



**TOWN OF HENRIETTA
ZONING BOARD OF APPEALS
AUGUST 22, 2007
AGENDA**

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

**Marc Duclos, Zoning Board Attorney
Jeff Wilkinson, Fire Marshal/Building Inspector**


WORKSHOP: 6:30 P.M.

PUBLIC HEARINGS: 7:00 P.M.


PUBLIC HEARING APPLICATIONS:

- 1. Application 07-090 of Rerob, LLC**
- 2. Application 07-091 of Rerob, LLC**
- 3. Application 07-106 of Barbershop & Hairstylist**
- 4. Application 07-110 of Paul Achim**
- 5. Application 07-113 of Faith United Methodist Church**
- 6. Application 07-115 of Virginia Chase**
- 7. Application 07-116 of Henrietta Commons, LLC**
- 8. Application 07-117 of CVS Pharmacy**
- 9. Application 07-118 of CVS Pharmacy**

MINUTES:

-  **Minutes of July 25, 2007 (Copy Enclosed)**

ADJOURNED HEARINGS:

-  **Applications 07-090 and 07-091 of Rerob, LLC**

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, 2007 AT 7:00 P.M.

MEMBERS PRESENT

Robert Steidle, Chairperson
Robert Barley, Jr.
Kenneth Breese
Douglas Levey
Andrew Malcolm

MEMBERS ABSENT

Marc Duclos, Attorney
David MacIntyre
Beth Mossworth

Jeff Wilkinson, Fire Marshal/Building Inspector

On motion of Mr. Breese, seconded by Mr. Levey, the minutes of the meeting of July 25, 2007 were approved.

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

UNANIMOUSLY CARRIED

The following notice was published in the *Henrietta Post* on August 15, 2007. It read as follows: "A public hearing will be held on Wednesday, August 22, 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: 07-090, 07-091, 07-106, 07-110, 07-113, 07-115, 07-116, 07-117 and 07-118."

On motion of Mr. Breese, seconded by Mr. Levey, Application 07-090 was declared an Unlisted Action under Section 617.7(c)(1)(I) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. Levey, Applications 07-091, 07-110, 07-113, 07-115 and 07-116 were declared Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. Levey, Applications 07-106, 07-117 and 07-118 were declared Type II Actions under Section 617.5(c)(10) of the State

Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

Application 07-090 of Rerob, LLC requesting a variance for replacement of existing underground gas tanks with one new 20,000 gallon tank and one new 12,000 gallon tank, with a total of 32,000 gallons. A maximum tank size of 10,000 gallons with a maximum total of 24,000 gallons is allowed by code, on property located at 3001 Winton Road South.

This application was adjourned from the July 25, 2007 meeting until the August 22, 2007 Zoning Board meeting due to an address error on the application and be readvertised for said date with corrected address of 3001 Winton Road South.

On motion to approve by Mr. Levey, seconded by Mr. Breese, it was RESOLVED THAT Application 07-090 of Rerob, LLC be approved.

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

UNANIMOUSLY CARRIED

Application 07-091 of Rerob, LLC requesting a variance for a 48.17 ft. rear setback, whereas 60 ft. is required by code to redevelop existing site on property located at 3001 Winton Road South.

This application was adjourned from the July 25, 2007 meeting until the August 22, 2007 Zoning Board meeting due to an address error on the application and be readvertised for said date with corrected address of 3001 Winton Road South.

On motion to approve by Mr. Malcolm, seconded by Mr. Barley, it was RESOLVED THAT Application 07-091 of Rerob, LLC be approved.

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

UNANIMOUSLY CARRIED

Application 07-106 of Barbershop & Hairstylist requesting a variance for a pole sign addition of 18 sq.ft. for a total of 84 sq.ft. ("Barber & Hairstylist"), whereas 75 sq.ft. is allowed by code on property located at 5152 East River Road.

On motion to approve by Mr. Malcolm, seconded by Mr. Breese, it was RESOLVED THAT Application 07-106 of Barbershop & Hairstylist be approved.

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

UNANIMOUSLY CARRIED

Application 07-110 of Paul Achim requesting a variance for a 4' side setback, whereas 8' is required by code, to move an existing 13.8 ft. x 19.5 ft. accessory building on property located at 355 Pinnacle Road.

On motion to approve by Mr. Malcolm, seconded by Mr. Breese, it was RESOLVED THAT Application 07-110 of Paul Achim be approved.

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

UNANIMOUSLY CARRIED

Application 07-113 of Faith United Methodist Church requesting a variance for a 40' side setback, whereas 50' is required by code, to construct an addition to sanctuary on property located at 174 Pinnacle Road.

On motion to approve by Mr. Levey, seconded by Mr. Breese, it was RESOLVED THAT Application 07-113 of Faith United Methodist Church be approved.

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

UNANIMOUSLY CARRIED

Application 07-115 of Virginia Chase requesting a variance for a 31' front setback, whereas 38' is required by code, to construct a covered front porch on property located at 648 Erie Station Road.

On motion to approve by Mr. Malcolm, seconded by Mr. Barley, it was RESOLVED THAT Application 07-115 of Virginia Chase be approved.

AYES: Steidle, Barley, Breese, Levey, Malcolm
NOES: None

ABSTAIN: None

UNANIMOUSLY CARRIED

Application 07-116 of Henrietta Commons, LLC requesting a variance for a 42.4 ft. front setback, whereas 80 ft. is required by code for construction of a proposed building located at 2065 East Henrietta Road.

On motion to approve by Mr. Levey, seconded by Mr. Barley, it was RESOLVED THAT Application 07-116 of Henrietta Commons, LLC be approved.

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

UNANIMOUSLY CARRIED

Application 07-117 of CVS Pharmacy requesting a variance to remove two-sided "Drive-thru" sign from pole sign and install electronic reader board sign in its place on property located at 2550 East Henrietta Road.

On motion to approve by Mr. Breese, seconded by Mr. Malcolm, it was RESOLVED THAT Application 07-117 of CVS Pharmacy be approved with the stipulation that programming does not allow flashing, scrolling or graphic displays.

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

UNANIMOUSLY CARRIED

Application 07-118 of CVS Pharmacy requesting a variance for a pole sign of 152.5 sq.ft., whereas 100 sq.ft. is allowed by code on property located at 2550 East Henrietta Road.

On motion to approve by Mr. Malcolm, seconded by Mr. Barley, it was RESOLVED THAT Application 07-118 of CVS Pharmacy be approved.

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

UNANIMOUSLY CARRIED

On motion of Mr. Levey, seconded by Mr. Breese, it was agreed that the meeting be adjourned at 8:37 P.M.

Respectfully Submitted,

Robert Steidle
Chairperson

RS/tm