



William D. Reilich
Supervisor

TOWN OF GREECE

BOARD OF ZONING APPEALS MINUTES

MARCH 2, 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 March 2, 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@greeceny.gov prior to 5:00 PM, March 12, 2021.

Present:

Albert F. Meilutis, Chairman
Linda Andreano
Thomas F. Hartwig
Randy T. Jensen
Cathleen A. Nigro
Bradford Shea

Christopher A. Schiano, Esq., Deputy Town Attorney
Ivana Casilio, Planning Assistant
Maryjo Santoli, Zoning Board Secretary

Absent

Anthony F. Wechsler

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

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

Old Business:

1. 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

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

On a motion by Mr. Jensen and seconded by Mr. Hartwig, it was resolved to continue the public hearing on this application until the meeting of April 6, 2021.

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

**Motion Carried
Application Continued Until
Meeting of April 6, 2021**

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

2. 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. Shea, it was resolved to continue the public hearing on this application until the meeting of April 6, 2021.

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

**Motion Carried
Application Continued Until
Meeting of April 6, 2021**

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

3. Applicant: Steven Burkowski
Location: 2472 Edgemere Drive
Mon. Co. Tax No.: 026.15-1-53
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed second-story deck, (7.9 feet x 17.7 feet; 139.8 square feet), following demolition of the existing second-story deck, to be located in a waterfront yard, where accessory structures, such as decks, are permitted only in rear yards, and for said deck to have an east side setback of 5.49 feet, instead of the 6.0 feet minimum required. Section 211-11 E(1), Table I & Section 211-11 E(3)

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 2472 Edgemere 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. Andreano 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	Absent		

Motion Carried

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

WHEREAS, with regard to the application of Steven Burkowski, 2472 Edgemere Drive, in an R1-E (Single-Family Residential) district, the applicant's father, Mr. Bob Burkowski, representing his son, appeared remotely via zoom meeting on Tuesday, February 16th, requesting an area variance for a proposed second-story deck, (7.9 feet x 17.7 feet; 139.8 square feet), following demolition of the existing second-story deck, to be located in a

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

waterfront yard, where accessory structures, such as decks, are permitted only in rear yards, and for said deck to have an east side setback of 5.49 feet, instead of the 6.0 feet minimum required.

WHEREAS, the findings of fact are as follows. The applicant being represented by his father, Bob Burkowski, proposed a second-story deck after demolition of the existing second-story deck. On July 5, 2016, the applicant was approved for a second-story deck. During the Lake Ontario flooding in 2017 and 2019 the applicant's home suffered water damage to the lower level of the home, which the deck is on top of. One of the conditions of the 2016 approval was for the life of the existing two decks and the fence. With removal of the existing deck the applicant needs to obtain another area variance. The applicant did obtain funding administered by the Bishop Sheen Ecumenical Housing Foundation, (Sheen Housing), through the State of New York. The applicant will be replacing the lower level affected by water damage along with the existing second-story deck, which is above and replacing the lower level with a three-season room. Also, a second-story deck in a lower level will be the exact same footprint, which causes the minimum side setback to remain currently, which is at 5.49 ft., so it does not change from what it currently has. The proposed second-story deck will not be covered and will be made into a multi-season room. Second story decks on waterfront property is very common in this neighborhood. The applicant also states that repairs have been made to the break wall, hopefully to avert any future water damage to the house and property from Lake Ontario. There were no comments submitted.

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 regulations, requiring no further action by this Board, I move to approve the this application with the following conditions:

1. The applicant will obtain all necessary permits.
2. The approval is for the life of the second-story deck.

So moved.

Seconded by Ms. Andreano 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	Absent		

**Motion Carried
Application Approved
With Conditions**

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

4. Applicant: Kerri Lee M. Wemett
Location: 184 Leerie Drive
Mon. Co. Tax No.: 045.01-14-85
Zoning District: R1-E (Single-Family Residential)
Request: a) An area variance for a proposed 5.0 feet high fence, approximately 112.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height. Section 211-50 L
b) An area variance for an existing accessory structure (8.0 feet x 10.0 feet; 80.0 square feet shed), to have an east side setback of 2.3 feet instead of the 5.0 feet minimum required. Section 211-11 E(1), Table I

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 184 Leerie 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. 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	Absent		

Motion Carried

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

WHEREAS, with regard to the application of Kerri Lee Wemett, 184 Leerie Drive, in an R1-E (Single-Family Residential) district, the applicant appeared remotely before the board, requesting an area variance for a proposed 5.0 feet high fence, approximately 112.0 linear

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and an area variance for an existing accessory structure (8.0 feet x 10.0 feet; 80.0 square feet shed), to have an east side setback of 2.3 feet instead of the 5.0 feet minimum required.

