

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 26<sup>TH</sup> DAY OF OCTOBER, 2011 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

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

On motion of Mr. MacIntyre, seconded by Mrs. White, the minutes of the meeting of September 28, 2011 were approved.

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

CARRIED

The following notice was published in the *Henrietta Post* on October 13, 2011. It read as follows: "A public hearing will be held on Wednesday, October 26, 2011 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: 2011-089, 2011-090, 2011-091, 2011-092 and 2011-093."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 2011-089, 2011-090, 2011-091 and 2011-092 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 2011-093 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 2011-089 of In Christ New Hope Ministry, Inc.** requesting a variance for a second sign, whereas only one sign at a church is allowed by code on property located at 155 Pinnacle Road.

On motion to approve by Mrs. Mossworth, seconded by Mr. Levey, it was RESOLVED THAT Application 2011-089 of In Christ New Hope Ministry, Inc. be approved.

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

CARRIED

**Application 2011-090 of In Christ New Hope Ministry, Inc.** requesting a variance for a third sign, whereas only one sign at a church is allowed by code on property located at 155 Pinnacle Road.

On motion to approve by Mrs. Mossworth, seconded by Mr. Levey, it was RESOLVED THAT Application 2011-090 of In Christ New Hope Ministry, Inc. be approved.

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

CARRIED

**Application 2011-091 of Lasik MD Vision** requesting a variance for a second wall sign, whereas only one wall sign is allowed by code on property located at 3400 West Henrietta Road.

On motion to deny by Mr. MacIntyre, seconded by Mr. Levey, it was RESOLVED THAT Application 2011-091 of Lasik MD Vision be denied with the following findings of fact:

1. The requested variance is not necessary based on applicant's testimony that the business is appointment based.
2. The requested variance is a self-created hardship.

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

DENIED

**Application 2011-092 of Lakshmi Holdings LLC** requesting a variance for a readerboard sign, whereas a single sign is allowed by code on property located at 2116 East Henrietta Road.

On motion to approve by Mrs. White, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-092 of Lakshmi Holdings LLC be approved.

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

CARRIED

**Application 2011-093 of Janine K. Upton** requesting a variance for a 2'6" side setback to construct an 8' x 10' shed, whereas a 4' side setback is required by code on property located at 17 Ice Rose Lane.

On motion to approve by Mr. Breese, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 2011-093 of Janine K. Upton be approved.

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

UNANIMOUSLY CARRIED

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

Respectfully Submitted,

Robert Steidle  
Chairperson