

**A NOTICE OF PUBLIC HEARING, PENFIELD ZONING BOARD OF APPEALS
LEGAL NOTICE**

PLEASE TAKE NOTICE that a Public Hearing will be held on Thursday, May 20, 2021, immediately following a work session meeting commencing at 6:30 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.

Unless permitted to take place remotely, the hearing will be held at the Town Hall, 3100 Atlantic Avenue, Penfield, New York 14526.

However, if permitted to do so in accordance with the Governor's Executive Orders, including Executive Order 202.1, which suspended certain provisions of the Open Meetings Law to address the state of emergency related to COVID-19, the May 20, 2021 Zoning Board of Appeals meeting will be held remotely, and in-person public access to the Town Hall facility will not be permitted. As of the date of this public notice, remote meetings are permitted only through May 6, 2021, however, it is anticipated that this date will be extended by further Executive Order. A determination whether the public hearing will take place with in-person participation or only remotely will be posted on the town's website www.penfield.org, and will be available by contacting the Building & Zoning Department at (585) 340-8636.

Regardless of whether the public hearing takes place with in-person participation or remotely, this meeting will be video recorded and broadcast LIVE via the town's website www.penfield.org, on the Town's Government Access Cable Channel 1303, and on streaming media device: ROKU, Apple TV, and Amazon Fire. Search "Penfield TV" in your device's app store, it is free. If required, the meeting will be later transcribed. For questions regarding video coverage please contact Penfield TV at (585) 340-8661.

For a remote meeting, there will be "public participation" opportunities for each public hearing application listed below. The chairman of the board will announce the appropriate time for public participation for each application. To address the board during the public participation portion of the meeting please call (585) 340-8771 to be connected with Penfield TV, or complete an electronic submission form that will be available on the town's website www.penfield.org the day of the meeting.

Prior to the meeting, the Building & Zoning Department will also accept public comments via email at building@penfield.org. All public comments sent via email must include name and address for the record, and reference the application number.

Public Hearing Applications:

1. Albert Meilutis/Metro Mattress, 3545 John Glenn Boulevard, Syracuse, NY, 13209 requests approval for a Change of Use under Section 250-5.5-B (2) of the Code to allow the operation of a commercial retail business (Metro Mattress) at 2150 Fairport Nine Mile Point Road. The

property is currently or formerly owned by Ming Feng Chen and is zoned BN-R. SBL #140.01-2-70.123. Application #21Z-0024.

2. Creek Ranch, LLC, 1500 Creek Street, Rochester, NY, 14625 requests approval for a Change of Use under Section 250-5.6-b (2) of the Code to allow the operation of a doctor's office at 1527 Empire Boulevard. The property is currently or formerly owned by Creek Ranch, LLC and is zoned LB. SBL #093.19-1-1. Application #21Z-0025.
3. Lawrence Bendijo/Calvary Chapel Center City, 875 Main Street, Rochester, NY, 14605 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.1-E (1) (a) of the Code to allow the operation of a church at 1274 Penfield Center Road. The property is currently or formerly owned by the Rochester Korean United Methodist Church and is zoned RA-2. SBL #110.01-1-52. Application #21Z-0026.
4. Morgan Properties, 160 Clubhouse Drive, King of Prussia, PA, 19406 requests approval for a Special Permit under Section 250-10.3-A of the Code to allow three (3) freestanding signs whereas a maximum of one (1) freestanding sign is allowed under Section 250-10.12-C of the Code at 2250 Penfield Road. The property is currently or formerly owned by Hidden Creek, LLC and is zoned MR. SBL #140.01-1-10. Application #21Z-0027.
5. Robert & Victoria Fess, 22 Hillcrest Drive, Penfield, NY, 14526 request an Area Variance under Section 250-14.3 of the Code to allow a garage addition with less setback than permitted under Section 250-5.1-F (1) of the Code at 22 Hillcrest Drive. The property is currently or formerly owned by Robert & Victoria Fess and is zoned R-1-15. SBL # 139.06-4-65. Application #21Z-0028.
6. Kyle Millar & Nicole Dominguez, 35 Valley View Drive, Penfield, NY, 14526 request Area Variances under Section 250-14.3 of the Code to allow a shed with less side setback than required under Section 250-5.1-F (1) of the Code and less rear setback than required under Section 250-5.1-F (12) (b) of the Code at 35 Valley View Drive. The property is currently or formerly owned by Kyle Millar & Nicole Dominguez and is zoned R-1-15. SBL #139.11-3-69. Application #21Z-0029.
7. Crosstown Custom Homes, 441 Penbrooke Drive, Suite 8, Penfield, NY, 14526 requests approval for a Special Permit under Section 250-10.3-A of the Code to allow a larger subdivision identification sign than permitted under Section 250-10.16-B of the Code at 1918 Jackson Road (Lot #1, Stafford Park Subdivision). The property is currently or formerly owned by Insite Land Development, Inc. and is zoned R-1-20. SBL #124.16-1-39.3. Application #21Z-0030.

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

Amy Steklouf
Town Clerk, RMC/CMC