WHEREAS, the findings of fact are as follows. The applicant appeared remotely before this board on February 16, 2021. She purchased the home in September 2020. It sits on an approximately 89 ft. x 150 ft. corner lot. She is requesting a 5 ft. high fence to keep her dogs safely contained. Ms. Wemett testified that she wants to install a black aluminum fence that is similar in style as the neighbors and have it line up with the existing neighbor fence. It will be placed far enough away from the sidewalk so it does not pose any obstruction to Towns upkeep. Regarding the shed, it is existing. She is unsure how old it is, but it appears to be fairly new. It is 8.0 ft. x 10.0 ft. and compliments the home. It is used for storage of a lawn mower, lawn furniture and various outdoor items. She states that it sits on a concrete slab and it would be a financial hardship to move it in order to come within code. We received no public comments.

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 regulations, requiring no further action by this Board, I move to approve the this application as submitted by the applicant with the following conditions:

1. The applicant will obtain necessary permits.
2. The approval is for the life of the fence and shed.

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	Absent		

Motion Carried
Application Approved
With Conditions

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

5. Applicant: Martin Boor
Location: 117 Falkirk Place
Mon. Co. Tax No.: 045.08-2-49
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed 6.0 feet high, closed construction fence, approximately 107.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction. Section 211-50 L

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 117 Falkirk Place, 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	Absent		

Motion Carried

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

WHEREAS, with regard to the application of Martin Boor, 117 Falkirk Place, in an R1-E (Single-Family Residential) district, the applicant appeared virtually at a meeting on February 16, 2021, requesting an area variance for a proposed 6.0 feet high, closed construction fence, approximately 107.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction.

WHEREAS, the findings of fact are as follows. Mr. Boor stated that he has lived at this address for approximately 18 months. The purpose of the variance request is to provide

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

privacy for his family since there is excessive foot and vehicle traffic being a corner lot. Upon request from the board Mr. Boor did agree to a 5 ft. high open construction fence with a one foot lattice attachment on top, making the total fence 6 ft. high. The fence material will be vinyl and tan color to match his home and white posts. So far he has installed several white fence posts. Currently, there is a 6 ft. high vinyl fence on the back and north side of his property. He has not received any negative comments from 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 regulations, requiring no further action by this Board, I move to approve this application with the following conditions:

1. The applicant will obtain all Town permits.
2. The approval is for the life of the fence.

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	Absent		

Motion Carried
Application Approved
With Conditions

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

6. Applicant: Dean Levey; Dean Robert Levey & Stephen Rogers
Location: 864, 868 & 870 Manitou Road
Mon. Co. Tax No.: 033.03-3-26; 033.03-3-25 & 033.03-3-24
Zoning District: R1-44 (Single-Family Residential)
Request: The following variances will be required for the proposed Rogers-Levey Subdivision:
- Proposed Lot 101:
- a) An area variance for a proposed lot to have a lot width of 93.0 feet, instead of the 150.0 feet minimum required. Section 211-11 D(1)(a); Section 211-11 D(2), Table I
 - b) An area variance for a proposed lot to have a lot area of 33,690 square feet, instead of the 44,000 square feet minimum required. Section 211-11 D(2), Table I
- Proposed Lot 102:
- c) An area variance for a proposed lot to have a lot width of 75.0 feet, instead of the 150.0 feet minimum required. Section 211-11 D(1)(a); Section 211-11 D(2), Table I
 - d) An area variance for a proposed lot to have a lot area of 20,256 square feet, instead of the 44,000 square feet minimum required. Section 211-11 D(2), Table I
- Proposed Lot 103:
- e) An area variance for a proposed lot to have a lot width of 137.0 feet, instead of the 150.0 feet minimum required. Section 211-11 D(1)(a); Section 211-11 D(2), Table I
 - f) An area variance for a proposed lot to have a lot area of 37,020 square feet, instead of the 44,000 square feet minimum required. Section 211-11 D(2), Table I

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 864, 868 & 870 Manitou 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

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

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. Andreano 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	Absent		

Motion Carried

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

WHEREAS, with regard to the application of Dean Levey; Dean Robert Levey & Stephen Rogers, 864, 868 & 870 Manitou Road, in an R1-44 (Single-Family Residential) district, the applicants are requesting several area variances, as mentioned above, which are required for the proposed Rogers-Levey Subdivision.

