



William D. Reilich
Supervisor

TOWN OF GREECE

BOARD OF ZONING APPEALS MINUTES

JANUARY 5, 2021

Work Session Began: 6:30 p.m.

Meeting Began: 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 was held electronically via Facebook Live instead of a public meeting open for the public to attend in person. Members of the public were able to 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/?modal=admin_todo_tour

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

While the public was not be able to attend the meeting in person, written comments were accepted in lieu of oral presentation of comments. As such, written comments were to be submitted to Zoning Board Secretary, Maryjo Santoli via email at msantoli@greecenyny.gov prior to 5:00 PM, January 15, 2021.

Present:

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

Absent

**Additions, Deletions and Continuances to the Agenda
Decorum Policy & Announcements**

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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).

On a motion by Ms. Nigro and seconded by Mr. Wechsler, it was resolved to continue the public hearing on this application until the meeting of February 2, 2021.

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

**Motion Carried
Application Continued Until
Meeting of February 2, 2021**

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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

On a motion by Mr. Wechsler and seconded by Ms. Andreano, it was resolved to continue the public hearing on this application until the meeting of January 19, 2021.

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

**Motion Carried
Application Continued Until
Meeting of January 19, 2021**

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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]

On a motion by Mr. Wechsler and seconded by Mr. Hartwig, it was resolved to continue the public hearing on this application until the meeting of January 19, 2021.

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

**Motion Carried
Application Continued Until
Meeting of January 19, 2021**

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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

On a motion by Mr. Wechsler and seconded by Ms. Nigro, it was resolved to close the public hearing on this application and reserve decision until the meeting of January 19, 2021.

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

**Motion Carried
Application Closed and Decision Reserved
Until the meeting of January 19, 2021**

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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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On a motion by Mr. Jensen and seconded by Mr. Shea, it was resolved to continue the public hearing on this application until the meeting of January 19, 2021.

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

**Motion Carried
Application Continued Until
Meeting of January 19, 2021**

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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)

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 324 South 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
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 information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

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

Motion Carried

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

WHEREAS, with regard to the application of Christine Klos, 324 South Drive, in an R1-E (Single-Family Residential) district, Mr. Robert Hannon, Ms. Klos's contractor, testified before the Board of Zoning Appeals on December 8, 2020, requesting 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.

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WHEREAS, the findings of fact are as follows: Mr. Hannon stated that in 2019, the applicant was approved for a 14 ft. x 18 ft. porch but was not aware that he would be unable to cover it. The size was decreased to 12 ft. x 18 ft. in order to cover it, however that change required a variance due to the placement of the footings.

The purpose of the covered porch is to enhance outdoor living space. It will have a low profile roof to not obstruct neighbor view; with a metal roof, wire railing, it will not be enclosed, but will have retractable screening to protect from insects etc. and will complement the home. There will be pot lights and possibly a ceiling fan. There will be no permanent grill or hot tub. No comments were received regarding this application.

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 that 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 as submitted by the applicant with the following conditions:

1. The applicant will obtain the necessary permits.
2. This approval is for the life of the porch.

So moved.

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

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

Motion Carried
Application Approved
With Conditions

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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)

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 71 Ridge Terrace (aka 42 Duxbury 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
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 information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

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

Motion Carried

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

WHEREAS, with regard to the application of James and Mary Ellen DeConinck, 71 Ridge Terrace (aka 42 Duxbury Road), in an R1-E (Single-Family Residential) district, Mr. Deconinck, appeared virtually before the Board of Zoning Appeals requesting 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.

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WHEREAS, the findings of fact are as follows: James and Mary Ellen DeConinck reside at 71 Ridge Terrace (aka 42 Duxbury Road) and have been there for about one year. They appeared (virtually) before the board on December 8, 2020 requesting 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. The reason for the addition is to provide permanent housing for an elderly friend who has been cared for by Mrs. DeConinck for over 25 years. She is the sole caregiver and provider for this individual. Since the DeConinck's also have a 14 year old son and have no further bedroom space, the only practical way to provide safe and efficient care for this elderly person is to add an addition to their home. For the last two years the elderly person has had accommodations not considered to be safe. There will be no dollar fee charge for services rendered by Mr. and Mrs. DeConinck for the caring of the person. The addition will be 15 ft. X 20 ft. in size large enough for a bedroom and complete bathroom. Windows will be installed with access through the existing home doorway and a doorway with steps to the back yard. Utilities for the addition will be integrated as part of the main home utility service. There will not be any full basement similar to the house. The addition will be similar to the current home in appearance. The neighbors on the east side are rented home(s) and no comments were received.

