



William D. Reilich
Supervisor

TOWN OF GREECE

BOARD OF ZONING APPEALS MINUTES

OCTOBER 18, 2016

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 F. Hartwig

Randy T. Jensen

Cathleen A. Nigro

Bradford Shea

Christopher A. Schiano, Esq., Deputy Town Attorney

John T. Caterino, Planning Assistant

Maryjo Santoli, Zoning Board Secretary

Absent

Additions, Deletions and Continuances to the Agenda

Announcements

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

Old Business:

1. Applicant: Lynn Cucinelli
Location: 1800 Manitou Road
Mon. Co. Tax No.: 073.03-1-22.2
Zoning District: R1-18 (Single-Family Residential)
Request: An area variance for a proposed detached garage (20.0 feet x 30.0 feet; 600.0 square feet), resulting in a total gross floor area of 2937 square feet in all accessory structures, instead of the 2337 square feet granted by the Board of Zoning Appeals on July 19, 2011. Sec. 211-11 E (1), Table I

This application has been withdrawn by the applicant

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

2. Applicant: Jane Kenney
Location: 305 Crystal Creek Drive
Mon. Co. Tax No.: 045.01-2-91
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for an existing covered porch (12.5 feet x 18.0 feet; 225.0 square feet) with a (south) rear setback of 2.5± feet, instead of the 10.0 feet minimum required. Sec. 211-11 E (1), Table I

Mr. Bilsky 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 305 Crystal Creek, 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)(10) & (12).)
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. Nigro and duly put to a vote, which resulted as follows:

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

Motion Carried

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

Mr. Chairman, regarding the application of Jane Kenney, 305 Crystal Creek, Ms. Kenney appeared before the Board of Zoning Appeals this evening, requesting an area variance for an existing covered porch (12.5 feet x 18.0 feet; 225.0 square feet) with a (south) rear setback of 2.5± feet, instead of the 10.0 feet minimum required.

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

The findings of fact are as follows. The applicant originally appeared before this Board on September 20, 2016. Jane Kenney and Steven Genrish came forward to discuss this issue. They indicated that they have resided at this address for 15 years. The porch was built approximately three months ago. It is an open structure with a metal roof and it was constructed to cover a hot tub and patio. Upon review of other properties in the neighborhood, nothing similar was granted in this neighborhood within the recent timeframe. The applicant indicated that there were no plans to enclose this structure, and we discussed issues about the appearance of the roof and the management of storm water runoff. The applicant has appeared before the Board this evening with a number of solutions that address our concerns from our last meeting. First and foremost, the applicant has agreed to remove the metal roof and install asphalt sheathing architectural shingles to match the current house. The applicant also indicated, to address the drainage issues, that he would install gutter downspouts on the northwest side of the gazebo and on the east side of the gazebo, and he will ensure that the drainage from the downspouts runs away from the neighbors and toward the street, and he indicated that was what the intent was there. The applicant also indicated that he will not install any screening or curtains on the south side of the structure and that he would not install a permanent grill in or under this structure. The Building Department was asked to do an inspection, which they did on September 21, 2016. Some minor items were identified, but no major issues were identified that would preclude the granting of this variance.

Having reviewed all the testimony and evidence as just summarized in the findings of fact, and having considered the five statutory factors set forth in New York State Town Law, Section 267-b, and finding that the evidence presented meets the requirements of this Section, and having found that there is no significant detriment to the health, safety, and welfare of the neighborhood or community and that the benefit to the applicant is substantial, and having found that this is a Type II action under SEQRA, requiring no further action by this Board, I move to approve this application with the following conditions:

1. That the applicant comply with all building permits within the Town.
2. That there be no permanent grill or permanent fireplace installed underneath this structure.
3. That the lights, if any, to be installed are to be controlled in a way that they do not shine on neighboring properties. They should be down lighting, should be up under the roof and not shining on neighboring properties.
4. That the metal roof of this structure will be removed and it will be replaced with asphalt sheathing to match the asphalt sheathing on the existing home.
5. And as offered and agreed to by the applicant, install stone enclosures around the support columns for the roof.

