

**Minutes of the Town of Perinton
Zoning Board of Appeals
Meeting of March 23, 2015**

Zoning Board Members present

Thomas Young, Chairman
Vincent Arcarese
John N. Moose
Melissa L. Barrett
Seana Sartori
Robin Ward Ezell

Absent

Sam Space

Town Officials present

Robert Place, Town Attorney
John Beck, Zoning Officer
Lori Stid, Zoning Board Clerk

Mr. Young called the meeting to order at 7:30 pm, introduced the Board and staff present, and explained the procedures. He explains that Whitney Town Center application has been rescheduled to 4/27/15 at the request of the applicant.

NEW APPLICATIONS:

1. Byran Sheridan, as agent for Burgundy Basin Inn for property located at 1361 Marsh Road, requesting a Temporary Activity Permit Town under the Town Perinton Zoning Ordinance Section 208-54 E, to allow a fireworks display for a wedding on July 5th 2015. Said property being located in a Commercial District.

Bryan Sheridan and Jim Young, Young Explosives, presented the application to the Board as per letter of intent as shown below.



PO Box 18653
Rochester, N.Y. 14618

Plant: (585) 394-1783
1-800-747-1781
Fax: (585) 396-2663

DISPLAY FIREWORKS

www.youngexplosives.com

Ms. Lori Stid
Town of Perinton Zoning & Planning Board
1350 Turk Hill Road
Fairport, N.Y. 14450-8796



Dear Lori:

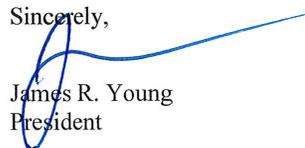
Our customer, Bryan Sheridan, will be submitting the paperwork for the permit request for his fireworks display at Burgundy Basin on Sunday, July 5, 2015. Young has agreed to the following conditions:

1. The show is scheduled to begin at approximately 9:45 pm and is scheduled to last about 18-20 minutes.
2. The explosives will be expended by Young Explosives Corporation
3. The fireworks display is to be launched from the area indicated on the site map that has been previously agreed upon with the Perinton Fire Marshal.
4. Young will notify the Monroe County Sheriff's Office.
5. Bordering neighbor to be notified via flyer or in person by Burgundy Basin.
6. Attachments:
 - a. Aerial map is enclosed showing the shoot site (Original & 11 copies)
 - b. Copy of insurance certificate (Original & 11 copies)
 - c. Application form-Special Use Permit (Original & 11 copies)
 - d. Short Environmental Assessment Form (Original & 11 copies)
 - e. Permission letter from Burgundy Basin owner (Original & 11 copies)
 - f. Check for \$50.00 from the customer

If you have any questions, or require any information regarding the fireworks display, please feel free to contact us.

Thank you for your assistance.

Sincerely,


James R. Young
President

Enclosures

Mr. Sheridan states this is for his wedding.

Mr. Young states that the application was thorough. The display will start at about 9:45 pm and will last approximately 20 minutes. He states that the map shows where the fireworks will be set off from and the ZBA received comments from the Perinton Fire Marshal as follows:

Date: March 23, 2015

To: Zoning Board of Appeals

Re: Z2015-0002, 1361 Marsh Rd. Pittsford, NY 14534

Please be advised that I have reviewed the above application to hold a fireworks display at the Burgundy Basin Inn.

I have visited the site with the applicant and contractor and find the location and proposed plan acceptable. Additionally, I recommend that neighboring properties within 500 feet be notified of the event prior to it commencing.

If there are any questions regarding this matter, please feel free to contact me.

Respectfully,

**Greg Seigfred
Fire Marshal**

Mr. Young states that the Monroe County Sheriff's Office, Perinton Volunteer Ambulance, Bushnell's Basin Fire Department, and neighboring properties within 500' are to be notified of the event prior to it by the applicant, and a

copy of those notification are to be sent to the Town of Perinton to the attention of the ZBA Clerk prior to the event. The insurance coverage has already been provided to the ZBA.

