



William D. Reilich
Supervisor

TOWN OF GREECE

BOARD OF ZONING APPEALS MINUTES

FEBRUARY 17, 2015

Work Session Began: 6:30 p.m.

Meeting Began: 7:00 p.m.

Place: Community Conference Room, Greece Town Hall

Present

Albert F. Meilutis, Chairman

Thomas Hartwig

Randy T. Jensen

Cathleen A. Nigro

Bradford Shea

John Caterino, Planning Assistant

Maryjo Santoli, Zoning Board Secretary

Absent

Christopher A. Schiano, Esq., Deputy Town Attorney

Robert J. Bilsky

Andrew P. Forsythe

Additions, Deletions and Continuances to the Agenda

Announcements

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OLD BUSINESS

None

NEW BUSINESS:

1. Applicant: Mark DiRaddo
Location: 1100 Long Pond Road
Mon. Co. Tax No.: 074.06-2-11.2
Zoning District: BR (Restricted Business)
Request: An area variance for a proposed second building-mounted sign (1.5 feet x 7.5 feet; 11.25 square feet), instead of one (1) existing permitted building-mounted sign (17 square feet; 33.5 square feet permitted). Sec.211-52 B (2) (a) [1], Table VII

Mr. Jensen offered the following resolution and moved for its adoption:

WHEREAS, the Applicant came before the Town of Greece Board of Zoning Appeals (the "Board of Zoning Appeals") relative to the property at 1100 Long Pond Road, as outlined above; and

WHEREAS, having considered carefully all relevant documentary, testimonial and other evidence submitted, the Board of Zoning Appeals makes the following findings:

1. Upon review of the application, the Board of Zoning Appeals determined that the application is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQR Regulations") (collectively, "SEQR"), and that the application constitutes an Unlisted action under SEQR.
2. The Board of Zoning Appeals has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, 1 Vince Tofany Boulevard, at which time all parties in interest and citizens were afforded an opportunity to be heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Board of Zoning Appeals' consideration.
4. The Board of Zoning Appeals has carefully considered Part 1 of an Environmental Assessment Form (the "EAF") and supplemental environmental information that was submitted by the Applicant's representatives or the Town's staff, which may have included but was not limited to: descriptions; maps; drawings; analyses; reports; reviews; and aerial photographs (collectively, the "Environmental Analysis").
5. The Board of Zoning Appeals has also included in the Environmental Analysis and has carefully considered additional information and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant's representatives.
6. The Board of Zoning Appeals has also included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development and the Town's own staff.

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7. The Board of Zoning Appeals has also included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Board of Zoning Appeals as of this date.
8. The Environmental Analysis examined the relevant issues associated with the Proposal.
9. The Board of Zoning Appeals has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
10. The Board of Zoning Appeals has met the procedural and substantive requirements of SEQR.
11. The Board of Zoning Appeals has carefully considered each and every criterion for determining the potential significance of the proposal upon the environment, as set forth in SEQR.
12. The Board of Zoning Appeals has carefully considered (that is, has taken the required "hard look" at) the proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis.
13. The Board of Zoning Appeals concurs with the information and conclusions contained in the Environmental Analysis.
14. The Board of Zoning Appeals has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Board of Zoning Appeals' determination is supported by substantial evidence, as set forth herein.
15. To the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQR, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Board of Zoning Appeals' own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Board of Zoning Appeals determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

Seconded by Mr. Hartwig and duly put to a vote, which resulted as follows:

VOTE:	Mr. Bilsky	Absent	Mr. Forsythe	Absent
	Mr. Hartwig	Yes	Mr. Jensen	Yes
	Mr. Meilutis	Yes	Ms. Nigro	Yes
	Mr. Shea	Yes		

Motion Carried

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Mr. Jensen then offered the following resolution and moved its adoption:

WHEREAS, this evening, Mr. Mark DiRaddo of 172 Talon Run appeared before the Board of Zoning Appeals, requesting an area variance for an AllState Insurance Agency sign located at 1100 Long Pond Road. The request is for an area variance for proposed second building-mounted sign (1.5 feet x 7.5 feet; 11.25 square feet) for this business, instead of one (1) existing permitted building-mounted sign (17 square feet; 33.5 square feet permitted).

(During the motion, the Chairman and Board Members felt that there was more to discuss before completing the motion. The Chairman asked the Board for a motion to reopen the public hearing.)

Mr. Jensen put forth a motion to reopen the public hearing, seconded by Mr. Shea and duly put to a vote, which resulted as follows:

VOTE:	Mr. Bilsky	Absent	Mr. Forsythe	Absent
	Mr. Hartwig	Yes	Mr. Jensen	Yes
	Mr. Meilutis	Yes	Ms. Nigro	Yes
	Mr. Shea	Yes		

Motion Carried
Public Hearing Reopened

After further discussion, the Chairman closed the public hearing.

Mr. Jensen then restarted and continued the following resolution and moved its adoption:

WHEREAS, this evening, Mr. Mark DiRaddo of 172 Talon Run appeared before the Board of Zoning Appeals, requesting an area variance for an AllState Insurance Agency sign located at 1100 Long Pond Road. The request is for an area variance for a proposed second building-mounted sign (1.5 feet x 7.5 feet; 11.25 square feet) for this business, instead of one (1) existing permitted building-mounted sign (17 square feet; 33.5 square feet permitted).

WHEREAS, on the main motion, Mark DiRaddo has owned this Allstate agency for approximately three years. The applicant is requesting a second building-mounted sign, which will be located on an area that is on the front of another occupant, Q-Dental. The reason for this sign is his agency is located in a cove-type area, with limited visibility. The applicant has had customers who have been unable to find the business; this will help with the visibility. Previously, the applicant had an Allstate sign located at this proposed site, but the Allstate franchisor has requested that the applicant have a sign over the door. With this being in effect; this made it very difficult for customers to be able to find the Allstate Agency.

This sign that the applicant is requesting is a wood-type sign that will be lighted by an overhead light mounted above the sign, shining down onto the sign. The applicant also provided an e-mail from the landlord, who has given authorization for the second sign for this particular tenant to be mounted in a location that is on another tenant's space. The

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applicant has also agreed to relinquish this variance if he sells or changes to another type of insurance, and the next occupant will not be able to utilize this variance. Once again, the reason for this sign is to increase visibility for customers to be able to find his insurance agency.

WHEREAS, Mr. Chairman, I move to approve this application with the condition that, as offered and agreed by the applicant and as cited in the findings of fact, the applicant has agreed to relinquish this variance request should he either terminate his lease or change agencies or change locations; he would relinquish the variance granted for this second sign.

Seconded by Mr. Hartwig and duly put to a vote, which resulted as follows:

VOTE:	Mr. Bilsky	Absent	Mr. Forsythe	Absent
	Mr. Hartwig	Yes	Mr. Jensen	Yes
	Mr. Meilutis	Yes	Ms. Nigro	Yes
	Mr. Shea	Yes		

Motion Carried
Application Approved
With Condition

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ADJOURNMENT: 7:50

APPROVAL OF BOARD OF ZONING APPEALS MEETING MINUTES

The Board of Zoning Appeals of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

Signed: _____

Date: _____

Albert F. Meilutis, Chairman

NEXT MEETING: Tuesday, March 3, 2015

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