



*William D. Reilich*  
Supervisor

# **TOWN OF GREECE**

## **BOARD OF ZONING APPEALS AGENDA**

**JANUARY 5, 2021**

**Work Session: 6:30 p.m.**

**Meeting: 7:00 p.m.**

**Place: Community Conference Room, Greece Town Hall**

**Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Zoning Board of the Town of Greece scheduled for January 5, 2021 will be held electronically via Facebook Live instead of a public meeting open for the public to attend in person. Members of the public may view the Board meeting by logging onto Facebook and viewing the live feed under "Town of Greece"**

<https://www.facebook.com/Town-of-Greece-Planning-and-Economic-Development-112829703867340/>.

**Minutes of the Board Meeting will be transcribed and posted on the town's website as always.**

While the public will not be able to attend the meeting in person, written comments may be submitted to Zoning Board Secretary, Maryjo Santoli via e-mail at [msantoli@greecenyc.gov](mailto:msantoli@greecenyc.gov) prior to 5:00 PM on Friday, January 15, 2021.

To speak with someone in the Zoning Office, please call (585)-723-2355.

### **Roll Call**

Albert F. Meilutis, Chairman

Linda Andreano

Thomas F. Hartwig

Randy T. Jensen

Cathleen A. Nigro

Bradford Shea

Anthony F. Wechsler

Christopher A. Schiano, Esq., Deputy Town Attorney

Ivana Casilio, Planning Assistant

Maryjo Santoli, Zoning Board Secretary

### **Pledge of Allegiance**

**Additions/Deletions to the Agenda**

**Decorum Policy**

**Announcements**

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OFFICE OF PLANNING & ZONING

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[www.greecenyc.gov](http://www.greecenyc.gov)

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**Old Business:**

1. Applicant: Kathleen Messuro  
Location: 4030 Mt. Read Boulevard  
Mon. Co. Tax No.: 060.54-3-2  
Zoning District: R1-E (Single-Family Residential)  
Request: An area variance for an existing accessory structure (approximate 240.0 square feet deck), to be located in a front yard, where accessory structures, including decks, are permitted in rear yards only. Section 211-11 E(3).
  
2. Applicant: Sonbyrne Sales, Inc.  
Location: 1297 & 1305 Maiden Lane  
Mon. Co. Tax No.: 074.08-1-2; 074.08-1-1 & 074.08-1-3.2  
Zoning District: BR (Restricted Business)  
Request:
  - a) A Special Use Permit for a fuel dispensing station as defined in 211-5 and in accordance with the regulations in §211-34. Section 211-17 B(3)(b)[4]
  - b) An area variance for a proposed canopy, (40.0 feet x 55.0 feet; 2200.0 square feet), where 1500.0 square feet is the maximum permitted. Section 211-34 D
  - c) An area variance for a proposed 70.8 square feet freestanding sign, instead of the 20.0 square feet permitted. Section 211-52 B(1)(d), Table VI
  
3. Applicant: Sonbyrne Sales, Inc.  
Location: 2070 Ridgeway Avenue  
Mon. Co. Tax No.: 089.15-2-1  
Zoning District: BR (Restricted Business)  
Request:
  - a) A Special Use Permit for a fuel dispensing station as defined in 211-5 and in accordance with the regulations in §211-34. Section 211-17 B(3)(b)[4]
  - b) An area variance for a proposed canopy, (24.0 feet x 132.0 feet; 3168.0 square feet), where 1500.0 square feet is the maximum permitted. Section 211-34 D
  - c) An area variance for a proposed 70.8 square feet freestanding sign, instead of the 20.0 square feet permitted. Section 211-52 B(1)(d), Table VI
  - d) An area variance for a proposed 70.8 square feet freestanding sign to have a setback a distance of 6.0 feet from the north right of way line of Ridgeway Avenue, instead of the 15.0 feet minimum required. Section 211-52 B(1)(b)[1]

