



*William D. Reilich*  
*Supervisor*

# **TOWN OF GREECE**

## **BOARD OF ZONING APPEALS MINUTES**

**NOVEMBER 6, 2019**

**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

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**

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**Old Business:**

1. Applicant: Nancy S. Ferrari  
Location: 482 Mill Road  
Mon. Co. Tax No.: 058.03-1-50  
Zoning District: R1-44 (Single-Family Residential)  
Request: a) An area variance for a proposed accessory structure (approximately 35.0 feet x 56.0 feet; 1950.0 square feet, one-story detached garage), resulting in a total gross floor area of 3146.0 square feet in all accessory structures, where 1250 square feet is the maximum gross floor area permitted for lots over one acre. Section 211-11 E (1), Table I  
b) An area variance for a proposed accessory structure, (approximately 35.0 feet x 56.0 feet; 1950.0 square feet, one-story detached garage), to be located in a front yard, where accessory structures, including detached garages, are permitted in rear yards only. Section 211-11 E (3)  
c) An area variance for a proposed accessory structure (approximately 35.0 feet x 56.0 feet; 1950.0 square feet, one-story detached garage), to have an overall height of 24.0 feet, instead of the 17.0 feet maximum permitted. Section 211-11 E (1), Table 1  
d) An area variance for the storage of a total of ten motor vehicles, where not more than four motor vehicles are permitted to be stored in all garages on the premises. Section 211-11 B(2)

**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 November 19, 2019 in order to give the applicant time to review their project and look to decrease the overall square footage of the proposed garage.**

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried  
Application Continued Until  
Meeting of November 19, 2019**

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2. Applicant: Teri A. Cashion  
Location: 200 Sacket's Landing  
Mon. Co. Tax No.: 033.04-4-13  
Zoning District: R1-E (Single-Family Residential)  
Request: Request of relief from a condition of approval pertaining to an area variance for the placement of a 6.0 feet high, closed-construction fence, granted by the Board of Zoning Appeals on October 16, 2018, and that such condition stated that said (proposed) fence being installed is placed in the same location as the (existing) fence that is coming down.

**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 200 Sacket's Landing, 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:**

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried**

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

WHEREAS, with regard to the application of Teri A. Cashion, 200 Sacket's Landing, Ms. Cashion appeared before the Board of Zoning Appeals, requesting relief from a condition of approval pertaining to an area variance for the placement of a 6.0 feet high, closed-construction fence, granted by the Board of Zoning Appeals on October 16, 2018, and that such condition stated that said (proposed) fence being installed is placed in the same location as the (existing) fence that is coming down.

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WHEREAS, the findings of fact are as follows. This parcel is located at 200 Sacket's Landing and is located in an R1-E (Single-Family Residential) neighborhood. The applicant, Terry Cashion, appeared before the Board of Zoning Appeals this evening and said she has resided at this residence for about two years. On October 16, 2018, Ms. Cashion received the board's approval for a 6.0 feet high, closed-construction fence and that the proposed fence be installed in the same location as the existing fence that is coming down. Now, she is seeking relief from that condition and wants to locate the new fencing closer to the sidewalk, approximately 1.5 ft. away from the sidewalk. She has agreed to sign a Hold Harmless agreement with the Town for in the event there are any damages to the fences from town snow plowing operations. No one at tonight's meeting spoke in favor or opposed 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 with the following conditions:

1. That the applicant obtain all necessary Town permits.
2. And that the applicant sign a Hold Harmless agreement with the Town of Greece.

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

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried  
Application Approved  
With Conditions**

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**New Business:**

1. Applicant: Jeffrey J. & Joanne Schwallie  
Location: 3258 Edgemere Drive  
Mon. Co. Tax No.: 026.39-4-1  
Zoning District: R1-E (Single-Family Residential)  
Request: An area variance for a proposed covered porch (8.5 feet x 10.5 feet; 89.3 square feet) to have an east side setback of 3.0 feet instead of the 6.0 feet minimum required. Section 211-11 D(1)(b); Section 211-11 D(2), 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 3258 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:**

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried**

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

WHEREAS, with regard to the application of Jeffrey & Joanne Schwallie, 3258 Edgemere Drive, Ms. Joanne Schallie appeared before the Board of Zoning Appeals this evening, requesting an area variance for a proposed covered porch (8.5 feet x 10.5 feet; 89.3 square feet) to have an east side setback of 3.0 feet instead of the 6.0 feet minimum required.

