



William D. Reilich
Supervisor

TOWN OF GREECE

BOARD OF ZONING APPEALS MINUTES

JULY 7, 2020

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

Linda Andreano

Thomas F. Hartwig

Randy T. Jensen

Cathleen A. Nigro

Bradford Shea

Anthony F. Wechsler

Christopher A. Schiano, Esq., Deputy Town Attorney

Ivana Casilio, Planning Assistant

Maryjo Santoli, Zoning Board Secretary

Absent

Additions, Deletions and Continuances to the Agenda

Decorum Policy

Announcements

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Old Business:

1. Applicant: Christina Dingman
Location: 121 Estall Road
Mon. Co. Tax No.: 060.74-1-30
Zoning District: R1-E (Single-Family Residential)
Request: An area variance to allow four (4) dogs to be kept at a residence, where not more than three (3) dogs shall be permitted per dwelling unit. Sec. 211-30 A

The applicant has withdrawn this application.

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2. Applicant: Robert Gent
Location: 150 MacArthur Road
Mon. Co. Tax No.: 075.72-3-17
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for allowing six (6) dogs, where not more than three (3) dogs are permitted per dwelling unit. Section 211-30 A

The applicant has withdrawn this application.

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3. Applicant: Nicholas Graziose
Location: McCall Road
Mon. Co. Tax No.: 075.10-7-39; 075.10-7-47
Zoning District: R1-8 (Single-Family Residential)
Request: a) A special use permit to allow for an eight (8) lot subdivision providing one (1) two-family dwelling per lot. Section 211-11 C(2)(a).
b) Proposed Lot #3: An area variance for a proposed lot to have a front setback of 6.0 feet, instead of the 30.0 feet minimum required. Section 211-11 D(1)(a) & Section 211-11 D (2), Table I
c) Proposed Lot #4: An area variance for a proposed lot to have a front setback of 24.0 feet, instead of the 30.0 feet minimum required. Section 211-11 D(1)(a) & Section 211-11 D (2), Table I
d) Proposed Lot #6: An area variance for a proposed (corner) lot to have a lot area of 16,845 square feet, instead of the 18,200 square feet minimum required. Section 211-11 D(1)(a) & Section 211-11 D (2), Table I
e) Proposed Lot #7: An area variance for a proposed lot to have a front setback of 15.0 feet, instead of the 30.0 feet minimum required. Section 211-11 D(1)(a) & Section 211-11 D (2), Table I
f) Proposed Lot #7: An area variance for a proposed lot to have a rear setback of 15.0 feet, instead of the 30.0 feet minimum required. Section 211-11 D(1)(a) & Section 211-11 D (2), Table I
g) Proposed Lot #8: An area variance for a proposed lot to have a rear setback of 15.0 feet, instead of the 30.0 feet minimum required. Section 211-11 D(1)(a) & Section 211-11 D (2), Table I

On a motion by Mr. Wechsler and seconded by Mr. Jensen, it was resolved to continue the public hearing on this application until the meeting of August 4, 2020.

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Continued Until
Meeting of August 4, 2020**

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New Business

1. Applicant: Jabran Mehta
Location: 2534 West Ridge Road
Mon. Co. Tax No.: 074.14-2-11
Zoning District: BR (Restricted Business)
Request: An area variance for a proposed freestanding sign to have an area of 51.6 square feet, where 31.7 square feet was granted by the Board of Zoning Appeals on February 25, 1997. Section 211-52 B(1)(d), Table VI

On a motion by Mr. Shea and seconded by Ms. Nigro, it was resolved to continue the public hearing on this application until the meeting of August 4, 2020.

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Continued Until
Meeting of August 4, 2020**

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2. Applicant: Theresa M. Croce
Location: 308 Edgemere Drive
Mon. Co. Tax No.: 035.10-2-14
Zoning District: R1-E (Single-Family Residential)
Request: a) An area variance for a proposed accessory structure (in-ground pool) to be located in a waterfront yard, where accessory structures, including pools, are permitted in rear yards only. Section 211-11 E(3) and Section 114.12.1 B(1)
b) An area variance for a proposed in-ground pool to be located a distance of 8.0 feet from a principal dwelling, instead of the 10.0 feet minimum required. Section 114-12.1 B(2)

Ms. Nigro 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 308 Edgemere 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Ms. Nigro then offered the following resolution and moved its adoption:

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WHEREAS, with regard to the application of Theresa Croce, 308 Edgemere Drive, Ms. Croce appeared before the Board of Zoning Appeals, requesting an area variance for a proposed accessory structure (in-ground pool) to be located in a waterfront yard, where accessory structures, including pools, are permitted in rear yards only and an area variance for a proposed in-ground pool to be located a distance of 8.0 feet from a principal dwelling, instead of the 10.0 feet minimum required.

