



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

PLEASE TAKE NOTICE that a Public Hearing will be held at the Penfield Town Hall **Thursday, July 15, 2010 at 5:30 PM** local time by the Penfield Zoning Board of Appeals to consider the following applications that were held open from the June 17, 2010 Zoning Board meeting. All persons in favor of or opposed to said applications will be heard.

Public Hearing applications:

1. David Moynihan, 1875 Baird Road, Penfield, New York 14526 requests an Area Variance from Article III-3-35-D of the Code to allow more than one (1) utility building at 1875 Baird Road, The property is owned by David Moynihan and zoned R-1-20. SBL #124.01-2-39. Application #10Z-0030.

APPROVED WITH CONDITIONS

2. William Haag, 68 Rossman Drive, Webster, New York 14580 requests an Area Variance from Article III-3-37-A of the Code to allow the construction of a carport with less setback at 68 Rossman Drive. The property is owned by William Haag and zoned R-1-20. SBL #093.18-1-11. Application #10Z-0031.

APPROVED WITH CONDITIONS

3. Douglas McCarthy, 8 Westfield Commons, Rochester, New York 14625 requests an Area Variance from Article III-3-35-D-2 and Article III-3-37-A of the Code to allow the construction of a shed with less setback than required at 8 Westfield Commons. The property is owned by Douglas McCarthy and zoned R-1-20. SBL #108.16-1-2.333. Application # 10Z-0033.

APPROVED WITH CONDITIONS

4. Elizabeth Ferrari, 1586 Frpt Nine Mile Point Road, Penfield, New York 14526 requests an Area Variance from Article III-3-35-D of the Code to allow more than one (1) shed at 1586 Frpt Nine Mile Point Road. The property is owned by Elizabeth Ferrari and zoned RA-2. SBL # 110.03-1-5. Application # 10Z-0034.

DENIED

5. Jacqueline Griebel-Webster Montessori School, 1310 Five Mile Line Road, Webster, New York 14580 requests a Special Permit for Signage under Article VII-7-3 from Article VII-7-12-B of the Code to allow a larger freestanding sign at 1310 Five Mile Line Road. The property is owned by the Webster Montessori School and zoned R-1-20. SBL #094.03-1-35. Application # 10Z-0032.

APPROVED WITH CONDITIONS

NOTICE OF PUBLIC AGENDA, PENFIELD ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that a Public Hearing will be held at the Penfield Town Hall **Thursday, July 15, 2010 at 7:00 PM** local time by the Penfield Zoning Board of Appeals to consider the following applications. All persons in favor of or opposed to said applications will be heard.

Public Hearing applications:

1. Richard Clark, 2 Mallory Lane, Penfield, New York 14526 requests an Area Variance from Article III-3-35-D-4 of the Code to allow a larger storage building than allowed at 2 Mallory Lane. The property is owned by Barbara and Richard Clark and zoned RR-1. SBL #110.03-1-33.101. Application #10Z-0036.

APPROVED WITH CONDITIONS

2. Robert Nuefeld-Crosstown Construction, Inc, 2060 Fairport Nine Mile Point Road, Penfield, New York 14526 requests an Area Variance from Article III-3-37-A of the Code to allow a wood deck with less setback than required at 2 Fernstone Lane. The property is owned by Crosstown Construction, Inc and zoned R-1-20. SBL #124.01-2-10.1. Application #10Z-0037.

DENIED

3. Elaine Ebersold, 1344 Plank Road, Webster, New York 14580 requests an Area Variance from Article III-3-35-D-4 of the Code to allow a larger storage building than allowed at 1344 Plank Road. The property is owned by Elaine and Ronald Ebersold and zoned RA-2. SBL #095.03-1-21. Application #10Z-0038.

APPROVED WITH CONDITIONS

4. Timothy Murphy, 48 Corral Drive, Penfield, New York 14526 requests an Area Variance from Article III-3-37-A of the Code to allow a front porch with less setback at 48 Corral Drive. The property is owned by Suzanne and Timothy Murphy and zoned R-1-20. SBL #109.09-2-81.069. Application #10Z-0039.

APPROVED WITH CONDITIONS

5. Kevin Nitsch, 142 Hampton Way, Penfield, New York 14526 requests an Area Variance from Article III-3-35-D-2 of the Code to allow an existing shed at 142 Hampton Way. The property is owned by Brenda and Kevin Nitsch and zoned R-1-20. SBL #124.15-2-62. Application #10Z-0040.

APPROVED WITH CONDITIONS

6. Jay Tovey-Jay P Tovey Company Inc, 644 University Avenue, Rochester, New York 14607 requests an Area Variance from Article III-3-37-A of the Code to allow the construction of an addition and garage with less setback at 518 Thomas Cove Road. The property is owned by Jay P Tovey Company, Inc and zoned R-1-20. SBL #123.11-1-30. Application #10Z-0041.

APPROVED WITH CONDITIONS

7. Salvatore Fantauzzo-Salvatore's Pizza and Pub, 1217 Bay Road, Webster, New York 14580 requests an expansion of an existing Conditional Use Permit to allow a larger assembly space and outside dining at 1217 Bay Road. The property is owner by Rochester Properties R, LLC and zoned LB. SBL #093.11-1-53. Application #10Z-0042.

APPROVED WITH CONDITIONS

8. Brody Smith-Bond, Schoeneck & King, PLLC, 1 Lincoln Center, Syracuse, New York 13202 on behalf of Fallone Family Associates, LP requests an interpretation of the Front, Side and Rear Property line determination and Area Variances from Article III-3-68-B, Article III-3-68-C and Article IV-4-11-G of the Code to allow greater lot coverage, less setback and less parking at 1670 Empire Blvd. The property is owned by Fallone Family Associates, LP and zoned BN-R. SBL #093.19-1-45.1. Application #10Z-0043.

APPROVED WITH CONDITIONS

9. Kirk Wright-Sign & Lighting Services, LLC, 530 Rt 104, Ontario, New York 14519 on behalf of Lyte Speed Computers requests a Special Permit for Signage under Article VII-7-3 from Article VII-7-12-B of the Code to allow a greater freestanding signage than permitted at 2200 Penfield Road. The property is owned by Penn Fair Plaza, LLC and zoned GB. SBL #140.01-1-3.1. Application #10Z-0044.

TABLED

10. Son Nguyen, 2215 Empire Blvd, Webster, New York 14580 requests a Conditional Use Permit under Article X-10-4 and Article III-3-72-b of the Code to allow a Take Out Restaurant at 2007 Empire Blvd. The property is owned by Joseph Kashmer and zoned LB. SBL #093.11-1-13. Application #10Z-0045.

APPROVED WITH CONDITIONS

11. Fred Rainaldi-Conifer Penfield Associates, LP, 205 St Paul Street, Rochester, New York 14604 requests a Special Permit for Signage under Article VIII-7-3 from Article VII-7-13-B and Article VII-7-13-C of the Code to allow greater building mounted signage and more than one (1) building mounted sign for the tenants at 2164 Penfield Road. The property is owned by Conifer Penfield Associates and zoned GB. SBL #140.05-1-1.2/2164. Application #10Z-0046.

**DENIED THIRD BUILDING MOUNTED SIGN
FOR AT&T AND METRO MATTRESS**

DENIED SECOND BUILDING MOUNTED SIGN FOR GREAT CLIPS

APPROVED A SECOND BUILDING MOUNTED SIGN FOR AT&T

The Zoning Board of Appeals will meet at 6:30 PM in the Lower Level Conference Room to discuss in a meeting open to the public, tabled matters and other business that may be before it.

Amy Steklof
Town Clerk