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 that 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 all necessary Town permits be obtained.

So moved.

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

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

Motion Carried
Application Approved
With Condition

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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)

Ms. Andreano 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 6 Bayview 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
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 information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

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

Motion Carried

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

WHEREAS, with regard to the application of Denise Kane, 6 Bayview Drive, in an R1-E (Single-Family Residential) district, Mrs. Kane appeared (virtually) before the Board of Zoning Appeals, requesting 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, 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, 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 and 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.

WHEREAS, the findings of fact are as follows: The applicant, Mrs. Kane, and Mr. Ron Martell, attended the hearing of December 5, 2020, via Zoom. Their parcel is located at 6 Bayview Drive and is a waterfront lot that adjoins Braddock Bay; where the water side is considered the front and the street side is considered the rear yard. Regarding the proposed shed, Mrs. Kane and Mr. Martell explained that their need for a shed is to provide additional storage for family belongings and yard equipment. A former shed was destroyed when a tree in the yard fell on top of it, damaging the former shed and a neighbors fence. They stated that in their hurry to beat the weather, they started building the new shed to protect their belongings before winter arrived, but they received a stop work order via code compliance. However, the partially built structure collapsed during a recent wind storm and has been left as such since. The new shed will be of wood construction, will be under the 13.5 ft. height requirement, and have no connections to any utilities--is being built by Mr. Martell, and was set on a slightly elevated foundation to ensure it stays above rising water lines. The applicant stated that they could meet the east side setback for the proposed shed, so the request for the side setback for item "B" has been withdrawn. It should be noted that there are several accessory structures along the waterfront yards of this neighborhood and staff recent presented photos of such.

Regarding the proposed pool, the applicant noted that they are familiar with the Town of Greece's Swimming Pool Law and that the proposed pool will be used for family enjoyment. A Hold Harmless pertaining to the pool would also be required as a condition for approval for this request.

The proposed deck and boardwalk are also very common requests for waterfront parcels and this one is no exception. The proposed deck will be located just in front of the proposed shed, between the water and the shed and is not excessive in nature.

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The applicant understands that they will need to make application and obtain a NYS DEC permit for each of the requested items within this application, either separately or jointly, prior to obtaining a building permit for each.

A letter received from attorney Nathan Vander Wal, Esq., from the firm of Nixon Peabody, on behalf of their clients, Wendy and Steven Bonter that reside at 5 Bay View Drive - was received and partially read and summarized into the record – Please note that each board member was in receipt of the letter and read it in its entirety. The Bonter’s are opposed to the proposed location of the shed and would prefer that they meet the setback and would prefer that they move the structure to the west side of their yard.

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 that 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 Items “A”, “C” and “D” of this application with the following conditions:

1. That the applicant obtains all required town permits.
2. That the applicant receives all DEC approvals for each of the items requested; the pool, the shed and the deck – either together or separately - prior to obtaining any building permits.
3. That the approvals shall be for the life of the shed, deck, and pool.
4. That a Hold Harmless be signed with the town for the pool.
5. And that Item “B” has been withdrawn. So moved.

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

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

Motion Carried
Application Approved
With Conditions

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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)

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 3 Jade Creek 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
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 information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

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

Motion Carried

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

WHEREAS, with regard to the application of Jamie Bucci, 3 Jade Creek Drive, in an R1-E (Single-Family Residential) district, Mr. Bucci, appeared before the Board of Zoning Appeals on December 8, 2020 requesting 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.

