

**RUSH ZONING BOARD OF APPEALS
SPECIAL MEETING
MINUTES OF MARCH 26, 2013**

A regular meeting of the Rush Zoning Board of Appeals was held on March 26, 2013 at the Rush Town Hall, 5977 East Henrietta Road, and was called to order at 7:00 PM.

BOARD MEMBERS PRESENT: Don Van Lare, Chairman
Robert Weiler
Amber Corbin
Kelly Pruden
Garry Koppers
Meribeth Palmer, Deputy Town Clerk
John Mancuso, Town Attorney

OTHERS PRESENT: Ansgar Schmid, Resident
Kathryn Hankins, Resident
Lee Hankins, Resident
Jack Mould, Resident
Maryann Rizzo, Resident
Jeffrey Metchick, Resident
Dave Sluberski, Resident
Julia Lederman, Conservation Board Member, Resident
Pat Kraus, Conservation Board Member, Resident
Cathy Hughes, Resident

Chairman Van Lare opened the meeting at 7:00 PM and welcomed all to the Special Zoning Board of Appeals meeting.

ADJOURNED APPLICATION:

Use Variance Application 2013-01Z By Robert Turner and Henry Hansen for the development of a 12,750 square foot building to accommodate an office and storage space for commercial drilling equipment/vehicles. Property is located at 7566 West Henrietta Road. Property is zoned commercial.

Chairman Van Lare prepared and read the following statement:

Based upon a request by the attorneys for the applicants and the advice of the Zoning Board of Appeals' legal counsel, this meeting is adjourned until 7:00 PM on Thursday April 11, 2013 upon its conclusion.

Chairman Van Lare stated that Town Attorney John Mancuso is in attendance if there are any questions.

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Resident Marianne Rizzo stated that she did not understand why the meeting was adjourned.

Chairman Van Lare stated this afternoon the Zoning Board of Appeals received a letter from the applicant's attorney requesting that the meeting be adjourned until April 11, 2013. Rush Town Attorneys are in agreement and advised adjournment.

Chairman Van Lare apologized to audience members attending for the delay.

Resident Kathryn Hankins asked if materials could still be submitted into the record. Mrs. Hankins stated that she was told by the Department of State that she should reflect on what happened at the previous public hearing and that any statements or other information that pertain to the application can be added if the public hearing remains open. Mrs. Hankins was unsure if the public hearing was still open.

At the Zoning Board of Appeals meeting on March 14th, Chairman Van Lare stated that the public hearing has been closed. However, he would keep the record open until March 26th for those who wanted to submit additional letters and materials.

Mrs. Hankins stated that she was hoping to have time to come into the town hall to review the taped minutes.

Chairman Van Lare stated the he would accept additional materials into the record until April 4, 2013.

Ms. Rizzo asked if the Board could explain why the meeting was adjourned.

Town Attorney Mancuso stated that all we know at this time is the applicant may try to submit information to the town clarifying their application.

With no further business Chairman Van Lare declared the meeting closed at 7:15 PM.

Respectfully Submitted,

Meribeth Palmer
Deputy Town Clerk