



*William D. Reilich*  
*Supervisor*

# **TOWN OF GREECE**

## **BOARD OF ZONING APPEALS**

### **MINUTES**

**SEPTEMBER 15, 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

Robert J. Bilsky

Andrew P. Forsythe

Thomas Hartwig

Randy T. Jensen

Cathleen A. Nigro

Bradford Shea

Christopher A. Schiano, Esq., Deputy Town Attorney

John Caterino, Planning Assistant

Maryjo Santoli, Zoning Board Secretary

#### **Absent**

#### **Additions, Deletions and Continuances to the Agenda**

#### **Announcements**

BOARD OF ZONING APPEALS MINUTES  
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**Old Business:**

1. Applicant: Doan Buick GMC  
Location: 4389 West Ridge Road  
Mon. Co. Tax No.: 073.01-3-17.1  
Zoning District: BG (General Business)  
Request: a) An area variance for a second building-mounted sign ("Doan"; 1.83 feet x 7.57 feet; 13.85 square feet), instead of one (1) 200-square-foot building-mounted sign permitted. Sec. 211-52 B (2) (a) [1], Table VII  
b) An area variance for a third building-mounted sign ("Certified Service"; 1.83 feet x 18.45 feet; 33.76 square feet), instead of one (1) 200-square-foot building-mounted sign permitted. Sec. 211-52 B (2) (a) [1], Table VII

**Mr. Hartwig 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 4389 West Ridge 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 "SEQRA Regulations") (collectively, "SEQRA"), and that the application constitutes an Unlisted action under SEQRA.
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 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 an Environmental Assessment Form ("EAF") and supplementary information prepared by the Applicant and the Applicant's representatives, including but not limited to supplemental maps, drawings, descriptions, analyses, reports, and reviews (collectively, the "Environmental Analysis").
5. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered additional information and comments that resulted from telephone conversations or meetings with or written correspondence from the Applicant and the Applicant's representatives.
6. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that 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 also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that resulted from telephone conversations or meetings with or written correspondence from nearby property owners, and all other 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 SEQRA.
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 SEQRA.
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 careful, independent review of the Proposal and the Board of Zoning Appeals' determination is rational and supported by substantial evidence, as set forth herein.
15. To the maximum extent practicable, potential adverse environmental effects revealed in the environmental review process will be minimized or avoided by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, 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. Shea and duly put to a vote, which resulted as follows:**

<b>VOTE:</b>	<b>Mr. Bilsky</b>	<b>Yes</b>	<b>Mr. Forsythe</b>	<b>Yes</b>
	<b>Mr. Hartwig</b>	<b>Yes</b>	<b>Mr. Jensen</b>	<b>Yes</b>
	<b>Mr. Meilutis</b>	<b>Yes</b>	<b>Ms. Nigro</b>	<b>Yes</b>
	<b>Mr. Shea</b>	<b>Yes</b>		

**Motion Carried**

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

Mr. Chairman, with regard to the application of Doan Buick GMC, 4389 West Ridge Road, which is located in a BG (General Business) zoning district. The owner and a representative appeared before the Board of Zoning Appeals, requesting an area variance for a proposed second building-mounted sign ("Doan"; 1.83 feet x 7.57 feet; 13.85 square feet), instead of one (1) 200-square-foot building-mounted sign permitted; and an area variance for a third building-mounted sign ("Certified Service"; 1.83 feet x 18.45 feet; 33.76 square feet), instead of one (1) 200-square-foot building-mounted sign permitted.