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4. Applicant: Daniel T. Hanley  
Location: 475 Elmgrove Road  
Mon. Co. Tax No.: 088.19-4-10  
Zoning District: R1-E (Single-Family Residential)  
Request: a) An area variance for a proposed accessory structure (24.0 feet x 44.0 feet; 1056 square feet, detached garage), to have a north side setback of 3.0 feet, instead of the 6.0 feet minimum required. Section 211-11 E(1), Table I  
b) An area variance for a proposed accessory structure (24.0 feet x 44.0 feet 1056 square feet, detached garage), following demolition of an existing structure, to have an overall height of 15.0 feet, to the peak, instead of the 13.5 feet maximum permitted. Section 211-11 B(1)  
c) An area variance for a proposed accessory structure (24.0 feet x 44.0 feet 1056 square feet, detached garage), resulting in a total gross floor area of 1056 square feet in all accessory structures, where 1000.0 square feet is the maximum gross floor area permitted for lots more than 16,000 square feet in area, but less than one acre in area. Section 211-11 E(1), Table I

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5. Applicant: Mark S. Phillips  
Location: 848 Edgemere Drive  
Mon. Co. Tax No.: 035.14-1-8  
Zoning District: R1-E (Single-Family Residential)  
Request:
- a) An area variance for a proposed accessory structure (1854 square feet, two-story detached garage), following demolition of an existing structure, to have a west side setback of 5.0 feet, instead of the 6.0 feet minimum required. Section 211-11 E(1), Table I
  - b) An area variance for a proposed accessory structure (1854 square feet, two-story detached garage), following demolition of an existing structure, to have a rear setback of 0 feet, instead of the 25.0 feet minimum required. Section 211-11 E(1), Table I
  - c) An area variance for a proposed accessory structure (1854 square feet, two story detached garage), following demolition of an existing structure, to have an overall height of 23.3 feet, to the peak, instead of the 13.5 feet maximum permitted and to have two stories, where accessory structures shall not exceed one story. Section 211-11 B(1)
  - d) An area variance for a proposed accessory structure (1854 square feet, two story detached garage), following demolition of an existing structure, to have two stories, where accessory structures shall not exceed one-story. Section 211-11 B(1)
  - e) An area variance for a proposed accessory structure (1854 square feet, two story detached garage), following demolition of an existing structure, resulting in a total gross floor area of 1854 square feet in all accessory structures, where 800.0 square feet is the maximum gross floor area permitted for lots less than 16,000 square feet in area. Section 211-11 E(1), Table I
  - f) An area variance for a proposed second-story accessory structure (6.0 feet x 12.0 feet; 72.0 square feet deck), to have a rear setback of 4.0 feet, instead of the 25.0 feet minimum required. Section 211-11 E(1), Table I
  - g) An area variance for a proposed 18.0 feet long residential driveway, measured from the south right of way line Edgemere Drive, exclusive of the apron, instead of the 22.0 feet minimum required. Section 211-45 F

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6. Applicant: Christine R Klos  
Location: 324 South Drive  
Mon. Co. Tax No.: 026.18-4-28  
Zoning District: R1-E (Single-Family Residential)  
Request: An area variance for a proposed covered porch (12.0 feet x 18.0 feet; 216.0 square feet), to have a waterfront setback of 104.0 feet, measured from the south right of way line of South Drive, instead of the 101.0 feet maximum established by the neighborhood average. Section 211-11 D(1)(b)
7. Applicant: James A. DeConinck  
Location: 71 Ridge Terrace (aka 42 Duxbury Road)  
Mon. Co. Tax No.: 074.15-1-1  
Zoning District: R1-E (Single-Family Residential)  
Request: An area variance for a proposed principle structure addition (15.0 feet x 20.0 feet; 300.0 square feet), to have a front setback of 30.0 feet, measured from the south right of way line of Ridge Terrace, instead of the 50.0 feet minimum established by the neighborhood average. Section 211-11 D(1)(b)
8. Applicant: Denise M. Kane  
Location: 6 Bayview Drive  
Mon. Co. Tax No.: 017.04-2-51  
Zoning District: R1-E (Single-Family Residential)  
Request: a) An area variance for a proposed accessory structure (7.0 feet x 17.0 feet; 119.0 square feet shed) to be located in waterfront yard, where accessory structures, including sheds, are permitted in rear yards only. Section 211-11 E(3)  
b) An area variance for a proposed accessory structure (7.0 feet x 17.0 feet; 119.0 square feet shed) to have an east side setback of 4.0 feet, instead of the 5.0 feet minimum required. Section 211-11 E(1), Table I  
c) An area variance for a proposed accessory structure (18.0 feet x 18.0 feet; 324.0 square feet deck with attached 4.0 feet wide boardwalk) to be located in a waterfront yard, where accessory structures, including decks, are permitted in rear yards only. Section 211-11 E(3)  
d) An area variance for a proposed accessory structure (20.0 feet diameter, above-ground pool) to be located in a waterfront yard, where accessory structures, including pools, are permitted in rear yards only. Section 211-11 E(3)

