



**TOWN OF HENRIETTA
ZONING BOARD OF APPEALS
MAY 27, 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 09-041 of Paul and Star Smith**
- 2. Application 09-045 of Steven and Peggy Hoock**
- 3. Application 09-047 of Rafael Rivera**
- 4. Application 09-048 of Bill and Mary Morich**
- 5. Application 09-049 of Catherine C. Strzyzynski**
- 6. Application 09-051 of Gates Automotive**
- 7. Application 09-052 of Andrew August/Park Avenue Bike Shop**
- 8. Application 09-053 of Bills Carpet Center/Northeast Commercial Flooring**
- 9. Application 09-055 of Robin Markowski**

MINUTES:

 **Minutes of April 22, 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 27TH DAY OF MAY, 2009 AT 7:00 P.M.

MEMBERS PRESENT

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

MEMBERS ABSENT

Douglas Levey

Terry Ekwel, Fire Marshal/Building Inspector
Marc Duclos, Attorney

On motion of Mr. Breese, seconded by Mr. MacIntyre, the minutes of the meeting of April 22, 2009 were approved.

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

UNANIMOUSLY CARRIED

The following notice was published in the *Henrietta Post* on May 21, 2009. It read as follows: "A public hearing will be held on Wednesday, May 27, 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: 09-041, 09-045, 09-047, 09-048, 09-049, 09-051, 09-052, 09-053 and 09-055."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 09-041, 09-048 and 09-049 were declared Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 09-045 and 09-055 were declared Type II Actions under Section 617.5(c)(9) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 09-047, 09-051, 09-052 and 09-053 were declared Type II Actions under Section 617.5(c)(10) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

Application 09-041 of Paul and Star Smith requesting a variance for a 52' front setback, whereas 60' is required by code, to build a deck on property located at 23 Hollybrook Road.

On motion to approve by Mr. Barley, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 09-041 of Paul and Star Smith be approved.

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

UNANIMOUSLY CARRIED

Application 09-045 of Steven and Peggy Hoock requesting a variance for a 144 sq.ft. (10' x 14') shed, whereas an 89 sq.ft. shed is allowed by code on property located at 44 Starflower Drive. ***This application was cancelled.***

Application 09-047 of Rafael Rivera requesting a variance for a 5' high chain link fence on corner lot, whereas a 3' high fence is allowed by code on property located at 4 Sweet Pea Drive.

On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 09-047 of Rafael Rivera be approved.

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

UNANIMOUSLY CARRIED

Application 09-048 of Bill and Mary Morich requesting a variance for a 3'9" side setback, whereas an 8' side setback is required by code, to construct a 10' x 24' addition to existing single car garage on property located at 42 Telephone Road.

On motion to approve by Mr. Breese, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 09-048 of Bill and Mary Morich be approved.

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

UNANIMOUSLY CARRIED

Application 09-049 of Catherine C. Strzyzynski requesting a variance for a 56' front setback, whereas 60' is required by code, to replace front porch/steps with deck/steps on property located at 117 Camelot Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 09-049 of Catherine C. Strzyzynski be approved.

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

UNANIMOUSLY CARRIED

Application 09-051 of Gates Automotive requesting a variance for a second wall sign, whereas only one wall sign is allowed by code on property located at 50 Thruway Park Drive.

On motion to approve by Mr. Breese, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 09-051 of Gates Automotive be approved.

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

UNANIMOUSLY CARRIED

Application 09-052 of Andrew August/Park Avenue Bike Shop requesting a variance for a second pole sign on a different pole location at the entrance of Jay Scutti Boulevard and Jefferson Road.

Application 09-052 of Andrew August/Park Avenue Bike Shop was tabled.

Application 09-053 of Bills Carpet Center/Northeast Commercial Flooring requesting a variance for a second wall sign, whereas only one wall sign is allowed by code on property located at 376 Jefferson Road.

On motion to approve by Mrs. Mossworth, seconded by Mrs. White, it was RESOLVED THAT Application 09-053 of Bills Carpet Center/Northeast Commercial Flooring be approved.

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

UNANIMOUSLY CARRIED

Application 09-055 of Robin Markowski requesting a variance for a 10' x 14' third accessory building, whereas only two accessory buildings are allowed by code on property located at 178 Rush Henrietta TL Road.

On motion to approve by Mrs. MacIntyre, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 09-055 of Robin Markowski be approved.

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

UNANIMOUSLY CARRIED

On motion to adjourn by Mr. Breese, seconded by Mrs. Mossworth, it was agreed that the meeting be adjourned at 7:30 P.M.

Respectfully Submitted,

Robert Steidle
Chairperson

RS/tm