WHEREAS, the findings of fact are as follows. This parcel is located at 308 Edgemere Drive, it is a waterfront lot and lies within a R1-E (Single-Family Residential) district. Ms. Croce stated that she has lived at this address for approximately one year and is installing the 16 ft. X 28 ft. size in-ground pool for the purpose of recreation and personal enjoyment. The existing deck will be removed to accommodate this pool. The original location was on the opposite side, but it was lying on a coastal erosion area so it was moved to the proposed area that it is in now, so other placement options have been considered, but this is the best placement. This request is not unique for a lakefront property. Typically, lakefront properties provide very little options, making its placement difficult to avoid, among other things, what's considered front yard of lakefront properties. It will be secured by a fence and it will be alarmed to code. The applicant has stated that there will be no pool shed, cabana or hot tub in the future. She has agreed to enter into a Hold Harmless agreement with the Town and she is aware and understands the Town Pool regulations. She did speak to two neighbors who had no concerns and no one at tonight's meeting spoke in opposition of 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 that 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:

1. That all necessary permits will be obtained and will comply with Town codes.
2. The applicant has entered into a Hold Harmless agreement.
3. This approval is for the life of the pool.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Conditions

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3. Applicant: Tina Caracci
Location: 159 Hilltop Road
Mon. Co. Tax No.: 060.34-3-6
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed covered porch (7.0 feet x 10.00 feet; 70.0 square feet), to have a front setback of 32.0 feet, instead of the 40.0 feet minimum, established by the neighborhood average. Section 211-11 D (1)(a) & Section 211-11 D (1)(b)

Ms. Andreano 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 159 Hilltop Road, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

Seconded by Ms. Nigro and duly put to a vote, which resulted as follows:

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Ms. Andreano then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Tina Caracci, 159 Hilltop Road, Ms. Caracci appeared before the Board of Zoning Appeals, requesting an area variance for a proposed covered porch (7.0 feet x 10.00 feet; 70.0 square feet), to have a front setback of 32.0 feet, instead of the 40.0 feet minimum, established by the neighborhood average.

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WHEREAS, the findings of fact are as follows. The applicant, Ms. Tina Caracci, has lived at the location for almost 20 years, since 1991, and it is located in an R1-E (Single-Family Residential) zoning district. Ms. Caracci provided testimony this evening that she is replacing the current steps to the house with a deck with a roof and she has supplied us with the plans. The materials are going to be wood with shingles and it will match the house. Part of the project is for safety reasons to build this new porch to enter into the house and I do not find that this project is going to be a detriment to the neighborhood and we do not have any neighbor testimony to otherwise. Given the reasons stated I feel this request is minimal in nature and it will have no impact on the neighborhood or on this property.

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 that 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 condition that the applicant obtain all necessary permits.

Seconded by Ms. Nigro and duly put to a vote, which resulted as follows:

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Condition**

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4. Applicant: Douglas Dobson
Location: Edgemere Drive (west of 1623)
Mon. Co. Tax No.: 034.08-1-61
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed accessory structured (16.0 feet x 30.0 feet; 480.0 square feet detached garage), as a principle structure on a lot. Section 211-5 (Structure, Accessory).

Mr. Hartwig 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 Edgemere Drive (west of 1623), 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

Seconded by Ms. Andreano and duly put to a vote, which resulted as follows:

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Hartwig then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Douglas Dobson, Edgemere Drive (west of 1623), in an R1-E (Single-Family Residential) district, Mr. Dobson and his wife, Judy, who reside at 1630 Edgemere Drive, appeared before the Board of Zoning Appeals, requesting an area variance for a proposed accessory structure (16.0 feet x 30.0 feet; 480.0 square feet detached garage), as a principle structure on a lot.

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WHEREAS, the findings of fact are as follows. This evening, Mr. Dobson mentioned that they have owned the property for about 17 years and the need for this structure at this time is for storage purposes, primarily for jet skis, a corvette automobile, lawn mowers, other lawn equipment and furniture. It will be constructed in a pre-fabricated condition, in a brown or reddish or tan color. The height of the roof will not exceed 17 ft. and as far as any utilities being run to the structure the applicant is requesting only electricity. There will be no driveway to the structure. As far as neighbors are concerned, there have been no negative comments received. Also, the applicant has agreed that as far as the shed is concerned that the structure will be for the life of the shed or (the transfer of the property has to be tied to 1630 Edgemere Drive, which is the principle structure) if 1630 Edgemere Drive transfers with this lot, it can stay, but if it does not transfer with it then the shed has to come down and the applicant has agreed to that.

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 that 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:

1. That all necessary building permits be obtained and building codes satisfied.
2. Only electric will be run to the structure.
3. That this approval is for the life of the shed or if the property across the street at 1630 Edgemere Drive is transferred and this property is not transferred with 1630 Edgemere Drive then the shed has to be removed; otherwise, the shed may stay with the primary structure should both parcels transfer simultaneously.

Seconded by Ms. Andreano and duly put to a vote, which resulted as follows:

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Conditions**

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5. Applicant: Christine Elliott
Location: 1401 Stone Road
Mon. Co. Tax No.: 075.09-11-66
Zoning District: BP-2 (Professional Office)
Request: A special use permit for a beauty salon. Section 211-17 A (3)(b)[1]

Mr. Jensen 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 1401 Stone Road, for variances, 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 an Unlisted action under SEQRA.
2. The Board of Zoning Appeals has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, 1 Vince Tofany Boulevard, at which time all parties in interest and citizens were afforded an opportunity to be heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Board of Zoning Appeals' consideration.
4. The Board of Zoning Appeals has carefully considered environmental information that was prepared by the Applicant and/or the Applicant's representatives or the Town's staff, which included but was not limited to maps, drawings, descriptions, analyses, reports, reviews, and an Environmental Assessment Form ("EAF") (collectively, the "Environmental Analysis").
5. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered additional information submitted by the Applicant's representatives, including but not limited to: oral or written descriptions of the Proposal; maps and other drawings of the Proposal; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant's representatives.
6. The Board of Zoning Appeals has carefully considered additional information and comments that resulted from telephone conversations or meetings with or written correspondence from the Applicant and the Applicant's representatives.
7. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development and the Town's own staff.
8. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that

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recommendations and comments that may have resulted from telephone conversations or meetings with or written correspondence from nearby property owners, and all other comments submitted to the Board of Zoning Appeals as of this date.

