

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 JULY, 2011 AT 7:00 P.M.

MEMBERS PRESENT

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

MEMBERS ABSENT

Kenneth Breese
Douglas Levey

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

On motion of Mrs. White, seconded by Mr. MacIntyre, the minutes of the meeting of June 22, 2011 were approved.

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

UNANIMOUSLY CARRIED

The following notice was published in the *Henrietta Post* on July 14, 2011. It read as follows: "A public hearing will be held on Wednesday, July 27, 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: 2011-055, 2011-056, 2011-057, 2011-058, 2011-059, 2011-060, 2011-061, 2011-062, 2011-063, 2011-064, 2011-065, 2011-066, 2011-067, 2011-068, 2011-069, 2011-070, 2011-071 and 2011-072."

On motion of Mr. MacIntyre, seconded by Mr. Barley, Applications 2011-055, 2011-057, 2011-069 and 2011-070 were declared Type II Actions under Section 617.5(c)(9) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. MacIntyre, seconded by Mr. Barley, Applications 2011-059, 2011-063, 2011-064, 2011-065, 2011-066, 2011-067 and 2011-068 were declared Type II Actions under Section 617.5(c)(10) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. MacIntyre, seconded by Mr. Barley, Applications 2011-056, 2011-058, 2011-060, 2011-061, 2011-062, 2011-071 and 2011-072 were declared Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

Application 2011-055 of Matthew and Noreen Allen requesting a variance for a 192 square foot shed, whereas a 150 square foot shed is allowed by code on property located at 244 Fitzpatrick Trail.

On motion to approve by Mr. Barley, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2011-055 of Matthew and Noreen Allen be approved.

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

UNANIMOUSLY CARRIED

Application 2011-056 of Jerry Barrick requesting a variance for a 54.6' front setback to build a 10' x 8' deck, whereas a 60' front setback is required by code on property located at 14 Ice Rose Lane.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-056 of Jerry Barrick be approved.

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

UNANIMOUSLY CARRIED

Application 2011-057 of Greg Harrington requesting a variance for a 140 square foot shed, whereas a 100 square foot shed is allowed by code on property located at 180 Overland Trail.

On motion to approve by Mrs. Mossworth, seconded by Mrs. White, it was RESOLVED THAT Application 2011-057 of Greg Harrington be approved.

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

UNANIMOUSLY CARRIED

Application 2011-058 of Jeff Cole requesting a variance for a 35.7' front setback to build an 18' x 6' front porch, whereas a 40' front setback is required by code on property located at 115 Overland Trail.

On motion to approve by Mrs. White, seconded by Mr. MacIntyre, it was RESOLVED THAT Application 2011-058 of Jeff Cole be approved.

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

UNANIMOUSLY CARRIED

Application 2011-059 of Scott Ross Mead requesting a variance for a 5' high fence in front yard, whereas a 3' high fence is allowed by code on property located at 90 Harrogate Crossing.

On motion to approve by Mr. Barley, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2011-059 of Scott Ross Mead be approved.

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

UNANIMOUSLY CARRIED

Application 2011-060 of Paul and Mary Beth Vogel requesting a variance for a 52'6" front setback to build an addition, whereas a 60' front setback is required by code on property located at 24 Easton Circle.

On motion to approve by Mrs. Mossworth, seconded by Mrs. White, it was RESOLVED THAT Application 2011-060 of Paul and Mary Beth Vogel be approved.

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

UNANIMOUSLY CARRIED

Application 2011-061 of Doug and Lisa Smith requesting a variance for a 38.6' front setback to build a front porch, whereas a 40' front setback is required by code on property located at 52 Morin Circle.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-061 of Doug and Lisa Smith be approved.

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

UNANIMOUSLY CARRIED

Application 2011-062 of Patrick Molyneux requesting a variance for a 45.75' front setback to build an addition, whereas a 60' front setback is required by code on property located at 5344 East River Road.

On motion to approve by Mrs. Mossworth, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-062 of Patrick Molyneux be approved.

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

UNANIMOUSLY CARRIED

Application 2011-063 of Charming Charlie requesting a variance for a second wall sign, whereas one wall sign is allowed by code on property located at 391 Miracle Mile Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-063 of Charming Charlie be approved.

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

UNANIMOUSLY CARRIED

Application 2011-064 of Charming Charlie requesting a variance for a third wall sign, whereas one wall sign is allowed by code on property located at 391 Miracle Mile Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-064 of Charming Charlie be approved.

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

UNANIMOUSLY CARRIED

Application 2011-065 of Charming Charlie requesting a variance for a fourth wall sign, whereas one wall sign is allowed by code on property located at 391 Miracle Mile Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-065 of Charming Charlie be approved.

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

UNANIMOUSLY CARRIED

Application 2011-066 of Charming Charlie requesting a variance for a fifth wall sign, whereas one wall sign is allowed by code on property located at 391 Miracle Mile Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-066 of Charming Charlie be approved.

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

UNANIMOUSLY CARRIED

Application 2011-067 of Charming Charlie requesting a variance for a sixth wall sign, whereas one wall sign is allowed by code on property located at 391 Miracle Mile Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-067 of Charming Charlie be approved.

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

UNANIMOUSLY CARRIED

Application 2011-068 of Charming Charlie requesting a variance for a seventh wall sign, whereas one wall sign is allowed by code on property located at 391 Miracle Mile Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-068 of Charming Charlie be approved.

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

UNANIMOUSLY CARRIED

Application 2011-069 of Tobin Foryt requesting a variance for a 480 square foot accessory building (20' x 24'), whereas a total of 169.88 square feet of accessory buildings (1% of lot size) is allowed by code on property located at 29 Cattaragus Drive.

On motion to approve by Mrs. White, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2011-069 of Tobin Foryt be approved.

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

UNANIMOUSLY CARRIED

Application 2011-070 of Tobin Foryt requesting a variance for a 21'5" height of proposed accessory building, whereas a height of 21' is allowed by code on property located at 29 Cattaragus Drive.

On motion to approve by Mrs. White, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2011-070 of Tobin Foryt be approved.

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

UNANIMOUSLY CARRIED

Application 2011-071 of Zach Hosier – Phillips Edison Co. requesting a variance for a 43'-51/2" rear yard setback, whereas a 60' rear yard setback is required by code for a fenced in outdoor area for display by Grossmans on property located at 400 Jefferson Road (Henrietta Plaza).

On motion to approve by Mr. Barley, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 2011-071 of Zach Hosier – Phillips Edison Co. be approved.

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

UNANIMOUSLY CARRIED

Application 2011-072 of Mark IV Construction Co. requesting variance for relief of 145 square feet from the upper floor, whereas code requires that the upper floor be no less than two-thirds the area of the first floor on property located at Lot 317 Stone Hill Subdivision (64 High Stone Circle).

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 2011-072 of Mark IV Construction Co. be approved.

AYES: Steidle, Barley, 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 7:40 P.M.

Respectfully Submitted,

Robert Steidle
Chairperson