ZONING BOARD
MEETING MINUTES
OCTOBER 17, 2019
Penfield Zoning Board of Appeals
October 17, 2019 Meeting Minutes

The Zoning Board meeting was held at 7:00 PM local time Thursday, October 17, 2019 in the Auditorium to discuss, in a meeting open to the public, tabled matters and other business that may be before it.

I. CALL TO THE ORDER:

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<th>ZBA MEMBER</th>
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<tr>
<td>Daniel DeLaus, Chairperson</td>
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<td>Marie Cinti</td>
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<td>Mike Belgiorno</td>
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<td>Matthew Piston</td>
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<td>Andris Silins</td>
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<th>ADDITIONAL STAFF</th>
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<td>Peter Weishaar, Legal Counsel</td>
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<td>Endre Suveges, Building Inspector</td>
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<td>Kristine Shaw, Secretary to the Board</td>
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II. Regarding Minutes from Zoning Board Meeting on September 19, 2019

<table>
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<tr>
<th>Motion made by:</th>
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<th>Board Vote</th>
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NOT VOTED ON
PUBLIC HEARING:

The Chairperson briefly explained the procedures that the Zoning Board would follow during the public hearing, also guidelines to applicants and those members of the audience wishing to speak at the public hearing.

The Chairperson further went on to inform the audience that the Board may deliberate on the applications following the hearing and/or at a future work session. Those applicants and interested persons who wished to stay for the remaining portion of the meeting to listen to any deliberation on each matter are then welcome to do so.

The Zoning Board Administrator was directed to read the agenda.

NOTE: The following is meant to outline the major topics for discussion during the Zoning Board public hearings. For more detailed information, the reader should ask to listen to the recorded tape of the October 17, 2019 Zoning Board of Appeals public hearing, which is available at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, New York 14526 during regular business hours or listen to the meeting on our website at www.penfield.org.
1. Jacqueline Griebel/Webster Montessori School, 1310 Five Mile Line Road, Webster, NY, 14580 requests a Special Permit under Section 250-10.3-A of the Code to allow a larger freestanding sign than permitted under Section 250-10.12-B (1) of the Code with less setback than required under Section 250-10.12-D of the Code at 1310 Five Mile Line Road. The property is currently or formerly owned by Webster Montessori School and is zoned R-1-20. SBL #094.03-1-35. Application #19Z-0045.

Appearances by:
Jacqueline Griebel/Webster Montessori School, 1310 Five Mile Line Road, Webster, NY, 14580
John Collins, on Board of Trustees

Presenter Statements:
They school is asking for a Special Permit for signage with less setback than required by code. They would like to put a new sign out perpendicular to the street. The front portion of property has easements from the Town of Penfield and the Monroe County Water authority. The Town property line is just to the side of the sidewalk and they need a twenty (20) foot setback which overlaps the county easement for the water line that runs through the property. There is no space to put a sign between the road and bus loop.
The sign would be five (5) feet from sidewalk into the front lawn and Monroe County Water Authority says its ok, if the Zoning Board of Appeals says it is ok. There will be no lighting of the sign.

Board Comments/Questions:
Board Members noted there is a swale. Visually it is almost thirty (30) feet from the road. Is there any problem because of the row of trees? Will it still be seen? The Board notes the previously approved signage was for a bigger size.

Presenter Statements:
The swale is near the bus loop. Between the trees is the best place they can come up with for the sign. Yes, this sign is smaller, the other sign was parallel to the road.

SEQRA Determination:
Motion Made by: Board Member Belgiorno and Second by Board Member Cinti
___ Type I Action. Further Action ______________________
___ Type II Action, not subject to further review under SEQRA.
X Unlisted Action:
   X Negative Declaration (Action will not result in any significant adverse environmental impacts).
   ___ Further Action ______________________

SEQRA Vote:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Piston: All Ayes
Board Member Silins: Absent

Application Vote:
Motion made by: Board Member Belgiorno to Approve and Second by Board Member Cinti
Vote: Chairman and Board Members: DeLaus, Belgiorno, Cinti, Piston: All Ayes
Board Member Silins: Absent
2. John Antetomaso, 8 Watersong Trail, Webster, NY, 14580 on behalf of Tri Beauty Company requests a Conditional Use Permit under Section 250-13.3 and Section 250-5.5-C (1) (g) of the Code to allow a hair salon studio at 1670 Empire Boulevard. The property is currently or formerly owned by Fallone Family Associates, LP and is zoned BN-R. SBL #093.19-1-45.18. Application #19Z-0046.