9. The Environmental Analysis examined the relevant issues associated with the Proposal.
10. The Board of Zoning Appeals has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
11. The Board of Zoning Appeals has met the procedural and substantive requirements of SEQRA.
12. The Board of Zoning Appeals has carefully considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.
13. The Board of Zoning Appeals has carefully considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis and all additional relevant information submitted.
14. The Board of Zoning Appeals concurs with the information and conclusions contained in the Environmental Analysis.
15. The Board of Zoning Appeals has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Board of Zoning Appeals' determination is supported by substantial evidence, as set forth herein.
16. To the maximum extent practicable, the project as originally designed or as voluntarily modified by the Applicant will minimize or avoid potential adverse environmental impacts that were identified in the environmental review process.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Board of Zoning Appeals' own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Board of Zoning Appeals determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Jensen then offered the following resolution and moved its adoption:

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WHEREAS, with regard to the application of Christine Elliott, 1401 Stone Road, who resides at 679 Heritage Drive, Ms. Elliott appeared before the Board of Zoning Appeals, requesting a special use permit for a beauty salon.

WHEREAS, the findings of fact are as follows. The applicant appeared before the Board of Zoning Appeals for a special use permit for a beauty salon to be located in a professional office building located at 1401 Stone Road. Ms. Elliott has chosen this facility for the salon because it is not a store front, it is a nontraditional type beauty salon and they have an established clients that can use this. It is more of a safe, secure location. The types of services that will be provided will be in a suite type setting where they will be doing colors and cuts. Also, it is also a vegan beauty salon, where they will use less chemicals and will be located on the lower level. There is also sufficient parking at this professional office building and it will also have easier access due to where the location is, for elderly clients that come and use the salon.

The hours of operation will be Sunday through Saturday from 9:00 AM to 10:00 PM and there will be up to 5 individuals working, either in the reception area or using the suites.

Therefore, based on the aforementioned information, testimony, documentation, and findings, pursuant to the authority conferred by New York State Town Law, Section 274-b, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), I move to approve this special use permit request submitted by Christine Elliott for a Special Use Permit to operate a beauty salon subject to the following conditions:

The Applicant shall operate this beauty salon in conformity with all details of the Proposal, as described in the written descriptions and site development plans of the Proposal, and as set forth herein. In the event of any conflict among the oral or written descriptions of the Proposal, the site development plans of the Proposal, or the requirements or restrictions of this resolution, the Board of Zoning Appeals, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.

- The maximum occupancies in this beauty salon shall be the limits established by the Town's Fire Marshal pursuant to the New York State Uniform Fire Prevention and Building Code.
- The Applicant shall comply with all applicable federal, state, county, and Town laws, ordinances, codes, rules, and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code. Failure to comply with such requirements may be grounds for revocation of this special use permit.
- Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
- Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
- Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
- Upon the sale or other transfer of controlling interest in this beauty salon to any persons or entity other than Christine Elliott, 679 Heritage Drive or 1401 Stone Road, its wholly owned subsidiaries, or its franchisees, a new application for a special use permit must be submitted to the Board of Zoning Appeals.
- I move to approve this application with the following conditions:
- That the applicant obtain all necessary permits and meets all building code regulations.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

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Motion Carried
Application Approved
With Conditions

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6. Applicant: Kelly Homes of New York LLC
Location: 85 Willnick Circle
Mon. Co. Tax No.: (not yet issued from Monroe County as of 5/20/20)
Zoning District: R1-44 (Single-Family Residential)
Request: An area variance for a proposed dwelling, (Lot 201 of Chatham Estates Subdivision), to have a front setback of 45.0 feet, instead of the 60.0 feet minimum required. Section 211-11 D (1)(a) & Section 211-11 D (1)(b)

On a motion by Ms. Andreano and seconded by Mr. Wechsler, it was resolved to continue the public hearing on this application until the meeting of August 4, 2020.

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Continued Until
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7. Applicant: Kelly Homes of New York LLC
Location: 111 Willnick Circle
Mon. Co. Tax No.: (not yet issued from Monroe County as of 5/20/20)
Zoning District: R1-44 (Single-Family Residential)
Request: An area variance for a proposed dwelling (Lot 202 of Chatham Estates Subdivision), to have a front setback of 45.0 feet, instead of the 60.0 feet minimum required. Section 211-11 D (1)(a) & Section 211-11 D (1)(b)

On a motion by Ms. Andreano and seconded by Mr. Wechsler, it was resolved to continue the public hearing on this application until the meeting of August 4, 2020.

