



William D. Reilich
Supervisor

TOWN OF GREECE

BOARD OF ZONING APPEALS MINUTES

MARCH 20, 2018

Work Session Began: 6:30 p.m.

Meeting Began: 7:00p.m.

Place: Community Conference Room, Greece Town Hall

Present

Albert F. Meilutis, Chairman

Andrew P. Forsythe

Thomas F. Hartwig

Bradford Shea

Anthony F. Wechsler

Christopher A. Schiano, Esq., Deputy Town Attorney

John T. Caterino, Planning Assistant

Michelle Betters – Acting Zoning Board Secretary

Absent

Randy T. Jensen

Cathleen A. Nigro

Maryjo Santoli, Zoning Board Secretary

Additions, Deletions and Continuances to the Agenda

Announcements

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Old Business:

None

New Business:

1. Applicant: Larry Lockhart
Location: 49 Long Pond Road
Mon. Co. Tax No.: 034.02-1-43.11
Zoning District: R1-44 (Single-Family Residential)
Request: An area variance for a proposed enclosed porch (10.0 feet x 20.0 feet; 200.0 square feet) to have a front (west) setback of 30.3 feet (measured from the centerline of a private driveway), instead of the 80.0 feet minimum required. Sec. 211-11 D (1) (a), Sec. 211-5 (Street)

On a motion by Mr. Forsythe and seconded by Mr. Shea, it was resolved to continue the public hearing on this application until the meeting of April 3, 2018, so that the applicant may appear before the Board.

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

**Motion Carried
Application Continued Until
Meeting of April 3, 2018**

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2. Applicant: Brian Rotoli
Location: 3801 & 3809 West Ridge Road
Mon. Co. Tax No.: 073.04-2-5 & 073.04-2-6
Zoning District: BG (General Business)
Request: The following variances are requested for the combination of lands owned by Brian Rotoli:
- a) An area variance for a proposed lot depth of 188.5 feet, instead of the 200.0 feet minimum required. Sec. 211-17 C (4), Table III
 - b) An area variance for an existing front (north) setback of 54.8 feet to 75.4 feet (measured from the south right-of-way line of West Ridge Road), instead of the 100.0 feet minimum required. Sec. 211-17 C (4), Table III

Mr. Shea 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 3801 & 3809 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 a Type II action under SEQRA. (SEQRA Regulations, §617.5(c)(12).)
2. According to SEQRA, Type II actions have been determined to not have a significant 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. Forsythe	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Absent	Mr. Meilutis	Yes
	Ms. Nigro	Absent	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

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

Mr. Chairman, regarding the application of Brian Rotoli, 3801 & 3809 West Ridge Road, Mr. Rotoli appeared before the Board of Zoning Appeals this evening, requesting the following variances for the combination of lands owned by Brian Rotoli: an area variance for a proposed lot depth of 188.5 feet, instead of the 200.0 feet minimum required; and an area variance for an existing front (north) setback of 54.8 feet to 75.4 feet (measured from the south right-of-way line of West Ridge Road), instead of the 100.0 feet minimum required. The parcel is located at 3801 and 3809 West Ridge Road, adjacent to each other. It is located in a general business district. The applicant appeared before the Board and stated he has owned the properties for about nine years. The combination of lots is due to fire code requirements. Since the lot line depth and setbacks of these two adjacent properties have been established for many years, it is impractical to comply with the current codes. There was no one at the meeting tonight that spoke in favor or opposed to this application.

At this point, I move to approve this action, with the following conditions:

1. The variance will be for the life of the current structure.
2. The lot combination be completed through the Planning Board or administratively with Town of Greece staff.

WHEREAS, the findings of fact are as follows.

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 condition that the applicant sign a Hold Harmless agreement with the Town of Greece.

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

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

Motion Carried
Application Approved
With Condition

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3. Applicant: Family First Credit Union
Location: 1100 Long Pond Road
Mon. Co. Tax No.: 074.06-2-11.2
Zoning District: BR (Restricted Business)
Request: a) An area variance for a proposed second (north side) building-mounted sign ("Family First Credit Union"; 6.3 feet x 16.0 feet; 100.8 square feet), instead of the 37.54 square feet granted for a previous tenant by the Board of Zoning Appeals on February 4, 2003. Sec. 211-52 B (2) (a) [1]
b) An area variance for a proposed third (west side) building-mounted sign ("Family First Credit Union"; 4.7 feet x 12.0 feet; 56.4 square feet), instead of the 37.54 square feet granted for a previous tenant by the Board of Zoning Appeals on February 4, 2003. Sec. 211-52 B (2) (a) [1]

Mr. Wechsler 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 "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.

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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 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.
8. 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 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.

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

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

Motion Carried

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

Mr. Chairman, regarding the application of Family First Credit Union, 1100 Long Pond Road, Craig Tesler of Premier Sign Systems, and Eileen Farris, Family First Credit, appeared before the Board of Zoning Appeals this evening, requesting an area variance for a proposed second (north side) building-mounted sign ("Family First Credit Union"; 6.3 feet x 16.0 feet; 100.8 square feet), instead of the 37.54 square feet granted for a previous tenant by the Board of Zoning Appeals on February 4, 2003; and an area variance for a proposed third (west side) building-mounted sign ("Family First Credit Union"; 4.7 feet x 12.0 feet; 56.4 square feet), instead of the 37.54 square feet granted for a previous tenant by the Board of Zoning Appeals on February 4, 2003.

WHEREAS, the findings of fact are as follows. The reason for the proposal is that it fits with the aesthetics of the building, under the eaves; the signs were specifically designed with the structure in mind. The lettering on the larger sign only comes to 29.14 square feet, which is under the 37.54 square feet. It is more aesthetically pleasing to have the signs the way they are. The LED lighting is part of the sign itself, so therefore, the larger sign structure is what the variance is for, as opposed to the lettering. The parties have agreed that the variance will only last for the life of the sign.

At this point, I move to approve this action, with the following condition:

1. The variance will be for the duration of the tenant that has the sign.

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

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

Motion Carried
Application Approved
With Conditions

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Old Business:

None

New Business:

None

ADJOURNMENT: 7:20 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: April 3, 2018