

MINUTES OF THE TOWN OF WAYNE
ZONING BOARD OF APPEALS
July 7, 2020

The meeting opened at 6: 30 PM with a roll call of the members. The meeting was held via Zoom Web conferencing.

ARRIVAL	PRESENT	ABSENT	LATE
MEMBERS:			
Wayne Hand, Chair	X	—	—
Bill Feinstein	X	—	—
Candy Dietrich	X	—	—
Gill Harrop, CEO	—	X	—

ALSO PRESENT: Luanne Simmons, Russel Miller, Don Olevnik, James McCormick, Scott Witt

MINUTES:

Ms. Dietrich made a motion to approve the minutes of the June 1, 2020 meeting minutes as presented, seconded by Mr. Feinstein. Minutes approved.

NEW BUSINESS:

AREA VARIANCE APPLICATION NO. 10v20: Public Hearing

Appeal No. 11V20: Russell and Sharon Miller. Property located at 9254 Cedar Springs Road, Town of Wayne. Seeking setback relief in Sec. 3.A.4.b.5 Hillside Conservation District 1

The Russel's wish to build a deck and need relief on the 50' setback required by HC-1 regulation.

Public Comments Opened

Ms. Dietrich and Mr. Hand had both driven by the property before the meeting. Scott Witt, the east side Neighbor spoke and is supportive of the project. No letters or emails have been received about the project.

Public Comments Closed.

The 5 test questions were then reviewed and answered as required by NYS.

1. Whether an undesirable change to the character of the neighborhood will take place or if it would be a detriment to nearby properties: No.

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: No
3. Whether the requested variance is substantial: No
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: No.
5. Whether the alleged difficulty was self-created: yes.

Ms. Dietrich made a motion, seconded by Mr. Feinstein to grant relief of 6'5" on the west side setback and build according to the plans submitted on 6/13/2020. The motion was unanimously approved.

Appeal No. 12V20: Don Olevnik. Property located at 9785 Fairs Oaks Road, Town of Wayne. Seeking expansion of a non-conforming structure Section 3.A.4.b.5 LR3.

Mr. Olevnik proposes to build a new deck on his home. There are no setback issues. Approval needed for a pre-existing, non-conforming structure.

Public Comments were opened. There were no comments or letters.
Public Comments Closed

The 5 test questions were then reviewed and answered as required by NYS.

1. Whether an undesirable change to the character of the neighborhood will take place or if it would be a detriment to nearby properties: No.
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: No
3. Whether the requested variance is substantial: No
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: No
5. Whether the alleged difficulty was self-created: yes.

Mr. Feinstein made a motion to approve the request. Ms. Dietrich seconded. The Motion to building of a 14x28 deck according to the plan submitted 6/13/2020 was approved.

Appeal No. 13V20: James McCormick. Property located at 13171 St Rt 54, Town of Wayne. Seeking to alter or expand a non-conforming structure Sec. 3.A.4.b.5 LR-1

Mr. McCormick desires to change the roof line of his cottage, re-roof, and add a 4x5 utilities/furnace room to the house so that the furnace can be relocated from the crawlspace of the structure. There are safety concerns as it is a gas furnace. He is seeking 3 feet of setback relief.

Public Comments Opened. There we no letters received about the project.
Public Comments Closed.

Ms. Dietrich made a motion, seconded by Mr. Feinstein to grant relief of 3' on the North side setback and build according to the plans submitted on 6/23/2020. The motion was unanimously approved.

Unfinished Business

- a. Finger Lakes Sunsets LLC – no actionable information received

Discussion

- b. Zoning Board Membership – a suggestion was made to investigate advertising openings on the board. A couple of prospective persons were discussed

Adjournment

The meeting adjourned at 7:00 PM

Submitted by: Amy Gush, Board Secretary.