

A regular meeting of the Zoning Board of Appeals was held on Thursday, August 25th, 2025 at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY 14472 at 7:00 pm.

PRESENT: Chris Mahood - Chair
Paul Marasco
Jeff Johnston
Tom Voorhees

ABSENT: David Hou (Attorney)

OTHERS: John Moffitt – Town Supervisor
Cuyler & Bonnie Coddington – 425 Williams Road
Janet Whitaker – 3248 Rush Mendon Road

Mr. Mahood started the meeting at 7:00 pm.

Minutes were taken by Brooke Buckland, Secretary to Planning and Zoning Board.

APPROVE AUGUST 28TH, 2025 MEETING MINUTES

The meeting was called to order. The first item on the agenda was the review and approval of the minutes from August 28th, 2025. The board members confirmed they had reviewed the minutes.

Motion to approve the minutes from the August 28th, 2025 Zoning Board of Appeals meeting was made by Mr. Marasco and second by Mr. Johnston.

Mr. Mahood – aye; Mr. Marasco – aye; Mr. Johnston – aye; Mr. Voorhees – abstained.

CODDINGTON AREA VARIANCE

Bonnie Coddington, 425 Williams Road, Henrietta, NY, consisting of 5.02 acres, requesting relief from *Chapter 260 – 21* to replace and enlarge a preexisting non-conforming shed. As well as, requesting relief from *Chapter 260 – 8 (c)(10)* to install the new shed in front of the primary residence whereas the Town Code does not permit any accessory structures or building to be in a front yard and therefore, requires an area variance. Zoned RA - 5. Tax account no. 203.02-3-11.141.

Motion to open the public hearing was made by Mr. Voorhees and second by Mr. Marasco.

Mr. Mahood – aye; Mr. Marasco – aye; Mr. Johnston – aye; Mr. Voorhees.

Cuyler and Bonnie Coddington presented their application for an area variance to replace and enlarge a pre-existing, non-conforming shed on their property at 425 Williams Road.

Ms. Coddington explained that the current shed was in poor condition, damaged first by a windstorm that took down a hundred-year-old tree, and further damaged when a dead ash tree fell on it this past winter.

The applicants are proposing to replace it with a pre-made 12 x 24-foot shed (compared to the existing approximately 12 x 19-foot structure) that would match their house in appearance, with the same brown windows). Ms. Coddington noted they would place the shed on a stone base, unlike the current situation where trees are growing through the soft ground beneath it.

Mr. Mahood inquired about the electrical service to the shed, which Ms. Coddington confirmed is currently live with a shutoff at the house.

Mr. Voorhees commented that the shed was difficult to see from the road, noting he had to drive by three times before locating it up the driveway. He commended the applicants for following proper procedures instead of simply replacing the structure without permission.

Ms. Coddington explained that the property's unique passive solar house, built into the side of a hill, limits where structures can be placed. She indicated the shed was likely built shortly after the house by the original owner who was a canoe builder. The enlarged size would allow them to store their tractor and other equipment, noting they have limited storage options due to the home's design without a basement.

There was no public comment.

Motion to close the public hearing was made by Mr. Marasco and second by Mr. Voorhees.

Mr. Mahood – aye; Mr. Marasco – aye; Mr. Johnston – aye; Mr. Voorhees.

Motion to approve the Coddington Area Variance as proposed and pursuant to the written resolution was made by Mr. Marasco and second by Mr. Voorhees.

Mr. Mahood – aye; Mr. Marasco – aye; Mr. Johnston – aye; Mr. Voorhees.

