A Regular Meeting of the Zoning Board of Appeals was held on Thursday, September 10, 2015, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, 14472 at 7:00 p.m.

PRESENT: Kevin Wright

 Bruce Peckham

 Liz Sciortino

 Meribeth Palmer

 Daniel Bassette

ATTORNEY: Jeffrey Clark

OTHERS: Jason Inda, Laura Smith

Minutes were taken by Mary Fletcher/Michelle Booth.

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

**RHH MENDON PROPERTIES AREA VARIANCE PUBLIC HEARING**

Laura Smith attended the meeting on behalf of RHH Mendon Properties, Inc. 740 East Avenue, Rochester, NY for an area variance at 240 Sheldon Road, Honeoye Falls, NY, consisting of 71.8 acres, bearing Tax Account No. 214.02-1-2.3, located in an RA-5 zone, to subdivide out a 5.002 acre new parcel from the 71.8 acres, which will result in a side setback for the existing block garage of approximately 11 feet and a side setback of the existing frame barn of approximately 11 feet, whereas Town Code requires a 20 foot side setback.

Mr. Wright stated that the affIndavit of posting of the sign was in the file and waived the reading of the public notice.

Mr. Wright asked the Board if they were all familiar with the property. The members stated they were.

There was discussion about the barn on the property, without a home being used for personal use rather than agricultural. No animals will inhabit the barn, it will be used for storage.

Ms. Smith stated that the farmland is leased on a yearly basis.

There was discussion regarding the horseshoe driveway and Ms. Smith stated that they could remove half or have an easement issued.

Mary Fletcher also stated that the Code Enforcement Officer, Thomas Voorhees, has reviewed the application.

Mr. Clark read the Town Code regarding the barn being used agriculturally versus personally.

There were no other questions from the board.

Mr. Wright opened the floor to any public questions. There were none.

Mr. Wright asked if the benefit could be achieved by any other means. Ms. Smith stated no.

Mr. Wright asked if this would result in an undesirable change to the neighborhood. Ms. Smith stated no.

Mr. Wright asked if this request was substantial. Ms. Smith stated yes.

Mr. Wright asked if there were any adverse physical or environmental effects. Ms. Smith stated no.

Mr. Wright asked if this was a self-created difficulty. Ms. Smith stated the owner wants the barn.

**MOTION**

Mr. Peckham moved, seconded by Ms. Sciortino, to close the public hearing.

**ADOPTED**

Mr. Wright – aye; Ms. Sciortino – aye; Mr. Peckham – aye; Ms. Palmer – aye; Mr. Bassette – aye.

**MILES AREA VARIANCE PUBLIC HEARING**

Jason Inda (contractor) attended the meeting on behalf of Josh Miles, 791 Mile Square Road, Pittsford, NY, for a variance at said property, consisting of 8.371 acres, bearing Tax Account No. 192.04-1-6.14, located in an RA-5 zone, to allow a 5-foot fence and 6-foot gate in the front yard, whereas Town Code states no fence in the front yard shall exceed 4-feet above ground level.

Mr. Wright stated that the affidavit of posting of the sign was in the file and waived the reading of the public notice.

Mr. Wright asked the Board if they were all familiar with the property. The members stated they were.

Mr. Wright asked about the intent of the fence and gate. Mr. Inda stated that the fence was decorative and the gate would help with security.

Mr. Inda explained that the gate would be 6 ft high and solar powered.

There was discussion about the gates purpose, whether for decoration or security. The board would like pictures and dimensions of the gate, so the hearing is continued to give Mr. Inda time to obtain them.

There were no other questions from the board.

Mr. Wright opened the floor to the public for questions. No questions were asked.

Mr. Wright stated that the public hearing will remain open and continue at the next meeting.

**MINUTES**

**MOTION**

Mr. Wright moved, seconded by Ms. Palmer, to approve the amended minutes of the June 25, 2015 meeting.

**APPROVED**

Mr. Wright – aye; Ms. Sciortino – aye; Mr. Peckham – aye; Ms. Palmer – aye; Mr. Bassette – aye.

Mr. Peckham and Mr. Bassette will work together to write the decision for RHH Mendon.

The next meeting is scheduled for September 24, 2015.

**MOTION**

Ms. Sciortino moved, seconded by Ms. Palmer, to adjourn the meeting at 7:50 p.m.

**ADOPTED**

Mr. Wright – aye; Ms. Sciortino – aye; Mr. Peckham – aye; Ms. Palmer – aye; Mr. Bassette – aye.