Jim Young states that these are low level fireworks like those at red wing stadium. He acknowledges that weather could effect if the display will happen or not.

None of the other Board members had any questions regarding the request.

Mr. Young asked for questions or comments from CED. Mr. Beck states that DPW and CED have no questions or comments on this request.

Mr. Young asked for questions or comments from Attorney Place. Mr. Place states that a SEQR determination is required on this request.

Mr. Young asked for questions or comments from the audience, and there were none.

Mr. Young made a motion to grant a Negative Declaration of SEQR. The applicant has worked out the location of where the fireworks display will be held with the Town of Perinton Fire Marshal. The property has room to accommodate an event like this. Applicant is to notify the Monroe County Sheriff's Office, Perinton Volunteer Ambulance, Bushnell's Basin Fire Department, and neighboring properties within 500' of the event prior to the event. Granting this permit will not tend to depreciate the value of adjacent property or create a hazard to health, safety, or general welfare, and will not be detrimental to the flow of traffic in the vicinity. It will not alter the essential character of the neighborhood or be detrimental to the residents in the area.

Mr. Moose seconds the motion.

Motion carries 6 – 0.

Mr. Young made a motion to grant a Temporary Activity Permit Town under the Town Perinton Zoning Ordinance Section 208-54 E, to allow a fireworks display for a wedding on July 5th 2015, subject to the following conditions:

1. This permit is valid for July 5, 2015.
2. The display to start at approximately 9:45 pm and will last approximately 20 minutes.
3. Fireworks display to be located in area agreed to by the Perinton Fire Marshal and as shown on map submitted to the Town.
4. Prior to the event, the applicant is to notify the Monroe County Sheriff's Office, Perinton Volunteer Ambulance, Bushnell's Basin Fire Department, and neighboring properties within 500' of the parcel of the event and a copy of those notifications are to be sent to the Town of Perinton to the attention of the ZBA Clerk prior to the event.

The insurance certificate has already been provide to the ZBA and is satisfactory. The applicant has worked out the location of where the fireworks display will be held with the Town of Perinton Fire Marshal. The property has room to accommodate an event like this. Applicant is to notify the Monroe County Sheriff's Office, Perinton Volunteer Ambulance, Bushnell's Basin Fire Department, and neighboring properties within 500' of the event prior to the event. Allowing this use to occur under these conditions will not prevent the orderly use of adjacent properties. The public health, safety or general welfare will not be adversely affected by allowing this event to occur. The physical characteristics and topography of the site make it suitable for the use. The access to the facility is adequate for the vehicular and pedestrian traffic that will be generated by this use in this location.

Mr. Moose seconds the motion.

Motion carries 6 – 0.

2. Marathon Engineering as agent for Whitney Town Center, LLC, owner of properties located at 666 Whitney Road (tax id # 157.07-1-21 – approximately 3.6 acres) and vacant land (northern portion - tax id# 157.07-1-20 – approximately 14.73 acres), requesting the following variances of the Town of Perinton Zoning Ordinance:

A. Section 208-27:

1. to allow the side setback for Building A to be 26.6 feet instead of 80 feet,
2. to allow the side setback for Garage A-1 to be 40.4 feet instead of 80 feet,
3. to allow the side setback for Building B to be 40.1 feet instead of 80 feet,
4. to allow the side setback for Garage B-3 to be 44.9 feet instead of 80 feet,
5. to allow the side setback for Building C to be 48 feet instead of 80 feet.

B. Section 208-42 H to allow the front landscaping buffer area to be 11 feet instead of 50 feet.

C. Section 208-42 D to allow the front setback for the existing building to be 79 feet instead of 85 feet.

Said properties being located in an Industrial District & Residential B District.

Discussion:

Minutes – 2/23/15

Mr. Young made a motion to approve the minutes of 2/23/15 as submitted.

Mr. Arcarese seconds the motion.

Motion carries 5 – 0 with one abstention of Ms. Barrett, due to absence.

There being no further business before the Board, the meeting adjourned at 7:45 PM.

Respectfully Submitted,

Lori L. Stid, Clerk