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WHEREAS, the findings of fact are as follows: Mr. Bucci stated that he has resided at this address since July of 2020. The purpose of the proposed shed is to store lawn and garden equipment and tools. Because his home is on a corner lot his side yard is considered his front yard. Mr. Bucci stated that he had moved the shed on the pool and patio location, which would not allow for easy access to the shed since there are several flower beds surrounding the patio and the terrain is not flat, but the terrain is very flat in the proposed shed location. The entrance to the shed will be on the 14 ft. side. The 6 ft. high fence on the south side will not hide the proposed shed, but the existing evergreen shrubbery on the south west corner will help conceal it. Plus the sheds location will be 10 ft. from the neighbor's lot line and at least 75 ft. from North Greece Road. The shed will be 111 type construction with no utilities and Mr. Bucci has not spoken with his neighbors.

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 that 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 obtain all necessary permits.
2. That this approval is for the life of the shed.

So moved.

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

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

Motion Carried
Application Approved
With Conditions

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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).

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 33 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
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 information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Abstain	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

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

WHEREAS, with regard to the application of Christian Jensen, 33 Shoreway Drive, in an R1-E (Single-Family Residential) district, Mr. Jensen, appeared virtually before the Board of Zoning Appeals on December 8, 2020 requesting 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, 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 and 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.

WHEREAS, the findings of fact are as follows: This parcel is located at 33 Shoreway Drive and is located in an R1-E (Single-Family Residential) neighborhood and the lot is approximately 80 x 160 ft. in size. The applicant, states that he purchased this family home but currently resides at 36 Stallion Circle. The additions to the home will make the homes layout more livable and provide more space for their family to grow.

Item A on the agenda is a proposed addition that sits on the Southside or waterside and will expand the kitchen and add living and dining space. This addition will sit on a concrete slab.

Item B is a proposed addition that sits on the North side of the home and will consist of 2 bedrooms and 1 bath. This addition will sit upon a crawl space.

Steve Walsh will be the general contractor, but the owners will do some of the work themselves. These additions will complement the home in structure and the facade will be completely redone in a similar shingle style with stone facing.

Item C is a proposed deck South side or water side, which will enhance outdoor living. It will be constructed of lumber and Trex-like material. It will have railings per code, will not be enclosed, and will have standard outdoor lighting. There will be no permanent grill or hot tub at this time.

Mr. Jensen has been very thorough in his proposal and states that he has considered multiple options to stay within code. He has been very mindful through this process to be considerate and not to impede on neighbors view. This variance request is not unusual for this area and will not create flooding or drainage issues.

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Mr. Jensen has spoken to his neighbors who have no objections and no comments have been received regarding this application.

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 must obtain all necessary Town building permits.

So moved.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Abstain	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Condition

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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)

On a motion by Ms. Andreano and seconded by Mr. Wechsler, it was resolved to continue the public hearing on this application until the meeting of February 2, 2021 per the request of the applicant.

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

**Motion Carried
Application Continued Until
Meeting of February 2, 2021**

BOARD OF ZONING APPEALS MINUTES
January 5, 2021

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]

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 100 Hojack Park, 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 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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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 Mr. Hartwig and duly put to a vote, which resulted as follows:

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

Motion Carried

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

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WHEREAS, Mr. Kerain Negrón of 535 Manitou Road, representing 100 Hojack Park LLC, appeared before the Board of Zoning appeals on Tuesday, December 8, 2020 regarding the application of 100 Hojack Park, requesting 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.

WHEREAS, the findings of facts are as follows, the property is located at 100 Hojack Park. The former company was Monroe Sealers and they obtained a special permit to operate an automotive repair facility on December 15, 1998. The applicant obtained the business two to three years ago. The building and operations will remain the same in the future as it has in the past. The hours of operation will be 6:00 AM to 5:00 PM Monday through Saturday. There will be 10 employees along with one mechanic who will do routine vehicle maintenance and repairs along with New York State Inspections. The mechanic will work from 8:00 AM to 5:00 PM Monday through Friday. There are service tanks on site, but are not used. All sealing products are picked up offsite and stored on the vehicles for use.

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:

- Access to the site and the size of the site are adequate for the proposed use. This is an existing site with the road and building already in use.
- The proposed use will not adversely affect the orderly pattern of development in the area. The site, once again is pre-existing, there is no adverse effect.
- 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. This site is a Flexible Office/Industrial, formerly General Industrial and the use already exists and it meets the character of the surrounding area.
- The proposed use will not create a hazard to health, safety or the general welfare. This is already a pre-existing business and site and will create any hazards.
- The proposed use will not be detrimental to the flow of traffic in the vicinity. This is already a pre-existing business in a Flexible Office/Industrial zoning district.
- The proposed use will not place an excessive burden on public improvements, facilities, services or utilities. Once again, this is a pre-existing business and will not create any access burden.

