

**VILLAGE OF HONEOYE FALLS ZONING BOARD**

**February 23, 2009**

**MEMBERS PRESENT:** Hal Gaffin, Chair; Hank Besanceney; Mark Donahoe; Jim Hoh; Theresa Markham

**ALSO PRESENT:** Anna Salvaggio; Sunday Thomson

**Chair Gaffin opened the public hearing at 7:30 PM**

**SPECIAL EXCEPTION USE – 58 NORTH MAIN STREET: ANNA SALVAGGIO AND SUNDAY THOMSON**

Ms. Salvaggio and Ms. Thomson presented their plans for a physical fitness/gymnasium at 58 N. Main St. The name of the business will be THRIVE. The main part of the business will be concentrated on community physical fitness. They very much want it to be a child-friendly place and are planning to have mother/child classes, an indoor play area, adult only classes, and senior classes. They will offer free child minding while the mother is using the fitness facilities. They are also looking into the possibility of having themed birthday parties and a 24 hour gym.

Mark Donahoe asked Ms. Salvaggio and Ms. Thomson the total area of the space they are renting. It is 2600 sq. ft. As the business grows they will offer more community programs.

Theresa Markham asked the anticipated hours of operation. They stated that initially they are hoping to open from 8:00 AM to 7:00 PM.

Jim Hoh asked what programs/services will be offered from day one. They explained that there are four rooms. They will offer an indoor apparatus/exercise area for young children (pay service), a child watch room (free while mothers are using the gymnasium), a cardiovascular workout area and a weights room.

Mark Donahoe asked how many employees they will have. Ms. Salvaggio answered that Ms. Thomson will teach classes and they are thinking of renting the space to others who want to teach a classes rather than hiring instructors (the instructor would pay a fee to use the space for the class and then keep whatever fees are charged for taking that class). Altogether, they think there will be 4-6 employees. They will be open six days per week (Mon-Sat).

Several Board members brought up the issue of parking. Original zoning permission was granted to the landlord (Bill Edwards) in 2002, contingent on there being 31 existing parking spaces which would increase to 41 spaces once more than 75% of the building was occupied (see attached letter, dated January 29, 2002). The Board acknowledged that the parking issue is the landlord's problem to solve, not the tenants'. Charlie Johnson agreed to talk to Mr. Edwards about the parking situation and will ask him to confirm that the 31 original parking spaces will be made available.

There were no members of the public present. Chair Gaffin closed the public hearing at 8:12 PM.

Motion by Hank Besanceney, seconded by Jim Hoh, to approve the special exception use contingent upon the number of parking spaces being brought into line according to the original 2002 agreement.

ALL IN FAVOR  
MOTION CARRIED – SPECIAL EXCEPTION USE GRANTED

The Board filled out the Special Exception Use Determination Worksheet (see attached).



**APPROVE MINUTES FROM JANUARY 26, 2009**

Motion by Mark Donahoe, seconded by Jim Hoh, to approve the minutes from the January 26, 2009 ZBA as presented.

ALL IN FAVOR  
MOTION CARRIED – MINUTES APPROVED



Motion by Hank Besanceney, seconded by Theresa Markham, to adjourn the meeting at 8:34 PM.

ALL IN FAVOR  
MOTION CARRIED – MEETING ADJOURNED

*Respectfully submitted,  
Judi Barrett  
Clerk for the Zoning Board of Appeals*

# Village of Honeoye Falls

INCORPORATED 1838

HONEOYE FALLS, N.Y. 14472

5 EAST STREET

624-1711

CLERK - TREASURER  
JEAN M. BATTE

VILLAGE ATTORNEY  
MICHAEL J. TOBIN



MAYOR  
STEPHEN R. GUSTIN

TRUSTEES  
GERARD T. PAVELSKY  
STANLEY E. WORBOYS, JR.  
RICHARD B. MILNE  
JAMES F. ALFIERI

January 29, 2002

Mr. Bill Edwards  
259 Quaker Meeting House Road  
Honeoye Falls, NY 14472

Dear Mr. Edwards:

Please be advised that the Zoning Board of Appeals granted your application for a variance from the parking requirements for the proposed development of the above-mentioned premises with the following stipulations and conditions:

1. The Board determined that the proposed use of the property requires a minimum of 41 parking spaces.
2. The site plans, last dated January 23, 2002, with revisions to be made by you, presents 31 parking spaces.
3. The Board requested that you enter into a long-term arrangement, preferably by easement, with the property owner to the north of your property for the additional 10 parking spaces.
4. Until such time that you enter into a long-term arrangement for the additional parking spaces, the Board approved development/use of 75% of the buildings on the premises.
5. Please submit the agreement with the property owner to the north for approval by the Zoning Board of Appeals. Upon receipt and approval of the agreement by the Zoning Board, the Board will take action to grant a variance for use of the remainder of the building.
6. Please advise the Board of the status of the agreement process by the fourth Monday of each month (the Board's meeting date).

Any questions regarding this matter may be directed to the Village Hall at 624-1711.

Very Truly Yours,

*C. Harold Gaffin sc*

C. Harold Gaffin  
Chairman, Zoning Board of Appeals

cc: Ben Kendig  
Michael Tobin

Village of Honeoye Falls  
ZONING BOARD OF APPEALS  
SPECIAL EXCEPTION USES DETERMINATION

Applicant/Owner: Anna Salvaggio - Thrive  
Property Address: 58 N. Main St.  
Special Exception Use Requested: Physical Fitness/Gymnasium

In order for the ZBA to grant a special exception use, an applicant must prove that the special exception use will be in harmony with and promote the general purposes and intent of the Village Code as stated in chapter §190-2.

The Zoning Board made the following findings:

1. THE PLOT AREA  IS  IS NOT SUFFICIENT, APPROPRIATE AND ADEQUATE FOR THE USE AND REASONABLY ANTICIPATED OPERATION AND EXPANSION THEREOF. EXPLAIN: appropriate for the use however parking is still an issue!
2. THE PROPOSED USE  WILL  WILL NOT PREVENT THE ORDERLY AND REASONABLE USE OF ADJACENT PROPERTIES AND/OR DISTRICTS (this includes providing of all required buffer yard screening as if it were an allowable use). EXPLAIN: No impact on adjacent uses.
3. THE SITE  IS  IS NOT SUITABLE FOR THE LOCATION OF SUCH USE IN THE COMMUNITY AND THE CHARACTERISTICS OF THE PROPOSED USE  ARE  ARE NOT SUCH THAT ITS PROPOSED LOCATION IS UNSUITABLY NEAR TO A CHURCH, SCHOOL, RECREATIONAL THEATER OR OTHER PLACE OF PUBLIC ASSEMBLY. EXPLAIN: No issues with neighboring uses
4. THE SPECIAL EXCEPTION USE  WILL  WILL NOT HAVE ANY ADVERSE PHYSICAL OR ENVIRONMENTAL EFFECTS ON THE NEIGHBORHOOD OR DISTRICT. EXPLAIN: Proposed use fits in with the building + neighborhood.

Zoning Board Decision: Based upon the above findings, the Zoning Board

GRANTS  DENIES the area variance application.

X Hal Haffner  
Chairman Signature

2/23/09  
Date