A Regular Meeting of the Zoning Board of Appeals was held on Thursday, September 13, 2018, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, 14472 at 7:00 p.m.

PRESENT: Daniel Bassette

 Clayton Lacey

 Liz Sciortino

ABSENT: David Cook

ATTORNEY: Jeff Clark

OTHERS: Councilperson Tom Dubois

Minutes were taken by Michelle Booth.

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

**WEEKS AREA VARIANCE PUBLIC HEARING**

David and Charlene Weeks, 4181 Clover Street, Honeoye Falls, NY, consisting of 4.35 acres, bearing Tax Account No. 203.04-1-14, located in an RA-2 zone, requesting an area variance to build a 1,071.7 square foot roof overhang to the existing barn, which is 4,072.2 square feet, for a total of 5,143.9 square feet, whereas 1,894.86 square feet is allowed, which is 1% of the total acreage.

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

Mr. Bassette opened the Public Hearing.

Mr. Weeks explained his application. He stated that the addition will have almost zero visibility from the road or adjoining properties.

Mr. Bassette asked if the retaining wall is already there. Mr. Weeks confirmed.

Mrs. Sciortino asked if he had the stone wall put in. Mr. Weeks confirmed.

Mr. Lacey stated that he visited the property and spoke with the homeowner this week.

Mr. Clark asked if the barn was already a variance. Mr. Weeks stated that the barn was there when they bought the property.

Mr. Bassette asked if the benefit could be achieved by any other means. Mr. Weeks said no.

Mr. Bassette asked if the request is substantial. Mr. Weeks said no.

Mr. Bassette asked if the request will have any adverse physical or environmental effects. Mr. Weeks said no.

Mr. Bassette asked if the request will have an undesirable change in the neighborhood. Mr. Weeks said no.

Mr. Bassette asked if the difficulty was self-created. Mr. Weeks said yes.

There were no public comments.

**MOTION**

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

**APPROVED**

Mr. Bassette – aye; and Mr. Lacey – aye; and Ms. Sciortino – aye

**MINUTES**

**MOTION**

Ms. Sciortino moved, second by Mr. Lacey, to approve the July 12, 2018 minutes as submitted.

**APPROVED**

Mr. Bassette – aye; and Mr. Lacey – aye; and Ms. Sciortino – aye

Mr. Clark reviewed the EAF. This is a Type II under SEQR.

**MOTION**

Mr. Bassette moved, seconded by Ms. Sciortino, to approve the variance as requested.

**WEEKS AREA VARIANCE DETERMINATION**

Mr. Bassette moved, seconded by Ms. Sciortino, that the area variance requested by David and Charlene Weeks, 4181 Clover Street, Honeoye Falls, NY, consisting of 4.35 acres, bearing Tax Account No. 203.04-1-14, located in an RA-2 zone, requesting an area variance to build a 1,071.7 square foot roof overhang to the existing barn, which is 4,072.2 square feet, for a total of 5,143.9 square feet, whereas 1,894.86 square feet is allowed, which is 1% of the total acreage, be approved based on the following findings of fact and conclusions of law:

**FINDINGS OF FACT**

1. David and Charlene Weeks, the property owner appeared before the Zoning Board of Appeals at the public hearing on September 13, 2018

2. On or near July 27, 1999, a variance was granted for the existing barn. This barn is 4072.2 square feet, or 2.15% lot coverage.

3. The applicant is requesting a variance to allow the construction of a car port at the rear of an existing barn. The roof overhang covers an additional 1071.7 square feet, bringing the total coverage to 5143.9 square feet, or 2.71% lot coverage. This would be an increase of approximately 0.57% in lot coverage.

4. Section 200-8C(3) of the Town Code states the total area of accessory buildings shall not exceed 1% of the lot area. The lot size is approximately 4.35 acres, or 189486 square feet. 1% of that, the allowed area for accessory buildings, is 1894.86 square feet.

5.The requested roof overhang would primarily cover an existing parking area and incorporate existing retaining walls. No additional walls would be built.

6. The requested roof overhang would be built on the western side of the barn, which is farthest from the road.

7. No members of the public commented during the public hearing.

**CONCLUSIONS OF LAW**

1. The requested benefit cannot be achieved by other feasible means, based on the existing structure and retaining wall.

2. The request is not substantial, as it is an increase of 0.57% from the previous variance.

3. Upon review of Short Environmental Assessment Form (617.20 Appendix B), the board finds the request will not have any adverse physical or environmental effects, as the area in question is already in use for parking and adding a roof will have negligible impact.

4. The request will not have an undesirable change in the neighborhood, as existing structures and foliage will obscure it from the road and neighboring properties.

5. The difficulty was self-created, as the applicants’ various vehicles are creating the need for this variance.

6. This is a Type II action under SEQR

**APPROVED**

Mr. Bassette – aye; and Mr. Lacey – aye; and Ms. Sciortino – aye

**GENERAL DISCUSSION**

The Board discussed Mr. Osovski’s application from a prior meeting.

**MOTION**

Mr. Lacey moved, second by Ms. Sciortino, to adjourn.

**APPROVED**

Mr. Bassette – aye; Ms. Sciortino – aye; and Mr. Lacey – aye