An undesirable change will not be produced in the character of the neighborhood nor will it be a detriment to nearby properties should this variance be granted.

The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant to pursue.

The requested area variance is not substantial.

The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

And the alleged difficulty was self-created, which consideration is relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

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Based on the aforementioned information, documentation, testimony, and finding, pursuant to the authority conferred by New York State Town Law, Article 16, the request submitted by 100 Hojack Park LLC for a special use permit to operate an automobile repair facility, to be known as 100 Hojack Park LLC, on property located at 100 Hojack Park, in a FOI Flexible Office/Industrial, formerly (IG) General Industrial zoning district, hereby be and the same is approved and granted, subject to the following conditions:

1. The Applicant shall operate this automobile repair facility in conformity with all details of the Proposal as presented in the written descriptions and site development plans 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 site development plans of the Proposal, or the 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 Applicant shall comply with all requirements of the Code of the Town of Greece, New York, Chapter 211, the town's zoning ordinance, or any variance granted therefrom. Failure to comply with these requirements may be grounds for revocation of this special use permit.
3. The maximum occupancy of this automotive repair facility shall be the limit established by the town's Fire Marshal pursuant to the Building Codes of New York State.
4. The Applicant shall comply with all applicable federal, state, county, and town laws, ordinances, codes, rules, and regulations, including but not limited to the Building Codes of New York State. Failure to comply with such requirements may be grounds for revocation of this special use permit.
5. Wherever this resolution refers to a specific public official or agency, it shall be construed to include successors and assigns.
6. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any superseding or succeeding authority.
7. Upon the sale or transfer of controlling interest in this automotive repair facility to any person or entity other than 100 Hojack Park LLC 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. I move to approve the following conditions that they apply and obtain all necessary permits.

So moved

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

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

Motion Carried
Application Approved
With Conditions

BOARD OF ZONING APPEALS MINUTES
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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

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 3208 Latta Road, for variances, 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 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 Mr. Shea and duly put to a vote, which resulted as follows:

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

Motion Carried

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

WHEREAS, regarding the application of South Lake Center LLC, located at 3208 Latta Road, the zoning district is BR (Restricted Business), requesting 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 and 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.

WHEREAS, the findings of facts: On December 8, 2020, Jamie Allen of Signs Unlimited, appeared before this board on behalf of South Lake Center LLC for a property located at 3208 Latta Road in a BR (Business Restricted) district. Mr. Allen stated that the two additional signs reading "Bikes" and "Fitness" are a necessary part of South Lake Center LLC corporate branding and are installed at all of their other locations. The two signs will be installed on the building as separate letters, 22" in height, which is necessary due to the distance from Latta Road and will be internally illuminated. Those hours of internal illumination will be from dusk to 11:00 PM.

As such, I approve these variances with the following conditions:

1. That all necessary permits be obtained.
2. The hours of signage illumination will be from dusk to 11:00 PM.

So moved.

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

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

Motion Carried
Application Approved
With Conditions

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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]

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 3935 Dewey Avenue, for a variance, 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

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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:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

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

WHEREAS, regarding the application of Plaza Street Fund 77 LLC, located at 3935 Dewey Avenue, zoning district is DMU (Dewey Avenue Mixed Use), requesting 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.

WHEREAS, the findings of facts: On December 8, 2020 Greg Fishel of Allied Signs appeared before this board on behalf of Plaza Street Fund 77 LLC for a property located at 3935 Dewey Avenue. Mr. Fishel stated that the size and height of the menu board that they are requesting is their standard size at their restaurants to display all of their menu items. It will be internally illuminated and there will be no speakers installed on this board. The requested size of this board is similar with other menu boards in the area and is not out of character within this district.

Based upon this, I move to approve this application with the condition that all necessary permits be obtained.