Appearances by:
John Antetomaso, 8 Watersong Trail, Webster, NY, 14580 on behalf of Tri Beauty Company

Presenter Statements:
They are applying for a Conditional Use permit to allow a hair studio at this location. There are two (2) entrances, from Plank Road and Empire Boulevard, and a new turning lane onto Empire Boulevard is a huge improvement. There is plenty of ingress and egress in the area and in and out of plaza. Spring Pines office park is owned by the Fallone family and they have a shared parking agreement throughout the park. They have forty two (42) parking spots, GVPT, Baby Moments, and Tri Beauty, will use twenty five hundred (2500) square feet which will face Empire Boulevard. This is enough parking slots to accommodate the day to day occupancies of the tenants. There is space for two (2) more occupants. There are no issues with sight distances into the complex or parking areas. Landscaping is already in place, and no changes are necessary. Spring Pines already has lighting set up for the plaza and its occupants. The hours of operation were discussed. There are three (3) owners and one (1) receptionist and a couple hairdressers by appointment only. Mr. Antetomaso showed a plan for the renovations.

Board Comments/Questions:
There are three (3) tenants that share the forty two (42) parking spots. Is there an agreement in writing? There are ten (10) chairs and how many people will be working there at a time?

Presenter Statements:
The parking is first come first serve. He is not sure if there is a written agreement. There will be five (5) to six (6) employees and customers at any given time. There will be ten to twelve (10-12) parking spots used at any one time.

SEQRA Determination:
Motion Made by: Board Member Piston and Second by Chairman DeLaus

Type I Action. Further Action _____________

X Type II Action, not subject to further review under SEQRA.

Unlisted Action:

Negative Declaration (Action will not result in any significant adverse environmental impacts).

Further Action _______________________

SEQRA Vote:
Chairman and Board Members: DeLaus, Cinti, Piston: All Ayes
Board Member Silins: Absent

Application Vote:
Motion made by: Board Member Piston to Approve and Second by Chairman DeLaus
Vote: Chairman and Board Members: DeLaus, Belgiorno, Cinti, Piston: All Ayes
Board Member Silins: Absent
3. William & Janine Wilkinson, 10 Smith Road, Webster, NY, 14580 request an Area Variance under Section 250-14.3 of the Code to allow an addition with less side setback than required under Section 250-5.7-D (3) of the Code at 10 Smith Road. The property is currently or formerly owned by William & Janine Wilkinson and is zoned GB. SBL #093.15-1-69. Application #19Z-0047.

Appearances by:
Ross Morrelli – 145 Norris Drive, contractor with Five Star Improvements
William Wilkinson, 10 Smith Road, Webster, NY,

Presenter Statements:
The family would like to put up a three season room, a footer on blocks with no crawl space with an A frame roof. The proposed setback from the side property line is eight point seven two (8.72) feet. There was an existing deck and the addition will go where the deck was with the same dimensions. It will tie into the existing roof, the outside shell will be consistent with the rest of the home with vinyl siding and windows.
Mr. Wilkinson spoke that they want to keep the house and have more room for family to come over. He has spoken with the neighbors at 16 Smith Road they are ok with the project. The addition will be twenty four point eight (24.8) by nineteen (19) feet.

Board Comments/Questions:
There was a previous variance given and Andy Suveges said it is zoned GB i.e. General Business and they have a residence on the property; as a General Business zoning they have a greater set back requirement. The previous variance was for the house and detached garage. All variances were all granted, front and side setbacks. He doesn’t believe it included the deck at the time, but at this time the deck is gone.

SEQRA Determination:
Motion Made by: Board Member Piston and Second by Chairman DeLaus
___ Type I Action. Further Action ________________
X Type II Action, not subject to further review under SEQRA.
___ Unlisted Action:
__ ___ Negative Declaration (Action will not result in any significant adverse environmental impacts).
__ ___ Further Action ________________

SEQRA Vote:
Chairman and Board Members: DeLaus, Cinti, Piston, Silins: All Ayes
Member Silins: Absent

Application Vote:
Motion made by: Board Member Piston to Approve and Second by Board Member Belgirno Vote: Chairman and Board Members, DeLaus, Belgirno, Cinti, Piston: All Ayes
Board Member Silins: Absent
4. Old Quarry Lane, LLC, 444 Socorro Court, Reno, Nevada, 89511 requests a Conditional Use Permit under Section 250-13.3 and Section 250-5.1-E (1) (k) of the Code to allow a private educational use at 100 Old Quarry Lane, 1538 Old Penfield Road, 1070-B Penfield Road, 479 Thomas Cove Road and 523 Thomas Cove Road. The properties are currently or formerly owned by Old Quarry Lane, LLC and are zoned R-1-20. SBL #123.15-1-1, 123.19-1-22, 123.15-1-4, 123.11-1-79 and 123.11-1-76. Application #19Z-0048.