WHEREAS, the findings of fact are as follows. This parcel is located at 3258 Edgemere Drive and is located in an R1-E (Single-Family Residential) neighborhood. This lot is approximately 50 ft. wide. The applicant, Ms. Schwallie, states that she has lived at this address for about 12 Years. The

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porch will be constructed of wood and the need for this new porch is for protection from the inclement weather, rain, snow and such. There is an existing side stoop that was original from approximately 1964, their plan is to replace that stoop and expand it. A contractor will do the work for them. The roof will be covered with shingle roofing. Both the porch and the roof will blend with the rest of the house. It will not contain any additional electrical outlets or lighting, just what is existing there. They will replace existing light fixtures. They will not have a hot tub or permanent grill. I feel that this type of request is not unusual for this area due to the lot size. Ms. Schwallie has spoken to her neighbors, who did not have any objection. In fact her one neighbor to that side of her home has tall arborvitae and they will not be able to see any of the construction.

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 the applicant will obtain all necessary building permits.

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

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried**  
**Application Approved**  
**With Condition**

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2. Applicant: Michael Wilder  
Location: 19 Baneberry Way  
Mon. Co. Tax No.: 025.03-3-38.1  
Zoning District: R1-E (Single-Family Residential)  
Request: An area variance for a proposed accessory structure, (5.0 feet x 30.0 feet; approximately 150.0 square feet pool deck), to be partially located in a front yard, where accessory structures, including decks, 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 19 Baneberry Way, 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:**

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried**

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

WHEREAS, with regard to the application of Michael Wilder, 19 Baneberry Way, Mr. Wilder, appeared before the Board of Zoning Appeals, requesting an area variance for a proposed accessory structure, (5.0 feet x 30.0 feet; approximately 150.0 square feet pool deck), to be partially located in a front yard, where accessory structures, including decks, are permitted in rear yards only.

WHEREAS, the findings of fact are as follows. Mr. Wilder has lived at the property for approximately 11 years and recently put in a 30 ft. round, above-ground pool in July of 2019 and at this time is looking to construct an attached pool deck around the existing pool. There is no other location to build the deck as this is a corner lot with several easements running through it, limiting usable rear yard space and as such, a portion of the proposed deck will encroach into the front yard.

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The homeowner plans to include landscaping around the pool/deck area, which should provide an attractive view to anyone who may drive by on the Manitou Road side. Again, this is the only location that this deck could be built. There were no neighbors who spoke at the meeting in opposition to the proposal. I believe the request is minimal. Mr. Wilder has noted that he is aware of all of the easements on 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, requiring no further action by this Board, I move to approve this application with the following conditions:

1. That the applicant obtain necessary permits from the Town.
2. And that the applicant does not encroach upon any easements.

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

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried**  
**Application Approved**  
**With Conditions**

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3. Applicant: James Henning  
Location: 193 Orchard Creek Lane  
Mon. Co. Tax No.: 059.07-1-17  
Zoning District: R1-E (Single-Family Residential)  
Request: a) An area variance for a proposed principle structure addition, (20.0 feet x 27.0 feet; 540.0 square feet attached garage), to have a front setback of approximately 30.0 feet instead of the 42.4 feet minimum, established by the neighborhood average. Section 211-11 D(1)(b); Section 211-11 D(2), Table I  
b) An area variance for a proposed principle structure addition, (20.0 feet x 27.0 feet; 540.0 square feet attached garage), to have a rear setback of approximately 25.0 feet instead of the 36.0 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 January 7, 2020 in order to give the applicant time to review their options.**

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried  
Application Continued Until  
Meeting of January 7, 2020**

