

MINUTES OF THE TOWN OF WAYNE  
ZONING BOARD OF APPEALS  
May 3, 2021

The meeting opened at 6:30PM with a roll call of the members. The meeting was held via Zoom Web conferencing and in-person at the Town Hall.

	PRESENT	ABSENT	LATE
MEMBERS: Wayne Hand, Chair	<u>X</u>	—	—
Jon Serdula	<u>X</u>	—	—
Candy Dietrich	<u>X</u>	—	—
David Westcott, alt.	<u>X</u>	—	—
Gill Harrop, CEO	—	<u>X</u>	—

ALSO PRESENT (via Zoom and In-Person): Mark Tette, Jerry Warner

Mrs. Dietrich made a motion to approve the minutes of the April 2021 meeting.. Mr. Serdula seconded; minutes approved.

**NEW BUSINESS:**

**Appeal No. 06V21: Julie and Jerry Warner** Property located at 11818 Road, Town of Wayne. Replacement of retaining wall, stairs, landings and decks. Relief of LUR Sec. 3.4.b.c and Sec 1.3.g

Mark Tette is the contractor for the project and gave the Zoning board an overview of the project. The current wall and stairs are failing and need replacement. He pointed out that due to the special issues created by being so close to the road he has been working with the Code Enforcement officer, Mr. Harrop, and Hunt Engineering to design a strong conforming wall and stairs. The stairway is the only way to provide access to the lake. The lower pad of the stair system is 14' from the mean high water line and will require setback relief. Mark said that the test piles indicated that the retaining wall will need to be slightly over 12 feet tall.

Mr. Hand inquired as to how the wall is tied back? Mr. Tette explained that there will not be traditional tie backs, rather the lower two courses will be tied into a poured foundation. This foundation will be 3' in the right-of-way and below road grade. The project will be finished to road grade with fill.

Public comments opened. No comments were received prior to the meeting. Public comments closed.

Ms. Dietrich made the motion to grant height variance of 8'7" to allow building a retaining wall of 12'7", and to grant setback relief of 11' from the mean high water line to accommodate the lower stairs and decking. Project is to be built according to plan submitted on April 20, 2021 and is contingent on approval of Highway Superintendent and a signed road use agreement.

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Mr. Serdula seconded the motion. Motion passed unanimously. Variance granted according to the terms of the motion.

**Unfinished Business**

Mr. Hand asked if there was an unfinished business or items for discussion. A reminder will be sent to the Town board to pass the resolution to change the meeting time for Zoning Board to 7 PM.

**Discussion**

**Adjournment** The meeting adjourned at 7:06 PM.

Submitted by: Amy Gush, Board Secretary