A Regular Meeting of the Zoning Board of Appeals was held on Thursday, June 27, 2013, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, 14472 at 7:00 p.m.

PRESENT: Don Irvine, Chair

Don Thorp

Bruce Peckham

Liz Sciortino

ABSENT: Kevin Wright

Doug Jones - Attorney

OTHERS: 2

Minutes were taken by Debbie Tvrdik.

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

**FREDERICK AREA VARIANC E PUBLIC HEARING (Continued)**

Richard and Jacqueline Frederick, 394 Mendon Ionia Road, Honeoye Falls, NY approached the Board for an area variance at property directly east of their property, consisting of 4.29 acres, to construct an addition, consisting of approximately 1,680 square feet, with 840 square feet of that 1,680 square feet to be living space, to the existing barn, whereas town code requires a minimum of 1,500 square feet of living space for a two story dwelling. Zoned RA-1 and bearing tax account 223.02-1-21.112.

Mr. Frederick stated that since our last meeting they have hit a multifaceted brick wall.

Mr. Irvine stated that the Board is basically looking at this application as it was originally proposed. Mr. Irvine reviewed the circumstances stating the Fredericks have an existing structure and want to add another basic garage with 860 sf. living space above and further stated that the requirement is 1,500sf. for a dwelling and this would be considered a dwelling. Mr. Irvine stated that the Board asked all the questions and the Fredericks answered them regarding utilities, etc, and it is on its own parcel of land.

Ms. Sciortino stated that the 19.86 acres is the larger parcel. Mr. Frederick stated that 19.86 is the total acreage of the two parcels. Mr. Irvine asked the total acreage of the parcel in question. Mrs. Frederick stated 4.29 acres.

A discussion followed regarding square footage and what the Fredericks plan to do on the second floor of the existing building and the area having sloped ceilings.

A discussion followed regarding the proposed building having a roof which allows usable space on the second floor.

Mr. Irvine asked if there is anything the Fredericks could do with the second floor of the existing building to have usable space? Mr. Frederick stated that making it usable space would also make it taxable which he does not desire to do. Mr. Frederick further stated that if he added livable space to the existing structure he would not have to seek a variance. Mr. Irvine stated that Mr. Frederick was correct. Mr. Frederick stated that is the very reason he is seeking a variance.

Mr. Irvine asked if Mr. Peckham had any questions. Mr. Peckham stated that Mr. Jones is absent and the question is in looking at the Code what the original restrictions were trying to accomplish. Mr. Peckham stated that it is a stand-alone building with reduced living space, but in the context of the structure and the neighborhood I have no problem with granting the variance, but I would like to know the philosophy for the restrictions. I feel this project does not lend any threat to the neighborhood environmentally but the only caution is once the variance is granted the town will have an approximate 800 sf. dwelling on a 4 acre lot.

Ms. Sciortino stated that she did not have any further questions. Mr. Irvine asked Mr. Thorp if he had any further questions. Mr. Thorp stated no.

Mr. Irvine explained the process of the determination and voting process.

**MOTION**

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

#### ADOPTED

#### Mr. Thorp – aye; Mr. Peckham – aye; Mr. Irvine – aye and Ms. Sciortino – aye.

The Fredericks left the meeting at 7:12 pm.

**MINUTES**

There were no minutes to be reviewed.

**DISCUSSION**

A discussion followed regarding the living space requirements and the restrictions.

**MOTION**

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

#### ADOPTED

#### Mr. Thorp – aye; Mr. Peckham – aye; Mr. Irvine – aye and Ms. Sciortino – aye.

The meeting adjourned at 7:31 p.m.