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4. Applicant: David A. Palumbo  
Location: 1395 Island Cottage Road  
Mon. Co. Tax No.: 035.03-1-28.1  
Zoning District: BR (Restricted Business)  
Request: An area variance for a proposed third (south side) roof-mounted sign, 4.0 feet x 29.0 feet; 116.0 square feet, where a second building mounted sign, totaling 47.5 square feet, was granted by the Board of Zoning Appeals on October 28, 1974. Section 211-52 B(2)(a)[1] & Section 211-52 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 1395 Island Cottage 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 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 conversations or meetings with or written

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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. Jensen and duly put to a vote, which resulted as follows:**

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried**

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

Mr. Chairman, regarding the application of David A. Palumbo, 1395 Island Cottage Road, in a BR (Restricted Business) district, Mr. Palumbo appeared before the Board of Zoning Appeals this evening, requesting an area variance for a proposed third (south side) roof-mounted sign, 4.0 feet x 29.0 feet; 116.0 square feet, where a second building mounted sign, totaling 47.5 square feet, was granted by the Board of Zoning Appeals on October 28, 1974.

The findings of fact are as follows. This evening Mr. Palumbo mentioned that the Char Broil has been at this location for 57 years, however there was fire damage to the building in 1974 where an existing roof mounted sign, that is similar to the one he is requesting, was destroyed. As such, he is looking to duplicate the original nostalgia of the building with the placement of this sign and due to

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the necessary copy of this sign, the sign cannot be any smaller than what is proposed. It will be constructed in plastic of nature, laminated lettering and it will be illuminated by goose neck lights. This evening, Mr. Doug Dobson also appeared before the board and spoke on behalf of the neighborhood association that that group of people were in approval of the placement of this sign.

As such, I move to approve this application with the condition that all necessary building permits be obtained.

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

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried**  
**Application Approved**  
**With Condition**

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5. Applicant: Walmart Real Estate Business Trust  
Location: 3800 Dewey Avenue  
Mon. Co. Tax No.: 060.10-1-1.11  
Zoning District: BG (General Business)  
Request: a) An area variance for lot coverage of 21.55% instead of the 21.43% granted by the Board of Zoning Appeals on September 12, 2007. Section 211-17 (4), Table III  
b) An area variance for a proposed sixth (west side) building-mounted sign ("\*Pickup"; 41.13 square feet), instead of the combined five (5) building-mounted signs granted by the Board of Zoning Appeals on February 1, 2012 and April 17, 2018. Section 211-52 B(2)(a)[1]  
c) An area variance for twenty-four (24) proposed parking stall directional signs (with logo), consisting of twelve (12) wall/post "\*Pickup" signs, (1.5 feet x 3.0 feet; 4.5 square feet; 54 square feet total) and twelve (12) ground "\*Pickup" signs, (2.0 feet x 7.0 feet; 14.0 square feet; 168.0 square feet total), where freestanding and building-mounted directional signs, shall not exceed 5.0 square feet and where logos shall not be included. Section 211-52 B(3)(b)[1]; Section 211-52 B(3)(b)[2] & Section 211-52 B(3)(b)[3].

**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 November 19, 2019 in order to give staff time to re-advertise this agenda item and also to receive a recommendation from the Planning Board.**

|              |                     |               |                     |            |
|--------------|---------------------|---------------|---------------------|------------|
| <b>VOTE:</b> | <b>Ms. Andreano</b> | <b>Yes</b>    | <b>Mr. Hartwig</b>  | <b>Yes</b> |
|              | <b>Mr. Jensen</b>   | <b>Yes</b>    | <b>Mr. Meilutis</b> | <b>Yes</b> |
|              | <b>Ms. Nigro</b>    | <b>Yes</b>    | <b>Mr. Shea</b>     | <b>Yes</b> |
|              | <b>Mr. Wechsler</b> | <b>Absent</b> |                     |            |

**Motion Carried  
Application Continued Until  
Meeting of November 19, 2019**

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BOARD OF ZONING APPEALS MINUTES  
November 6, 2019

**ADJOURNMENT: 8:40 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, November 19, 2019**

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BOARD OF ZONING APPEALS MINUTES  
November 6, 2019