WHEREAS, on the main motion, the findings of facts are as follows. On September 1st, Andrew Spencer of BME Associates, along with Raymond Helfrich, the owner of Doan Buick, appeared before the Board to explain their need to place three signs on the front of the new proposed Doan Buick GMC building to be located at 4389 West Ridge Road. These signs would read: "Buick GMC," of approximately 24.64 square feet; "Doan," approximately 13.85 square feet; and finally the third sign, "Certified Service," comprising 33.8 square feet. The "Buick GMC" sign is allowed as code provides for one sign to be placed on the front of the building; consequently, variances for the other two signs would be needed. The reasons for this additional signage are as follows: the "Doan" sign designating the dealership would be required through their dealership agreement with Buick GMC. In addition, the "Certified Service" sign is a brand name for that activity and will also assist to identify the location of the service doors, as the proposed building will be approximately 146 feet in length. Once again, according to code, 200 square feet of signage is allowed in the front of the building. These three signs, when added together, total 72.3 square feet, which is 64% less than code allowance. In addition, these signs placed on the building would be consistent with existing signage of other automobile dealerships on West Ridge Road. As comments were not received from Monroe County, this application was continued to September 15th; this evening, we heard that the County comments have been received, and there are no concerns. As such, I move to approve this application with the condition that all applicable permits must first be obtained.

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

<b>VOTE:</b>	<b>Mr. Bilsky</b>	<b>Yes</b>	<b>Mr. Forsythe</b>	<b>Yes</b>
	<b>Mr. Hartwig</b>	<b>Yes</b>	<b>Mr. Jensen</b>	<b>Yes</b>
	<b>Mr. Meilutis</b>	<b>Yes</b>	<b>Ms. Nigro</b>	<b>Yes</b>
	<b>Mr. Shea</b>	<b>Yes</b>		

**Motion Carried**  
**Application Approved**  
**With Condition**

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**New Business:**

1. Applicant: Patricia A. DeBurro  
Location: 41 Mont Morency Drive  
Mon. Co. Tax No.: 045.16-2-9  
Zoning District: R1-E (Single-Family Residential)  
Request: A special use permit for a proposed in-law apartment (approximately 419.5± square feet). Sec. 211-11 (C) (2) (e)

**Ms. Nigro 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 41 Mont Morency Drive, 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 "SEQRA Regulations") (collectively, "SEQRA"), and that the application constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c)(9).)
2. According to SEQRA, Type II actions have been determined not to have a significant adverse impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned documentation, testimony, information and findings, SEQRA requires no further action relative to this proposal.

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

<b>VOTE:</b>	<b>Mr. Bilsky</b>	<b>Yes</b>	<b>Mr. Forsythe</b>	<b>Yes</b>
	<b>Mr. Hartwig</b>	<b>Yes</b>	<b>Mr. Jensen</b>	<b>Yes</b>
	<b>Mr. Meilutis</b>	<b>Yes</b>	<b>Ms. Nigro</b>	<b>Yes</b>
	<b>Mr. Shea</b>	<b>Yes</b>		

**Motion Carried**

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**Ms. Nigro then offered the following resolution and moved its adoption:**

Mr. Chairman, with regard to the application of Patricia DeBurro, 41 Mont Morency Drive, her representative appeared before the Board of Zoning Appeals, requesting a special use permit for a proposed in-law apartment (approximately 419.5± square feet).

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The findings of fact are as follows. This parcel is located at 41 Mount Morency Dr in a R1-E (Single Family residential) District. The parcel is approximately 103 feet wide by 135 feet deep. It contains a two-story, single-family dwelling, with an attached garage.

The applicant's general contractor, Rick Peters, who represents the applicant, appeared before the Board this evening and has stated that Ms. Deburro has owned the home for three to four months. She is constructing this in-law apartment for herself. She owns the home with her daughter, and will reside in the in-law apartment. Her daughter, son-in-law, and their children will reside in the main part of the home. The size of the addition will be approximately 419.5 square feet.

There will be no separation of utilities. The proposed in-law will not cause traffic problems within the neighborhood. The existing driveway is for two cars to be parked side-by-side and at least two deep, so parking will not be an issue. With this addition, construction will be made to blend with the existing house. Also with this in-law addition, there will be a common area between the in-law apartment and the principal residence, and the in-law will have its own entrance, located at the front of the home.

Additionally no neighbors spoke opposing this request.