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9. Applicant: Jamie M. Bucci  
Location: 3 Jade Creek Drive  
Mon. Co. Tax No.: 044.02-3-18.1  
Zoning District: R1-E (Single-Family Residential)  
Request: An area variance for a proposed accessory structure (10.0 feet x 14.0 feet; 140.0 square feet shed) to be located in a front yard, where accessory structures, including sheds, are permitted in rear yards only. Section 211-11 E(3)
10. Applicant: Christian Jensen  
Location: 33 Shoreway Drive  
Mon. Co. Tax No.: 026.03-2-34  
Zoning District: R1-E (Single-Family Residential)  
Request: a) An area variance for a proposed principle structure addition (approximately 336.0 square feet), to have a waterfront setback of 95.0 feet, measured from the south right of way line of Shoreway Drive, instead of the maximum distance of 82.0 feet, established by the neighborhood average. Section 211-11 D(1)(b)  
b) An area variance for a proposed principle structure addition (approximately 404.0 square feet), to have a rear setback of 41.0 feet, measured from the south right of way line of Shoreway Drive, instead of the minimum distance of 48.0 feet. Section 211-11 D(1)(b)  
c) An area variance for a proposed accessory structure (12.0 feet x 22.0 feet; 264.0 square feet deck) to be located in a waterfront yard, where accessory structures, including decks, are permitted in rear yards only and for said deck to have a waterfront setback of 100.0 feet, measured from the south right of way line of Shoreway Drive, instead of the maximum distance of 82.0 feet, established by the neighborhood average to have Section 211-11 D(1)(b) and Section 211-11 E(3).

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11. Applicant: A & L Lands  
Location: 79 Elmgrove Road  
Mon. Co. Tax No.: 073.04-1-16  
Zoning District: R1-18 (Single-Family Residential)  
Request: The following variances will be required for the proposed A & L Subdivision:  
Proposed Lot 101:  
a) An area variance for an existing accessory structure (7145 square foot, one-story framed barn) to be partially located in a front yard, where accessory structures, including barns, are permitted in rear yards only. Section 211-11 E(3)  
Proposed Lot 102:  
b) An area variance for a proposed attached accessory structure (814.0 square feet, attached garage), resulting in a total gross floor area of 5737 square feet in all accessory structures, where 1200.0 square feet is the maximum gross floor area permitted for lots less over one acre in area. Section 211-11 E(1), Table I  
c) An area variance for an existing accessory structure (2598 square foot, two-story framed barn) to be located in a front yard, where accessory structures, including barns, are permitted in rear yards only. Section 211-11 E(3)  
d) An area variance for a second existing accessory structure (2325 square foot, two-story framed barn) to be located in a front yard, where accessory structures, including barns, are permitted in rear yards only. Section 211-11 E(3)
12. Applicant: 100 Hojack Park LLC  
Location: 100 Hojack Park  
Mon. Co. Tax No.: 046.02-3-5.3  
Zoning District: FOI (Flexible Office Industrial)  
Request: A waiver of the requirements for a Special Use Permit to operate an automotive repair facility, as previously approved by the Board of Zoning Appeals on December 15, 1998. Section 211-18 A(4)(a)[4]

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13. Applicant: South Lake Center LLC  
Location: 3208 Latta Road  
Mon. Co. Tax No.: 045.03-1-11  
Zoning District: BR (Restricted Business)  
Request: a) An area variance for a second proposed (south side "Bikes") building mounted sign, with a sign area of 12.7 square feet, instead of the 7.8 square feet approved by the Board of Zoning Appeals on September 6, 2005. Section 211-56 B(2)(a)[1] & Section 211-56 B(2)(c)[1], Table VII  
b) An area variance for a third proposed (east side "Fitness") building mounted sign, with a sign area of 17.8 square feet, instead of the (1) 50.0 square feet building mounted sign permitted. Section 211-56 B(2)(a)[1] & Section 211-56 B(2)(c)[1], Table VII
14. Applicant: Plaza Street Fund 77 LLC  
Location: 3935 Dewey Avenue  
Mon. Co. Tax No.: 060.06-5-29  
Zoning District: DMU (Dewey Mixed Use)  
Request: An area variance for a proposed menu board (6.0 feet x 6.3 feet; 38.0 square feet) to have an area of 38.0 square feet, where 20.0 square feet is the maximum permitted and an overall height of 7.7 feet, instead of the 6.0 feet maximum permitted, measured from the nearest street grade. Section 211-56 B(1)(a)[4]