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Continued Until
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8. Applicant: Joseph Sortino
Location: 581 Whistlers Cove
Mon. Co. Tax No.: 033.04-4-31
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed dwelling (Lot 1020 of Crescent Park Subdivision Section 10 Phase B), to have a front setback of 35.0 feet, instead of the 40.0 feet minimum required. Section 211-11 D (1)(a) & Section 211-11 D (1)(b)

Mr. Wechsler 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 581 Whistlers Cove, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Wechsler then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Joseph Sortino, 581 Whistlers Cove, in an R1-E (Single-Family Residential) district, Mr. Sortino appeared before the Board of Zoning Appeals, requesting an area variance for a proposed dwelling (Lot 1020 of Crescent Park Subdivision Section 10 Phase B), to have a front setback of 35.0 feet, instead of the 40.0 feet minimum required.

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WHEREAS, the findings of fact are as follows. The applicant has owned the property for approximately five years and is asking to do so to give some relief because of the detention pond that is located in the rear of the property. The additional five feet will give them an additional 5 feet of backyard space. These backyards are characteristically small for the area, where most backyards are about 60 ft., even with this variance this will only leave them with a 35 ft. backyard.

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 that 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 condition that the applicant apply for all necessary building permits and follow all building codes.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Conditions**

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9. Applicant: Joseph Sortino
Location: 591 Whistlers Cove
Mon. Co. Tax No.: 033.04-4-32
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed dwelling (Lot 1021 of Crescent Park Subdivision Section 10 Phase B), to have a front setback of 35.0 feet, instead of the 40.0 feet minimum required. Section 211-11 D (1)(a) & Section 211-11 D (1)(b)

Mr. Wechsler 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 591 Whistlers Cove, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Wechsler then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Joseph Sortino, 591 Whistlers Cove, in an R1-E (Single-Family Residential) district, Mr. Sortino appeared before the Board of Zoning Appeals, requesting an area variance for a proposed dwelling (Lot 1021 of Crescent Park

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Subdivision Section 10 Phase B), to have a front setback of 35.0 feet, instead of the 40.0 feet minimum required.

WHEREAS, the findings of fact are as follows. The reason for this action is the same as we relate it to 581 Whistlers Cove. The applicant has owned the property for approximately five years and is asking to do so to give some relief because of the detention pond that is located in the rear of the property. The additional five feet will give them an additional 5 feet of backyard space. These backyards are characteristically small for the area, where most backyards are about 60 ft., even with this variance this will only leave them with a 35 ft. backyard. No neighbors or anyone has come to speak either for or against this project.

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 that 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 condition that the applicant apply for all necessary building permits and follow all building codes.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Conditions

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10. Applicant: Laurelhurst LLC & Enterprise Car Rental
Location: 3012 & 3022 West Ridge Road
Mon. Co. Tax No.: 074.13-1-2 & 074.13-1-1.1
Zoning District: BR (Restricted Business)
Request: An area variance for a proposed 12.0 feet x 40.0 feet single-lane driveway to be located a distance, varying from 5.0 feet to 12.0 feet, along the northern property line(s), instead of the 20.0 feet minimum required from a residential district. Section 211-17 (4) Table III

Mr. Jensen 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 3012 & 3022 West Ridge Road, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

Seconded by Ms. Nigro and duly put to a vote, which resulted as follows:

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Jensen then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Laurelhurst LLC & Enterprise Car Rental, 3012 & 3022 West Ridge Road, in an BR (Restricted Business) district, their representative, Mr. Phillip Snyder appeared before the Board of Zoning Appeals, requesting an area variance for a proposed 12.0 feet x 40.0 feet single-lane driveway to be located a distance, varying

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from 5.0 feet to 12.0 feet, along the northern property line(s), instead of the 20.0 feet minimum required from a residential district.

WHEREAS, the findings of fact are as follows. The applicant came before the Board this evening to put in this single-lane driveway to assist with the flow of cars at the Enterprise Rental Car. The southern driveway, according to the maps provided to this board, will be the return aisle and they will be properly marked where vehicles will return. If the vehicle is returned it will then go into the carwash area where it will be washed and cleaned and get ready for the vehicle to be rented out. Once this is completed it will then go behind the carwash and into the area behind the building, which will then go into north driveway, which the applicant is requesting. There is no other place for this driveway to be placed given the size of the lot. The applicant has agreed to put a fence in, a vinyl fence similar to what the fence located that was agreed upon when they appeared before this board for a variance to the carwash property. The applicant did state that they will mark the area with one-way traffic to make it easier for the parking and identifying. No parking spots will be illuminated and they will also continue to have no parking in any of the grass areas or on Laurelhurst Road as previously agreed.

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 that 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:

1. The applicant will place a fence in this 12 ft. X 40 ft. section, the new driveway area. This will match the existing fence.
2. The applicant will put in signage to show one-way traffic for access to the property.
3. And he will obtain all necessary permits.

Seconded by Ms. Nigro and duly put to a vote, which resulted as follows:

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Conditions**

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11. Applicant: Giuseppe Marino
Location: 9 Hatton Place
Mon. Co. Tax No.: 058.01-3-57
Zoning District: R1-44 (Single-Family Residential)
Request: An area variance for a proposed accessory structure (covered pavilion and attached shed/cabana) to be located a distance of 5.0 feet, from an in-ground pool, instead of the 10.0 feet minimum, as measured from the water's edge. Section 114.12.1 B(1)

Mr. Jensen 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 9 Hatton Place, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Jensen then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Giuseppe Marino, 9 Hatton Place, in an R1-44 (Single-Family Residential) district, Mr. Marino appeared before the Board of Zoning Appeals, requesting an area variance for a proposed accessory structure (covered pavilion and attached shed/cabana) to be located a distance of 5.0 feet, from an in-ground pool, instead of the 10.0 feet minimum, as measured from the water's edge.

