

## **EAST ROCHESTER ZONING BOARD OF APPEALS MINUTES**

PLACE: 120 West Commercial Street, East Rochester Village Offices  
DATE: December 20, 2011  
TIME: 7:00pm

### **PRESENT:**

Frank Barbero, Chairman  
Matthew Fox, Member  
Margot Gilhart, Member  
Eric Schoenhardt, Member  
Christina Belles, Alternate Member

### **NOT PRESENT:**

Tony Gonzalez, Member  
Gary Smith, Engineer

Jim Herko, Assistant Building Inspector  
Rob Leni, Village Attorney  
Tracie Miller, Recording Secretary

NOTE: Christina Belles was a voting member today due to Tony Gonzalez's absence.

Mr. Barbero called the meeting to order at 7:00pm.

**1st Item on the Agenda:** 46 Westwood Drive, parcel #152.29-2-34. Homeowners, Greg and Lynn Sullivan were present seeking an area variance to install a privacy fence and a shed. Mr. Sullivan said they want to convert the existing six foot chain link fence into a privacy fence. He also wants to put up an 8 x 8 x 4 foot deep tool shed. He said they are seeking a variance because the Village of East Rochester considers this his front yard.

Frank Barbero asked what the exact location is of where the shed will be erected. Mr. Sullivan described the shed placement on the survey map. He said the shed will be just to the left of the existing gate when looking at the pictures provided. Rob Leni asked how far from the proposed fence the shed would be. The Sullivan's said they would like to butt the shed right up against it. Mrs. Sullivan described the ledges and drop-offs in their back yard which make finding a flat area difficult. Mr. Schoenhardt asked if the shed will have a foundation. Mr. Sullivan said it will be installed on a poured concrete slab. Margot Gilhart asked if the gate was being replaced. Mr. Sullivan said yes, because they bring their garbage in and out through it.

Mr. Sullivan explained that he will be using the existing posts from the chain link fence to connect the new privacy fence to and therefore will not be changing the footprint at all. Mrs. Gilhart asked if they will be removing the shrubs on the outside of the fence. Mr. Sullivan acknowledged that they are overgrown and said he would like to prune them heavily and see if they will regrow more neatly. If they do not, he is considering putting in new shrubbery, but has challenges with the amount of shade and soil acidity. Mrs. Gilhart said the stockade takes away from the look of the neighborhood. Mr. Sullivan assured that something would be grown there because he would like to keep the area looking nice for his neighbors across the street.

Rob Leni told the Zoning Board that the Planning Board made a positive recommendation contingent upon determining where the Perinton property line falls, if Perinton Codes apply

and the placement of the shed. Jim Herko told the Board that he spoke to the Perinton Building Inspector and he confirmed that the proposed project is all on East Rochester property and Perinton's Codes do not pertain.

Matt Fox made a motion to grant the area variance for the fence as proposed. Eric Schoenhardt seconded the motion. Voting was 5-0, all in favor.

Eric Schoenhardt made a motion to approve the construction of the shed as proposed subject to it being located where Mr. Sullivan described. Margot Gilhart seconded the motion. Voting was 5-0, all in favor.

**Old Business:** There was no old business to discuss.

**New Business:** Mrs. Gilhart, who is a member of the East Rochester United Methodist Church at 357 Fairport Road, produced a photo of a new sign they would like to use and asked the Board for approval. Rob Leni said a formal application needs to be submitted for Planning Board approval of the new sign. Herb Allen added that the sign falls under the monument sign rules and is not permitted to have a telephone number or website/e-mail addresses listed. Mrs. Gilhart expressed that she was not pleased with the way Fairport Road looks with the flags flying at Wells Landing and the bright colors on the businesses. Mrs. Gilhart asked to be added to next month's Planning Board Agenda.

A motion was made to approve the October 18, 2011 meeting minutes by Matt Fox and seconded by Christina Belles. Voting was 5-0, all in favor.

A motion to adjourn was made by Eric Schoenhardt and seconded by Christina Belles. Voting was 5-0, all in favor. The meeting adjourned at 7:38 pm.

Respectfully submitted,

Tracie Miller  
Recording Secretary