



William D. Reilich
Supervisor

TOWN OF GREECE

BOARD OF ZONING APPEALS MINUTES

FEBRUARY 2, 2016

Work Session Began: 6:30 p.m.

Meeting Began: 7:00 p.m.

Place: Community Conference Room, Greece Town Hall

Present

Albert F. Meilutis, Chairman

Andrew P. Forsythe

Thomas Hartwig

Cathleen A. Nigro

Bradford Shea

John T. Caterino, Planning Assistant

Maryjo Santoli, Zoning Board Secretary

Absent

Christopher A. Schiano, Esq., Deputy Town Attorney

Robert J. Bilsky

Randy T. Jensen

Additions, Deletions and Continuances to the Agenda

Announcements

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Old Business:

1. Applicant: James Pilkenton
Location: 165 Barcrest Drive
Mon. Co. Tax No.: 060.09-5-16
Zoning District: R1-E (Single-Family Residential)
Request:
- a) An area variance for an existing principal structure to have a (south) side setback of 6.4 feet, instead of the 7.6 feet granted by the Board of Zoning Appeals on August 5, 2014. Sec. 211-11 D (2), Table I
 - b) An area variance for an existing deck (1334.8± square feet) to have a (north & west) side setback of 0.0 feet, instead of the 8.0 feet minimum required. Sec. 211-11 E (1), Table I
 - c) An area variance for existing accessory structures, totaling 1083.4± square feet, instead of the 972.0 square feet granted by the Board of Zoning Appeals on August 5, 2014. Sec. 211-11 E (1), Table I
 - d) An area variance for proposed lot coverage of 42.8%, instead of the 28% granted by the Board of Zoning Appeals on August 5, 2014. Sec. 211-11 D (2), Table I
 - e) An area variance for an existing 6.0-foot-high, closed-construction fence on a deck (35.3± linear feet) to have a (north) side setback of 0.0 to 7.4 feet, instead of the 8.0 feet minimum required. Sec. 211-47 C (2)
 - f) An area variance for an existing 6.0-foot-high, closed-construction fence on a deck (20± linear feet) to have a rear setback of 0.0 feet, instead of the 36.8 feet minimum required. Sec. 211-47 C (2)
 - g) An area variance for an existing closed-construction fence (67± linear feet) to have a height ranging from 7.3± feet to 8.7± feet (measured from the top of said fence to the ground directly beneath it), instead of the 6.0 feet maximum permitted. Sec. 211-47

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On a motion by Mr. Hartwig and seconded by Mr. Shea, it was resolved to continue the public hearing on this application until the meeting of March 15, 2016 in order to give staff time to receive correspondence from Rochester Gas & Electric Corporation.

VOTE:	Mr. Bilsky	Absent	Mr. Forsythe	Yes
	Mr. Hartwig	Yes	Mr. Jensen	Absent
	Mr. Meilutis	Yes	Ms. Nigro	Yes
	Mr. Shea	Yes		

**Motion Carried
Application Continued until
Meeting of March 15, 2016**

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New Business:

1. Applicant: Alan Wegman
Location: 511 South Drive
Mon. Co. Tax No.: 026.18-2-1
Zoning District: R1-E (Single-Family Residential)
Request:
 - a) An area variance for a proposed principal building (single-family dwelling), following demolition of the existing single-family dwelling, to have a front setback of 23.0 feet (measured from the west right-of-way line of Interlaken Road), instead of the 37.75 feet minimum required by the neighborhood average. Sec. 211-11 D (1), Table I, Figure I, Sec. 211-11 D (2), Table I, Figure 1
 - b) An area variance for a proposed principal building (single-family dwelling), following demolition of the existing single-family dwelling, to have a rear setback of 38.6 feet, instead of the 53.04 feet minimum required. Sec. 211-11 D (2)
 - c) An area variance for a proposed deck (450± square feet) to be located in the front yard area of a corner lot, where accessory structures, such as decks, are permitted in rear yards only. Sec. 211-11 E (3)

Mr. Meilutis offered the following resolution and moved for its adoption:

WHEREAS, the applicant came before the Town of Greece Board of Zoning Appeals (the "Board of Zoning Appeals") relative to the property at 511 South Drive, as outlined above; and

WHEREAS, having considered carefully all relevant documentary, testimonial and other evidence submitted, the Board of Zoning Appeals makes the following findings:

1. Upon review of the application, the Board of Zoning Appeals determined that the application is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the application constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c)(10).)
2. According to SEQRA, Type II actions have been determined not to have a significant adverse impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned documentation, testimony, information and findings, SEQRA requires no further action relative to this proposal.

