A Regular Meeting of the Zoning Board of Appeals was held on Thursday, June 28, 2018, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, 14472 at 7:00 p.m.

PRESENT: Bruce Peckham

 Daniel Bassette

 Clayton Lacey

David Cook

ABSENT: Liz Sciortino

ATTORNEY: Jeff Clark

OTHERS: Councilperson John Hagreen, and 4 others

Minutes were taken by Michelle Booth.

Mr. Peckham opened the meeting at 7:00 p.m.

**LOEWENGUTH AREA VARIANCE PUBLIC HEARING**

Joshua Loewenguth, 844 Boughton Hill Road, Victor, NY, for an area variance at said property, consisting of 1.37 acres, bearing Tax Account No. 224.03-1-27.1, located in an RA-1 zone, to build a 40’ x 60’ outbuilding which results in a lot coverage of 4%, whereas 1% is allowed by code.

Mr. Peckham acknowledged the affidavit of posting of the sign and waived the reading of the public notice.

Mr. Loewenguth explained his proposed plan. He has also decided that he might only need a 30’ x 50’ outbuilding at this point, so that it wouldn’t take up as much of a footprint.

Mr. Lacey asked what he would use the building for. Mr. Loewenguth stated the half would be used for utility storage of yard equipment and a workshop. The other half he would like to use for entertainment space.

Mr. Clark asked if this was the only outbuilding. Mr. Loewenguth said yes.

Mr. Bassette asked about the existing playground. Mr. Loewenguth said he might have to move it slightly, but he can probably work around it.

Mr. Lacey asked if they would be paving a driveway to it. Mr. Loewenguth said no, he would want to have water and electric.

Mr. Peckham asked if he is on a septic and would he have access to it. Mr. Loewenguth stated that he believed he could use the existing but he would need to check.

Mr. Cook asked if he was directly West of the Cemetery. Mr. Loewenguth said he is to the East.

Mr. Peckham asked if this would be one or two stories. Mr. Loewenguth said it would be one story and maybe add a loft of some sort for storage.

Mr. Clark explained that the building cannot exceed 35 feet per Town Code.

Mr. Lacey asked why he needs four times the size of what is allowed. Mr. Loewenguth stated that he thinks he would like to double what he has in garage space because it would give him enough room to do what he needs.

Mr. Peckham wanted to advise Mr. Loewenguth about a few things. He said zoning board has to follow the law to minimize the variance to be reasonable and feasible. This is pretty substantial because it is such a large building for a small lot. He said that it would cause an undesirable change to the neighborhood because of the size.

Mr. Loewenguth said the backyard is about 15 feet below the road with a substantial pine tree line. He does not believe that the neighbors could even see it.

Mr. Peckham asked if he would like to extend the Public Hearing so he would have time to finalize exactly what he would like. Mr. Loewenguth stated that he would like to do that.

He believes that he could reduce the percentage of variance coverage needed.

Mr. Peckham asked if the request will have an undesirable change to the neighborhood. Mr. Loewenguth stated no.

Mr. Peckham asked if the request could be achieved by any other means. Mr. Loewenguth stated no.

Mr. Peckham asked if the request is substantial. Mr. Loewenguth stated yes.

Mr. Peckham asked if the request would have any adverse physical or environmental effects. Mr. Loewenguth stated no.

Mr. Peckham asked if the request was self-created. Mr. Loewenguth stated no.

Mr. Peckham told him to get a final footprint for the next meeting. He also explained the lighting code.

Mr. Bassette explained that he should ask for what he really needs because he can always go smaller, but not bigger that what they approve.

Mr. Cook asked what percent he would be at if he did a 30’ x 50’ building. They figured about 3% lot coverage.

Mr. Peckham asked if there were any public comments.

Mark Coene, 842 Boughton Hill Rd, is a neighbor. He is concerned with the size, It’s two times larger than the home. If he sits at the corner of his pool he will be able to see a little bit of it. Mr. Lacey asked if it would be better to have a natural buffer. Mr. Loewenguth stated there is already a heavy barrier of Pine trees which makes the building barely noticeable.

**MOTION**

Mr. Lacey moved, seconded by Mr. Bassette, to extend the PH to July 26.

**APPROVED**

Mr. Peckham – aye; Mr. Bassette – aye; and Mr. Lacey – aye; and Mr. Cook – aye

**SCHOFF AREA VARIANCE PUBLIC HEARING**

Robert Schoff, NY, 353 Parrish Road, Honeoye Falls, NY, for an area variance at said property, consisting of 2.66 acres, bearing Tax Account No. 230.2-1-13.3, located in an RA-1 zone, to build a 30’ x 48’ outbuilding which exceeds the allowed lot coverage by 717 square feet.

Mr. Peckham opened the Public Hearing.

Mr. Schoff explained his plans. The barn would be 30’ x 48’ with 2 stories. It will be roughly 24ft tall. Including the 2nd story, the square footage will be about 2408 sq. ft and be on a 3-acre lot. The ground foot print would only be 1440 sq. ft. This is about 1.6% lot coverage.

The Board reviewed the instrument survey. Mr. Schoff explained that all but one of the other buildings on the property will be taken down. The one remaining is used for the kids’ playhouse.

He explained that he does woodworking and he needs the building for storage.

Mr. Peckham asked if the request will have an undesirable change to the neighborhood. Mr. Schoff stated no.

Mr. Peckham asked if the request could be achieved by any other means. Mr. Schoff stated no.

Mr. Peckham asked if the request is substantial. Mr. Schoff stated yes.

Mr. Peckham asked if the request would have any adverse physical or environmental effects. Mr. Schoff stated no.

Mr. Peckham asked if the request was self-created. Mr. Schoff stated yes.

Mr. Lacey asked if there would be electric to the building. Mr. Schoff said yes, but no water or heat.

There were no comments from the Public.

**MOTION**

Mr. Lacey moved, seconded by Mr. Bassette, to close the Public Hearing.

**APPROVED**

Mr. Peckham – aye; Mr. Bassette – aye; and Mr. Lacey – aye; and Mr. Cook – aye

**MINUTES**

**MOTION**

Mr. Cook moved, second by Mr. Bassette, to approve the April 12 minutes as amended.

**APPROVED**

Mr. Peckham – aye; Mr. Bassette – aye; and Mr. Lacey – aye; Mr. Cook – aye

**MOTION**

Mr. Bassette moved, second by Mr. Peckham, to approve the May 10 minutes as submitted.

**APPROVED**

Mr. Peckham – aye; Mr. Bassette – aye; and Mr. Lacey – aye; Mr. Cook – aye

**DISCUSSION**

The Board discussed the discussed changes that will be discussed at the July 16 Town Board Meeting.

Mr. Bassette reported back about the Planning Board meeting that he attended concerning Mr. Osovski’s Farm Market.

Mr. Peckham asked Mr. Clark what they will do about Osovski’s Farm market proposal. At the May 10 meeting they had made a motion to rehear the case and then it was sent to the Planning Board. Mr. Peckham said that the board should finish this but didn’t know how. Mr. Clark will check on this.

**MOTION**

Mr. Lacey moved, second by Mr. Cook, to adjourn.

**APPROVED**

Mr. Peckham – aye; Mr. Bassette – aye; and Mr. Lacey – aye; Mr. Cook – aye