

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 22ND DAY OF AUGUST, 2012 AT 7:00 P.M.

MEMBERS PRESENT

Robert Steidle, Chairman
Kenneth Breese
Robert Barley, Jr.
Douglas Levey
Beth White

MEMBERS ABSENT

David MacIntyre
Beth Mossworth

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

On motion of Mrs. White, seconded by Mr. Barley, the minutes of the meeting of July 25, 2012 were approved.

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

UNANIMOUSLY CARRIED

The following notice was published in the *Henrietta Post* on August 9, 2012. It read as follows: "A public hearing will be held on Wednesday, August 22, 2012 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: 2012-061, 2012-062, 2012-063, 2012-064, 2012-065, 2012-066, 2012-067, 2012-068, 2012-069, 2012-070 and 2012-071."

On motion of Mr. Breese, seconded by Mr. Levey, Applications 2012-061, 2012-069 and 2012-071 were declared Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. Levey, Applications 2012-062, 2012-063, 2012-064, 2012-065, 2012-066, 2012-067 and 2012-068 were declared Type II Actions under Section 617.5(c)(10) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. Levey, Application 2012-070 was declared an Unlisted Action under Section 617.6(b)(4)(i) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

Application 2012-061 of Kirk Komendat requesting a variance for a 36 foot front setback, whereas a 40 foot front setback is required by code to install a new front porch on property located at 51 Prairie Trail.

On motion to approve by Mr. Barley, seconded by Mr. Levey, it was RESOLVED THAT Application 2012-061 of Kirk Komendat be approved.

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

UNANIMOUSLY CARRIED

Application 2012-062 of Robert L. Fancy requesting a variance to install a 48" high fence in front yard, whereas a 36" high fence is allowed by code on property located at 176 Cape Cod Way.

On motion to approve by Mr. Barley, seconded by Mr. Breese, it was RESOLVED THAT Application 2012-062 of Robert L. Fancy be approved.

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

UNANIMOUSLY CARRIED

Application 2012-063 of Toshiba Business Solutions requesting a variance for a second wall sign, whereas one wall sign is allowed by code on property located at 180 Kenneth Drive.

On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 2012-063 of Toshiba Business Solutions be approved.

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

UNANIMOUSLY CARRIED

Application 2012-064 of Coopervision requesting a variance for a 400 square foot sign, whereas a 250 square foot sign is allowed by code on property located at 180 Thruway Park Drive.

On motion to approve by Mr. Breese, seconded by Mr. Barley, it was RESOLVED THAT Application 2012-064 of Coopervision be approved.

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

CARRIED

Application 2012-065 of Mr. and Mrs. Anthony DeMarco requesting a variance to install a pool in the front yard, whereas it is not allowed by code on property located at 92 Campus Drive.

On motion to approve by Mr. Barley, seconded by Mr. Breese, it was RESOLVED THAT Application 2012-065 of Mr. and Mrs. Anthony DeMarco be approved.

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

UNANIMOUSLY CARRIED

Application 2012-066 of Mr. and Mrs. Anthony DeMarco requesting a variance to install a 6 foot high fence in front yard, whereas a 3 foot high fence is allowed by code on property located at 92 Campus Drive.

On motion to approve by Mr. Barley, seconded by Mrs. Breese, it was RESOLVED THAT Application 2012-066 of Mr. and Mrs. Anthony DeMarco be approved.

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

UNANIMOUSLY CARRIED

Application 2012-067 of Helene and Grace Novick requesting a variance for a 216 square foot shed (12' x 18'), whereas a 150 square foot shed is allowed by code on property located at 6057 East River Road.

On motion to approve by Mr. Levey, seconded by Mrs. White, it was RESOLVED THAT Application 2012-067 of Helene and Grace Novick be approved.

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

UNANIMOUSLY CARRIED

Application 2012-068 of Robert and Stephanie White requesting a variance to install a 6 foot high fence in front yard, whereas a 3 foot high fence is allowed by code on property located at 315 Pinnacle Road.

On motion to approve by Mr. Barley, seconded by Mr. Levey, it was RESOLVED THAT Application 2012-068 of Robert and Stephanie White be approved.

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

UNANIMOUSLY CARRIED

Application 2012-069 of DePaul Properties, Inc. requesting a variance for a 105' front setback, whereas a 125' front setback is required by code for a proposed new building on property located on West Henrietta Road (Lot #R-4-C of the Halpin Subdivision - Tax Acct.#175.06-2-88).

On motion to approve by Mrs. White, seconded by Mr. Levey, it was RESOLVED THAT Application 2012-069 of DePaul Properties, Inc. be approved.

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

UNANIMOUSLY CARRIED

Application 2012-070 of DePaul Properties, Inc. requesting a variance to reduce the number of parking spaces to 60, whereas 150 parking spaces are required by code on property located on West Henrietta Road (Lot #R-4-C of the Halpin Subdivision - Tax Acct.#175.06-2-88).

On motion to approve by Mr. Levey, seconded by Mr. Barley, it was RESOLVED THAT Application 2012-070 of DePaul Properties, Inc. be approved with the following stipulation: The applicant "land bank" enough space to provide a total of 10 (ten) handicap accessible spaces, including required access aisles, in addition to the 60 (sixty) proposed spaces.

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

UNANIMOUSLY CARRIED

Application 2012-071 of DePaul Properties, Inc. requesting a variance to allow proposed parking lot to be located within the front setback on property located on West Henrietta Road (Lot #R-4-C of the Halpin Subdivision - Tax Acct.#175.06-2-88).

On motion to approve by Mr. Breese, seconded by Mr. Levey, it was RESOLVED THAT Application 2012-071 of DePaul Properties, Inc. be approved.

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

UNANIMOUSLY CARRIED

On motion to adjourn by Mr. Breese, seconded by Mr. Barley, it was agreed that the meeting be adjourned at 7:41 P.M.

Respectfully Submitted,

Robert Steidle
Zoning Board Chairman