WHEREAS, the findings of fact are as follows. On March 2, 2021 Robert Hatch of Schultz Associates appeared before this board via zoom on behalf of Dean Levy, Dean Robert Levy and Stephen Rogers, the property owners of 864, 868 and 870 Manitou Road respectfully in an R1-44 (Single-Family Residential) district to request the following variances that will be required for the proposed Rogers-Levey Subdivision:

Proposed Lot 101: An area variance for a proposed lot to have a lot width of 93.0 feet, instead of the 150.0 feet minimum required and an area variance for a proposed lot to have a lot area of 33,690 square feet, instead of the 44,000 square feet minimum required.

Proposed Lot 102: An area variance for a proposed lot to have a lot width of 75.0 feet, instead of the 150.0 feet minimum required and an area variance for a proposed lot to have a lot area of 20,256 square feet, instead of the 44,000 square feet minimum required.

Proposed Lot 103: An area variance for a proposed lot to have a lot width of 137.0 feet, instead of the 150.0 feet minimum required and an area variance for a proposed lot to have a lot area of 37,020 square feet, instead of the 44,000 square feet minimum required.

Mr. Hatch stated that Stephen Rogers has owned 870 Manitou Road for 20 years and that Dean Levy has owned 864 and 868 Manitou Road for 4 and 2 years respectfully. The property lines between 864 and 868 Manitou Road along with the property line between 868 and 870 Manitou Road are jagged, therefore these owners would like to alter the existing property lines to straighten them in order to create standard lot configurations. There are no plans for any redevelopment; each properties existing road frontage will remain the same. As for each variance pertaining to lot square footage, all these lots are currently below the minimum requirement of 44,000 sq. ft. making them legal preexisting nonconforming lots.

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

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

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 regulations, requiring no further action by this Board, I move to approve this application with the condition that the applicant receive the required administrative Planning Department approval relative to a "Change of Lot Line".

So moved

Seconded by Ms. Andreano 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	Absent		

Motion Carried
Application Approved
With Condition

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

7. 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 Ms. Andreano and seconded by Mr. Shea, it was resolved to continue the public hearing on this application until the meeting of April 20, 2021.

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

**Motion Carried
Application Continued Until
Meeting of April 20, 2021**

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

New Business

No motions for the following applications: pending a 10-day comment public comment period – Comments will be received up until March 12, 2021

1. Applicant: Kathryn R. Kehrli
Location: 12 Jay Vee Lane
Mon. Co. Tax No.: 034.03-9-83
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed principle dwelling addition (12.0 feet x 14.0 feet; 168.0 square feet), to have a rear setback of 25.0 feet, instead of the 30.0 feet minimum required. Section 211-11 (D)(2), Table I

On a motion by Mr. Shea and seconded by Ms. Andreano, it was resolved to continue the public hearing on this application until the meeting of March 16, 2021.

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

**Motion Carried
Application Continued Until
Meeting of March 16, 2021**

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

2. Applicant: Michael D. Horn, Jr.
Location: 1140 Edgemere Drive
Mon. Co. Tax No.: 035.09-1-59
Zoning District: R1-E (Single-Family Residential)
Request: a) An area variance for a proposed deck (approximately 220.0 square feet), following demolition of the existing deck, to be located in a waterfront yard, where accessory structures, such as decks, are permitted in rear yards only. Section 211-11 E(3)
b) An area variance for a proposed deck (approximately 220.0 square feet), following demolition of the existing deck, to be located in a waterfront yard, to have an east side setback of 0.1 feet and a west side setback of 0.1 feet, instead of the 6.0 feet minimum(s) required. Section 211-11 E(1), Table I & Section 211-11 E(3)
c) An area variance for a proposed second-story deck, (15.0 feet x 16.0 feet; 240.0 square feet), to be located in a waterfront yard, where accessory structures, such as decks, are permitted only in rear yards, and for said deck to have an west side setback of 0.4 feet, instead of the 6.0 feet minimum required. Section 211-11 E(1), Table I & Section 211-11 E(3)

On a motion by Mr. Jensen and seconded by Ms. Nigro, it was resolved to continue the public hearing on this application until the meeting of March 16, 2021.

