Zoning Board of Appeals
Minutes
January 21, 2016

Present	**Absent**
Chairman Dole	
Michael Flavin	
Dale Kellerson	
Diana Powell Keery	
Mark Unvericht	

Also Present

Zoning Board Attorney Eric Stowe
Zoning Board Secretary Pam Gilbert
Carol Nellis Ewell
Steve Soja
Wallace Johnson
Mark Merry
Heather Merry
Ron White
Scott Clyde

Chairman Dole led the Pledge of Allegiance.

Public Hearing

The application of Steve Soja representing University of Rochester, for a Special Permit to operate a Health Care Facility in a Business-3 district located at 42 Nichols Street, Suite 10, Spencerport, New York 14559 for a minimum of eleven (11) years, whereas, this use shall be permitted in all B District categories, subject in each case to the granting of a special permit by the Zoning Board of Appeals after a public hearing as provided in Article IX pursuant to Chapter 340-19 B(8) in a B-3 District.

The application of Steve Soja representing University of Rochester, for a Special Permit to operate a Health Care Facility in Suites 1 & 2, in a Business-3 district located at 42 Nichols Street, Spencerport, New York 14559 for a minimum of eleven (11) years, whereas, this use shall be permitted in all B District categories, subject in each case to the granting of a special permit by the Zoning Board of Appeals after a public hearing as provided in Article IX pursuant to Chapter 340-19 B(8) in a B-3 District.

Steve Soja stated that we were in front of you a couple of months ago at least the manager was. I am the commercial real estate broker for the property. So I work for the landlord Sergey Rozum Company, LLC. We are here again because the University has put together a lease with us and the term is for ten years. The beginning of the lease will be when we get the certificate of occupancy so we are requesting a minimum of 11 years for the Special Permit. It will be used as a health care facility. The university will be putting a significant amount of money into the build out of the property and they just want to make sure they are good to go for the full term of the lease.

At this time Chairman Dole closed the Public Hearing.

Chairman Dole then asked Attorney Stowe and the board if they have any comments.

Dale Kellerson: It is just changing the number of years, correct.

Steve Soja: Yes.

Chairman Dole stated that we will have two resolutions for each application one for the Office area and one for the urgent care.

Steve Soja: Yes, they will be two separate spaces within the plaza. The internal medicine area will be 7500 square feet and will be located at Suite 10. The urgent care is planning to redo their space and expand into where the internal medicine area is currently and will be in Suites 1 & 2. So what was once internal medicine and urgent care will become just urgent care.

RESOLUTION 289/2016

WHEREAS, the Village of Spencerport Zoning Board of Appeals has before it an application from Steve Soja representing University of Rochester for a special permit to allow a health care facility to be operated on property at 42 Nichols Street, Suite 10, Spencerport, New York 14559, and

WHEREAS, the application for a special permit is an unlisted action pursuant to the New York State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Village of Spencerport Zoning Board of Appeals has conducted a public hearing this 21st day of January, 2016, and

WHEREAS, the Village of Spencerport Zoning Board of Appeals has considered the short environment assessment form and the evidence obtained from the public hearing,

NOW THEREFORE BE IT RESOLVED, that the Village of Spencerport Zoning Board of Appeals does hereby conclude that the application of Steve Soja representing University of Rochester will have no negative environmental impacts and does hereby issue a negative declaration pursuant to SEQRA.

BE IT FURTHER RESOLVED that the Chairman of the Village of Spencerport Zoning Board of Appeals is directed to sign Part III of the short environmental assessment form confirming this negative declaration.

Motion: Mark Unvericht
Second: Michael Flavin

Vote of the Board:

Ayes: Dole, Flavin, Kellerson, Powell Keery, Unvericht
Nays: None

RESOLUTION 290/2016

WHEREAS, the Village of Spencerport Zoning Board of Appeals has before it an application from Steve Soja representing University of Rochester for a special permit to operate a health care facility on property at 42 Nichols Street, Suite 10, Spencerport, New York 14559, and

WHEREAS, the Village of Spencerport Zoning Board of Appeals has conducted a public hearing this 21st day of January, 2016, and

WHEREAS, the Village of Spencerport Zoning Board of Appeals has previously issued a negative declaration pursuant to the New York State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED, that the Village of Spencerport Zoning Board of Appeals does hereby grant a special permit to for a special permit to Steve Soja representing University of Rochester to operate a health care facility on property at 42 Nichols Street, Suite 10, Spencerport, New York 14559

BE IT FURTHER RESOLVED that the following conditions are imposed on this special permit:

- ☐ This Special Permit shall expire 11 years from today's date;

Motion: Mark Unvericht
Second: Michael Flavin

Vote of the Board:

Ayes: Dole, Flavin, Kellerson, Powell Keery, Unvericht
Nays: None

RESOLUTION 291/2016

WHEREAS, the Village of Spencerport Zoning Board of Appeals has before it an application from Steve Soja representing University of Rochester for a special permit to allow a health care facility to be operated on property at 42 Nichols Street, Suites 1 & 2, Spencerport, New York 14559, and

WHEREAS, the application for a special permit is an unlisted action pursuant to the New York State Environmental Quality Review Act (SEQRA), and

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BE IT FURTHER RESOLVED that the Chairman of the Village of Spencerport Zoning Board of Appeals is directed to sign Part III of the short environmental assessment form confirming this negative declaration.

Motion: Mark Unvericht
Second: Diana Powell Keery

Vote of the Board:

Ayes: Dole, Flavin, Kellerson, Powell Keery, Unvericht
Nays: None

RESOLUTION 292/2016

WHEREAS, the Village of Spencerport Zoning Board of Appeals has before it an application from Steve Soja representing University of Rochester for a special permit to operate a health care facility on property at 42 Nichols Street, Suites 1 & 2, Spencerport, New York 14559, and

WHEREAS, the Village of Spencerport Zoning Board of Appeals has conducted a public hearing this 21st day of January, 2016, and

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BE IT FURTHER RESOLVED that the following conditions are imposed on this special permit:

[] This Special Permit shall expire 11 years from today's date;

Motion: Mark Unvericht
Second: Diana Powell Keery

Vote of the Board:

Ayes: Dole, Flavin, Kellerson, Powell Keery, Unvericht
Nays: None

Chairman Dole stated that Benjamin Race of Race Storage Sheds LLC, has withdrawn his application. Therefore, no action is needed.

Unfinished Business

Nothing requiring Board action

New Business

Nothing requiring Board action

Approval of Minutes

Motion made by Diana Powell Keery seconded by Michael Flavin and carried unanimously to approve the December 17, 2015 minutes as written.

Adjournment

Motion made by Diana Powell Keery seconded by Dale Kellerson and carried unanimously to adjourn the meeting at 7:05 pm.