



William D. Reilich
Supervisor

TOWN OF GREECE

BOARD OF ZONING APPEALS MINUTES

AUGUST 16, 2022

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

Thomas F. Hartwig

Randy T. Jensen

Sharon M. Quataert

Bradford Shea

Anthony F. Wechsler

Christopher A. Schiano, Esq., Deputy Town Attorney

Ivana Casilio, Zoning Administrator

Maryjo Santoli, Planning and Zoning Secretary

Absent

Linda Andreano

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

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Old Business:

Applicant: Hospitality Syracuse, Inc.
Address: 3530 West Ridge Road
Mon. Co. Tax No.: 073.02-1-72.4
Zoning District: BG (General Business)
Request: a) An area variance for a proposed driveway (drive thru drive isle; approximately 150.0 lineal feet along West Ridge Road) to vary from 7.0 feet to 15.0 feet, from the front lot line of West Ridge Road, instead of the 20.0 feet minimum required. Section 211-17 C(4), Table III
b) An area variance for second (south side) building mounted sign, (4.9 feet x 6.8 feet; 33.3 square feet), instead of the (4) 13.98 square feet building mounted signs, granted by the Board of Zoning Appeals on January 23, 1992. Section 211-56 B(2)(a)[1] & Section 211-56 B(2)(c)[1], Table VII
c) An area variance for third (south side) building mounted sign, (4.9 feet x 6.8 feet; 33.3 square feet), instead of the (4) 13.98 square feet building mounted signs, granted by the Board of Zoning Appeals on January 23, 1992. Section 211-56 B(2)(a)[1] & Section 211-56 B(2)(c)[1], Table VII
d) An area variance for fourth (east side) building mounted sign, (4.9 feet x 6.8 feet; 33.3 square feet), instead of the (4) 13.98 square feet building mounted signs, granted by the Board of Zoning Appeals on January 23, 1992. Section 211-56 B(2)(a)[1] & Section 211-56 B(2)(c)[1], Table VII
e) An area variance for fifth (west side) building mounted sign, (4.9 feet x 6.8 feet; 33.3 square feet), instead of the (4) 13.98 square feet building mounted signs, granted by the Board of Zoning Appeals on January 23, 1992. Section 211-56 B(2)(a)[1] & Section 211-56 B(2)(c)[1], Table VII
f) An area variance for a proposed second freestanding business center sign (6.9 feet x 11.5 feet; 79.5 square feet), instead of the (1) one 732.0 square feet (207.5 square feet signage and 524.5 square feet decorative support) business center sign permitted, per variance granted by the Board of Zoning Appeals on June 25, 1991. Section 211-56 B(1)(a)[3] & Section 211-56 B(1)(d), Table VI
g) An area variance for a proposed second freestanding business center sign (6.9 feet x 11.5 feet; 79.5 square feet), to have an overall height of 36.5 feet, instead of the 20.0 feet maximum permitted. Section 211-56 B(1)(c) & Section 211-56 B(1)(d), Table VI

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h) An area variance for a proposed second freestanding business center sign (6.9 feet x 11.5 feet; 79.5 square feet), to be located a distance of 10.5 feet from right of way of West Ridge Road, instead of the 15.0 feet minimum required. Section 211-56 B(1)(c)

i) An area variance for a proposed order board, approximately 28.2 square feet, instead of the 20.0 square feet maximum permitted. Section 211-56 B(1)(a)[4]

j) An area variance for a second proposed order board, approximately 28.2 square feet, instead of the (1) 20.0 square feet maximum order board permitted. Section 211-56 B(1)(a)[4]

k) An area variance for a third proposed order board, approximately 13.8 square feet, instead of the (1) 20.0 square feet maximum order board permitted. Section 211-56 B(1)(a)[4]

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 September 6, 2022.

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

**Motion Carried
Application Continued Until
Meeting of September 6, 2022**

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New Business:

1. Applicant: Joshua Piron
Address: 155 West Hill Estates
Mon. Co. Tax No.: 088.04-2-61
Zoning District: R1-E (Single Family Residential)
Request: An area variance for a proposed 6.0 feet high, closed-construction fence, approximately 95.0 linear feet, to be located in a rear yard, which adjoins the front yard of an adjoining lot, where such fences shall not exceed 4.0 feet in height and shall be of open construction. Section 211-51 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 155 West Hill Estates, 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:

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|--------------|---------------------|---------------|---------------------|------------|
| VOTE: | Ms. Andreano | Absent | 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:

WHEREAS, with regard to the application of Joshua Piron, 155 West Hill Estates, in an R1-E (Single-Family Residential) zoning district, Mr. Piron appeared before the Board of Zoning Appeals this evening, requesting an area variance for a proposed 6.0 feet high, closed-construction fence, approximately 95.0 linear feet, to be located in a rear yard, which adjoins

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the front yard of an adjoining lot, where such fences shall not exceed 4.0 feet in height and shall be of open construction.

WHEREAS, the findings of fact are as follows. This parcel is located at 155 West Hill Estates, it is approximately 120 ft. wide x 175 ft. deep and is located within an R1-E (Single-Family Residential) zoning district. It is bounded by Boca Avenue to the south and West Hill Estates to the east. Due to the configuration of this lot and the placement of the adjoining dwelling, a portion of the fence will be located in the adjoining front yard but is actually in the rear yard of the applicants parcel. The applicant has come before us requesting this fence for privacy for around his pool. He has stated that he is looking to install a tan vinyl fence, which sounds as though it will go nicely in the area. It will be located on the south side of the property.

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.

So moved.

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

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

Motion Carried
Application Approved

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2. Applicant: Cynthia Cleveland-Dungey
Address: 150 Laurelwood Drive
Mon. Co. Tax No.: 089.10-1-14
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed 6.0 feet high, closed-construction fence, approximately 85.0 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 150 Laurelwood 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. Wechsler and duly put to a vote, which resulted as follows:

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|--------------|---------------------|---------------|---------------------|------------|
| VOTE: | Ms. Andreano | Absent | Mr. Hartwig | Yes |
| | Mr. Jensen | Yes | Mr. Meilutis | Yes |
| | Ms. Quataert | 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 Cynthia Cleveland-Dungey, 150 Laurelwood Drive, in an R1-E (Single-Family Residential) zoning district, Ms. Cleveland-Dungey appeared before the Board of Zoning Appeals this evening, requesting an area variance for a proposed 6.0 feet high, closed-construction fence, approximately 85.0 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. Ms. Cynthia Cleveland-Dungey and her husband have lived at this address for 29 years. The applicant stated that the reason for the

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proposed 6 ft. high closed construction fence is for privacy, safety of her family and to help contain her two dogs, which are members of the family. The type of material that will be used will probably be wood, closed construction. She is simply removing the current four foot fence, which is open construction and replacing it with a six foot closed construction fence. There were no comments from the 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 condition that all Town permits be obtained by the applicant before construction starts.

So moved.

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

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|--------------|---------------------|---------------|---------------------|------------|
| VOTE: | Ms. Andreano | Absent | 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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ADJOURNMENT: 7:15 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, September 6, 2022

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