



**TOWN OF PENFIELD**  
***3100 Atlantic Avenue, Penfield, NY 14526-9798***

**ZONING BOARD OF APPEALS AGENDA**

Thursday, February 20, 2025 6:00 PM

Daniel DeLaus, Chairman presiding

Kevin Berry, Town Board Liaison

- I. Call to Order
- II. Approval of Minutes – January 16, 2025
- III. Work Session
- IV. Tabled Applications:
  1. Application 24Z-0058  
2051 Fairport Nine Mile Point Rd  
Chic-Fil-A
- V. Public Hearing Applications. Opportunities for Public Participation and Board Deliberations Following Each Applicant Presentation.
  1. Application 25Z-0002  
1391 Salt Road  
Jared Lusk/Nixon Peabody, LLP
  2. Application 25Z-0003  
1750 Salt Road  
Christopher and Ann Marie Banton
- VI. Session
- VII. Next Meeting: Thursday, March 20, 2025
- VIII. Adjournment

## **A NOTICE OF PUBLIC HEARING, PENFIELD ZONING BOARD OF APPEALS LEGAL NOTICE WITH TABLED MATTERS**

PLEASE TAKE NOTICE that a Public Hearing will be held on Thursday, February 20, 2025, immediately following a work session meeting commencing at 6:00 PM local time. The board will discuss tabled matters and other business that may come before it during the work session, followed by a Public Hearing to consider each of the following applications.

### New Public Hearing Applications:

1. Jared Lusk/Nixon Peabody, LLP, 1300 Clinton Square, Rochester, NY, 14604 on behalf of Bell Atlantic Mobile Systems, LLC d/b/a Verizon requests approval for Area Variances under Section 250-14.3 of the Code to allow a Commercial Tower-Based Wireless Communications Facility with less setbacks than required under Section 250-13.11-B (7) (e) of the Code at 1391 Salt Road. The property is currently or formerly owned by the Northeast Joint Fire District and is zoned RA-2. SBL #095.04-1-43. Application #25Z-0002.
2. Christopher and Ann Marie Banton, 1750 Salt Road, Fairport, NY, 14450 request approval for Area Variances under Section 250-14.3 of the Code to allow an accessory storage building that is larger than permitted under Section 250-5.1-F (12) (a) of the Code and taller than permitted under Section 250-5.1-F (12) (c) of the Code at 1750 Salt Road. The property is currently or formerly owned by Christopher and Ann Marie Banton and is zoned RA-2. SBL #126.01-1-2. Application #25Z-0003.

### Tabled Matters:

1. Chick-Fil-A, 520 Buffington Road, Atlanta, GA, 30349 requests approval for Area Variances under Section 250-14.3 of the Code to allow the construction of a new restaurant with drive-thru and associated site improvements with less setback than required under Section 250-5.6-D (3) of the Code, less buffer than required under Section 250-7.2-A of the Code, less parking than required under Section 250-7.7-D of the Code, and greater lot coverage/less green space than required under Section 250-6.3-F (2) of the Code at 2051 Fairport Nine Mile Point Road. The applicant is also requesting approval for a Special Permit for Signage under Section 250-10.3-A of the Code to allow more building signage than permitted under Section 250-10.13-C of the Code, signage with greater graphics, trademarks, or logos than permitted under Section 250-10.11-E of the Code, and a larger freestanding sign than permitted under Section 250-10.12-B (1) of the Code with less setback than permitted under Section 250-10.12-D of the Code. The property is currently or formerly owned by No Look Landing, LLC and is zoned Limited Business (LB). SBL # 125.17-1-9. Application #24Z-0058.

Please contact the Building and Zoning Department with any questions or concerns.

Amy Steklof  
Town Clerk, RMC/CMC