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

**Motion Carried
Application Continued Until
Meeting of March 16, 2021**

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

3. Applicant: Tony Collichio
Location: 25 Shoreway Drive
Mon. Co. Tax No.: 026.03-2-37
Zoning District: R1-E (Single-Family Residential)
Request: a) An area variance for a proposed principle dwelling addition (24.0 feet x 24.0 feet; 576.0 square feet attached garage), to have a rear setback of 32.0 feet, measured from the south right-of-way line of Shoreway Drive, instead of the 25.0 feet minimum required and an east side setback of 5.0 feet instead of the 10.0 feet minimum required. Section 211-11 (D)(2), Table I
b) An area variance for a proposed accessory structure (9' diameter hot tub), to be located in a waterfront yard, where accessory structures, including hot tubs, are permitted in rear yards only and for said hot tub to have a west side setback of 6.0 feet instead of the 10.0 feet minimum required. Section 211-11 E(1), Table I & Section 211-11 E(3)
c) An area variance for a proposed accessory structure (12.0 feet x 28.0; 336.0 square feet in-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)

On a motion by Mr. Shea and seconded by Mr. Hartwig, it was resolved to continue the public hearing on this application until the meeting of March 16, 2021.

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

**Motion Carried
Application Continued Until
Meeting of March 16, 2021**

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

4. Applicant: Building 502 LLC
Location: 105 McLaughlin Road
Mon. Co. Tax No.: 089.04-1-3.1
Zoning District: IG (General Industrial)
Request: Request for relief from the Town of Greece Sprinkler Law for a proposed accessory structure (pavilion) – Local Law #2 of the year 2016 – Section 115-4

On a motion by Mr. Jensen and seconded by Ms. Andreano, it was resolved to continue the public hearing on this application until the meeting of March 16, 2021.

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

**Motion Carried
Application Continued Until
Meeting of March 16, 2021**

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

5. Applicant: Amarok, LLC
Location: 1024 West Ridge Road
Mon. Co. Tax No.: 075.18-1-5.12
Zoning District: BG (General Business)
Request: An area variance for a proposed 10.0 feet high, approximately 569.0 linear feet, electrified fence, to be located in a nonresidential rear yard and where fences in a nonresidential rear yard shall not exceed 8.0 feet in height and except as provided in Section 211-33C, the electrification of any fence shall not be permitted. Section 211-50 E & Section 211-52 A

On a motion by Mr. Hartwig and seconded by Ms. Nigro, it was resolved to continue the public hearing on this application until the meeting of March 16, 2021.

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

**Motion Carried
Application Continued Until
Meeting of March 16, 2021**

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

NEIGHBORHOOD NOTIFICATION MODIFICATION:

1. Applicant: Apple Latta II, LLC
Location: 2453-2455 Latta Road
Mon. Co. Tax No.: 045.19-2-3.11
Zoning District: R1-18 (Single-Family Residential & RS (Senior Residential))
Request: An area variance for a temporary (advertising) freestanding "V-shaped" sign for "Orchard View Subdivision"; (5.0 feet x 8.0 feet; 40.0 square feet each panel), for a total of 80.0 square feet instead of the 6.0 square feet permitted. Section 211-55 E(3), Table V

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. Hartwig and seconded by Ms. Andreano, it was resolved to amend the Neighborhood Notification for the proposed temporary (advertising) freestanding "V-shaped" sign for "Orchard View Subdivision", relative to the Orchard View at 2453-2455 Latta 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 Latta Road and the two adjoining parcels, which are the parcels in the immediate vicinity that potentially would be most affected by the proposed sign relative to the Orchard View Subdivision.

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

Motion Carried
Request Granted

BOARD OF ZONING APPEALS MINUTES
March 2, 2021

ADJOURNMENT: 8:48 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, March 16, 2021

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BOARD OF ZONING APPEALS MINUTES
March 2, 2021