



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

ZONING BOARD OF APPEALS AGENDA

Thursday, October 20, 2022, 6:00 PM

Daniel DeLaus, Chairman presiding

Marie Cinti, Town Board Liaison

- I. Call to Order
- II. Approval of Minutes – September 15, 2022
- III. Work Session
- IV. Tabled Applications:
 1. Application #22Z-0041
2070 Empire Boulevard
Christopher Keipper/Rochester Gas & Electric
 2. Application #22Z-0048
1801 & 1787 Fairport Nine Mile Point Road
Betsy Brugg/Woods, Oviatt, Gilman, LLP
- V. Public Hearing Applications. Opportunities for Public Participation and Board Deliberations Following Each Applicant Presentation.
 1. Application #22Z-0051
1280 Creek Street
Marathon Engineering
 2. Application #22Z-0052
1911 Salt Road
Brent Rothfuss
 3. Application #22Z-0053
51 Woodfield Drive
Eric Caron
 4. Application #22Z-0054
25 Meadow View Drive
Jordan Scharfe
 5. Application 22Z-0055
1900 Empire Blvd
Mauricio Hernandez
- VI. Executive Session
- VII. Next Meeting: Thursday, November 17, 2022
- VIII. Adjournment

Application #22Z-0053 adjourned to the
November 17, 2022
Public Hearing at the request of Applicant.

*This meeting will be video recorded and broadcast LIVE via the town's website www.penfield.org
and the Town's Government Access Cable Channel 1303*

Questions regarding video coverage contact Penfield TV at (585) 340-8661.

A NOTICE OF PUBLIC HEARING, PENFIELD ZONING BOARD OF APPEALS LEGAL NOTICE WITH TABLED MATTERS

PLEASE TAKE NOTICE that a Public Hearing will be held on Thursday, October 20, 2022, immediately following a work session meeting commencing at 6:00 PM local time. The board will discuss tabled matters and other business that may come before it during the work session, followed by a Public Hearing to consider each of the following applications.

Public Hearing Applications:

1. Marathon Engineering, 39 Cascade Drive, Rochester, NY, 14614 on behalf of Blessed Hope Community Church requests approval for an Area Variance to allow the development of a property for a new church building and associated site improvements with less buffer than required under Section 250-7.2-A of the Code at 1280 Creek Street. The property is currently or formerly owned by Blessed Hope Community Church and is zoned LB. SBL #093.15-1-2.115. Application #22Z-0051.
2. Brent Rothfuss, 1953 Salt Road, Fairport, NY, 14450 requests approval for Area Variances under Section 250-14.3 of the Code to allow an existing residence with less setback than required under Section 250-5.1-F (1) of the Code, and an existing barn that is larger than allowed under Section 250-5.1-F-12 (a) of the Code with less setback than required under Section 250-5.1-F (12) (b) of the Code at 1911 Salt Road. The property is currently or formerly owned by Brent and Floyd Rothfuss and is zoned RA-2. SBL #125.04-1-8.11. Application #22Z-0052.
3. Eric Caron, 51 Woodfield Drive, Webster, NY, 14580 requests approval for an Area Variance under Section 250-14.3 of the Code to allow a private athletic court (batting cage) with less setback than required under Section 250-5.1-F (1) of the Code at 51 Woodfield Drive. The property is currently or formerly owned by Eric Caron and is zoned R-1-20. SBL #108.08-1-1.025. Application #22Z-0053. Adjourned to November 17, 2022 Public Hearing
4. Jordan Scharfe, 25 Meadow View Drive, Penfield, NY, 14526 requests approval for an Area Variance under Section 250-14.3 of the Code to allow a porch with less front setback than required under Section 250-5.1-F (1) of the Code at 25 Meadow View Drive. The property is currently or formerly owned by Jordan Alexander Scharfe & Amy Marie Spath and is zoned R-1-15. SBL #139.11-2-1. Application #22Z-0054.
5. Mauricio Hernandez, 70 Attridge Road, Churchville, NY, 14428 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.7-C (1) (a) of the Code to allow the operation of a restaurant (Don Pedro Cantina) at 1900 Empire Boulevard. The property is currently or formerly owned by DiMarco Baytowne Associates, LLC and is zoned GB. SBL #093.02-1-23.111. Application #22Z-0055.

Tabled Matters:

1. Christopher Keipper/Rochester Gas & Electric, 3 City Center, 180 South Clinton Avenue, Rochester, NY, 14604 requests approval for Area Variances under Section 250-14.3 of the Code to allow the construction of an electrical substation with greater lot coverage than

allowed under Section 250-5.6-D (2) of the Code, less setbacks than required under Section 250-5.6-D (3) of the Code, taller fencing than allowed under Section 250-7.1-D of the Code, and less buffer than required under Section 250-7.2-A of the Code at 2070 Empire Boulevard. The property is currently or formerly owned by JJ & A Development, LLC and is zoned LB. SBL #093.02-1-1.121. Application #22Z-0041.

2. Betsy Brugg/Woods, Oviatt, Gilman, LLP, 1900 Bausch & Lomb Place, Rochester, NY, 14604 on behalf of PathStone Development Corporation requests an interpretation and appeal under Section 250-14.5-A of the Code of the authorized official's determination that the hard-court flex area, dog park, and pedestrian spine features of the PathStone Mixed Use Development proposed for 1801 & 1787 Fairport Nine Mile Point Road do not qualify as non-residential uses for the purpose of meeting the requirements of Table 6.1 of the Town of Penfield Mixed Use Development Manual. The subject properties are currently or formerly owned by WRM Holdings III, LLC and William Wickham and are zoned MUD. SBL #125.01-1-3.111 & #125.01-1-33.11. Application #22Z-0048.

Please contact the Building and Zoning Department with any questions or concerns.

Amy Steklof
Town Clerk, RMC/CMC