



**ZONING BOARD OF APPEALS
DECEMBER 20, 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 07-151 of Hosmer Nursery and Tree Farm**
- 2. Application 07-153 of Urban League of Rochester**
- 3. Application 07-154 of Urban League of Rochester**
- 4. Application 07-155 of Urban League of Rochester**
- 5. Application 07-156 of Urban League of Rochester**

MINUTES:



Minutes of October 24, 2007 (Copy Enclosed)

RESERVED 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 20TH DAY OF DECEMBER, 2007 AT 7:00 P.M.

MEMBERS PRESENT

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

MEMBERS ABSENT

Marc Duclos, Attorney
Jeff Wilkinson, Fire Marshal/Building Inspector

On motion of Mr. Levey, seconded by Mrs. Mossworth, the minutes of the meeting of October 24, 2007 were approved.

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

UNANIMOUSLY CARRIED

The following notice was published in the *Henrietta Post* on December 12, 2007. It read as follows: "A public hearing will be held on Thursday, December 20, 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: 07-151, 07-153, 07-154, 07-155 and 07-156."

On motion of Mr. Breese, seconded by Mr. MacIntyre, Application 07-155 was declared a Type II Action under Section 617.5(c)(10) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. MacIntyre, Applications 07-153 and 07-154 were declared Type II Actions under Section 617.5(c)(12) of the State Environmental Quality Review Act (SEQRA).

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

UNANIMOUSLY CARRIED

On motion of Mr. Breese, seconded by Mr. MacIntyre, Application 07-156 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, MacIntyre, Malcolm, Mossworth
NOES: None
ABSTAIN: None

UNANIMOUSLY CARRIED

Application 07-151 of Hosmer Nursery and Tree Farm requesting a variance for a 720 sq.ft. sign (40' length x 18' high), whereas 250 sq.ft. is allowed by code on property located at 3628 East Henrietta Road.

This application was withdrawn by the applicant.

Application 07-153 of Urban League of Rochester requesting a variance for a 10' side yard setback to the northern edge of the parking lot, whereas 60' is required by code on property located on the west side of East River Road and north of the intersection with Farrell Road Extension (Tax Acct. #188.01-1-9 and portion of Tax Acct. #188.01-1-8.121).

On motion to approve by Mr. Levey, seconded by Mrs. Mossworth, it was RESOLVED THAT Application 07-153 of Urban League of Rochester be approved.

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

CARRIED

Application 07-154 of Urban League of Rochester requesting a variance for a 44.9' rear yard setback, whereas 60' is required by code to construct a 20-unit senior apartment facility on property located on the west side of East River Road and north of the intersection with Farrell Road Extension (Tax Acct. #188.01-1-9 and portion of Tax Acct. #188.01-1-8.121).

On motion to approve by Mrs. Mossworth, seconded by Mr. Steidle, it was RESOLVED THAT Application 07-154 of Urban League of Rochester be approved.

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

CARRIED

Application 07-155 of Urban League of Rochester requesting a variance to allow one-bedroom units to have a reduced square footage from 600 sq.ft. to 540 sq.ft. on property located on the west side of East River Road and north of the intersection with Farrell Road Extension (Tax Acct. #188.01-1-9 and portion of Tax Acct. #188.01-1-8.121).

On motion to approve by Mr. MacIntyre, seconded by Mr. Malcolm, it was RESOLVED THAT Application 07-155 of Urban League of Rochester be approved.

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

UNANIMOUSLY CARRIED

Application 07-156 of Urban League of Rochester requesting a variance to reduce parking spaces from 50 to 31 on property located on the west side of East River Road and north of the intersection with Farrell Road Extension (Tax Acct. #188.01-1-9 and portion of Tax Acct. #188.01-1-8.121).

On motion to approve by Mr. MacIntyre, seconded by Mr. Breese, it was RESOLVED THAT Application 07-156 of Urban League of Rochester be approved with the following stipulations:

- ☛ **Approval of 20 parking spaces, with 11 parking spaces blocked, 6 handicap parking spaces instead of 4 handicap parking spaces, and sidewalk access to all 6 handicap spaces.**

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

UNANIMOUSLY CARRIED

On motion of Mr. Malcolm, seconded by Mr. MacIntyre, it was agreed that the meeting be adjourned at 8:14 P.M.

Respectfully Submitted,

Robert Steidle
Chairperson

RS/tm