



William D. Reilich
Supervisor

TOWN OF GREECE

BOARD OF ZONING APPEALS

MINUTES

JULY 5, 2023

Work Session Began: 6:30 p.m.

Meeting Began: 7:00 p.m.

Place: Community Conference Room, Greece Town Hall

Present:

Albert F. Meilutis, Chairman

Linda Andreano

Thomas F. Hartwig

Randy T. Jensen

Sharon M. Quataert

Bradford Shea

Anthony F. Wechsler

Jon Mead, Staff Advisor to the Zoning Board

Maryjo Santoli, Planning & Zoning Board Secretary

Absent

Christopher A. Schiano, Esq., Deputy Town Attorney

Additions, Deletions and Continuances to the Agenda

Decorum Policy

Announcements

PUBLIC HEARINGS

Old Business

1. Applicant: Dan Larkin
Address: 114 Emberglow Lane
Mon. Co. Tax No.: 034.03-11-6
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed accessory structure (pergola, 7.5 feet by 8.5 feet, 64 square feet) to have a 0 foot side setback, instead of the 8 foot permitted side setback. § 211-11E(1)

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 114 Emberglow Lane, 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. Quataert	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 Dan Larkin, 114 Emberglow Lane, in an R1-E (Single-Family Residential) zoning district, Dan and Angie Larkin appeared before the Board of Zoning Appeals this evening, requesting an area variance for a proposed accessory

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structure (pergola, 7.5 feet by 8.5 feet, 64 square feet) to have a 0 foot side setback, instead of the 8 foot permitted side setback.

WHEREAS, the findings of fact are as follows. Dan and Angie Larkin have lived at this home for the last 20 years. The Larkins built this pergola and incorporated it into the fence that they were repairing, they did not, at that time, have a permit for the pergola. The location of the pergola is necessary because it covers the only location for their existing eating area, which involves built-in seating areas. It is a financial hardship for them to have to move the pergola and the neighbors are in support of the application, including the neighbor who is closest to the setback in question. The applicant did present us with a petition that was signed by four of the neighbors and they also supplied us with photographs of the pergola, which we have taken in.

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. That there is no overhang beyond the lot line on that edge of the property.
2. That they obtain the necessary permits from the Town.
3. This approval is for the life of the fence.

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. Quataert	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Conditions

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2. Applicant: Doug and Dean Sholette
Address: 335 Salmon Creek Drive
Mon. Co. Tax No.: 017.04-3-39
Zoning District: R1-E (Single-Family Residential)
Request: a) An area variance for an accessory structure (deck; 460 square feet) in a front yard, where such structures are permitted in rear yards only. § 211-11E(3)
b) An area variance for a proposed principal structure addition (attached garage) to have a 4 foot rear setback, instead of the 56.1 foot setback permitted. § 211-11D(2), Table I
c) An area variance for a proposed principal structure addition to have a side setback of 9.7 feet(measured from west lot line), instead of the 10 foot minimum permitted. § 211-11D(2), Table I
d) An area variance to allow for 2350 square feet of accessory structure area on a 17,097 square foot lot, where such lots may only have 1,000 square feet of accessory structure. § 211-11D(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 335 Salmon 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.

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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. Quataert	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

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

WHEREAS, with regard to the application of Doug and Dean Sholette, 335 Salmon Creek Drive, in an R1-E (Single-Family Residential) zoning district, Mr. and Mrs. Sholette, and their representative, Joseph O'Donnell, appeared before the Board of Zoning Appeals this evening, requesting an area variance for an accessory structure (deck; 460 square feet) in a front yard, where such structures are permitted in rear yards only, an area variance for a proposed principal structure addition (attached garage) to have a 4 foot rear setback, instead of the 56.1 foot setback permitted, an area variance for a proposed principal structure addition to have a side setback of 9.7 feet(measured from west lot line), instead of the 10 foot minimum permitted and an area variance to allow for 2350 square feet of accessory structure area on a 17,097 square foot lot, where such lots may only have 1,000 square feet of accessory structure.

WHEREAS, the findings of fact are as follows. On June 20, 2023, Mr. Joe O'Donnell of Greater Living Architecture spoke along with the applicants Doug and Dean Sholette relative to property located at 335 Salmon Creek Drive in a R1-E Single Family Residential District to request several variances as mentioned above.

The Sholette's have owned the property for 10 years and would like to construct a deck on the water side of their house, which is considered the front yard, to enhance their lifestyle. Decks in this location, however, are not uncharacteristic in a water-boundaried properties as the front yard does face the water. The deck will be constructed with pressured-treated posts and composite decking. Plans also include electricity to be installed for lighting.