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

Seconded by Ms. Nigro and duly put to a vote, which resulted as follows:

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

Motion Carried
Application Approved
With Conditions

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

New Business:

1. Applicant: Gregory Coons
Location: 97 Labrador Drive
Mon. Co. Tax No.: 059.01-7-88
Zoning District: R1-E (Single-Family Residential)
Request: A special use permit for a proposed in-law apartment (20.0 feet x 30.0 feet; 600.0 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 97 Labrador 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) & (13).)
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. Forsythe and duly put to a vote, which resulted as follows:

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

Motion Carried

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

Mr. Chairman, regarding the application of Gregory Coons, 97 Labrador Drive, Gregory Coons and his wife, Cindy, appeared before the Board of Zoning Appeals this evening, requesting a special use permit for a proposed in-law apartment (20.0 feet x 30.0 feet; 600.0 square feet).

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

The findings of fact are as follows. This parcel is located at 97 Labrador Drive, and is located in an R1-E (Single Family Residential) District. The parcel is 85 feet x 150 feet deep and contains a two-story, single-family dwelling with an attached garage. The survey map provided shows a wood deck on the south side of the home. The applicant, Mr. Coons and his wife, Cindy Coons, appeared before the Board this evening and stated that they have lived at this residence for the past 11 years. They are constructing this in-law apartment for his parents, Eugene and Barbara Coons, who reside in Florida in the winter months and plan on using this in-law apartment during the summer; they have submitted a notarized affidavit to confirm this. The size of this addition or apartment will be approximately 570 square feet. It will be located on the south side of the home. The apartment will consist of a kitchenette, living area, eating area, bedroom and bath. Also, with this in-law there will be a common area between the in-law apartment and the principal residence located in the mudroom. The in-law will also have its own entrance off the garage. There will be no separation of utilities. The proposed in-law will not cause any traffic problems within the neighborhood, nor will parking be an issue. The existing driveway is wide enough for two cars to be parked side by side. With this addition, construction is planned once all permits are received. The addition will be made to blend with the existing home and the exterior will be matched as close as it can be. A letter submitted from Ms. Kern at 105 Labrador approves this request.

In going through the in-law apartment requirements for a 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 previously, the in-law apartment will be inhabited by Mr. Coons' mother and father.
2. The area of the in-law apartment shall not exceed 30% of the total area of the residence. Of the one-family dwelling in which such apartment is located or 600 square feet, whichever is less, this in-law does not exceed 30%.
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 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. As stated previously, the apartment would have its own ingress and egress.
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 will.
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. The construction of the in-law addition would require a permit from the Building Department and would be required to comply with the New York State Building Code.

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

Having reviewed all the testimony and evidence as just summarized in the findings of fact, and having considered the five statutory factors set forth in New York State Town Law, Section 267-b, and finding that the evidence presented meets the requirements of this Section, and having found that there is no significant detriment to the health, safety, and welfare of the neighborhood or community and that the benefit to the applicant is substantial, and having found that this is a Type II action under SEQRA, requiring no further action by this Board, I move to approve this application with the following conditions:

1. That the applicant will obtain all necessary permits for construction of the in-law.
2. This is non-transferable to subsequent owners.
3. The size of the in-law shall not exceed 600 square feet.
4. The applicant must annually submit who resides in the in-law apartment.

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

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

Motion Carried
Application Approved
With Conditions

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

2. Applicant: Joseph Cimino
Location: 95 Shoreway Drive
Mon. Co. Tax No.: 026.03-2-16
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed shed (12.0 feet x 16.5 feet; 198.0 square feet) to be located in the front yard of a waterfront lot with a lot area less than 18,000 square feet, where accessory structures, including sheds, are permitted only in rear yards. Sec. 211-11 E (2) (a), Sec. 211-11 E (3)

Mr. Forsythe 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 95 Shoreway 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)(10) & (12).)
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. Hartwig and duly put to a vote, which resulted as follows:

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

Motion Carried

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

Mr. Chairman, regarding the application of Joseph Cimino, 95 Shoreway Drive, Mr. Cimino appeared before the Board of Zoning Appeals this evening, requesting an area variance for a proposed shed (12.0 feet x 16.5 feet; 198.0 square feet) to be located in the

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

front yard of a waterfront lot with a lot area less than 18,000 square feet, where accessory structures, including sheds, are permitted only in rear yards.