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WHEREAS, the findings of fact are as follows. The applicant stated that the reason for the location of the shed and the cabana is due to a drainage easement that runs across the rear yard providing limited area for structure placement. The area next to the pool is the only location where they could put the storage shed/cabana. The storage shed will be 10 ft. X 14 ft. and this will be used to store pool supplies and lawn and garden equipment. The cabana will also contain a pavilion or "covered area", open on three sides and will be 16 ft. X 14 ft. and will be used for a sitting and relaxation area. The applicant has agreed to obtain and sign Hold Harmless agreement with the Town due to the distance of the storage shed/cabana being so close. The applicant also stated that there will be no fire pits or cooking underneath the cabana area, it will be done in a separate area. The storage shed/cabana area will match the existing home, it will be constructed of wood. The applicants have lived here for 6 years and the pool has been in place for 3 years. The applicant also agreed that there will be no utilities, no water, no electricity, no sewers and it will only be used for recreation. The cabana will be used as a sitting area and the storage shed is for storage of pool supplies, lawn mowers and outdoor items.

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 that 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:

1. That the applicant agrees to sign a Hold Harmless clause because of the distance of 5 ft. from an in-ground pool instead of the required 10 ft.
2. The applicant agreed that there will be no cooking or grilling and no fire pits under the cabana area. The cabana area will be used only as a sitting area, open on 3 sides. No utilities, no gas, no water, no sewers in this cabana.
3. The applicant will obtain all necessary permits.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Conditions**

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12. Applicant: Samantha Cook
Location: 519 South Drive
Mon. Co. Tax No.: 026.18-2-2
Zoning District: R1-E (Single-Family Residential)
Request: a) An area variance for a proposed accessory structure, (16.0 feet x 22.0 feet; 352.0 square feet deck), to be located in a side yard, where accessory structures, including decks are permitted in rear yards only. Section 211-11 E(3)
b) An area variance for an existing shed (10.2 feet x 10.5 feet; 107.1 square feet), to have an east side setback of 3.1 feet, instead of the 5.0 feet minimum required. 211-11 E (1), Table I

Ms. Nigro 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 519 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Ms. Nigro then offered the following resolution and moved its adoption:

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WHEREAS, with regard to the application of Samantha Cook, 519 South Drive, in an R1-E (Single-Family Residential) district, Ms. Cook and her father John Cook appeared before the Board of Zoning Appeals, requesting an area variance for a proposed accessory structure, (16.0 feet x 22.0 feet; 352.0 square feet deck), to be located in a side yard, where accessory structures, including decks are permitted in rear yards only and an area variance for an existing shed (10.2 feet x 10.5 feet; 107.1 square feet), to have an east side setback of 3.1 feet, instead of the 5.0 feet minimum required.

WHEREAS, the findings of fact are as follows. This parcel is located at 519 South Drive and is approximately 60 ft. X 166 ft. and lies within an R1-E (Single-Family Residential) district. The applicant and her father, John Cook, appeared before the board and Samantha states that she has lived at the property for 3 months. She is requesting the 16 ft. X 22 ft. deck to expand her outdoor enjoyment as well as to ensure the safety of her guests. The garage actually has a slope and at the rear of the garage it is level with the backyard grassy area and it comes about 8 inches above that. She has had a structural engineer review the existing garage to ensure the placement of the deck on top of it will be sound. The deck will be built by her father, John Cook and it will be made of pressure treated wood. It will have 4 ft. high railings, which will ensure additional safety towards the front of the garage where it just drops off to the blacktop driveway. Access to the deck will be from the rear of the home, which will have sliding glass doors that come out to the grassy area. Samantha states that it will not have a hot tub, it will not be covered or have a permanent grill. There will be no additional lighting added. The existing shed is used for the storage of lawn accessories. It is about 10 years old and the applicant says that it would be very difficult to move it. Neighbors at 511 and 520 South Drive submitted signed letters of support and no one at tonight's meeting spoke in favor or opposition of the applicant's request. The applicant agreed to enter into a Hold Harmless agreement with the Town. She will not have a hot tub or a grill on the deck.

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 that 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:

1. The applicant will obtain all necessary Town permits.
2. The application is for both the life of the deck and the shed.
3. The applicant will enter a Hold Harmless agreement with the Town.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Conditions

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13. Applicant: Patricia Wynn
Location: 160 Ontario Boulevard
Mon. Co. Tax No.: 017.12-2-10.1
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed accessory structure, (5.0 feet x 35.0 feet; 175.0 square feet deck), to be located in a front yard, where accessory structures, including decks are permitted in rear yards only and for said deck to have a front setback of 1.4 feet, instead of the 25.0 feet minimum required. Section 211-11 E(3) & Section 211-11 E (1), Table I

Ms. Andreano 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 160 Ontario Boulevard, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Ms. Andreano then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Patricia Wynn, 160 Ontario Boulevard, in an R1-E (Single-Family Residential) district, Ms. Wynn appeared before the Board of Zoning Appeals, requesting an area variance for a proposed accessory structure, (5.0 feet x 35.0 feet; 175.0 square feet deck), to be located in a front yard, where accessory structures,

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including decks are permitted in rear yards only and for said deck to have a front setback of 1.4 feet, instead of the 25.0 feet minimum required.

