



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

ZONING BOARD OF APPEALS AGENDA

Thursday, December 17, 2020, 6:30 PM

Daniel DeLaus, Chairman presiding

Tony LaFountain, Town Board Liaison

- I. Call to Order
 - II. Approval of Minutes – November 19, 2020
 - III. Work Session
 - IV. Tabled Applications.
 - 1. Application #20Z-0040
1998 Empire Boulevard
Saumil Dalal
 - 2. Application #20Z-0041
1099 Plank Road
David Wilson
 - V. Public Hearing Applications. Opportunities for Public Participation and Board Deliberations Following Each Applicant Presentation.
 - 1. Application # 20Z-0044
97 Guygrace Lane
Aubrey D. Smith III
- Executive Session
- VI. Next Meeting: Thursday, January 21, 2021
 - VII. Adjournment

*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, December 17, 2020, 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 December 17, 2020 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 December 3, 2020, 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. Aubrey D. Smith III, 97 Guygrace Lane, Webster, NY, 14580 requests an Area Variance under Section 250-14.3 of the Code to allow a garage addition with less setback than required under Section 250-5.1-F (1) of the Code at 97 Guygrace Lane. The property is currently or formerly owned by Aubrey D. Smith III and Sonya A. Smith and is zoned R-1-20. SBL #093.16-2-38.1. Application #20Z-0044.

Tabled Matters:

1. Saumil Dalal/Fire Crust Artisan Pizza & Ice Cream, 103 Harrogate Crossing, West Henrietta, NY, 14586 requests 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 and a Special Permit under

Section 250-10.3-A of the Code to allow greater building-mounted signage than permitted under Section 250-10.13-C of the Code with greater graphics, trademarks or logos than permitted under Section 250-10.11-E of the Code at 1998 Empire Boulevard. The property is owned by Empire Park Management, LLC and is zoned LB. SBL #093.02-1-12.002. Application #20Z-0040.

2. David Wilson, 1099 Plank Road, Webster, NY, 14580 requests Area Variances under Section 250-14.3 of the Code to allow a taller accessory storage building than permitted under Section 250-5.1-F (12) (c) of the Code with greater area than permitted under Section 250-2.2 and Section 250-5.1-F (12) (a) of the Code at 1099 Plank Road. The property is currently or formerly owned by David Wilson and is zoned RR-1. SBL #094.04-1-39.102. Application #20Z-0041.

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

Amy Steklof
Town Clerk, RMC/CMC