

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

PLEASE TAKE NOTICE that a Public Hearing will be held on Thursday, June 17, 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 June 17, 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 June 16, 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. Darin Price, 25 Green Pine Lane, Webster, NY, 14580 requests an Area Variance under Section 250-14.3 of the Code to allow a taller fence than permitted under Section 250-7.1-D of the Code at 25 Green Pine Lane. The property is currently or formerly owned by Pauline Marsh & Darin Price and is zoned RR-1. SBL #094.01-1-38.23. Application #21Z-0031.

2. Jon & Beth Russell, 135 Tuscany Lane, Webster, NY, 14580 request an Area Variance under Section 14.3 of the Code to allow a swimming pool with less setback than required under Section 250-5.1-F (13) of the Code at 135 Tuscany Lane. The property is currently or formerly owned by Jon & Elizabeth Russell and is zoned RR-1. SBL #094.02-2-28. Application #21Z-0033.
3. Brian Nizinsky, 29 Hilltop Drive, Penfield, NY, 14526 requests an Area Variance under Section 14.3 of the Code to allow an enclosed porch with less setback than required under Section 250-5.1-F (1) of the Code at 29 Hilltop Drive. The property is currently or formerly owned by Brian Nizinsky & Melissa Pletscher-Nizinsky and is zoned R-1-15. SBL #139.11-3-3. Application #21Z-0034.
4. Jeffrey Lancy c/o American Promotional Events, 4003 Helton Drive, Florence, AL, 35630 requests a recommendation of approval for the issuance of an Itinerant Vendor License under Section 162-6-E (1) (b) and Section 162-E (2) of the Code to allow the sales of sparkling devices at 1601 Penfield Road. The property is owned by Penfield TK Owner, LLC and is zoned GB. SBL #138.08-1-2./PLZA. Application #21Z-0035.

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

Amy Steklof
Town Clerk, RMC/CMC