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A regular meeting of the Zoning Board of Appeals was held on Thursday, October 23<sup>rd</sup>, 2025 at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY 14472 at 7:00 pm.

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PRESENT: Chris Mahood - Chair  
Jeff Johnston  
Tom Voorhees  
Colin Smith – Attorney for the Town

ABSENT: Paul Marasco

OTHERS: Kim Roberts – Town Council  
Chadd General – 880 Cheese Factory  
Tom Lawler – Contactor for Charles Lill  
William Gottermier – 923 Pittsford Mendon Center Road

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

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

**APPROVE SEPTEMBER 25<sup>TH</sup>, 2025 MEETING MINUTES**

The meeting was called to order. The first item on the agenda was the review and approval of the minutes from September 25<sup>th</sup>, 2025. The board members confirmed they had reviewed the minutes.

*Motion to approve the minutes from the September 25<sup>th</sup>, 2025 Zoning Board of Appeals meeting was made by Mr. Voorhees and second by Mr. Johnston.*

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

**GENERAL AREA VARIANCE**

Chadd General, 880 Cheese Factory Road, Honeoye Falls, NY, consisting of 7.90 acres, requesting relief from Chapter 260 – 106. Whereas code requires a minimum 20 – foot side set back and the proposed garage addition has a 10.45’ setback, and therefore requires an area variance. Zoned RA - 5. Tax account no. 223.02-1-23.1.

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

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

Mr. General explained his proposal to add an attached garage to the northwest corner of his house while converting the existing garage into living space. He noted that the variance was required because the code specifies a 20-foot side setback, but his proposed addition would

be approximately 10.45 feet from the property line. Mr. General mentioned that the existing corner of the house is already at 19.3 feet, which is less than the required setback.

Mr. General explained his reasoning for choosing this location:

- Utilities, including sanitary lines, propane lines, and power lines, are on the east side of the house
- Aesthetics and visual considerations
- The original plan was to place it in the back, but the steep slope would require removing a massive maple tree and create erosion issues

Members of the Board inquired if the neighbors to the West have been notified of the proposal. Mr. General assured the Board that they are in agreement with the neighbors.

Mr. General also noted that the neighbor's house is positioned significantly lower in elevation, with the ridge of their roof being approximately at knee height from Mr. General's driveway.

Chair Mahood confirmed that he had visited the site and walked the property line to assess the elevation differences. He agreed that the neighbor would not have a direct line of sight to the proposed addition.

Board members asked questions about:

- The 2-foot offset shown on the drawing (to provide more room in the driveway)
- The existing features and layout of the home
- The planned conversion of the current garage space
- The materials to be used (stucco siding to match the brick house)

There was no public comment.

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

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

*Motion to approve the General Area Variance as proposed and pursuant to the written resolution was made by Mr. Voorhees and second by Mr. Johnston.*

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

## GENERAL AREA VARIANCE DETERMINATION

Thomas Vorhees moved, seconded by Jeffrey Johnston, that the area variance requested by Chadd General for property located at 880 Cheese Factory Road, Tax ID No. 223.02-1-23.1, zoned RA-1, to allow a garage addition to be constructed up to 10.45' within the side setback, be GRANTED based on the following:

WHEREAS, Town Code Section 260-106 requires a 20' side setback;

WHEREAS, the above property owner appeared before the Zoning Board of Appeals at the public hearing on the application on October 23, 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 and no comment was provided;

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:

1. The requested benefit **CANNOT** be achieved by other feasible means due to the topography and the location of the septic system and utilities.
2. The request **IS** substantial because it is over 50% variance.
3. The request **WILL NOT** have an undesirable change in the neighborhood because it will match similar homes and sizes in the area.
4. The request **WILL NOT** have an adverse effect on the physical and/or environmental conditions of the neighborhood or district because of the same reasons as factor three above and because it does not impact erosion or drainage.
5. The difficulty **IS** self-created because it is the applicant's desire to expand and repurpose existing footprint.

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

- The color and roof matching the existing structure. The drainage system connecting to the existing roof drainage system.

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

Christian Mahood	Aye
Thomas Voorhees	Aye
Jeffrey Johnston	Aye

Approved: 3 Ayes, 0 Nays

### LILL AREA VARIANCE

Charles Lill, 1744 West Bloomfield Road, Honeoye Falls, NY, consisting of 53 acres, requesting relief from Chapter 260 – 21. Whereas code does not permit the enlargement, change or alteration of a pre – existing, nonconforming structure, and therefore the applicants request to expand an existing pole barn requires an area variance. Zoned RA - 5. Tax account no. 230.03-1-7.2.

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

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

Tom Lawler, the contractor for Charles Lill, approached the Board and explained that they wanted to put a 40' by 50' addition onto the northeast side of the existing barn.

Mr. Lawler clarified that the barn is located far back on the property and is not visible on from the Road.

Mr. Mahood thanked the applicant for going through the proper process.

Mr. Lawler assured the board that they would match the roofline of the existing structure and redo the whole roof. They confirmed there would be no additional utilities. The barn houses horses, sheep, goats, and chickens.

There was no public comment.

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

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

*Motion to approve the Lill Area Variance as proposed and pursuant to the written resolution was made by Mr. Johnston and seconded by Mr. Voorhees.*

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

### **LAWLER(LILL) AREA VARIANCE DETERMINATION**

Jeffrey Johnston moved, seconded by Christian Mahood, that the Area Variance requested by Tom Lawler (Lill) for property located at 1744 West Bloomfield Road, Tax ID No. 230.03-1-7.2, zoned RA-5, to allow an addition to be constructed to a pre-existing non-conforming barn, be GRANTED based on the following:

WHEREAS, the Town Code Enforcement Officer has advised that the existing barn is a prior non-conforming structure that is forward of the principal residence, 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 October 23, 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 and no comment was provided;

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:

1. The requested benefit **CANNOT** be achieved by other feasible means because it is an addition to an existing structure.
2. The request **IS NOT** substantial because of the size of the parcel of land and the setback.
3. The request **WILL NOT** have an undesirable change in the neighborhood because it is out of sight due to the setback.
4. The request **WILL NOT** have an adverse effect on the physical and/or environmental conditions of the neighborhood or district because there are no impacts to drainage, runoff, or erosion.
5. The difficulty **IS** self-created because it is the applicant's desire to expand the structure.

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

Matching the existing siding, color, and roof.

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

Christian Mahood	Aye
Thomas Voorhees	Aye
Jeffrey Johnston	Aye
Approved: 3 Ayes, 0 Nays	

#### **PUBLIC COMMENT**

No public comment.

#### **GENERAL DISCUSSION**

#### **UPCOMING MEETING'S**

*November 13<sup>th</sup>, 2025 – Emmi Area Variance*

*Mr. Johnston made a motion to adjourn the meeting at 7:38 pm, seconded by Mr. Voorhees.*

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