



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

## ZONING BOARD OF APPEALS AGENDA

Thursday, November 18, 2021 6:30 PM

Daniel DeLaus, Chairman presiding

Tony LaFountain, Town Board Liaison

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- I. Call to Order
- II. Approval of Minutes – October 21, 2021
- III. Work Session
- IV. Tabled Applications
- V. Public Hearing Applications. Opportunities for Public Participation and Board Deliberations Following Each Applicant Presentation.
  - 1. Application 21Z-0057  
2200 Penfield Rd  
Amy Catalano/Vital Signs
  - 2. Application 21Z-0058  
1174 Penfield Center Road  
Craig D. Smith
  - 3. Application 21Z-0059  
4 Tall Tree Drive  
Kenneth Feicht
  - 4. Application 21Z-0060  
1517 Empire Boulevard  
Antonia & Alexander Poggi
  - 5. Application 21Z-0061  
300 and 100 YMCA Way  
Peter Vars
  - 6. Application 21Z-0062  
1620 Qualtrough Road and 1617 Scribner Road  
Jessica Rapach
  - 7. Application 21Z-0063  
1855 Empire Boulevard  
Jerry A. Goldman
- VI. Executive Session
- VII. Next Meeting: Thursday, January 20, 2022
- VIII. Adjournment

*This meeting will be video recorded and broadcast LIVE via the town's website [www.penfield.org](http://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**

PLEASE TAKE NOTICE that a Public Hearing will be held on Thursday, November 18, 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.

### Public Hearing Applications:

1. Amy Catalano/Vital Signs, 764 Ridge Road, Webster, NY, 14580 on behalf of Genesee Valley Physical Therapy requests approval for a Special Use Permit for signage under Section 250-10.3-A of the Code to allow a second building-mounted sign whereas a maximum of one building-mounted sign is permitted under Section 250-10.13-C of the Code at 2200 Penfield Road. The property is currently or formerly owned by Penn Fair Plaza, LLC and is zoned GB. SBL #140.01-1-3.1. Application #21Z-0057.
2. Craig D. Smith, 1174 Penfield Center Road, Penfield, NY, 14526 requests Area Variances under Section 250-14.3 of the Code to allow a second accessory storage building whereas a maximum of one accessory storage building is permitted under section 250-5.1-D (4) of the Code that is also taller than permitted under Section 250-5.1-F (12) (c) of the Code at 1174 Penfield Center Road. The property is currently or formerly owned by Craig & Judy Smith and is zoned RR-1. SBL #110.01-1-68.1. Application #21Z-0058.
3. Kenneth Feicht, 4 Tall Tree Drive, Penfield, NY, 14526 requests an Area Variance under Section 250-14.3 of the Code to allow a larger accessory storage building than permitted under Section 250-5.1-F (12) (a) of the Code at 4 Tall Tree Drive. The property is currently or formerly owned by Kenneth & Mary Feicht and is zoned R-1-15. SBL #109.03-1-166. Application #21Z-0059.
4. Antonia & Alexander Poggi, 3839 Lake Avenue, Rochester, NY, 14612 request approval for a Conditional Use under Section 250-13.3 and Section 250-5.6-C (1) (a) of the Code to allow the operation of a restaurant (Capone's Bar & Italian Eatery) at 1517 Empire Boulevard. The property is currently or formerly owned by Josephine Joan DiVincenzo Living Trust and is zoned LB. SBL #108.06-1-5. Application #21Z-0060.
5. Peter Vars P.E./BME Associates, 10 Lift Bridge Lane East, Fairport, NY, 14450 on behalf of Luis Ribeiro requests an Area Variance under Section 250-14.3 of the Code to allow a greater density of residential units per acre than allowed under Section 250-5.12-I (1) of the Code relating to the proposed development of Lot 3 (300 YMCA Way) and Lot 4 (100 YMCA Way) of the Penfield Square Mixed Use Development. The properties proposed for development are currently or formerly owned by Penfield Sq III, LLC and Penfield Sq IV, LLC and are zoned MUD. SBL #125.01-1-25.33 & #125.01-1-25.34. Application 21Z-0061.
6. Jessica Rapach, 8 Scarborough Park, Rochester, NY, 14625 requests approval for a Special Use Permit for signage under Section 250-10.3-A of the Code to allow (2) subdivision identification signs within the right-of-way and with less setback then required under Section

250-10.16-B of the Code. The signs are proposed to be located at the entrances to the Piccadilly Park subdivision within the right-of-way adjacent to the properties located at 1620 Qualtrough Road and 1617 Scribner Road. The right-of-way is owned by the Town of Penfield and is located within the R-1-20 zoning district. Application #21Z-0062.

7. Jerry A. Goldman, Esq./Woods Oviatt Gilman, LLP, 1900 Bausch & Lomb Place, Rochester, NY, 14604 on behalf of WOVE, LLC requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.7-C (k) of the Code to allow the operation of a vehicle rental business (Avis Car Rental) at 1855 Empire Boulevard. The property is currently or formerly owned by WOVE, LLC and is zoned GB. SBL #093.11-1-36.1. Application #21Z-0063.

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

Amy Steklof  
Town Clerk, RMC/CMC