A Regular Meeting of the Zoning Board of Appeals was held on Thursday, December 13, 2012 at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, 14472 at 7:00 p.m.

PRESENT: Kevin Wright, Chair

 Don Thorp

 Liz Sciortino

 Bruce Peckham

ABSENT: Don Irvine

ATTORNEY: Doug Jones Attorney

OTHERS: 0

Minutes were taken by Doug Jones.

Mr. Wright called the meeting to order at 7:00 p.m.

**ROMANCHIK AREA VARIANCE PUBLIC HEARING**

Victoria and Gordon Romanchik, 97 Boughton Hill Road, Honeoye Falls, NY, approached the board for an area variance at said property, consisting of 6.73 acres, bearing Tax Account No. 229.01-1-6, located in an RA-5 zone, to allow a setback for a storage shed of approximately 49 feet from the edge of the right-of-way on Boughton Hill Road, whereas Town Code requires a 60 foot setback.

Mr. Wright stated that the affidavit for the posting of the sign is in the file and asked if the board had a chance to see the property. They all stated they had seen the property.

Mr. Wright stated that the shed in question is already present on the property and asked Ms. Romanchik to give some background information as to how this all developed.

Ms. Romanchik stated that this is the first time she has put anything on her property. Ms. Romanchik stated that the old shed was up against the house, which is on top of the hill. Ms. Romanchik stated that there is not much room in the back of the house and to the side of the house is a steep slope to the creek which floods throughout the year. Ms. Romanchik stated that she thought that if she currently owned a shed, she had the right to put that or another shed wherever it would be convenient to her on her property. Ms. Romanchik stated that she has approximately 7 acres but 90 percent of it is in the floodplain so placing the shed where it is presently situated made sense.

A discussion followed regarding placement of the new shed and various flooding areas on the property and driveway and buffering the new shed with trees.

Mr. Wright stated that the new shed is in front of the front corner of the house. Ms. Romanchik apologized for not knowing the procedure of contacting the Zoning Board before for placing her shed to the front of her house and so closely to the lot line.

Mr. Wright asked the size comparison of the two sheds. Ms. Romanchik stated that the old shed was 12 x 12 and the new shed is 12 x 16.

A discussion followed regarding setback issues and procedures and other areas to set the shed on the Romanchik property.

Ms. Romanchik stated that the purpose of the shed is to store mowers, four wheeler, outdoor furniture, etc.

A discussion followed regarding screening the shed with foliage.

Mr. Wright asked how long the Romanchiks have lived in their home. Ms. Romanchik stated 11 years.

Mr. Wright asked if the Romanciks would be agreeable to more landscaping around the shed. Ms. Romanchik stated yes.

Mr. Wright asked the Ms. Romanchik the following questions:

1. Whether the benefit you want to achieve can it be achieved by any other means feasible to you. Ms. Romanchik stated no.
2. In your view, will this create an undesirable change in the character of the neighborhood or any other nearby property? Ms. Romanchik stated no.
3. Would you consider this request substantial? Ms. Romanchik stated no.
4. In your view of this request, do you feel this will have adverse or environmental effects? Ms. Romanchik stated no.
5. Is this alleged difficulty self-created? Ms. Romanchik stated no.

 **MOTION**

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

#### ADOPTED

#### Mr. Thorp – aye; Ms. Sciortino - aye; Mr. Peckham – aye; Mr. Wright – aye.

**MINUTES**

A discussion followed regarding the September 27,2012 minutes.

**MOTION**

Mr. Wright moved, seconded by Mr. Peckham, to approve the minutes of the September 27, 2012 meeting with amendments.

#### ADOPTED

#### Mr. Thorp – aye; Ms. Sciortino - aye; Mr. Peckham – aye; Mr. Wright – aye.

A discussion followed regarding the Romanchik application.

Mr. Wright asked if there was any further discussion regarding the Romanchik application. There was no further discussion.

Mr. Wright read the Romanchik Determination.

**MOTION**

Mr. Wright moved, seconded by Mr. Peckham, to approve as amended the Determination for the Romanchik application.

#### ADOPTED

#### Mr. Thorp – aye; Ms. Sciortino - aye; Mr. Peckham – aye; Mr. Wright – aye.

**MOTION**

Mr. Wright moved, seconded by Ms. Sciortino, to adjourn the meeting.

#### ADOPTED

#### Mr. Thorp – aye; Ms. Sciortino - aye; Mr. Peckham – aye; Mr. Wright – aye.

The meeting adjourned at 7:45 pm.