WHEREAS, the findings of fact are as follows. The applicant, Ms. Patricia Wynn, has lived at this location for 18 years. The home is located in an R1-E (Single-Family Residential) zoning district. The purpose of this project is to improve the safety situation for Ms. Wynn as the existing structure that is there at the house is going to need to be prepared and this deck will allow Ms. Wynn to enter and exit the house in safer conditions for personal reasons for her and her family. The materials to be used include pressure treated lumber, you are also going to be building railings to code and you are aware of the building permits that you will need to obtain. Given the reasons stated, I believe that this request is minimal in nature and will have no impact on the neighborhood or on this property. It should also be mentioned that this road, Ontario Boulevard, is an unimproved right-of-way and although owned by the Town, it is not maintained by the Town. It is a dead end with no through traffic.

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 that 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 condition that the applicant does obtain all necessary permits and follows Town code.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Conditions**

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14. Applicant: Michael J. Starr
Location: 250 Cameron Hill Drive
Mon. Co. Tax No.: 045.02-5-30
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed 6.0 feet high, closed construction fence, approximately 150.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction. Section 211-11 L

Mr. Shea 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 250 Cameron Hill 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

Seconded by Ms. Andreano and duly put to a vote, which resulted as follows:

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Shea then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Michael J. Starr, 250 Cameron Hill Drive, in an R1-E (Single-Family Residential) district, Mr. Starr appeared before the Board of Zoning Appeals, requesting an area variance for a proposed 6.0 feet high, closed construction fence, approximately 150.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction.

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WHEREAS, the findings of fact are as follows. This parcel is located at 250 Cameron Hill Drive in an R1-E (Single-Family Residential) neighborhood. The applicant has lived there for 16 months. The reason for this variance request is for the safety and privacy for his family. The closed construction fence will be similar to the existing backyard vinyl fence. Mr. Starr has not received any negative comments from his neighbors and no one at tonight's meeting spoke 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 that 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 condition that the applicant obtain all necessary Town permits.

Seconded by Ms. Andreano and duly put to a vote, which resulted as follows:

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Conditions

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15. Applicant: Amanda Williams
Location: 158 Everclay Drive
Mon. Co. Tax No.: 075.06-4-13
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed 6.0 feet high, closed construction fence, approximately 119.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction. Section 211-11 L

Mr. Hartwig 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 158 Everclay 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Hartwig then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Amanda Williams, 158 Everclay Drive, in an R1-E (Single-Family Residential) district, Ms. Williams appeared before the Board of Zoning Appeals, requesting an area variance for a proposed 6.0 feet high, closed construction fence,

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approximately 119.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction.

WHEREAS, the findings of fact are as follows. Ms. Williams has mentioned that she lives on a corner lot, Newark Drive and Everclay Drive. The front of her house faces Everclay Drive where the side yard is on the Newark Drive side and because it is facing a road it is technically, even though it is a side yard, determined a front yard. She is requesting the fence for several reasons; safety reasons for the children, because she lives on a corner lot she has experienced cut through traffic and would like to illuminate that and also for a visual privacy while they are utilizing the backyard. It will be constructed of pressure treated wood and the color will match a neighbor's fence so that the two fences will be the same. The fence will be approximately 8 ft. from the sidewalk, the applicant has agreed to sign a Hold Harmless agreement with the Town relative to snow plowing the sidewalks. She mentioned that she has spoken to the neighbors and there have been no negative comments.

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 that 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:

1. That the applicant obtain all necessary building permits.
2. That the applicant sign a Hold Harmless agreement with the Town of Greece.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Conditions

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16. Applicant: Peggy L. Lawrence
Location: 14 Maylong Drive (aka 32 Harmony Drive)
Mon. Co. Tax No.: 074.06-1-20
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed 6.0 feet high, closed construction fence, approximately 149.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction. Section 211-11 L

Ms. Andreano 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 14 Maylong Drive (aka 32 Harmony 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Ms. Andreano then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Peggy Lawrence, 14 Maylong Drive (aka 32 Harmony Drive), in an R1-E (Single-Family Residential) district, Ms. Lawrence and Mr. Jomar Aponte appeared before the Board of Zoning Appeals, requesting an area variance for a proposed 6.0 feet high, closed construction fence, approximately 149.0 linear feet, to be

BOARD OF ZONING APPEALS MINUTES
July 7, 2020

located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction.

WHEREAS, the findings of fact are as follows. These applicants have lived at this location for 4 years and the home is located in an R1-E (Single-Family Residential) zoning district. The applicants have testified this evening that the reason for the project is mainly for protection and safety for the children and three dogs. Their house is positioned so that it is on a corner so this project is actually to put a fence with the appearance of being in the rear yard, even though technically it is a front yard, per the zoning ordinance. It will be no closer than 10 ft. from the sidewalk so the applicant will sign a Hold Harmless agreement with the Town. The materials that are planned are white vinyl, closed construction. The neighbors strongly support the project and one neighbor even mentioned that they would want to match and continue to improve the appearance of the structures in the neighborhood.