The Sholettes will be converting their current garage into living space. Consequently, a new garage needs to be constructed to contain two cars, two jet skis and lawn furniture. As the proposed location is the only place for this garage on the lot, the setbacks being requested in variances b and c will be necessary. The garage will be similar in architecture and color to the primary structure. Since this property is the last lot on a dead-end street and borders state land being the Lake Ontario State Parkway, the garage's placement should not be obtrusive to the neighborhood.

This application; however, was continued to the meeting of July 5, 2023 in order to be readvertised. This evening, Mr. O'Donnell and the Sholette's reappeared before this board. They mentioned that as far as the new garage being constructed, the utilities being run to it will only be electric and plumbing, but for only one hose bib. There will be a second floor that could be used for seasonal storage, however this location may not be converted into habitable living space. Twelve neighbors have been supportive with a letter that has been submitted by the applicant. There is also a Mary Werner of 269 Salmon Creek who also mentioned her approval for this contract. There was some discussion relative to the Department of Public Works concern with the variance "b", only 4.0 feet off

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the rear setback, the only consideration they had were minor plowing situations. However, the applicant has agreed to execute a Hold Harmless Agreement with the Town of Greece relative to this plowing and possible potential damage if it should occur.

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. That all necessary permits be obtained.
2. That the applicant sign a Hold Harmless agreement with the Town of Greece.
3. That the second floor of the proposed garage is only for storage and shall not be converted into a habitable condition.
4. And as far as utilities being run to the garage, it will be just electric and as far as plumbing, only one hose bib.

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. Quataert	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Conditions

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3. Applicant: Frank F. Hoffman
Address: 417 Edgemere Drive
Mon. Co. Tax No.: 035.15-5-3.1
Zoning District: R1-E (Single Family Residential)
Request: An area variance for a proposed addition to the principal structure that will have a side setback of 4.0 feet from the adjoining lot to the west (429 Edgemere Drive), instead of the permitted 10.0 feet minimum side setback. § 211-11E(1), 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 417 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 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. Quataert	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

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

WHEREAS, with regard to the application of Frank Hoffman, 417 Edgemere Drive, in an R1-E (Single-Family Residential) zoning district, Frank and Alice Hoffman, appeared before the Board of Zoning Appeals this evening, requesting an area variance for a proposed addition to the principal structure that will have a side setback of 4.0 feet from the adjoining lot to the west (429 Edgemere Drive), instead of the permitted 10.0 feet minimum side setback.

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WHEREAS, the findings of fact are as follows. The Hoffmans mentioned that they have owned this property for three years and the need for this addition is for additional storage and to accommodate guests as they may come to the property. The finishes of the addition will match that of the house and after further consideration of this proposal the applicants have changed the distance of the side setback from 4.0 feet to 8.0 feet 4 inches. They also have received agreement from their next-door neighbor relative to proceed with this project.

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. That all necessary building permits be obtained.
2. That the side setback will be 8.0 ft. 4 in. instead of the original 4.0 feet proposed.
3. The setback will not be greater than 8.0 feet 4 in.
4. The property line needs to be surveyed before to determine the actual setback distance.

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. Quataert	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Conditions

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New Business

1. Applicant: Gregory Miller
Address: 248 North Drive
Mon. Co. Tax No.: 026.14-3-18
Zoning District: R1-E
Request: An area variance for an accessory structure (deck, wood, 13 feet by 22 feet; 286 square feet) in a side yard, where such structures are only permitted in a rear yard. § 211-11E(3)

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 August 1, 2023.

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

**Motion Carried
Application Continued
Until the Meeting of August 1, 2023**

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2. Applicant: Jennifer Rambali
Address: 0 Maiden Lane (West of 81, 91, 101 and 111 Blue Grass Lane)
Mon. Co. Tax No.: 059.19-1-1.1
Zoning District: R1-E
Request: An area variance to allow for an accessory structure (6-foot closed-construction wooden fence, ±680 linear feet) on a lot without a principal structure, where such structures are only permitted on lots with principal structures. § 211-11

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 September 5, 2023.