In going through the in-law apartment requirements for Special Use Permit:

1. The in-law apartment may be occupied only by members of the family unit occupying the main part of the dwelling or by in-laws of the member of the family unit. As stated by Mr. Peters, it will be occupied by the homeowner—Patricia DeBurro.
2. The area of the in-law apartment shall not exceed 30% of the total area of the residence. This in-law apartment will have an area of 419.5 square feet, which does not exceed total area.
3. Occupancy of the apartment shall be non-transferrable to subsequent owners. A new owner of the premises shall have to apply to the Board of Zoning Appeals for a waiver of a special use permit to continue the in-law apartment use.
4. In-law apartment use shall be able to have a separate means of ingress and egress, but must also have an internal access point connecting the two. There is a separate entrance to the property from the outside and there is internal access through the front foyer of the home.
5. If an in-law apartment becomes vacant, the family occupying the main part of the dwelling shall have full use and occupancy of the in-law apartment as if it were an integral part of the dwelling without further permitting of the town. The applicant understands that, should the in-law no longer be used by an in-law, it shall be used as a portion of the principal dwelling and not be a rental property.
6. Regarding exterior appearance, if an in-law apartment is located in or attached to the principal dwelling, the design of the unit and its entry shall be such that, to the degree reasonably feasible, the appearance of the building will remain as a single family residence. It has been stated by Mr. Peters that it will be built to blend with the existing dwelling.
7. Any residence containing an in-law apartment shall be considered a single family residence.
8. The in-law apartment shall meet the standards of Title 19NYCRR, the building code of New York State, for habitable space.

Based on the facts that the applicant meets all the criteria for a special use permit, I move to approve this application, with the following conditions:

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1. That the applicant must obtain all necessary permits for the construction of the in-law.
2. This special use permit is non-transferrable to future owners.
3. Applicant must recertify every year with the Town as far as who is living in the in-law apartment.

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

<b>VOTE:</b>	<b>Mr. Bilsky</b>	<b>Yes</b>	<b>Mr. Forsythe</b>	<b>Yes</b>
	<b>Mr. Hartwig</b>	<b>Yes</b>	<b>Mr. Jensen</b>	<b>Yes</b>
	<b>Mr. Meilutis</b>	<b>Yes</b>	<b>Ms. Nigro</b>	<b>Yes</b>
	<b>Mr. Shea</b>	<b>Yes</b>		

**Motion Carried**  
**Application Approved**  
**With Conditions**

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2. Applicant: Jeffrey Owen  
Location: 70 Barcrest Drive  
Mon. Co. Tax No.: 060.13-5-18  
Zoning District: R1-E (Single-Family Residential)  
Request: An area variance to allow seven (7) dogs to be kept at a residence, where not more than three (3) dogs shall be permitted per dwelling unit. Sec. 211-30 A

**On a motion by Mr. Bilsky and seconded by Mr. Hartwig, it was resolved to continue the public hearing on this application until the meeting of October 6, 2015 in order to give the applicant time to review his options.**

<b>VOTE:</b>	<b>Mr. Bilsky</b>	<b>Yes</b>	<b>Mr. Forsythe</b>	<b>Yes</b>
	<b>Mr. Hartwig</b>	<b>Yes</b>	<b>Mr. Jensen</b>	<b>Yes</b>
	<b>Mr. Meilutis</b>	<b>Yes</b>	<b>Ms. Nigro</b>	<b>Yes</b>
	<b>Mr. Shea</b>	<b>Yes</b>		

**Motion Carried  
Application Continued Until  
the Meeting of October 6, 2015**

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3. Applicant: Dale Ewbank  
Location: 653 Edgemere Drive  
Mon. Co. Tax No.: 035.15-1-32  
Zoning District: R1-E (Single-Family Residential)  
Request: a) An area variance for a proposed addition (12.3 feet x 14.6 feet; 179.6 square feet) to an existing house, to have a (east) side setback of 4.0 feet, instead of the 6.0 feet minimum required. Sec.211-11 D (2), Table I  
b) An area variance for a proposed addition (12.3 feet x 14.6 feet; 179.6 square feet) to an existing house, to have a front setback of 72.0 feet (measured from the south right-of-way line of Edgemere Drive), instead of the 44.0 feet maximum established by the neighborhood average. Sec. 211-11 D (2), Table I  
c) An area variance for proposed lot coverage of 31.2%, instead of the 30.3% granted by the Board of Zoning Appeals on January 2, 2008. Sec. 211-11D (2), Table I