Given the reasons stated, I believe that this request is minimal in nature and will have no impact on the neighborhood or on this property.

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 that 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:

1. That the applicant obtain any permits required by the Town.
2. And the applicant sign a Hold Harmless agreement with the Town.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Conditions**

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17. Applicant: Kristen Conklin
Location: 192 Gates Greece Town Line Road
Mon. Co. Tax No.: 088.04-3-42
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed accessory structure, (approximately 384.0 square feet deck), following demolition of an existing accessory structure, to be located in a front yard, where accessory structures, including decks are permitted in rear yards only and for said deck to have a front setback of 77.0 feet, instead of the 89.0 feet minimum required. Section 211-11 E(3) & Section 211-11 E (1), Table I

Ms. Nigro 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 192 Gates Greece Town Line Road, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Ms. Nigro then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Kristen Conklin, 192 Gates Greece Town Line Road, in an R1-E (Single-Family Residential) district, Ms. Conklin and her wife Dakota appeared before the Board of Zoning Appeals, requesting an area variance for a proposed

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accessory structure, (approximately 384.0 square feet deck), following demolition of an existing accessory structure, to be located in a front yard, where accessory structures, including decks are permitted in rear yards only and for said deck to have a front setback of 77.0 feet, instead of the 89.0 feet minimum required.

WHEREAS, the findings of fact are as follows. This parcel is located at 192 Gate Greece Town Line Road and lies within an R1-E (Single-Family Residential) district. The applicant and her wife state that they have lived here in this home since 2013. They are requesting to demolish the existing deck and replace with a 12 ft. x 22 ft. deck built by a construction crew. It will be constructed of pressure treated wood and composite decking and if they find that the height of the deck requires railings then they will install composite railings. There will be no additional lighting except for what is already there. The deck is to expand their outdoor living enjoyment. It will not have a hot tub, it will not have a grill and it will not be enclosed nor have a roof over it. Additionally, no neighbors spoke at tonight's meeting to oppose this.

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 that 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 condition that the applicant will obtain all necessary Town permits.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried
Application Approved
With Conditions

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18. Applicant: David Meleca
Location: 5 Wycombe Place
Mon. Co. Tax No.: 045.08-1-32
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed 6.0 feet high, closed construction fence, approximately 110.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction. Section 211-11 L

Mr. Wechsler 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 5 Wycombe Place, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Wechsler then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of David Meleca, 5 Wycombe Place, in an R1-E (Single-Family Residential) district, Mr. Meleca appeared before the Board of Zoning Appeals, requesting an area variance for a proposed 6.0 feet high, closed construction fence, approximately 110.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction.

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WHEREAS, the findings of fact are as follows. Mr. Meleca is applying for this variance for several reasons; one that he lives on a corner lot so therefore his side property is considered front property is aesthetically the side of his yard; he is looking to do this fence for privacy and safety. He has three dogs and a one year old child lives in the house and there have been concerns about coyotes in the area. He has lived at the property for approximately two months and he is proposing to build this fence, wood construction. He talked to one of the neighbors and he was fine with that and we heard from another individual, John Thompson, about concerns about the intersection and him being 100% against this variance. However, we have noted that there are other 6 ft. fences in this area, therefore characteristic of the neighborhood. Mr. Meleca has agreed to sign a Hold Harmless agreement with the Town. This variance will also be conditioned upon an easement release from Department of Public Works and he stated that he has received that, but we have not seen it at this point.

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 that 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:

1. That the applicant apply for all building permits and comply with Town code.
2. That the applicant signs a Hold Harmless agreement.
3. And this is conditioned upon the easement release from Department of Public Works.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Conditions**

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19. Applicant: John Corsetti
Location: 56 Dorsey Road
Mon. Co. Tax No.: 060.56-6-25
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed accessory structure, (5.0 feet x 19.0 feet; 95.0 square feet deck), to be located in a side yard, where accessory structures, including decks are permitted in rear yards only. Section 211-11 E(3)

Mr. Shea 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 56 Dorsey Road, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

Seconded by Ms. Nigro and duly put to a vote, which resulted as follows:

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Shea then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of John Corsetti, 56 Dorsey Road, in an R1-E (Single-Family Residential) district, Mr. Corsetti appeared before the Board of Zoning Appeals, requesting an area variance for a proposed accessory structure, (5.0 feet x 19.0 feet; 95.0 square feet deck), to be located in a side yard, where accessory structures, including decks are permitted in rear yards only.

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WHEREAS, the findings of fact are as follows. This property is located in an R1-E (Single-Family Residential) neighborhood. The applicant has lived there for 4 ½ years and the reason for this variance is to replace a concrete slab entryway on the side of his house with a better looking, easy accessible wooden deck about four steps high. There are no complaints from neighbors and he will have a railing around it and posts.

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 that 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 condition that the applicant obtain all necessary Town permits.