So moved

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

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

Motion Carried
Application Approved
With Condition

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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]

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 3780 West Ridge Road, for a special use permit , 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 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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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 Mr. Hartwig and duly put to a vote, which resulted as follows:

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

Motion Carried

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

WHEREAS, with regard to the application of Paneffort, 3750 West Ridge Road, in a BG (General Business) district, came before the Town of Greece Board of Zoning Appeals on Tuesday, December 8, 2020 relative to the property at 3780 West Ridge Road, requesting 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.

WHEREAS Findings of Fact are as follows: The applicant's representatives, Jay Wegman (of Wegman Companies), Billy Owen (of Paneffort), and Asher Flaum (of Flaum Management), presented to the Board of Zoning Appeals at its December 8th, 2020, virtual hearing. Paneffort is looking to occupy vacant space within Elmridge Plaza, specifically the former Sam's Club space - in its entirety. The tenant space is located at 3750 West Ridge Road in Elmridge Plaza also being deemed a business center. The parcel is zoned General Business (BG). The actual tenant space is bounded by State Route 104 (West Ridge Road) to the north; to the west by North Greece Road; to the south by Bram Hall Drive and to the east by the remaining plaza, most of which is currently vacant.

Elmridge Plaza was constructed in 1994. The parcel consists of over 54 acres of land and over 468,615 square feet of tenant space. It was once one of the most vibrant and dominant shopping centers in its respective trade. Currently, the bulk of the plaza is widely vacant and has been for some years. Major vacancies housed former tenants as Tops Markets; Office Max; and Sam's Club just to name a few. One of the original anchor tenants, being Walmart, is still in existence and located along the most eastern side of the parcel. There are also several out-parcels that surround the perimeter of the plaza and they include; The Brook House Restaurant, Taco Bell, Goodwill and Monroe Muffler just to name a few. The parking lot has been deteriorating over the years from lack of maintenance and the site has just been in a depressed state for a sometime.

Paneffort is a world manufacturer of Personal Protection Equipment (PPE) and apparel; these include such items as face shields, 3-ply masks, shoe's and head coverings. Paneffort is looking to utilize this site as its North American headquarters and to also set up light manufacturing operations here. The company plans to invest \$7.5 million dollars in manufacturing equipment to this space and expand its workforce to approximately 60 employees. The manufacturing machines are to help increase the supply capacity of 3-ply masks to medical and dental facilities locally and used within 90% of the United States. The facility is expected to be very clean and quiet. Operations are more of assembly of materials. They do not make any fabrics on site. It's basically just the assembly of such items like the face shields. Machines are automated with employees overseeing them, assembling and packaging finished product.

Hours of operation at this location will be from 6 am to 10 pm which will allow for two shifts with approximately 60 employees. As an industrial use, the applicant only requires one (1) parking space per employee, so the overall demand for parking in the plaza is less intense than the former retail operation.

The existing loading docks located at the northeast corner of the building and the overhead doors on the west side of the building will be utilized for truck deliveries and/or pick-ups. The company estimates tractor trailer deliveries/pick-ups to be around eight to fifteen times (maximum) on average/per day and during normal business hours. All trucks

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making arrivals to the site are scheduled with the company's logistics department with every effort is made to have such arrivals/departures made during business hours.

The owner stated that this is a manufacturing operations for PPE equipment has been steady and that this company is not a pandemic manufacturer. Paneffort manufacturing will continue to keep manufacturing PPE equipment even after this current pandemic ceases.

No pollution or hazardous wastes will be exposed to the environment. This is not a factory, industry or heavy manufacturing operation that will emit smoke or fluids or any type of waste into the ground or air. It is light manufacturing. Any wastes created will be disposed of in dumpster form.

The exterior of the building will be painted a neutral color and some signage will be installed, but less than what the previous tenant had. The owner of this portion of the plaza also has plans to make site improvements to the parking lot (asphalt), but nothing will change with the design or flow of traffic patterns on the site.

The proposed use is consistent with the 2020 Town of Greece Comprehensive Plan, which encourages adaptive reuse of existing retail floor space. Additionally, the proposed use is in alignment with the updated 2020 Zoning Ordinance, where the current zoning of BG allows for certain light industrial uses in commercial districts, 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. As such, this site is at 24.4% in total gross floor area of the entire business center and complies with the requirements established in the district.