The findings of fact are as follows. The parcel is located at 95 Shoreway Drive and is located in an R1-E (Single-Family Residential) neighborhood. The applicant, Mr. Cimino, appeared before this Board this evening and stated that he has lived at the residence for approximately a year and a half. He stated that the shed will be made of wood and stained and it is also going to include some windows on it. The location of the shed is only able to be placed on the waterfront side because there is no other location on the street side where they can possibly place the shed. The shed will not have electric service in it and it will most likely have a cement floor, four cement blocks to lift the shed slightly up off the ground. The shed will contain storage for canoes and kayaks so as to not have items laying in the yard, so that it looks more pleasing to the neighbors. He has spoken to the neighbors on both sides of his residence, and neither one of them has any issue with him building the shed there. It has also been indicated that there are several sheds currently in that neighborhood on the waterfront side.

Having reviewed all the testimony and evidence as just summarized in the findings of fact, and having considered the five statutory factors set forth in New York State Town Law, Section 267-b, and finding that the evidence presented meets the requirements of this Section, and having found that there is no significant detriment to the health, safety, and welfare of the neighborhood or community and that the benefit to the applicant is substantial, and having found that this is a Type II action under SEQRA, requiring no further action by this Board, I move to approve this application with the following conditions:

1. That the applicant obtains all the necessary permits.
2. And that the shed maintains all Town code requirements.

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

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

Motion Carried
Application Approved
With Conditions

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

3. Applicant: Patsy D'Alesio
Location: 134 Ridgedale Circle
Mon. Co. Tax No.: 075.14-7-38
Zoning District: R1-E (Single-Family Residential)
Request: An area variance to allow four (4) dogs to be kept at a residence, instead of the maximum three (3) dogs permitted per dwelling unit. Sec. 211-30 A

On a motion by Mr. Bilsky and seconded by Mr. Shea, it was resolved to continue the public hearing on this application until the meeting of November 15, 2016, in order to give the applicant time to review the options.

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

**Motion Carried
Application Continued Until
Meeting of November 15, 2016**

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

4. Applicant: Melvin Smith
Location: 116 Jade Creek Drive
Mon. Co. Tax No.: 044.02-3-22
Zoning District: R1-E (Single-Family Residential)
Request: a) An area variance for a proposed detached garage (30.0 feet x 40.0 feet; 1200.0 square feet), resulting in a total gross floor area of 1722.6± square feet in all accessory structures, where 1000 square feet is the maximum gross floor area permitted for lots with a lot area of 16,000 square feet to one (1) acre. Sec. 211-11 E (1), Table I
b) An area variance for a proposed detached garage (30.0 feet x 40.0 feet; 1200.0 square feet) to have a (north) side setback of 7.9 feet, instead of the 10.0 feet minimum required. Sec. 211-11 E (1), Table I

On a motion by Mr. Hartwig and seconded by Mr. Jensen, it was resolved to continue the public hearing on this application until the meeting of November 1, 2016, in order to give the applicant time to review his options.

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

**Motion Carried
Application Continued Until
Meeting of November 1, 2016**

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

5. Applicant: Gatti Enterprises, LLC
Location: 441 & 447 Elmgrove Road
Mon. Co. Tax No.: 088.03-1-12.131
Zoning District: IG (General Industrial)
Request: An area variance for a proposed principal building addition (14,600± square feet) to have a front setback of 76.0 feet (measured from the west right-of-way line of Elmgrove Road), instead of the 78.0 feet granted by the Board of Zoning Appeals on March 11, 1997. Sec. 211-18 B (4), Table IV

On a motion by Mr. Shea and seconded by Mr. Bilsky, it was resolved to continue the public hearing on this application until the meeting of November 1, 2016 in order to give staff time to re-advertise the legal notice.

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

**Motion Carried
Application Continued Until
Meeting of November 1, 2016**

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

6. Applicant: 3839 West Ridge Road, LLC
Location: 3839 West Ridge Road
Mon. Co. Tax No.: 073.04-2-2
Zoning District: BG (General Business)
Request: An area variance for a proposed freestanding sign ("Verizon"; 3.08 feet x 6.5 feet; 20.0 square feet) to have to have a setback of 0.0 feet (measured from the south right-of-way line of West Ridge Road), instead of the 15.0 feet minimum required. Sec. 211-52 B (1) (b) [1]

On a motion by Ms. Nigro and seconded by Mr. Bilsky, it was resolved to continue the public hearing on this application until the meeting of November 1, 2016 in order to give staff time to receive comments from Monroe County.

