

Town of Wayne
Zoning Meeting
March 2, 2026

Board Members present: Jason Ferris, Chair, Jennifer Rouin, Karsten Konig,

Jesse Jaynes, Code Officer

James Deforest Applicant

1. **Appeal No.002v26: James DeForest.** Property Tax ID # 064.00-01-033.114, 14968 State Rt. 54, Town of Wayne in Hillside Conservation 1 District Regulations 1,.2 c.4

Quick recap

The Wayne Board of Appeals held a meeting to discuss a variance request for an 8.5-acre property where the applicant wanted to build a barn with an apartment for himself and a separate three-bedroom home for his daughter, who plans to move there in two years. The board denied the variance request. While the board acknowledged the applicant's situation, they ruled that the benefits sought could be achieved through alternative building methods that comply with zoning regulations.

Wayne Board of Appeals Meeting

The Wayne Board of Appeals meeting began at 6:30 PM with a quorum present. The board noted that no meetings were held in January or February.

Mixed-Use Barn Residence and Home on one parcel

The board heard a request from Mr. DeForest to build a mixed-use barn residence and another home on an 8.5-acre parcel, which was denied by the Code Officer due to zoning restrictions preventing two occupied structures on a single property. Mr. DeForest explained that the property is part of a family estate and the planned structures would be used by himself and his daughter. The board considered the concept of "undue hardship" and discussed the possibility of setting a precedent.

Agricultural Property Development Plans

Mr. DeForest then explored the possibility of any advantage from pursuing agricultural use designation for the property, noting Concord grape vines (1/4 acre) on an additional plot he owns nearby and past agricultural activities on the land.

Public Comments

The Commenting period opened at 6:40. No comments, letters, or emails received. Comment period closed at 6:42 PM

Property Variance Request Discussion

The board discussed the request; noting such requests were denied in the past. Mr. Ferris pointed out there are likely alternative options for building that would not require the requested variance.

Mr. DeForest noted that exploring options would take longer, as he had already lost contractors due to delays in the building proposal process. Mr. DeForest emphasized that he is petitioning for hardship and believes the situation is a genuine hardship for his family.

Consideration of NYS Questions evaluating a Variance Request

The board members deliberation focused on several factors including the impact on neighborhood character, the feasibility of alternative solutions, whether the issue is self-created and whether the variance is substantial. The group discussed specific questions related to these factors with most participants agreeing on the importance of considering the overall impact on the community.

The board voted to deny the application for a variance.

Mr. Ferris explained that the applicant could resubmit paperwork with code enforcement for alternative applications, and clarified that agricultural petitions must be filed on the active lot where the farm is located. The discussion also covered accessory building regulations.