

**PENFIELD ZONING BOARD OF APPEALS
NOTICE OF DECISIONS**

PLEASE TAKE NOTICE that a Public Hearing was held on Thursday, September 16, 2021, immediately following a work session meeting commencing at 6:30 PM local time by the Penfield Zoning Board of Appeals to consider each of the following applications. The Board's decisions are as follows:

Public Hearing Applications:

1. Gerald Testa, 700 Berg Road, Ontario, NY, 14519 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.6-C (1) (e) of the Code to allow the operation of a construction business and residential use and Area Variances under Section 250-14.3 of the Code to allow an addition with less side and rear setback than required under Section 250-5.6-D (3) of the Code with less buffer than required under Section 250-7.2-A of the Code at 1343 Fairport Nine Mile Point Road. The property is currently or formerly owned by Gerald & Peggy Testa and is zoned LB. SBL #095.03-1-32.2. Application #21Z-0050.

APPROVED WITH CONDITIONS

2. Silvio Fantauzzo, 146 Tuscany Lane, Webster, NY, 14580 requests an Area Variance under Section 250-14.3 of the Code to allow a swimming pool with less setback than required under Section 250-5.1-F (1) of the Code at 146 Tuscany Lane. The property is currently or formerly owned by Silvestro N. Fantauzzo & Angela B. Pietropaolo and is zoned RR-1. SBL #094.02-2-52. Application #21Z-0051.

APPROVED WITH CONDITIONS

3. Kirk Wright/Sign & Lighting Services, PO Box 597, Ontario, NY, 14519 on behalf of Chipotle Mexican Grill requests approval for a Special Use Permit for signage under Section 250-10.3-A of the Code to allow three building-mounted signs whereas a maximum of one building-mounted sign is allowed under Section 250-10.13-C of the Code at 1838 Empire Boulevard. The property is currently or formerly owned by Lord Stanley NY, LLC and is zoned GB. SBL #093.15-1-58. Application #21Z-0053.

(2) BUILDING SIGNS – APPROVED WITH CONDITIONS
3rd BUILDING SIGN - DENIED

Tabled Matters:

1. McMahon LaRue Associates, 822 Holt Road, Webster, NY, 14580 on behalf of Richard & Mary Montgomery requests an Area Variance under Section 250-14.3 of the Code to allow a larger storage building than permitted under Section 250-5.1-F (12) (a) of the Code at 1492 Sweets Corners Road. The property is currently or formerly owned by Richard & Mary Montgomery and is zoned RA-2. SBL #125.02-1-2.1. Application #21Z-0045.

DENIED

Amy Steklof
Town Clerk, RMC/CMC