CODDINGTON AREA VARIANCE DETERMINATION

Paul Marasco moved, seconded by Tom Voorhees, that the Area Variance requested by Cuyler & Bonnie Coddington for property located at 425 Williams Road, Tax ID No. 203.02-3-11.141, zoned RA-5, to allow a new pre-built 12' x 24' storage shed to be constructed in the place of, and enlarging, a prior non-conforming dilapidated 12' x 19'2" storage shed, which is forward of the front setback of the principal structure, be GRANTED based on the following:

WHEREAS, the Town Code Enforcement Officer has advised that the existing shed is a prior non-conforming use as it was constructed prior to the adoption of the existing code; and

WHEREAS, Town Code Section 260-21 prohibits nonconforming structures from being enlarged unless the enlargement would result in greater conformity with the Town Code, which the proposed new structure would not; and

WHEREAS, Section 260-8(C)(7) prohibits accessory structures forward of the minimum front yard setback for the principal building and Section 260-8(C)(10) prohibits accessory structures from being located in a front yard; and

WHEREAS, the above property owner appeared before the Zoning Board of Appeals at the public hearing on the application on September 25, 2025 and;

WHEREAS, this application was sent to the ZBA's attorney and the Town Code Enforcement Officer for review; and

WHEREAS, this application was sent to the Monroe County Planning Board for review pursuant to General Municipal Law 239-m, and the application was returned as a local matter with comments; and

WHEREAS, the ZBA held a public hearing and the public was given the opportunity to comment on the application;

NOW, THEREFORE, BE IT RESOLVED that this application constitutes a Type II action under SEQRA and no further environmental review is required;

AND BE IT FURTHER RESOLVED that the ZBA has weighed the effects of the requested variance against the health, safety, and welfare of the neighborhood and community, and hereby GRANTS the requested variance based on the following findings:

- The requested benefit **CANNOT** be achieved by other feasible means due to existing property terrain. As well as, utilities are already present at the existing shed.
- The request **IS NOT** substantial because the degree of variance sought, such as the enlargement of the existing footprint, is very minimum.
- The request **WILL NOT** have an undesirable change in the neighborhood because the proposed shed is an improvement to the existing structure.
- The request **WILL NOT** have an adverse effect on the physical and/or environmental conditions of the neighborhood or district because the proposed shed is of similar footprint to the existing shed and is not visible from the road.
- The difficulty **IS** self-created because it is the applicant's desire to expand the existing shed's footprint.

AND BE IT FURTHER RESOLVED that this approval is conditioned upon the following:

No Conditions.

Following discussion on this Resolution, the following roll call vote was taken and recorded:

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| Christian Mahood | Aye |
| Thomas Voorhees | Aye |
| Paul Marasco | Aye |
| Jeffrey Johnston | Aye |

Approved: 4 Ayes, 0 Nays

WHITAKER AREA VARIANCE

Janet Whitaker, 560 Shore Drive, West Henrietta, NY, for property located at 3248 Rush Mendon Road, Honeoye Falls, NY, consisting of 8.66 acres, requesting relief from Chapter 260-8 (c)(10) to install a run-in shed in front of the primary residence, whereas code does not permit any accessory structures or buildings to be located in a front yard. Zoned RA-1. Tax account no. 215.01-1-3.1.

Motion to open the public hearing was made by Mr. Marasco and second by Mr. Johnston.

Mr. Mahood – aye; Mr. Marasco – aye; Mr. Johnston – aye; Mr. Voorhees.

Janet Whitaker presented her application for an area variance to place a 10' x 14' run-in shed in the front yard of her property at 3248 Rush Mendon Road. She explained the shed would be located in the northeast pasture approximately 225' feet from the right-of-way.

Ms. Whitaker showed the Board an aerial photo of the property, noting the limited options for pasture areas due to mature trees that had grown since the 2012 survey map. She identified two usable pasture areas - the south pasture and the northeast pasture - with much of the remaining property being heavily wooded or needing to remain open for barn access and machinery.

The run-in shed would be constructed of LP Smart Wood exterior (a wood and resin combination for durability) with a pewter-colored exterior and black architectural shingles. Ms. Whitaker noted that from the road, only the 2-foot vertical sections on either side of the opening would be visible since the back of the shed is lined with plywood and it would blend in with the surroundings.

Ms. Whitaker explained that the shed was needed to provide shelter for horses in the northeast pasture while they work on improving the grass quality in the south pasture. Following recommendations from Cornell and Rutgers veterinary science programs, they need to rotate pastures to prevent overgrazing. The northeast pasture would provide a location to restrict horses if one becomes sick or injured.