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

Motion Carried
Application Continued
Until the Meeting of September 5, 2023

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3. Applicant: Katie Adolph
Address: 610 Edgemere Drive
Mon. Co. Tax No.: 035.15-1-9
Zoning District: R1-E
Request:
- a) An area variance for an existing accessory structure (deck, composite, 24 feet by 25 feet; 600 square feet) have a 6-9-foot setback in a waterfront rear yard, instead of the 25-foot setback permitted. § 211-11D, Table I
 - b) An area variance for an existing 6-foot closed construction fence (white vinyl fence, ±78 linear feet) to be partially located 6-9 feet from the rear lot line, instead of the 4-foot open-construction fence permitted 20 feet or closer to a rear lot line in such waterfront rear yards. § 211-51A(4)
 - c) An area variance for an existing 6-foot closed construction fence (white vinyl fence, ±78 linear feet) to be partially located in the clear sight triangle formed by Edgemere drive and the driveway of 610 Edgemere, instead of the 3-foot, open-construction fence permitted in such clear sight triangles. § 211-36
 - d) An area variance for an existing accessory structure (shed, 7 feet by 7 feet; 49 square feet) to have a rear setback of 8 feet, instead of the 25-foot setback permitted in a rear yard of such waterfront lots. § 211-11D, Table I

On a motion by Ms. Andreano and seconded by Mr. Hartwig, it was resolved to continue the public hearing on this application until the meeting of August 1, 2023.

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

**Motion Carried
Application Continued
Until the Meeting of August 1, 2023**

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4. Applicant: Great American Diner
Address: 850 Long Pond Road
Mon. Co. Tax No.: 059.01-3-56.13
Zoning District: BR
Request: An area for a second building-mounted sign (aluminum, 8 feet by 4 feet; 32 square feet), instead of the one building-mounted sign permitted. § 211-56B(2)(a)[1]

Ms. Quataert 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 850 Long Pond Diner, 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 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

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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.

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. Quataert	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

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

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WHEREAS, with regard to the application of Great American Diner, 850 Long Pond Road, in a BR (Restricted Business) zoning district, the applicant, Angelo Valenti, appeared before the Board of Zoning Appeals this evening, requesting an area for a second building-mounted sign (aluminum, 8 feet by 4 feet; 32 square feet), instead of the one building-mounted sign permitted.

WHEREAS: The findings of fact are as follows. Mr. Valenti has told us that this signage is for visibility heading north on Long Pond Road so that customers can see where he is located. The sign will replace an old existing sign and have no additional electricity.

Therefore, I move to approve this application with the following conditions:

1. This approval is for the life of the business.
2. The sign will be non-illuminated.

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. Quataert	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Conditions

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5. Applicant: Sean Hickey
Address: 36 Frost Meadow Trail
Mon. Co. Tax No.: 034.04-2-27
Zoning District: R1-E
Request: An area variance for a 4-foot-high closed-construction fence (wood, ±48 linear feet) to be located in a front yard, instead of the 4-foot-high open-construction fence permitted. § 211-50L

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

WHEREAS, the Applicant came before the Town of Greece Board of Zoning Appeals (the "Board of Zoning Appeals") relative to the property at 36 Frost Meadow Trail, 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. Quataert	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

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

WHEREAS, with regard to the application of Sean Hickey, 36 Frost Meadow Trail, in an R1-E (Single-Family Residential) zoning district, Mr. Hickey, appeared before the Board of Zoning Appeals this evening, requesting an area variance for a 4-foot-high closed-construction fence (wood, ±48 linear feet) to be located in a front yard, instead of the 4-foot-high open-construction fence permitted.

WHEREAS, the findings of fact are as follows. Mr. Hickey has been at the house for seven years. They are requesting to put this fence there in order to provide privacy for

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themselves and for their dogs and alleviate the barking between theirs and the neighbors dogs located in their neighbors garage. The fence will be made of wood construction and no one has come before this board to speak in favor or against this variance. The applicant has said that the neighbor on the opposite side of the property has no issues with it, however he has not spoken to the other neighbor.

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 condition that the applicant adhere to all Town building codes.

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. Quataert	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Condition

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6. Applicant: Madeline Gomez
Address: 167 & 169 Ripplewood Drive
Mon. Co. Tax No.: 060.07-6-1
Zoning District: R1-E (Single-Family Existing)
Request: An area variance for a 6-foot-high fence (white vinyl, closed-construction, ±394 linear feet) ±184 feet of which is to be located in a front (corner) yard, instead of the 4-foot-high open-construction fence permitted. § 211-50L

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 July 18, 2023.

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

Motion Carried
Application Continued
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ADJOURNMENT: 10:00 P.M.

APPROVAL OF BOARD OF ZONING APPEALS MEETING MINUTES

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

Signed: _____

Date: _____

Albert F. Meilutis, Chairman

NEXT MEETING: Tuesday, July 18, 2023