



**TOWN OF HENRIETTA
ZONING BOARD OF APPEALS
APRIL 25, 2007
AGENDA**

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

**Marc Duclos, Zoning Board Attorney
Christopher Roth, Fire Marshal/Building Inspector**

WORKSHOP: 6:30 P.M.

PUBLIC HEARINGS: 7:00 P.M.

PUBLIC HEARING APPLICATIONS:

- 1. Application 07-023 of Wild Noodles**
- 2. Application 07-028 of Robert LiVecchi**
- 3. Application 07-030 of Michael and Kelly Kinard**
- 4. Application 07-031 of Dennis Penna**
- 5. Application 07-035 of Jeremy and Kristy Graves**
- 6. Application 07-037 of Jeremy and Kristy Graves**
- 7. Application 07-039 of J. Birnbaum Co.**

MINUTES:

 **Minutes of March 28, 2007 (Copy Enclosed)**

ADJOURNED HEARINGS:

 **None**

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 25TH DAY OF APRIL, 2007 AT 7:00 P.M.

MEMBERS PRESENT

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

MEMBERS ABSENT

Douglas Levey

Marc Duclos, Attorney
Christopher Roth, Fire Marshal/Building Inspector

On motion of Mr. Malcolm, seconded by Mr. MacIntyre, the minutes of the meeting of March 28, 2007 were approved.

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

UNANIMOUSLY CARRIED

The following notice was published in the *Henrietta Post* on April 18, 2007. It read as follows: "A public hearing will be held on Wednesday, April 25, 2007 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: 07-023, 07-028, 07-030, 07-031, 07-035, 07-037 and 07-039."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 07-023, 07-028 and 07-030 were declared Type II Actions under Section 617.5(c)(10) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. Steidle, Applications 07-031, 07-035, 07-037 and 07-039 were declared Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

Application 07-023 of Wild Noodles (located at 1635 East Henrietta Road) requesting a variance for an additional 5'6" x 10' sign on an existing pole sign, whereas one pole sign is allowed by code on property located at 942 Jefferson Road.

This application was reserved.

Application 07-028 of Robert LiVecchi requesting a variance for a 6' high chain link fence, whereas a 3' high chain link fence is allowed by code on property located at 31 Palamino Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Breese, it was RESOLVED THAT Application 07-028 of Robert LiVecchi be approved.

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

UNANIMOUSLY CARRIED

Application 07-030 of Michael and Kelly Kinard requesting a variance for a garage depth of 44.33 feet, whereas 30 feet is allowed by code on property located at 7 Chesapeake Landing to construct a workshop/storage area.

On motion to approve by Mr. Malcolm, seconded by Mr. Breese, it was RESOLVED THAT Application 07-030 of Michael and Kelly Kinard be approved.

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

UNANIMOUSLY CARRIED

Application 07-031 of Dennis Penna requesting a variance for a 52' front setback, whereas 60' is required by code to build a 9' x 8' front porch on property located at 31 Rayne Drive.

On motion to approve by Mr. MacIntyre, seconded by Mr. Barley, it was RESOLVED THAT Application 07-031 of Dennis Penna be approved.

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

UNANIMOUSLY CARRIED

Application 07-035 of Jeremy and Kristy Graves requesting a variance for a 15' front setback for construction of a garage, whereas a 30' front setback is required by code on property located at Woodridge Trail (Lot R-4A-2, Tax Acct.#202.02-02-14.3).

On motion to approve by Mr. Malcolm, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 07-035 of Jeremy and Kristy Graves be approved.

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

UNANIMOUSLY CARRIED

Application 07-037 of Jeremy and Kristy Graves requesting a variance for a 15' rear setback to construct a garage, whereas a 30' rear setback is required by code on property located at Woodridge Trail (Lot R-4A-2, Tax Acct.#202.02-02-14.3).

On motion to approve by Mr. Malcolm, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 07-037 of Jeremy and Kristy Graves be approved.

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

UNANIMOUSLY CARRIED

Application 07-039 of J. Birnbaum Co. requesting a variance for a 96' front setback, whereas a 125' front setback is required by code on property located at 330 Clay Road to construct a 12,008 sq.ft. manufacturing addition.

On motion to approve by Mr. Malcolm, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 07-039 of J. Birnbaum Co. be approved.

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

UNANIMOUSLY CARRIED

On motion of Mr. MacIntyre, seconded by Mrs. Mossworth, it was agreed that the meeting be adjourned at 8:25 P.M.

Respectfully Submitted,

Robert Steidle
Chairperson

RS/tm