Appearances by:
Richard Garth, 35 Chadwick Drive, Rochester, NY 14618
James Watters, 5 Lomb Memorial Drive, Rochester, NY 14623
Kathleen Bennett, Bond, Schoeneck & King, PLLC, Lincoln Center, Syracuse, NY 13202

Presenter Statements:
Richard Garth: It was a former industrial site. The Tait’s own the property and have listed it for sale. The property is currently zoned R-20. In 2015 the town was proposing a rezoning to create the Manitou Lake mixed use district. Through the marketing process Rochester Institute of Technology may be the next steward to this property as a learning campus for educational purposes. There are one hundred seventy seven (177) acres, with a sixty (60) plus acre lake and a mile of Irondequoit Creek. R.I.T. would like to use this property as a learning campus for environmental research and education while preserving its natural resources. R.I.T.’s vision would not include home development, only educational use. A pre-requisite for R.I.T. to purchase the property is to obtain a Conditional Use permit for educational purposes.

Jim Watters: Representing R.I.T. – Environmental Sciences, Sustainability, host of programs that could benefit from the acquisition of this site. There is bio diversity of water, land and air and wild life assets and they have researchers who are participating in all these areas. There are lots of animal species studies, two different water assets, the creek and lake. There are a number of K through 12 programs that would benefit as there aren’t many sites to bring these students to show them what researchers do and the importance of the environment. It will be an experimental classroom. They have to go to Montezuma Nature out in Syracuse or Mendon Ponds Park for studies but are unable to leave equipment in those areas for empirical studies. In the future there may be a need for classrooms. There is a structure on the sight, they would use an Event center for R.I.T. such as meetings, no problem with parking. This site is primarily a mission driven property, highly accessible for students and faculty.

Board Comments/Questions:
Board members asked about ingress and egress. Intent is to maintain the private road. The user of the property would maintain the road. Will there be paved parking lot? What about signs? The intent is for use of land, nature, water for research. Hours of operation? Board will grant permission for use described knowing that in the future you would have to come back to discuss expansion etc. What about safety and security? You’ve spoken of using the land and nature and using the building but it sounds like right now you plan to use it just for the land. Have the owners given you written permission?

Presenter Statements:
To answer the question about entrance and exits; there is a gated entrance on Old Penfield Road and there is a two lane road that goes down to the building, which is lit. It appears there is another access point that could be re-accessed to have a second entry exit in the future. Yes it is private, but was approved for emergency access. There is a fire pump.

Continued Application #19Z-0048
There is a gravel lot that can accommodate probably one hundred (100) cars. There is also another parking area where Dolomite used to be for additional parking if needed. They have not discussed signage yet.

For the question about use right now, ‘Yes’, at this point of time, it is eighty five (85) percent for student research, and about fifteen (15) percent building structures. The current building is accessible and has accessible parking.

There could be twenty four (24) hour use, but there will be no noise or light, just scientific research. They would not interfere with the activities of the Conservation League next door. They have fully staffed public safety employees; they are aware and know how they plan to keep the area secure with cameras, technology and people on sight. They may purchase better fencing for security purposes for their equipment and research.

R.I.T. has permission in writing from the Tait family. After a year or so, once they figure out how they will use the site perhaps for K-12 programs they will determine how to best use it. In the future they may build a very modest facility, with research laboratories, a couple classrooms, and comfort stations. They do not want to impact the natural surroundings with many buildings.

**Neighbor / Public Comments/Questions**

Larry Grosser – 53 Penn Lane Rochester, NY 14625
Bill and Pat Witt- 503 Thomas Cove Road, Rochester, NY 14625

Residents asked about infrastructure. What is the plan for the area on the other side of the creek as they mentioned fencing off areas from the public, right now there are fisherman, kayakers, and canoes. Will this be prevented? The state has a right of way for sewer easement.

**Presenter Answers:**

Richard Garth: There are utilities, water, and power already built in as the Tait’s original idea was to have several houses on site. R.I.T. does not believe any more is needed. The Tait’s bought property by Blossom Road, the LLC may retain property on Thomas Cove area. Canoe/ kayaks would still be able to use the water way. Fisherman may not be able to get in there. There is a sewer easement there.