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Seconded by Mr. Hartwig and duly put to a vote, which resulted as follows:

VOTE:	Mr. Bilsky	Absent	Mr. Forsythe	Yes
	Mr. Hartwig	Yes	Mr. Jensen	Absent
	Mr. Meilutis	Yes	Ms. Nigro	Yes
	Mr. Shea	Yes		

Motion Carried

Mr. Meilutis then offered the following resolution:

WHEREAS, with regard to the application of Alan Wegman, 511 South Drive, Kevin Goodwine appeared before the Board of Zoning Appeals this evening representing the applicant, requesting the following variances: an area variance for a proposed principal building (single-family dwelling), following demolition of the existing single-family dwelling, to have a front setback of 23.0 feet (measured from the west right-of-way line of Interlaken Road), instead of the 37.75 feet minimum required by the neighborhood average; an area variance for a proposed principal building (single-family dwelling), following demolition of the existing single-family dwelling, to have a rear setback of 38.6 feet, instead of the 53.04 feet minimum required; and an area variance for a proposed deck (330± square feet) to be located in the front yard area of a corner lot, where accessory structures, such as decks, are permitted in rear yards only.

WHEREAS, the findings of fact are as follows. The parcel is located on the northwest corner of the intersection of Interlaken Road and South Drive, located within an R1-E (Single-Family Residential) zoning district, and is approximately 10,610 square feet, or 0.24 acres. This evening Kevin Goodwine of American Customs Exteriors and Interiors appeared before the Zoning Board on behalf of the property owner. The existing house has been in place for nearly 100 years and has undergone some building additions, based on information provided from staff. The applicant proposes to demolish the existing house and construct a new ranch home in roughly the same footprint as the existing house, with some slight modifications. The new home will be a will be approximately 1,898 square feet, with 1,232 square feet being located on the first floor and 666 square feet in a portion of the basement, which will be a recreation room and bedroom. The house will also have 576 square feet attached garage, which will be located on the northern end of the home. Also, the applicant proposes a 330±-square-foot deck, which is located in the front yard area. The deck will be elevated approximately 6± feet in the air due to the slope of the topography on the property, and will be constructed of a composite material. Furthermore, the deck will be approximately 39.3 feet from the South Drive right-of-way and will not break the front plane of the neighboring parcel, 519 South Drive. Decks in the front yard are common in this area of town because it allows for property owners to utilize the view of Long Pond from their residence. No one appeared before the Board to speak either in favor or against this application.

Having reviewed all the testimony and evidence as just summarized in the findings of fact, and having considered the five statutory factors set forth in New York State Town Law, Section 267-b, and finding that the evidence presented meets the requirements of this Section, and having found that there is no significant detriment to the health, safety, and welfare of the neighborhood or community and that the benefit to the applicant is substantial, and having found that this is a Type II action under SEQRA, requiring no further action by this Board, I move to approve this application with the following conditions:

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1. The applicant shall obtain all necessary permits.
2. After completion of the house foundation, a non-FIRM elevation certificate shall be submitted to the Town's Building Department, showing compliance with the elevations on the plan as submitted to the Board this evening.
3. Any modifications to the grading of the property shall be subject to review and approval by the Town's Engineering Department prior to the issuance of a Certificate of Occupancy.

Seconded by Mr. Hartwig and duly put to a vote, which resulted as follows:

VOTE:	Mr. Bilsky	Absent	Mr. Forsythe	Yes
	Mr. Hartwig	Yes	Mr. Jensen	Absent
	Mr. Meilutis	Yes	Ms. Nigro	Yes
	Mr. Shea	Yes		

Motion Carried
Application Approved
With Conditions

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ADJOURNMENT: 7:14 p.m.

APPROVAL OF BOARD OF ZONING APPEALS MEETING MINUTES

The Board of Zoning Appeals of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

Signed: _____

Date: _____

Albert F. Meilutis, Chairman

NEXT MEETING: February 16, 2016