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

**Motion Carried
Application Continued Until
Meeting of November 1, 2016**

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

7. Applicant: Transitown Dodge of Greece (d.b.a. Doan Dodge Chrysler Jeep)
Location: 4477 West Ridge Road
Mon. Co. Tax No.: 073.01-3-12.1
Zoning District: BG (General Business)
Request: An area variance for a proposed eighth (north side) building-mounted sign ("Fiat"; 15.5 square feet), resulting in an overall total sign area of 210.5 square feet, instead of the seven (7) building mounted signs, totaling 195.0 square feet, granted by the Board of Zoning Appeals on October 19, 2010. Sec. 211-52 B (2) (a) [1] & Sec. 211-52 B (2) (c) [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 4477 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 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 environmental information that was prepared by the Applicant and/or the Applicant's representatives or the Town's staff, which included but was not limited to maps, drawings, descriptions, analyses, reports, reviews, and an Environmental Assessment Form ("EAF") (collectively, the "Environmental Analysis").
5. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered additional information submitted by the Applicant's representatives, including but not limited to: oral or written descriptions of the Proposal; maps and other drawings of the Proposal; 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 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.
7. The Board of Zoning Appeals also has 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

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

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.

8. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that recommendations, and comments that may have 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.
9. The Environmental Analysis examined the relevant issues associated with the Proposal.
10. The Board of Zoning Appeals has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
11. The Board of Zoning Appeals has met the procedural and substantive requirements of SEQRA.
12. 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.
13. 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 and all additional relevant information submitted.
14. The Board of Zoning Appeals concurs with the information and conclusions contained in the Environmental Analysis.
15. 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.
16. To the maximum extent practicable, the project as originally designed or as voluntarily modified by the Applicant will minimize or avoid potential adverse environmental impacts that were identified in the environmental review process.

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 Ms. Nigro and duly put to a vote, which resulted as follows:

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

Motion Carried

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

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

Mr. Chairman, regarding the application of Transitown Dodge of Greece (d.b.a. Doan Dodge Chrysler Jeep), 4477 West Ridge Road, Michael Yost from Principle Global Sign Company, appeared before the Board of Zoning Appeals this evening, representing Transitown Dodge of Greece (d.b.a. Doan Dodge Chrysler Jeep), requesting an area variance for a proposed eighth (north side) building-mounted sign ("Fiat"; 15.5 square feet), resulting in an overall total sign area of 210.5 square feet, instead of the seven (7) building mounted signs, totaling 195.0 square feet, granted by the Board of Zoning Appeals on October 19, 2010.

The findings of fact are as follows. The applicant's representative, Mike Yost from Principle Global Sign Company, representing Transitown Dodge of Greece (d.b.a. Doan Dodge Chrysler Jeep), requesting this eighth proposed sign, the reason for this proposed sign is because the dealership has taken on the "Fiat" brand, and would like to have this sign on this building along with the other seven representing the products that are sold. This will be an LED sign similar to the other signs on the buildings; no other signs will be moved. There have been other applicants on the West Ridge Road corridor where dealerships have done this previously. This sign is smaller than which have been granted previously. There are no County comments and no comments from anyone who attended this evening's meeting.

Therefore, I move to approve this application with the condition that the applicant obtain all necessary permits.

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

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

Motion Carried
Application Approved
With Condition

MODIFICATION TO NEIGHBORHOOD NOTIFICATION:

1. Applicant: Mars Hill Broadcasting
Location: 990 Manitou Road
Mon. Co. Tax No.: 044.01-2-7.11
Zoning District: R1-44 (Single-Family Residential)
Request: A special use permit for a proposed telecommunications facility (23-foot-high roof-mounted FM translator antenna) to be located on the parcel. Sec. 211-56 A

The staff has requested a modification of the neighborhood notification requirements, to reduce the number of property owners to be notified. The basis for this request is the large size of the entire parcel, of which this site is but one part, and the many properties which would be included in the notification but which are not near the subject of the special use permit.

On a motion by Mr. Bilsky and seconded by Mr. Shea, it was resolved to amend the Neighborhood Notification for a special use permit for a proposed telecommunications facility, to be located on the parcel submitted by Mars Hill Broadcasting, relying on the Town staff's judgment for fulfillment of the zoning ordinance intent for adequate neighborhood notification, which should be just the parcels fronting Manitou Road on both sides of the street and the adjoining parcels of said property, which are the parcels in the immediate vicinity that potentially would be most affected by the proposed special use permit.

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

**Motion Carried
Request Granted**

BOARD OF ZONING APPEALS MINUTES
October 18, 2016

ADJOURNMENT: 8:30 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: November 1, 2016