



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

**ZONING BOARD OF APPEALS AGENDA**

Thursday, June 20, 2024, 5:30 PM  
Daniel DeLaus, Chairman presiding  
Kevin Berry, Town Board Liaison

- I. Call to Order
- II. Approval of Minutes – May 16, 2024
- III. Work Session
- IV. Tabled Applications:
  1. Application 24Z-0017  
3408 Atlantic Avenue  
Christopher Sobolewski
  2. Application 24Z-0018  
85 Sovran Drive  
Ian Kuchman/McMahon LaRue Associates
- V. Public Hearing Applications. Opportunities for Public Participation and Board Deliberations Following Each Applicant Presentation.
  1. Application 24Z-0021  
2067 Fairport Nine Mile Point Road  
Kirk Wright/Sign & Lighting Services
  2. Application 24Z-0022  
29 Woodfield Drive  
Kimberly Titus
  3. Application 24Z-0023  
1704 Penfield Road  
Jeffrey & Robin Jennings/Jennings Nulton & Mattle Funeral Home, Inc.
  4. Application 24Z-0024  
1694 Penfield Road  
Greg Grillo/Arcade 80's
  5. Application 24Z-0025     **WITHDRAWN**  
11 Crowne Pointe Drive  
Nate Esh/Keystone Custom Decks
  6. Application 24Z-0026     **WITHDRAWN**  
67 Stoneledge Way  
Jeffrey Neufeglise
  7. Application 24Z-0027  
1530 and 1550 Empire Boulevard  
Christopher DiPasquale/DCI Property Group, LLC
  8. Application 24Z-0028  
1216 Harris Road  
James Brasley
  9. Application 24Z-0029  
1820 Plank Road  
Brandon Emerson

Building & Zoning: (585) 340-8636 | [building@penfield.org](mailto:building@penfield.org) | [www.penfield.org](http://www.penfield.org)  
*This meeting will be video recorded and broadcast LIVE via the town's website [www.penfield.org](http://www.penfield.org)  
and the Town's Government Access Cable Channel 1303  
Questions regarding video coverage contact Penfield TV at (585) 340-8661.*

- VI. Executive Session
- VII. Next Meeting: Thursday, July 18, 2024
- 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, June 20, 2024, immediately following a work session meeting commencing at 5:30 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.

Public Hearing Applications:

1. Kirk Wright/Sign & Lighting Services, PO Box 597, Ontario, NY 14519, on behalf of Five Guys restaurant requests approval for a Special Permit for Signage under Section 250-10.3-A of the Code to allow a second building sign whereas a maximum of one building sign is permitted under Section 250-10.13-C of the Code and building signage with greater overall area than permitted under Section 250-10.13-B of the Code at 2067 Fairport Nine Mile Point Road. The property is currently or formerly owned by Conifer Penfield Associates and is zoned GB. SBL #140.05-1-1.2/2067. Application #24Z-0021.
2. Kimberly Titus, 29 Woodfield Drive, Webster, NY, 14580 requests approval for an Area Variance under Section 250-14.3 of the Code to allow a pool house with less setback than required under Section 250-5.1-F (1) of the Code at 29 Woodfield Drive. The property is currently or formerly owned by Kimberly and Donald Titus and is zoned R-1-20. SBL #108.08-1-121. Application # 24Z-0022.
3. Jeffrey & Robin Jennings/Jennings Nulton & Mattle Funeral Home, Inc, 1704 Penfield Road, Penfield, NY, 14526, request approval for a Special Permit for Signage under Section 250-10.3-A of the Code to allow a freestanding sign with less setback than required under Section 250-10.12-D of the Code at 1704 Penfield Road. The property is currently or formerly owned by JARM Properties, LLC and is zoned BN-R. SBL #139.05-1-47. Application #24Z-0023.
4. Greg Grillo/Arcade 80's, 1676 Penfield Road, Rochester, NY 14625, requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.6-C (1) (e) of the Code to allow a game arcade business at 1694 Penfield Road. The property is currently or formerly owned by D & L Realty, Inc. and is zoned LB. SBL #139.05-1-53. Application #24Z-0024.
5. Nate Esh/Keystone Custom Decks, 2869 NY-54a, Keuka Park, NY, 14478, on behalf of Vincenzo & Janessa Marcello requests approval for an Area Variance under Section 250-14.3 of the Code to allow a pool house with less setback than required under Section 250-5.1-F (1) of the Code at 11 Crowne Point Drive. The property is currently or formerly owned by Vincenzo and Janessa Marcello and is zoned R-1-20. SBL #094.18-1-23. Application #24Z-0025. **WITHDRAWN**
6. Jeffrey Neufeglise, 67 Stoneledge Way, Penfield, NY, 14526, requests 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

with less setback than required under Section 250-5.1-F (12) (b) of the Code at 67 Stoneledge Way. The property is currently or formerly owned by Jeffrey and Amy Neufeglise and is zoned R-1-20. SBL #124.01-5-39. Application #24Z-0026.

**WITHDRAWN**

7. Christopher DiPasquale/DCI Property Group, LLC, 120 Marina Drive, Suite 203, Rochester, NY, 14626, requests approval for Area Variances under Section 250-14.3 of the Code to allow less covered parking than required under Section 250-7.7-D (1) of the Code at 1530 and 1550 Empire Boulevard. The properties are currently or formerly owned by 1520-1550 Empire, LLC and are zoned MR. SBL #093.19-2-33 and #093.19-2-34. Application #24Z-0027.
8. James Brasley, 10 Cambridge Court, Fairport, NY, 14450 on behalf of Peter & Donna Salim requests approval for Area Variances under Section 250-14.3 of the Code to allow a second accessory storage building whereas a maximum of one accessory storage building is permitted under Section 250-5.1-D (4) of the Code that is larger than the principal structure as required by Section 250-2.2 of the Code, and taller than permitted under Section 250-5.1-F (12) (c) of the Code, with less setback than required under Section 250-5.1-F (12) (b) of the Code at 1216 Harris Road. The property is currently or formerly owned by Peter and Donna Salim and is zoned RA-2. SBL #095.02-2-3.6. Application #24Z-0028.
9. Brandon Emerson, 27 Woodrose Drive, Webster, NY, 14580 on behalf of David and Wanda Williams requests approval for an Area Variance under Section 250-14.3 of the Code to allow an accessory storage building with less setback than required under Section 250-5.1-F (12) (b) of the Code at 1820 Plank Road. The property is currently or formerly owned by David and Wanda Williams and is zoned RA-2. SBL #096.03-1-25. Application #24Z-0029.

Tabled Matters:

1. Christopher Sobolewski, 3408 Atlantic Avenue, Penfield, NY, 14526 requests approval for an Area Variance under Section 250-14.3 of the Code to allow a taller fence than permitted under Section 250-7.1-D (1)-ii of the Code at 3408 Atlantic Avenue. The property is currently or formerly owned by Christopher Sobolewski and is zoned RA-2. SBL #110.03-1-10.1. Application #24Z-0017.
2. Ian Kuchman/McMahon LaRue Associates, 822 Holt Road, Webster, NY, 14580 on behalf of Anthony Imburgia/1270 Creek Street, LLC, requests approval for Area Variances under Section 250-14.3 of the Code to allow a proposed building with less setbacks than required under Section 250-5.7-D (3) of the Code and less parking than required under Section 250-7.7-D of the Code at 85 Sovran Drive. The property is currently or formerly owned by 1270 Creek Street, LLC and is zoned GB. SBL #093.15-1-2.116. Application #24Z-0018.

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