

MINUTES OF THE TOWN OF WAYNE
ZONING BOARD OF APPEALS
April 3, 2023

The meeting opened at 7:00 PM with a roll call of the members. The meeting was held in-person and via Zoom at the Town Hall.

MEMBERS:	PRESENT	ABSENT	LATE
Wayne Hand, Chair	— X —	— X —	—
Jon Serdula	—	— X —	—
David Westcott	Zoom	— —	—
Emily Jennifer Rouin	— X —	— —	—
Karsten Konig	— X —	— —	—
Jason Ferris, Alt.	— X —	— —	—
Candy Dietrich, alt	— X —	— —	—
Dave Bauer, Board Liaison	— X —	— —	—
Gill Harrop, CEO	—	— X —	—

ALSO PRESENT: Rich Morrison, Christopher J. Wilkinson, Brian Nolan,

Agenda Review

No changes to agenda as presented.

Minutes

Approved the December 2022 minutes by Ms. Dietrich, Ms. Rouin, and Mr. Konig. February minutes were approved. March minutes were approved.

Appeal No. 05V23: John Randall Property Tax ID #092.20-01-010.000 4190 Shorewood Dr., Town of Wayne in LR-3. Request relief LUR section 1 of setbacks and height for new building.

Mr. Randall wants to build a garage that will be 30x24 and 27 feet tall. Mr. Nolan does not object to the 4' of relief from his property line. There was a discussion about a need for a set back from Shorewood Drive. It was determined no relief would be needed. Public Comments opened. No letters, emails, or comments were offered. Public Comments closed.

A discussion on lot coverage began. Maximum coverage in this zone is 35%. Mr. Hand explained the calculations to determine lot coverage as stated in the LUR. He felt that as currently proposed the garage project might be at least 50%. Mr. Hand asked about the location of the septic tank. The leach field is between the house and the lake.

Mr. Hand asked about the proposed height of the building. Mr. Randall said the lower level of the garage would be where cars were parked. The first floor was to be a workshop – he has an extensive collection of woodworking tools. The top floor would be for storage as the house is very small.

The issues requiring relief are 4' of setback relief on the south boundary line. Nine feet of height relief and possibly relief on lot coverage.

Ms. Rouin expressed concern about lot coverage and noted that Mr. Nolan's garage which had similar issues had been previously approved. Ms. Dietrich and Mr. Westcott also expressed

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concern about lot coverage. Mr. Ferris and Mr. Konig asked for a good calculation of the lot coverage feeling they needed accurate information to make a proper decision. Mr. Hand explained the calculations again.

Mr. Konig made a motion to table the decision, Mr. Hand seconded. The motion passed.

Appeal No. 06V23: Flx Vineyards, LLC Property Tax ID #064.00-01-004.210, 10014 Day Road, Town of Wayne in Corridor District. Request relief LUR section 1 of setback less than 25' for new crush pad.

Mr. Weis needs to expand the pad and roof for the crush area at the winery. The minimum setback in the Corridor District requires a 25 foot setback from property lines. The crush pad extension will need 5' of relief.

Public Comments opened and Closed with no comments, letters or emails.

Mr. Konig made a motion to approve 5' of setback relief on the southeast side to be constructed per the plans dated 3/16/23. Mr. Ferris seconded the motion. The motion passed unanimously.

Appeal No. 07V23: Flx Vineyards, LLC Property Tax ID #078.00-01-037.300, 9810 Day Road, Town of Wayne in HC-1. Request relief LUR Section 1, f – bulk requirements for district, and d1, sec 1 - side setback less than 50 “

Mr. Weis acquired the land and wants to remove the existing barn and build a new barn which would be 25' from the neighboring lot line. The LUR calls for a 50' setback. The existing barn is only 12' from the lot line. If he was to move farther away from the lot line, the grade of the land would cause a hardship via increased building costs as the land slopes uphill.

Public Comments opened and Closed with no comments, letters or emails.

Mr. Ferris made a motion to approve 25' of setback relief on the SW side lot line to accommodate the new barn. Ms. Rouin seconded. The motion passed with the condition that the barn be built as detailed in the plans dated 3/16/23.

Unfinished Business

Appeal No. 05V23: Andy Mattle Property Tax ID #064.11-01-048.00, 14173 Keuka Village Road, Town of Wayne in LR-1. Sec 3,4,b,c expansion of pre-existing non-conforming structure, non-conforming setbacks, lot coverage greater than 25%.

Mr. Mattle's action was postponed to the next meeting.

General Announcement

Adjournment The meeting adjourned at 7:40 PM.

Submitted by: Amy Gush, Board Secretary