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15. Applicant: Paneffort  
Location: 3780 West Ridge Road  
Mon. Co. Tax No.: 073.02-1-74  
Zoning District: BG (General Business)  
Request: A special use permit for the manufacture or processing of medical, dental or pharmaceutical supplies (PPE equipment), provided such use is located within existing buildings and does not exceed 25% of the total gross floor area on a lot or business center. Section 211-17 C(3)(b)[9][b]

**New Business**

**No motions for the following applications: pending a 10-day comment public comment period – Comments will be received up until January 15, 2021**

1. Applicant: Gary Bunce  
Location: 7 Bayview Drive  
Mon. Co. Tax No.: 017.04-2-52  
Zoning District: R1-E (Single-Family Residential)  
Request: a) An area variance for an existing 8.0 feet high, closed construction fence, approximately 16.0 linear feet, to be located in a waterfront yard, where fences in a waterfront yard shall not exceed 4.0 feet in height and shall be of open construction. Section 211-51L  
b) An area variance for a proposed accessory structure (10.0 feet x 20.0 feet; 200.0 square feet shed) to be located in a waterfront yard, where accessory structures, including sheds, are permitted in rear yards only. Section 211-11 E(3)
2. Applicant: Michael E. Widman, Jr.  
Location: 74 Braddock Road  
Mon. Co. Tax No.: 026.30-2-7  
Zoning District: R1-E (Single-Family Residential)  
Request: a) An area variance for a proposed principle structure addition (8.0 feet x 22.0 feet; 176.0 square feet covered open porch), following demolition of an existing porch, to have a front setback of 15.0 feet, measured from the north right of way line of Braddock Road, instead of the 25.0 feet minimum. Section 211-11 D(1)(a) & Section 211-11 D(2), Table I  
b) An area variance for a proposed principle structure addition (8.0 feet x 22.0 feet; 176.0 square feet covered open porch), following demolition of an existing porch, to have a west side setback of 4.0 feet, instead of the 6.0 feet minimum required. Section 211-11 D(2), Table I

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3. Applicant: Danielle Gray  
Location: 137A Long Pond Road  
Mon. Co. Tax No.: 034.02-1-10.1  
Zoning District: R1-E (Single-Family Residential)  
Request: An area variance to have farm animals (2 chickens and 1 duck) on a residential property with less than 10 acres. Section 211-33 B & Section 211-33 D
4. Applicant: Gary LaLonde  
Location: 153 Long Pond Road  
Mon. Co. Tax No.: 034.02-1-8  
Zoning District: R1-E (Single-Family Residential)  
Request: An area variance for a proposed accessory structure (26.0 feet x 48.0 feet; 1248 square feet, detached garage), following demolition of an existing structure, to have an overall height of 14.6 feet, to the peak, instead of the 13.5 feet maximum permitted. Section 211-11 B(1)
5. Applicant: Delaware River Solar, LLC  
Location: 3115 & 3171 Ridgeway Avenue (aka 457 Elmgrove Road)  
Mon. Co. Tax No.: 088.03-01-012.111 (portion of)  
Zoning District: FOI (Flexible Office/Industrial)  
Request: The following special use permit will be required for proposed Lot 1 and Lot 2 of the Solar Energy Subdivision of 475 Elmgrove Road:  
  
A special use permit for a proposed Tier 3 solar farm and pursuant to the provisions of Section 211-65A and subject to site plan approval pursuant to the provisions of Section 211-65. Section 211-61 D(3)(b)

**NEIGHBORHOOD NOTIFICATION MODIFICATION:**

**ADJOURNMENT:**

**NEXT MEETING: Tuesday, January 19, 2021**