DAY OF DECEMBER, 2009 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

Marc Duclos, Attorney

Terry Ekwel, Fire Marshal/Building Inspector

On motion of Mr. Breese, seconded by Mrs. Mossworth, the minutes of the meeting of November 19, 2009 were approved.

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

UNANIMOUSLY CARRIED

The following notice was published in the *Democrat and Chronicle* on December 11, 2009. It read as follows: "A public hearing will be held on Thursday, December 17, 2009 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: 09-121, 09-122, 09-123 and 09-124."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Application 09-121 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

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 09-122, 09-123 and 09-124 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

Application 09-121 of Santo Viola requesting a variance for a 47' front setback, whereas a 60' front setback is required by code to construct a garage on property located at 2023 Pinnacle Road.

On motion to approve by Mr. Breese, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 09-121 of Santo Viola be approved.

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

UNANIMOUSLY CARRIED

Application 09-122 of Santo Viola requesting a variance to allow a private garage with 39.75' front face, whereas a 35' front face is allowed by code on property located at 2023 Pinnacle Road.

On motion to approve by Mr. Breese, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 09-122 of Santo Viola be approved.

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

UNANIMOUSLY CARRIED

Application 09-123 of Roberta and John Legno requesting a variance to park more than 4 cars in residential driveway, whereas only four vehicles are allowed by code on property located at 138 Valley View Drive.

This application was tabled.

Application 09-124 of Cyberstorm Premier Gaming requesting a variance to add a sign to an existing pole sign supporting “Henrietta Townline Plaza” on property located at 3047 West Henrietta Road.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 09-124 of Cyberstorm Premier Gaming be approved with the stipulation that the lettering be the same size as the lettering on the existing sign.

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

UNANIMOUSLY CARRIED

On motion to adjourn by Mr. MacIntyre, seconded by Mr. Barley, it was agreed that the meeting be adjourned at 7:50 P.M.

Respectfully Submitted,

Robert Steidle
Chairperson