**On a motion by Mr. Jensen and seconded by Mr. Bilsky, it was resolved to continue the public hearing on this application until the meeting of October 6, 2015 in order to give Monroe County time to respond with their comments on the request.**

<b>VOTE:</b>	<b>Mr. Bilsky</b>	<b>Yes</b>	<b>Mr. Forsythe</b>	<b>Yes</b>
	<b>Mr. Hartwig</b>	<b>Yes</b>	<b>Mr. Jensen</b>	<b>Yes</b>
	<b>Mr. Meilutis</b>	<b>Yes</b>	<b>Ms. Nigro</b>	<b>Yes</b>
	<b>Mr. Shea</b>	<b>Yes</b>		

**Motion Carried  
Application Continued Until  
the Meeting of October 6, 2015**

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4. Applicant: Jim Vo  
Location: 491 Elmgrove Road  
Mon. Co. Tax No.: 088.04-4-21  
Zoning District: BR (Restricted Business)  
Request: A special use permit to operate a motor vehicle service station in accordance with the regulations established in Section 211-35. Sec.211-17 B (3) (b) [3]

**Mr. Hartwig 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 491 Elmgrove 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 "SEQRA Regulations") (collectively, "SEQRA"), and that the application constitutes an Unlisted action under SEQRA.
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 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 an Environmental Assessment Form ("EAF") and supplementary information prepared by the Applicant and the Applicant's representatives, including but not limited to supplemental maps, drawings, descriptions, analyses, reports, and reviews (collectively, the "Environmental Analysis").
5. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered additional information and comments that resulted from telephone conversations or meetings with or written correspondence from the Applicant and the Applicant's representatives.
6. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that 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.
7. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that resulted from telephone conversations or meetings with or written correspondence from nearby property owners, and all other comments submitted to the Board of Zoning Appeals as of this date.
8. The Environmental Analysis examined the relevant issues associated with the Proposal.

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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 SEQRA.
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 SEQRA.
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 careful, independent review of the Proposal and the Board of Zoning Appeals' determination is rational and supported by substantial evidence, as set forth herein.
15. To the maximum extent practicable, potential adverse environmental effects revealed in the environmental review process will be minimized or avoided by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, 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. Jensen and duly put to a vote, which resulted as follows:**

<b>VOTE:</b>	<b>Mr. Bilsky</b>	<b>Yes</b>	<b>Mr. Forsythe</b>	<b>Yes</b>
	<b>Mr. Hartwig</b>	<b>Yes</b>	<b>Mr. Jensen</b>	<b>Yes</b>
	<b>Mr. Meilutis</b>	<b>Yes</b>	<b>Ms. Nigro</b>	<b>Yes</b>
	<b>Mr. Shea</b>	<b>Yes</b>		

**Motion Carried**

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

Mr. Chairman, with regard to the application of Jim Vo, regarding 491 Elmgrove Road, Mr. Vo appeared before the Board of Zoning Appeals this evening, requesting a special use permit to operate a motor vehicle service station in accordance with the regulations established in Section 211-35.

WHEREAS, Jim Vo, who resides at 3230 Edgemere Drive and intends on opening a business at 491 Elmgrove Road in a Restricted Business district, has submitted an

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application for a special use permit to operate a motor vehicle service station in accordance with the regulations established in Section 211-35.

WHEREAS, on the main motion, this evening, Jim Vo appeared before the Board and mentioned that the name of his business will be called "Modified Customs Installation Inc." and that his hours of operation of this facility will be Mondays through Fridays, from 8:00 a.m. to 5:00 p.m., and on Saturdays, from 10:00 a.m. to 2:00 p.m. There is a conflict between the hours of what was submitted in the written documentation and what was orally given, so the hours of operation will be 8:00 a.m. to 5:00 p.m. Mondays through Fridays, 10:00 a.m. to 2:00 p.m. on Saturdays, and closed Sundays, which is what was cited, but it is a conflict in what he submitted. There will be two employees there, mainly Mr. Vo and an associate. The type of vehicles to be serviced will be cars, pick-up trucks and vans, and they will be serviced indoors only, inside the building, and will not be serviced in any right-of-way. The type of repairs to be made are primarily for car accessories and electrical in nature—car starters, electrical work, things along that line. There will be no collision work or painting done on-site. The vehicles that are waiting to be serviced and also waiting to be picked up after service will be stored inside the building; however, there may be times where up to two cars will be stored outside. The building was previously used as an auto repair center, so the building use is consistent with the past; that building as an auto repair center was in use for approximately 30 years. As far as signage for the tenant, the signage will be placed on the new business pylon, and there will be no A-frame signs permitted as far as advertising his business.

