

**Zoning Board Meeting
September 15, 2005**

Present

Chairman Powell Keery
John Dole
Michael Flavin
Barbara Strine

Absent

Others Present

Donna Stassen, Secretary
Trustee Theodore Rauber, Liaison Board

Chairman Powell Kerry led the Pledge of Allegiance.

Public Hearing

The application of ESL Federal Credit Union, 100 Kings Highway South, Rochester NY for a proposed 6' high chain link fence to be located at 41 Nichols Street, Spencerport, NY. Whereas, a fence erected in a non-residential district shall require approval of the Zoning Board of Appeals pursuant to Chapter 140-31-B. (1) in a B -3 District.

Sean Noonan will be representing ESL's application.

Mr. Noonan: We would like to install a 6 ft high green vinyl coated chain link high quality fencing. The reason for the fence is to prevent any criminals from accosting our members as they operate the ATM. The main reason for this is all of the undergrowth back there, allows the opportunity for someone to hide. Our maintenance crew has cleared back as far as they can to the ditch that runs back there, it is almost like a jungle back there. By putting this six six-foot fence along there, it would be a deterrent and a barrier to anything like this occurring.

Mr. Noonan: These are very attractive fences.

Mr. Noonan mentioned that just last Sunday night at another ATM on Spencerport Road someone was hiding behind construction materials sitting near the ATM. A perpetrator with a gun approached a member.

The board reviewed the style of fencing proposed.

Chairman Powell Keery stated that members of the community have shared with her their delight in having the fence installed.

John Dole asked if the area behind the fence would still be maintained.

Mr. Noonan: Yes, that site is visited weekly for maintenance.

Chairman Powell Keery asked if there had been any incidents at this branch.

Mr. Noonan: No.

John Dole: What about snow removal, I think you push the snow up against where the fence now.

Mr. Noonan: We put a special snow fence up as a barrier between ESL and the attorney next door. Our contractor removes the snow accumulated as it starts to pile up. We have not had a problem yet.

John Dole stated that a letter from Attorney Schum (file) was received and reviewed by the Zoning Board.

At this time, the Board offered the following resolution.

**Resolution No. 153
September 15, 2005**

**Introduced by John Dole
Seconded by Michael Flavin**

Resolved that the application of ESL Federal Credit Union, 100 Kings Highway South, Rochester, NY for an area variance to construct a vinyl chain link fence 6' high on property located on 41 Nichols Street, Spencerport, NY be approved based on the following criteria.

1. The fence will not have a negative impact on the neighborhood.
2. Nor, will such fence have an adverse environmental impact on the neighborhood.

Furthermore, the following conditions have been placed on such variance.

1. ESL Federal Credit Union is responsible for maintaining the fence.
2. Such fence to be installed to professional standards.

Such fence is a Type 2 action and no further environmental review is required.

Ayes: Powell Keery, Dole, Flavin, Strine
Nays: None

Approval of Minutes:

Motion made by John Dole, seconded by Michael Flavin, and carried unanimously to approve the July 20, 2005 minutes as read

Adjournment:

Motion made by Chairman Powell Keery seconded by John Dole and carried unanimously to adjourn the meeting at 7:20 to go into workshop.