Kathleen Bennett said the application was on behalf of the Tait family.

**SEQRA Determination:**

**Motion Made** by: Chairman **DeLaus** and **Second** by Board Member **Belgiamo**

- Type I Action. Further Action ______________________
- Type II Action, not subject to further review under SEQRA.
- Unlisted Action:  
  - Negative Declaration (Action will not result in any significant adverse environmental impacts).
  - Further Action ______________________

**SEQRA Vote:**

Chairman and Board Members: DeLaus, Belgiamo, Cinti, Piston: **All Ayes**

Board Member Silins: Absent

**Application Vote:**

Motion made by: Chairman **DeLaus** to **Approve** and **Second** by Board Member **Belgiamo**

Vote: Chairman and Board Members DeLaus, Belgiamo, Cinti, Piston: **All Ayes**

Board Member Silins: Absent

Continued Application #19Z-0048
Conditions: No use that will interfere with the Conservation League, meetings and conferences, seminars, use of land for research – All utilities for proposed use be verified by town engineer, and approval by land owned by the operator.
For the use permit being granted - Permission granted only to the land that will be operated by owner / RIT.
5. Robert Lasch, 4770 Bennetts Corners Road, Holley, NY 14470 requests an Area Variance under Section 250-14.3 of the Code to allow a front porch with less front setback than required under Section 250-5.1-F (1) of the Code at 134 Horizon Drive. The property is currently or formerly owned by Birch Park Property Solutions, LLC and is zoned R-1-20. SBL #108.20-3-14. Application #19Z-0049.

Withdrawn
6. T.Y. Lin International, 255 East Avenue, Rochester, NY, 14604 on behalf of Pierre Heroux/Simply Crepes requests Area Variances under Section 250-14.3 of the Code to allow a pergola/patio/outdoor seating area with less front and side setback than required under Section 250-5.6-D (3) of the Code and a platform/landing with less side and rear setback than required under Section 250-5.6-D (3) of the Code at 1229 Bay Road. The property is currently of formerly owned by Cianciana Property Management, LLC and is zoned LB. SBL #093.11-1-39. Application #19Z-0050.

Appearances by:
Randy Bebout - TY Lin, 255 East Avenue, Rochester, NY, 14604
Pierre Heroux - owner of Simply Crepes

Presenter Statements:
Requesting four (4) additional variances from last month(s) meeting as follows: A front setback for a patio/pergola seating, a side setback for the pergola. The last two are related to the platform, at the back of building. They have to build a wood platform for entry. None of these variances have a negative impact to the neighborhood.

Board Comments/Questions:
Could you do these without the variances? Why do you want the variance(s)? What is the pergola for? How many people would be seated outside? Does it change the parking?

Presenter Statements:
The front of the building is the only place to put the pergola where it looks good, and centered in the front. The pergola could be used for outdoor seating which is very beneficial to the business. Whether they have the pergola or not doesn’t change the variance for outdoor seating. They don’t have enough space of side of building to put it due to requirements of codes for a sidewalk. You would have to walk thru the pergola as part of a sidewalk. The seating will be for up to sixteen (16) people. Use of outdoor seating will not make any changes to the parking requirement. The back platform is for food deliveries and is already set up with good access to the indoor storage area, without interruption to the operation of the kitchen.

SEQRA Determination:
Motion Made by: Chairman DeLaus and Second by Board Member Belgiorno
___ Type I Action. Further Action ________________
X Type II Action, not subject to further review under SEQRA.
___ Unlisted Action:
___ ___ Negative Declaration (Action will not result in any significant adverse environmental impacts).
___ Further Action ________________

SEQRA Vote:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Piston: All Ayes
Board Member Silins: Absent

Application Vote:
Motion made by: Chairman DeLaus to Approve and Second by Board Member Cinti
Vote: Chairman and Board Members, DeLaus, Belgiorno, Cinti, Piston: All Ayes
Board Member Silins: Absent
7. Michael Samperi, 22 Harvest Walk, Webster, NY 14580 requests an Area Variance under Section 250-14.3 of the Code to allow an outdoor kitchen/patio/pergola with less side setback then required under Section 250-5.1-F (1) of the Code at 22 Harvest Walk. The property is currently or formerly owned by Michael Samperi and is zoned R-1-20. SBL #094.01-4-18. Application #19Z-0051.