Ms. Whitaker stated the shed would be placed on crushed stone with sawdust mats, and would be built by Sheds by Fisher who would construct it off-site and deliver it.

Mr. Voorhees commented that he was impressed with how they maintained the property, noting it was a significant improvement from its previous condition.

Mr. Mahood asked Ms. Whitaker about neighbor reactions. Ms. Whitaker mentioned they have had positive interactions with their neighbors, including one who expressed interest in visiting their horses.

Mr. Mahood confirmed there would be no utilities running to the shed.

There was no public comment.

Motion to close the public hearing was made by Mr. Marasco and second by Mr. Voorhees.

Mr. Mahood – aye; Mr. Marasco – aye; Mr. Johnston – aye; Mr. Voorhees.

Motion to approve the Whitaker Area Variance as proposed and pursuant to the written resolution was made by Mr. Marasco and seconded by Mr. Johnston.

Mr. Mahood – aye; Mr. Marasco – aye; Mr. Johnston – aye; Mr. Voorhees.

WHITAKER AREA VARIANCE DETERMINATION

Paul Marasco moved, seconded by Jeff Johnston, that the Area Variance requested by Janet Whitaker for property located at 3248 Rush Mendon Road, Tax ID No. 215.01-1-37.1, zoned RA-1, to allow a 10'x14' shed to be constructed forward of the front setback of the principal structure, and in the front yard of the principal structure, as depicted in the Application documents, be GRANTED based on the following:

WHEREAS, Section 260-8(C)(7) prohibits accessory structures forward of the minimum front yard setback for the principal building and Section 260-8(C)(10) prohibits accessory structures from being located in a front yard; and

WHEREAS, the above property owner appeared before the Zoning Board of Appeals at the public hearing on the application on September 25, 2025, and;

WHEREAS, this application was sent to the ZBA's attorney and the Town Code Enforcement Officer for review; and

WHEREAS, this application was sent to the Monroe County Planning Board for review pursuant to General Municipal Law 239-m, and the application was returned as a local matter with comments; and

WHEREAS, the ZBA held a public hearing and the public was given the opportunity to comment on the application;

NOW, THEREFORE, BE IT RESOLVED that this application constitutes a Type II action under SEQRA and no further environmental review is required;

AND BE IT FURTHER RESOLVED that the ZBA has weighed the effects of the requested variance against the health, safety, and welfare of the neighborhood and community, and hereby GRANTS the requested variance based on the following findings:

- The requested benefit **CANNOT** be achieved by other feasible means because the set back of the house is already 330' and the size of the overall lot.
- The request is **NOT** substantial because the overall lot size and the square footage of the requested footage.
- The request **WILL NOT** have an undesirable change in the neighborhood because the proposed shed has very minimum footprint in proportion to the property acreage.
- The request **WILL NOT** have an adverse effect on the physical and/or environmental conditions of the neighborhood or district because the request is a minimum footprint and considering they are proposing to use crushed gravel there will not be any significant impact to the soil.
- The difficulty **IS** self-created because it is the applicant's desire to construct the run – in shed.

AND BE IT FURTHER RESOLVED that this approval is conditioned upon the following:

- The applicant corrected the front set back as noted on the submitted survey map from 330' to 225'.
- Aesthetics of the proposed shed to match the existing run-in sheds.

Following discussion on this Resolution, the following roll call vote was taken and recorded:

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| Christian Mahood | Aye |
| Thomas Voorhees | Aye |
| Paul Marasco | Aye |
| Jeffrey Johnston | Aye |

Approved: 4 Ayes, 0 Nays

PUBLIC COMMENT

No public comment.

GENERAL DISCUSSION

UPCOMING MEETING'S

October 23rd, 2025 – *General Area Variance*
– *Lill Area Variance*

Mr. Marasco made a motion to adjourn the meeting at 7:34 pm, seconded by Mr. Voorhees.

Mr. Mahood – aye; Mr. Marasco – aye; Mr. Johnston – aye; Mr. Voorhees.

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