Comments were received from a couple neighbors: Tara Allison; Mary Jane Korn; and Jack Rittler – whose comments were read into the record and addressed by the applicant.

Standards for Special Permit Applications to the Board of Zoning Appeals:

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.

The site has ample space for employee parking, truck flow and for the overall operations of the establishment. The existing tenant space was a former "Sam's Club" that provided for the shopping and parking for hundreds of customers entering and exiting the facility per day; and at the same time, providing for employee parking and countless tractor trailer deliveries and also included an automotive service station aspect to its retail services.

The new tenant, Paneffort, will only need to provide parking for its employees and as discussed, all deliveries made to the company are scheduled during the day by their logistics department. In essence, the proposed use will be a much more LESS INTENSE use than the previous retail use.

2. The proposed use will not adversely affect the orderly pattern of development in the area.

The use is contained within an existing retail business center and complies with the requirements established for the district.

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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 the nearby uses and will not alter the essential character of the neighborhood nor be a detriment to the residents thereof.

The use is contained within an existing business center and has no future plans to expand outside of the described vacant tenant space – being approximately 131,408 square feet. In an effort to keep noise to a minimum and not impede to the residences located immediately north of the overall plaza, the operations of the light manufacturing operations will be fully contained within the building. No outside storage or day to day operations will be conducted outside other than the normal activities associated with the loading and unloading of trucks. Paneffort will make every effort to keep scheduled tractor trailer traffic to the facility during normal hours of operation, specifically from 6 am to 10 pm. No trucks will be permitted to sit in “idle mode” along any portion of the northern drive area adjacent to Bram Hall Drive. Trucks that are on site, outside of a scheduled pickup or delivery time shall be restricted to park or “idle” along the most western or northern sides of the parking areas adjacent to the tenant space and away from residential areas.

Additionally, in recognition of the ongoing pandemic (COVID-19), and this board recognizing that this company is a manufacturer and supplier of PPE equipment – should a “State of Emergency” arise where normal business operations require the facility to engage in operations of a “third work shift” - for an increase in the production of PPE equipment – the company shall notify the Town of Greece, in writing, of a change in work shifts and shall be permitted to operate on a 24/7 basis in 30 day intervals, without having to come back to the Board of Zoning Appeals. This shall be a condition of this approval.

4. The proposed use will not create a hazard to the health, safety or the general welfare.

As previously noted, this is not a factory, industry or heavy manufacturing operation that will emit smoke or fluids or any type of waste into the ground or air. No pollution or hazardous wastes will be exposed to the environment.

5. The proposed use will not be detrimental to the flow of traffic in the vicinity.

The parking lot and flow of traffic for the existing plaza will not change other than pavement (asphalt) improvements being made. There is also sufficient access for entering and existing the plaza. In addition, traffic should actually decrease as the intensity of the use is less than the former retail operation.

This board would like to see that all delivery or supply vehicles that utilize the Bram Hall Drive access – when exiting the site - that they are directed to only head west towards North Greece Road.

6. The proposed use will not place an excessive burden on public improvements, facilities, services or utilities.

The proposed use is actually less of a burden on public utilities, the facility and services for the site – more so than the previous tenant. The utilities are also existing and the operation does not require any utility connections.

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Based on the aforementioned information, documentation, testimony, and finding, pursuant to the authority conferred by New York State Town Law, Article 16, the request submitted by Paneffort for a special use permit to operate a manufacture or processing of medical, dental or pharmaceutical supplies (PPE equipment), to be known as Paneffort, on property located at 3780 West Ridge Road, in a General Business (BG) zoning district, hereby be and the same is approved and granted, subject to the following conditions:

1. The Applicant shall operate this light manufacturing operation in conformity with all details of the Proposal as presented in the written descriptions and site development plans 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 site development plans of the Proposal, or the requirements or restrictions of this resolution, the Board of Zoning Appeals, in its sole discretion and judgment and without public hearing, shall determine the resolution of such conflict at a regularly scheduled meeting.
2. The Applicant shall comply with all requirements of the Code of the Town of Greece, New York, Chapter 211, the town's zoning ordinance, or any variance granted therefrom. Failure to comply with these requirements may be grounds for revocation of this special use permit.
3. The maximum occupancy of this light manufacturing operation shall be the limit established by the town's Fire Marshal pursuant to the Building Codes of New York State.
4. The Applicant shall comply with all applicable federal, state, county, and town laws, ordinances, codes, rules, and regulations, including but not limited to the Building Codes of New York State. Failure to comply with such requirements may be grounds for revocation of this special use permit.
5. Wherever this resolution refers to a specific public official or agency, it shall be construed to include successors and assigns.
6. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any superseding or succeeding authority.
7. Upon the sale or transfer of controlling interest in this light manufacturing operation to any person or entity other than Paneffort, its wholly owned subsidiaries, or its franchisees, a new application for a special use permit must be submitted to the Board of Zoning Appeals.

Additionally, this approval comes with conditions as set forth, mentioned and established in the "Standards for Special Permit Applications to the Board of Zoning Appeals" and as previously mentioned and for additional clarification - as a condition of this approval, should a "State of Emergency" arise where normal business operations require the facility to engage in operations of a "third work shift" - for an increase in the production of PPE equipment - the company shall notify the Town of Greece, in writing, of a change in work shifts and shall be

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permitted to operate on a 24/7 basis in 30 day intervals, without having to come back to the Board of Zoning Appeals.

So moved

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

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

Motion Carried
Application Approved
With Conditions

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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)

On a motion by Ms. Andreano and seconded by Mr. Wechsler, it was resolved to continue the public hearing on this application until the meeting of January 19, 2021.

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

**Motion Carried
Application Continued Until
Meeting of January 19, 2021**

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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

On a motion by Mr. Shea and seconded by Mr. Wechsler, it was resolved to continue the public hearing on this application until the meeting of January 19, 2021.

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

**Motion Carried
Application Continued Until
Meeting of January 19, 2021**

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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

On a motion by Ms. Nigro and seconded by Mr. Shea, it was resolved to continue the public hearing on this application until the meeting of January 19, 2021.

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

**Motion Carried
Application Continued Until
Meeting of January 19, 2021**

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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)

On a motion by Mr. Hartwig and seconded by Ms. Andreano, it was resolved to continue the public hearing on this application until the meeting of January 19, 2021.

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

**Motion Carried
Application Continued Until
Meeting of January 19, 2021**

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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)

On a motion by Mr. Hartwig and seconded by Mr. Wechsler, it was resolved to continue the public hearing on this application until the meeting of January 19, 2021.

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

Motion Carried
Application Continued Until
Meeting of January 19, 2021

NEIGHBORHOOD NOTIFICATION MODIFICATION:

1. Applicant: Diana Apostolova
Location: 1580 West Ridge Road
Mon. Co. Tax No.: 075.17-1-14.1
Zoning District: BR (Restricted Business)
Request: An area variance for a proposed (west side) building mounted sign, (5.0 feet x 21.5 feet; "Rochester Investments"), having an area of 107.5 square feet, instead of the 87.5 square feet maximum permitted. Section 211-52 B(2)(c)[1], Table VII

The staff has recommended a modification of the neighborhood notification requirements, to reduce the number of property owners to be notified. The basis for this recommendation is the large size of the entire parcel and the many properties which would be included in the notification but which are not near the parcel where the use will be located.

On a motion by Mr. Jensen and seconded by Mr. Hartwig, it was resolved to amend the Neighborhood Notification for the proposed building mounted sign, (5.0 feet x 21.5 feet; "Rochester Investments") having an area of 107.5 sq. ft., instead of the 87.5 sq. ft. permitted, relative to the Rochester Investments at 1580 West Ridge Road, relying on the Town staff's judgment for fulfillment of the zoning ordinance and this Board's intent for adequate neighborhood notification, which in this case should be the parcels near the proposed site location, which would be parcels directly across the street from the site fronting Stone Road and West Ridge Road, which are the parcels in the immediate vicinity that potentially would be most affected by the proposed sign relative to the Rochester Investment site.

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

Motion Carried
Request Granted

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ADJOURNMENT: 10:25 PM

APPROVAL OF BOARD OF ZONING APPEALS MEETING MINUTES

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

Signed: _____

Date: _____

Albert F. Meilutis, Chairman

NEXT MEETING: Tuesday, January 19, 2021

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