Appearances by:
Michael Samperi, 22 Harvest Walk, Webster, NY 14580

Presenter Statements:
He has a pool and finished it off with a patio. There was an existing fence and he thought once they had a fence up, they could put what they like inside of it. They added an outdoor kitchen, with a grill and pizza oven without obtaining a permit. Currently they used tents for shade as there are no trees on the side where the sun sets so in the summer when it is hot it is not usable. He wanted to build a pergola over it to look nicer than the tents he was using. The pergola does not have any walls.

Board Comments/Questions:
Board Members asked if he had a contractor. What are the dimensions of the pergola?

Presenter Comments/Answers:
Mr. Samperi stated he and his friends were doing the work. The top goes to twelve feet and will be covered with shingles.

Board Comments/Questions:
Board Member Cinti determined it is not a true pergola because it has a roof on it. It looks more like a pavilion. He is close to the property line and wondered about moving it and if it could be lowered. They asked if he had checked with the neighbors and what would he do if this isn’t approved. Can you achieve what you want in another way? What about taking down fence. How long has kitchen been there? What would it cost to move the kitchen area to where you could cover it without a variance? Board Member Cinti went over the five (5) standards to consider. It is very high, has a substantial variance of nine and a half (9 ½) feet, it can be seen from the road and is not in harmony with the neighborhood. Chairman DeLaus asked if he’d spoken to his neighbor and if he was aware that some neighbor called it a ‘monstrosity’? Board Member Belgiorno brought up the fact that this is also fire safety issue (combustible) close to a tree, fence and the neighbors house. The kitchen and patio would’ve had to have a setback as well. The Board determined that he would also need a variance for setbacks of the patio and kitchen area.

Presenter Comments/Answers:
Mr. Samperi stated the use of the kitchen is for the pool area, not elsewhere in the yard. The patio and kitchen cost is together is over twenty thousand (20,000.00) dollars. It has all been there for five (5) years, it has granite counter tops and is two (2) feet into the ground. It can’t be moved. To move the fence would probably cost up to fifteen thousand (15,000.00) dollars to rebuild. Yes, he could be lower the roof. They are putting it next to the neighbor tree not their house and he feels it cannot be seen by the next door neighbor because of the tree. He states that people driving by have not said anything. He would probably move if the variance isn’t granted. There is nowhere to put it on the other side as that is the lawn area for the kids to play. He doesn’t want to take down fence due to cost and it is for safety. He hasn’t gotten neighbor letters and was not aware of a neighbor complaint.

Continued Application #19Z-0051
SEQRA Determination:
Motion Made by: Board Member Cinti and Second by Chairman DeLaus
___ Type I Action. Further Action ________________
X Type II Action, not subject to further review under SEQRA.
___ Unlisted Action:
    ___ Negative Declaration (Action will not result in any significant adverse environmental impacts).
    ___ Further Action _______________________

SEQRA Vote:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Piston: All Ayes
Board Member Silins: Absent

Application Vote:
Motion made by: Board Member Cinti to Approve Patio and Kitchen but Deny the Shelter
and Second by Board Member Belgiorno
Vote: Chairman and Board Members, DeLaus, Belgiorno, Cinti, Piston: All Ayes
Board Member Silins: Absent

Condition: Leave the patio and kitchen, but remove the structure
8. BME Associates, 10 Lift Bridge Lane East, Fairport, NY, 14450 on behalf of 777 Panorama Properties, LLC requests Area Variances under Section 250-14.3 of the Code to allow a building with less buffer than required under Section 250-7.2-C of the code and less parking than required under Section 250-7.7-D of the Code at 125 Panorama Creek Drive. The property is currently or formerly owned by 777 Panorama Properties, LLC and is zoned LI. SBL #138.12-1-1. Application #19Z-0042.

Appearances by:
Peter Vars with BME Associates, 10 Lift Bridge Lane East, Fairport, NY, 14450
John LeFrois – LeFrois Builders

