

**VILLAGE OF HONEOYE FALLS ZONING BOARD OF APPEALS October 24, 2011**

**MEMBERS PRESENT:** Hank Besanceney, Mark Donahoe, Hal Gaffin, Jim Hoh, Stephanie Tolan

**ALSO PRESENT:** Mary La Dine, Paul Greene, Neil Haughton, Dahn Gandell, Cole Palen, Danny Bassette, Jeffery Weaver, Yimena Vogt, Jacquie Shellman, Leslie Krause, Charlie Johnson

Chair Gaffin called the meeting to order at 7:31 PM.

**INTERPRETATION OF VILLAGE CODE §190-9 AND ATTACHMENT 3 – TABLE OF USE REGULATIONS**

Mark Donahoe recused himself since he is a member of St. John's Episcopal Church.

Paul Greene explained that St. John's Episcopal Church would like to give piano lessons at their property located at 18 Monroe St. This building is used as a community center and annex to the church's parish house. There are currently 15 students. The lessons are conducted by Jeffery Weaver. Mr. Weaver pays the church a stipend of \$200 per month. The students pay Mr. Weaver directly.

The Board explained that since Mr. Weaver is being paid by the students for the piano lessons, this constitutes a business. The Village code does not allow businesses in an R1 district.

Much discussion ensued and several community members spoke in favor of the piano lessons. It was stated that other churches in the Village provide similar services, in particular Irish dance lessons at the Presbyterian Church.

Chair Gaffin stated that the Church could give piano lessons if the students paid the Church directly and then the Church paid Mr. Weaver. If Mr. Weaver is paid directly by the students, then he is running a business and that is not allowed by the Code.

Mr. Greene asked for the Interpretation to be tabled until next month to allow further investigation. Chair Gaffin suggested they return next month to apply for a variance.

Prior to next month's meeting, Charlie Johnson will investigate if similar activities are provided by other Village churches. Mr. Johnson will ask Michael Tobin for a clarification on whether or not a church can be considered a not-for-profit membership club. Mr. Greene will provide a detailed description of the service being provided, including maximum hours, number of students, etc.

The meeting was adjourned at 8:47 PM.

Respectfully submitted,  
Judi Barrett, Clerk