

A regular meeting of the Zoning Board of Appeals was held on Thursday, May 14<sup>th</sup>, 2026 at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY 14472 at 7:00 pm.

PRESENT: Chris Mahood - Chair  
Jeff Johnston  
Vince Dick  
David McInnis

ATTORNEY: David Hou

OTHERS: Tom Voorhess – Town Council  
Peter & Pamela Kurau  
Cait Purcell

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

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

**APPROVE APRIL 28<sup>th</sup>, 2026 MEETING MINUTES**

The meeting was called to order. The first item on the agenda was the review and approval of the minutes from April 23<sup>rd</sup>, 2026. The board members confirmed they had reviewed the minutes.

*Motion to approve the minutes from the April 23rd, 2026 Zoning Board of Appeals meeting was made by Mr. Dick and second by Mr. Johnston.*

*Mr. Mahood – aye; Mr. Johnston – aye; Mr. Dick – ay, Mr. McInnis – aye.*

**KARAU AREA VARIANCE**

Warren Kurau, 443 Lanning Road, Honeoye Falls, NY, seeking approval to install ground mounted solar panels in front of the primary residence on property located at 443 Lanning Road, consisting of 2.06. The proposed location requires relief from *Chapter 260 -8(c)(10)*, of the Town Code, which prohibits accessory buildings/structures to be located in the front yard, and therefore requires an area variance. Zoned RA -1. Tax account no. 230.04-1-40.

Mr. Mahood invited the applicant’s representative, Cait Purcell, to present updates to the ground mounted solar array application.

Ms. Purcell reported that a revised site plan had been submitted, incorporating the key change of shifting the solar array approximately 13 feet further east, closer to the residence, so that it would no longer fall within the flood zone. Ms. Purcell confirmed that only ground screws would be installed at the array location, with underground trenching occurring to the right of the array.

Mr. Dick mentioned that the Environmental Conservation Board suggested moving the array as far as possible from the Class C stream to prevent issues if the stream overflows. However,

since the plans didn't show the land's slope, it was tough to figure out the direction it goes. Mr. Dick pointed out that the array is already outside the ECB buffer zone, so any more shifts would be mainly guesswork. Mr. Dick further noted that the racking is elevated approximately two feet above ground level, which mitigates concerns regarding wet conditions, and all electrical cabling is installed underground.

Mr. Dick raised an additional concern about equipment access across potentially sensitive soils, given that the front yard reportedly remains wet and difficult to mow until July.

Ms. Purcell addressed Mr. Dick's concern by explaining that the installation would utilize a mini-trencher rather than a full excavator for the underground conduit run. Mr. Purcell confirmed that an excavator would be on-site only to set the helical ground screws, and that the team conducts a site visit prior to construction to verify that soil conditions can sustain the equipment. She further noted that ground mats are used under the excavator to protect the soil.

Mr. McInnis raised a question about the feasibility of mounting the array over the driveway as a pergola-style structure, which would avoid the need for a front-yard variance.

Ms. Purcell acknowledged that the company does offer pergola-style arrays, but advised against placing any array near an unpaved driveway due to long-term risk of gravel damage to panels from mowing and vehicle activity over the 25-year lifespan of the system.

Mr. Dick also noted that situating the array away from the driveway increases the distance equipment must travel across sensitive soils, reinforcing the importance of preconstruction soil condition verification.

The public hearing was left open from the previous meeting on April 23<sup>rd</sup>, 2026.

Mr. Mahood asked if there was any public comment.

There was no public comment.

*Motion to close the public hearing open was made by Mr. Johnson and second by Mr. McInnis.*

*Mr. Mahood – aye; Mr. Johnston – aye; Mr. Dick – aye, Mr. McInnis – aye.*

*Motion to approve the Kurau Area Variance as proposed and pursuant to the written resolution was made by Mr. Dick and second by Mr. McInnis.*

*Mr. Mahood – aye; Mr. Johnston – aye; Mr. Dick – aye, Mr. McInnis – aye.*

## **KURAU AREA VARIANCE DETERMINATION**

Vince Dick moved, seconded by David McInnis, that the Area Variance requested by Warren Kurau, for property located at 443 Lanning Road, Tax ID No. 230.04-1-40, zoned RA-1, to allow an accessory structure, a 39' 9" x 15' ground-mounted solar array, to be constructed 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)(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 April 23, and May 14, 2026; 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:

1. The requested benefit **CAN** be achieved by other feasible means such as relocating it in a location that is compliant or more compliant with the Town Code.
2. The request **IS** substantial because the requested variance is for the entirety of the structure in the front yard.
3. The request **WILL NOT** have an undesirable change in the neighborhood because there are other similar structures 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 it is outside of the EPOD buffer zone and will only include ground installation of solar arrays.
5. The difficulty **IS** self-created because it is the applicant's desire to construct the structure in the proposed location.

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

- Construction consistent with the revised April 27, 2026 site plan with ground plan.

- The Code Enforcement Officer be notified prior to construction and conduct a pre-construction site visit to verify the location of the array outside of the EPOD buffer zone.

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

Christian Mahood	Aye
Vince Dick	Aye
Jeffrey Johnston	Aye
David McInnis	Aye

### **PUBLIC COMMENT**

No public comment.

### **GENERAL DISCUSSION**

### **UPCOMING MEETING'S**

**June 11<sup>th</sup>, 2026 – Lopez Area Variance**

*Mr. Dick made a motion to adjourn the meeting at 7:27 pm, seconded by Mr. Johnston.*

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