Seconded by Ms. Nigro and duly put to a vote, which resulted as follows:

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Condition**

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20. Applicant: Melanie Gallo
Location: 100 North Avenue
Mon. Co. Tax No.: 058.04-2-10.1
Zoning District: R1-E (Single-Family Residential)
Request: An area variance for a proposed accessory structure, (12.0 feet x 28.0 feet; 336.0 square feet detached garage), following demolition of an existing detached garage, to have a north side setback of 1.7 feet, instead of the 10.0 feet minimum required. Section 211-11 E (1), Table I

Mr. Wechsler 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 100 North Avenue, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Wechsler then offered the following resolution and moved its adoption:

WHEREAS, with regard to the application of Melanie Gallo, 100 North Avenue, in an R1-E (Single-Family Residential) district, Ms. Gallo appeared before the Board of Zoning Appeals, requesting an area variance for a proposed accessory structure, (12.0 feet x 28.0 feet; 336.0 square feet detached garage), following demolition of an existing detached garage, to have a north side setback of 1.7 feet, instead of the 10.0 feet minimum required.

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WHEREAS, the findings of fact are as follows. Ms. Gallo testified that she has been at this property for 20 years now and she is replacing a rundown chicken coop like structure with a nice prefab gable cottage in the existing footprint on top of the concrete slab. The reason that she is not going to change the location is because again there is a concrete slab there and she is in fact decreasing the size of the shed, going from 13 ft. X 40 ft. to about 12 ft. X 28 ft. She has spoken to the neighbors that are most affected by that 1. 7 ft., the next door neighbors, and they have no problem with it. She has agreed that when applying for permits that the shed will have to be fire rated.

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 that 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:

1. The applicant applies and adheres to all necessary building codes and permits.
2. The shed needs to be fire rated.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Conditions**

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July 7, 2020

21. Applicant: Brian V. Rotoli
Location: 3801 West Ridge Road
Mon. Co. Tax No.: 073.04-2-6.1
Zoning District: BR (Restricted Business)
Request: a) A waiver of the requirements for a special use permit for a motor vehicle service station and motor vehicle dealership in accordance with the regulations established in Section 211-35 and as defined in 211-5. Section 211-17 B(3)(b)[5].
b) An area variance for the utilization of approximately 36 parking spaces for the temporary outdoor storage, display of goods, merchandise or materials (accessory structures; sheds), where the outdoor storage display of goods merchandise or materials shall not impede the passage of pedestrians, fire lanes, driveways or any parking spaces. Section 211-25 B(2).

On a motion by Mr. Hartwig and seconded by Ms. Andreano, it was resolved to continue the public hearing on this application until the meeting of August 18, 2020.

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Continued Until
Meeting of August 18, 2020**

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22. Applicant: Jacob McManus
Location: 149 Haddon Road
Mon. Co. Tax No.: 074.11-12-15
Zoning District: R1-E (Single-Family Residential)
Request: a) An area variance for a proposed 6.0 feet high, closed construction fence, approximately 87.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction. Section 211-11 L
b) An area variance for a portion of a 6.0 feet high, closed construction fence to be located within a visibility triangle, where fences located within a visibility triangle shall not exceed three feet in height and shall be of open construction. Section 211-33 A & Section 211-33 B(2)(a)(b)&(c)

Mr. Wechsler 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 149 Haddon Road, 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 Proposal, the Town Board determined that the Proposal 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 Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2), (11), (13), (16) & (17).)
2. According to SEQRA, Type II actions have been determined to not have a significant impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

Motion Carried

Mr. Wechsler then offered the following resolution and moved its adoption:

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WHEREAS, with regard to the application of Jacob McManus, 149 Haddon Road, in an R1-E (Single-Family Residential) district, Mr. McManus and his girlfriend Mercedes Diver appeared before the Board of Zoning Appeals, requesting an area variance for a proposed 6.0 feet high, closed construction fence, approximately 87.0 linear feet, to be located in a front yard, where fences in a front yard shall not exceed 4.0 feet in height and shall be of open construction and an area variance for a portion of a 6.0 feet high, closed construction fence to be located within a visibility triangle, where fences located within a visibility triangle shall not exceed three feet in height and shall be of open construction.

WHEREAS, the findings of fact are as follows. At the start of this meeting Mr. McManus was also requesting an area variance for a portion of a 6.0 feet high, closed construction fence to be located within a visibility triangle, however they have since agreed to withdraw item "b" as they have agreed to comply and redesign the fence to meet the criteria of the visibility triangle. The reason for this variance is because they are expressing a need for privacy and safety. The current chain link fence is 4 ft. high and they have a dog which is able to leap tall buildings in a single bound including 4 ft. fences. He can get over the fence and to avoid serious injury to the dog, the neighbors and possibly problems with other dogs they are requesting this fence. They have agreed to again to modify this and comply with the visibility triangle and they have also agreed to sign a Hold Harmless agreement.

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 that 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:

1. That they adhere to all building codes and building permits.
2. And that the applicant sign a Hold Harmless agreement.
3. The applicant must comply with the visibility triangle.
4. Modified as per the applicant's testimony this evening.

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

VOTE:	Ms. Andreano	Yes	Mr. Hartwig	Yes
	Mr. Jensen	Yes	Mr. Meilutis	Yes
	Ms. Nigro	Yes	Mr. Shea	Yes
	Mr. Wechsler	Yes		

**Motion Carried
Application Approved
With Conditions**

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NEIGHBORHOOD NOTIFICATION MODIFICATION: None

ADJOURNMENT: 10:00 PM

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: Tuesday, July 21, 2020

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BOARD OF ZONING APPEALS MINUTES
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