Presenter Statements:
They are asking for two variances for the first building being built. Reduction in buffer to west property line of one hundred fifty (150) to one hundred (100) feet. Reduction in parking from two hundred twenty five (225) spaces to two hundred twenty (220) spaces.
As a follow up to the board, they have completed a site plan with the Planning Department. They have addressed matters brought up with the PRC – Project Review Committee. They have prepared responses and exhibits for the Zoning Board concerning matters raised previously.
#1. In regards to loading docks, they are a part of building design, to serve the tenant, it will be owned, operated and maintained by the applicant not a third party. The tenants will change over time. The applicant, 777 Panorama Properties, is a successful property management company, they need the flexibility for changing of tenants. Loading docks are kept away from the front of the building for smoother operations. It is outside the one hundred fifty (150) foot buffer zone.
#2. Applicant is getting interest from office users and they are professional businesses.
The next item: Why is the variance needed and have they requested the minimum. There were four undeveloped properties and consolidated them into one fifty five (55) acre parcel. The road corridor was in place years ago. They had anticipated variances early on, one of the reliefs the applicant asked for was the buffer line because by reducing the buffer it allowed a shift to the west, to get away from sloped EPOD* and stream area. This to achieve the right balance for developing the property under the allowed use and maintaining buffers to adjoining properties and being sensitive to the environmental EPODs* on the property.
During the initial review process the Planning Board would not give a blanket variance so they need to do a lot by lot variance in order to grant the minimum variances needed.
Mr. Vars discussed permitted uses under the code and how SEQR** issues were addressed along the way.
Mr. Vars demonstrated on his maps how they came to their planning process with the various areas they had to work with, i.e. EPOD*, slopes, the creek and needing to have emergency access, storm water management areas and how all this allowed or didn’t allow them to place buildings, etc. the way they did. It is a designed site plan to balance the demands of a lot of requirements. Encroaching into the residential area was the better environmental decision to make.
If needed the five parking spaces as required could be added. The exhibit shows how high above the residential area is. He also discussed the height of the building versus what is allowed and the reason for the space.

*EPOD- Environmental Protection Overlay District **SEQR-State Environment Quality Review
Continued Application #19Z-0042

Board Comments/Questions:
If the parking was moved, the building could still be there, but no variances would be needed. The neighbors mention if we allow the variances for this we would be hearing about more variances.

Presenter Statements:
Peter Vars - Correct. No variance would be needed if we moved the parking lot. The residents use an Ad hoc trail system to get to and from the area, they will have sidewalks. Yes, it sets a precedent but it justifies a need as it is the best solution. With each parcel, they will address the issues for that area.

Neighbor Public Statements/Comments:
Bill Jones, 66 Water View Circle, Rochester, NY 14625
Bud Knapp, 90 Winding Creek Lane, Rochester, NY 14625
Robert Marks, Boylan Code on behalf of Allen Creek residents.
Allan Falstyn, 33 Hill Creek Road, Rochester, NY 14625
Bill Shae, 65 Creek View Circle, Rochester, NY 14625
Bob Sandholzer, Allens Creek Valley, President of HOA Board
Andy Lippa, 11 Hill Creek Road, Rochester, NY 14625
Marlene Shaddock, (husband, founder of Camp Haccamo), 59 Winding Creek Lane, Rochester, NY 14625

The residents gave opinions in opposition of the development in regards to noise, building placement, road placement, visual impact, size, setting a precedent for other variances, and the impact on Allen’s Creek. A petition with signatures was submitted.

Board Comments/Questions:
Chairman DeLaus reiterated that ‘light industrial’ is a permitted use here.

Presenter Statements:
Peter Vars – He would like for the record, to state the New York State Department of Environmental Conservation has been on site. They did an inspection (storm water control) with the Town of Penfield engineers and others in attendance. The DEC officer found the site to be in compliance for construction activity.

Board Comments/Questions:
Chairman DeLaus – says he has received the DEC report. Board Members asked if there had been any noise complaints from the Manufactured Home Park. Per Andy Suveges there has been no complaints. The Board asked if the builder has had any meetings with the neighborhood since the original one and suggested it would be a good idea.
Continued Application #19Z-0042

SEQRA Determination:

SEQRA Vote:
Planning Board Type I Action - Coordinated Review

Motion Made by:
___ Type I Action. Further Action _________________________
___ Type II Action, not subject to further review under SEQRA.
___ Unlisted Action:
   ___ Negative Declaration (Action will not result in any significant adverse
       environmental impacts).
   ___ Further Action _________________________

SEQRA Vote:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Piston:
Board Member Silins: Absent

Application Vote:
Motion made by: Chairman DeLaus to Table and public hearing closed and Second by Board
Member Belgiorno
Vote: Chairman and Board Members, DeLaus, Belgiorno, Cinti, Piston: All Ayes
Board Member Silins: Absent
Public Hearing closed but tabled for a site visit.

There being no further business the Board adjourned this meeting at 10:30 pm. These
minutes were adopted on November 21, 2019.