

MINUTES OF THE TOWN OF WAYNE  
ZONING BOARD OF APPEALS  
May 8, 2014

The meeting opened at 6:30 PM with a roll call of the members.

	PRESENT	ABSENT	LATE ARRIVAL
MEMBERS: Wayne Hand, Acting Chair	<u>X</u>	—	—
Greg Blessing	<u>X</u>	—	—
Candy Dietrich	<u>X</u>	—	—
Bill Feinstein	—	<u>X</u>	—

ALSO PRESENT: Jude Weis

Dwight James

**MINUTES:**

Ms. Dietrich made a motion to approve the March 18, 2014 minutes as presented, seconded by Mr. Blessing.

A roll call vote was taken.

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Bill Feinstein	—	—	—	<u>X</u>
Greg Blessing	<u>X</u>	—	—	—
Candy Dietrich	<u>X</u>	—	—	—
Wayne Hand	<u>X</u>	—	—	—

Ayes-3. Abstain-0. Absent-1.

The minutes were approved.

**NEW BUSINESS:**

**VARIANCE APPLICATION NO. 021V14:** Jude Weis. Property located at 14546 Keuka Village Rd., Town of Wayne. Request front yard less than 25', structure and retaining wall. 6.3

Ms. Dietrich reviewed with the Zoning Board what the Planning Board agreed too on Special Permit No. 01SP14 regarding the Jude Weis property located at 14546 Keuka Lake Rd.

Mr. Hand stated it would be beneficial to have any minutes regarding applications from the Planning Board that overlapped Board's, prior to the Zoning Board meeting.

Mr. Weis stated he bought the property in December 2013 and now has hired Mr. Jones as his contractor.

Mr. Jones reviewed the following facts with the Board:

- Foundation failure and electrical damage is an issue.
- The applicant would like to tear down the existing cottage that is currently one (1) ft. from the road right of way and rebuild it back to ten (10) ft. from the road right of way.
- Due to the existing septic, the applicant couldn't go further back.
- The proposed cottage would be narrower and longer.
- The new structure would meet the ten (10) ft. setback requirement on the Sought end of the property.
- KWIC has been notified, and is currently awaiting the visit and sign off letter from the engineer.
- Phase one of the demo would involve taking out the windows and tearing off the existing porch.
- Tear down would be from the back of the structure.
- A dumpster and any parking would be located where the existing porch was.
- Mr. Baer, a neighbor, stated they could use his property for any additional parking.
- The biggest concern was to get any heavy equipment on and off the property prior to any freeze.

After the public hearing was opened, it was noted that 15 letters were sent to the neighboring property owners, with no response received.

No one was present at this meeting to express any concern.

Mr. Hand closed the public hearing.

Mr. Harrop stated the following:

- Under the drafted LUR, the lot size would be in compliance.
- The current structure is unsafe and changes needed to be made for the safety of the neighborhood.
- A road use agreement between the highway and the applicant would need to be stipulated, as stated in the Planning Board stipulations.
- Due to the location of the property, any construction should be seasonal, and not during the summer months.
- Both the Highway Superintendent and the Code Enforcement Officer would be responsible to make sure the agreement was kept.

Upon completion of the area variance findings and decision questions, Ms. Dietrich made a motion to approve Variance No. 02V14 as per submitted plans and granting the 15 ft. for the front yard setback of relief, seconded by Mr. Blessing.

Mr. Hand encouraged Mr. James to contact the neighbor (Mr. Baer) prior to any construction in order to seek any additional needed parking.

A roll call vote was taken. Ayes-3. Nays-0. Absent-1.

As there was no further business, Mr. Blessing made a motion to adjourn, seconded by Ms. Dietrich. Ayes-3. Nays-0. The meeting was adjourned at 7:05PM.

Sincerely,

Maureen Kurtz