No special use permit shall be granted by the Board of Zoning Appeals unless and until the applicant has demonstrated to the satisfaction of the Board that:

1. Access to the site and the size of the site are adequate for the proposed use. Since this building and site have been previously used for some 30-odd years as an auto service center, the access is adequate for the use at that location.
2. The proposed use will not adversely affect the orderly pattern of development in the area. Once again, this building has already been in use for substantial time.
3. The nature, duration and intensity of the operations which are involved in or conducted in connection with the proposed use will be in harmony with nearby uses and will not alter the essential character of the neighborhood, nor be detrimental to the residents thereof. Mr. Vo will be continuing the auto service work that was previously at this location.
4. The proposed use will not create a hazard to health, safety or the general welfare.
5. The proposed use will not be detrimental to the flow of traffic in the vicinity. Once again, this is a use that is consistent with past patterns.
6. The proposed use will not place an excessive burden on public improvements, facilities, services or utilities.

Therefore, based on the aforementioned information, testimony, documentation, and findings, pursuant to the authority conferred by New York State Town Law, Section 274-b, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), I move to approve this special use permit, subject to the following conditions:

1. The Applicant shall operate this motor vehicle service station in conformity with all details of the Proposal, as presented in the written descriptions and various maps, plans and illustrations of the Proposal, as orally described at the Hearing, and as set forth herein. In the event of any conflict among the oral or written descriptions of the Proposal, the various maps, plans and illustrations of the Proposal, or the

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- requirements or restrictions of this resolution, the Board of Zoning Appeals, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.
2. The maximum occupancies in this motor vehicle service station shall be the limits established by the Town's Fire Marshal pursuant to the New York State Uniform Fire Prevention and Building Code.
  3. The Applicant shall comply with all applicable federal, state, county, and Town laws, ordinances, codes, rules, and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code. Failure to comply with such requirements may be grounds for revocation of this special use permit.
  4. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
  5. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors, and assigns.
  6. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
  7. Upon the sale or other transfer of controlling interest in this motor vehicle service station to any person or entity other than Jim Vo doing business as Modified Customs Installation Inc., its wholly owned subsidiaries, or its franchisees, a new application for a special use permit must be submitted to the Board of Zoning Appeals.
  8. All necessary buildings permits be first obtained and codes complied with as required.
  9. The hours of operation shall be Mondays through Fridays, from 8:00 a.m. to 5:00 p.m., Saturdays from 10:00 a.m. to 2:00 p.m., and closed on Sundays.
  10. There will be no collision work or painting done on this site.
  11. All work shall be completed inside the existing building, as will the cars that are waiting to be serviced and cars waiting to be picked up will be stored inside; however, there may be a situation where no more than two cars will be left outside.
  12. There shall be no licensed or unlicensed vehicles parked in the grassy area in the front of the property or on the shoulder of Elmgrove Road to advertise the business, regardless of whether such vehicles have lettering or logos to identify the business or the service.

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

<b>VOTE:</b>	<b>Mr. Bilsky</b>	<b>Yes</b>	<b>Mr. Forsythe</b>	<b>Yes</b>
	<b>Mr. Hartwig</b>	<b>Yes</b>	<b>Mr. Jensen</b>	<b>Yes</b>
	<b>Mr. Meilutis</b>	<b>Yes</b>	<b>Ms. Nigro</b>	<b>Yes</b>
	<b>Mr. Shea</b>	<b>Yes</b>		

**Motion Carried**  
**Application Approved**  
**With Conditions**

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**ADJOURNMENT:** 8:10 p.m.

**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:** October 6, 2015