

DRAFT
MINUTES OF THE TOWN OF WAYNE
ZONING BOARD OF APPEALS
August 4, 2022

The meeting opened at 7:10 PM with a roll call of the members. The meeting was held in-person and via Zoom at the Town Hall.

	PRESENT	ABSENT	LATE
MEMBERS: Wayne Hand, Chair	<u>X</u>	____	____
Jon Serdula	<u>X</u>	____	--
Candy Dietrich, alt	____	<u>X</u>	____
David Westcott	<u>X</u>	____	____
Gill Harrop, CEO	____	<u>X</u>	____
Emily Jennifer Rouin, Alt	<u>X</u>	____	____
Dave Bauer, Board Liaison	<u>X</u>	____	____

ALSO PRESENT: Kay Leiderbach, Mike Brainerd, Sally Brainerd

Mr. Serdula made a motion to approve the minutes of April , 2022 seconded by Mr. Westcott, minutes approved.

NEW BUSINESS:

Appeal No. 04V22: Anis Fadul, Property Tax ID # 077.12-01-007.000, Town of Wayne in LR-1. Sec. 3.A.4.a. to re-build main home on a non-conforming property.

Mr. Fadul presented the proposed project to the board. There was a discussion about the guest house being considered an accessory building, but the guest house is too big (it is more than 500 sq. ft) and does not meet the current definitions of a guest house. Therefore, is a second home. It was built before the current LUR was approved.

He went over the plan drawings with the board and the neighbors, explaining that the property is non-conforming as it has two houses on the lot.

Public comments opened. The neighbors to the north asked for clarification on the location of the new home relative to their property. Mr. Fadul pointed out the location of the proposed walls of the house and assured them there would be no impact on their sightlines to the Lake. Public comments closed.

The board resumed discussion. The new house will be conforming to all current land use regulations. The variance is only needed as the lot has two homes. The board had no further questions about the matter. After consideration of the five questions, a motion was made to grant approval to build the new home which will replace the current "main house." Conditions for approvals are that it be constructed per the plans submitted 7/19/2022.

Unfinished Business

Discussion

A short discussion ensued about the public hearing to be held August 9 before the Town Board meeting. Mr. Bauer had a question on the proposal to increase official board headcount from 3 to 5 members. Mr. Hand explained that due to NY state open meeting laws, a board of 3 has a quorum of 2, hence board members cannot talk to each other without triggering an official meeting requirement. When the Board size goes to 5 then members can talk to each other outside of meetings to clarify issues.

The other issue is to update the LUR so that renovations and conforming additions of a home do not need to go to the planning board for review.

Adjournment The meeting adjourned at 7:51 PM.

Submitted by: Amy Gush, Board Secretary