

MINUTES OF THE TOWN OF WAYNE  
ZONING BOARD OF APPEALS  
January 29, 2015

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

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

ALSO PRESENT: Michael Widmer	Laura Widmer
James Thomas	Nancy Dubendorfer
Chris Schwab	Jennifer Schwab
John Vang	Linda Vang

**MINUTES:**

Ms. Dietrich made a motion to approve the December 11, 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-2. Abstain-0. Absent-2. Nays-0. The minutes were approved.

**NEW BUSINESS:**

**AREA VARIANCE APPLICATION NO. 03V14:** James Thomas. Property located at 9559 Eagle Rock Trail, Town of Wayne. Request relief to construct 20 ft. by 30 ft. pole barn on existing non-conforming lot in R-2 district. 6.3 & 7.2.3

Mr. Thomas stated the following:

- He wanted originally wanted to construct a 20' by 30' pole barn for storage.
- In order not to need two variances, he would change the width from 20 ft. to 19 ft.
- The lot size is 5,400 sq. ft. and the minimum is 20,000 ft. in that district.
- The structure would meet the setback requirements now that he changed the width of the pole barn to 19 ft.

Mr. Blessing opened the floor for comments.

Ms. Kurtz stated 13 letters were sent to the neighboring properties and 3 were received back. Ms. Riorden's letter dated July 7, 2014, stated concern about potential drainage issue, both Mr. and Mrs. Dubendorfer stated concern about safety.

Ms. Dubendorfer was present to voice her concern about the possible location of the driveway with regards to her elderly neighbor and potential crime site for robbery.

Ms. Dietrich stated the Zoning Board of Appeals role was to address zoning regulations, in this case, the request to build on an undersized lot in an R-2 district.

Mr. Blessing closed the public hearing.

Upon completion of the Area Variance Findings and Decision sheet, Ms. Dietrich made a motion to approve application with the stipulation the applicant change the building width to 19 ft. from 20 ft. with a 6 ft. overhang on the east side and subject to existing land use regulations, seconded by Mr. Blessing.

A roll call vote was taken. Ayes-2. Abstain-0. Absent-2. Nays-0.

The application was approved.

Mr. Thomas signed the variance responsibilities and conditions sheet.

**Variance Application No. 13V14:** John Vang. Property located at 9685 Crystal Beach Rd., Town of Wayne. Request relief from side yard and high water mark setback to construct an 8 ft by 32 ft. addition on a non-conforming structure.

Mr. Vang stated the following:

- He wanted to replace the existing front porch using the same footprint that requires 2 ft. of relief from the high water mark.
- They were also requesting to build an 8 ft. by 32 ft. addition on a non-conforming structure.
- They were going from 4 bedrooms to 3 bedrooms.

No one was present to express any concern about this application.

Ms. Kurtz stated 18 letters were sent out to the neighboring properties with 2 responses received back stating they had no objection.

Mr. Blessing closed the public hearing.



Upon completion of the Area Variance Findings and Decision questions required by NYS, Ms. Dietrich made a motion to approve Variance Application No. 13V14 requesting relief of 2 ft. from the high water mark to replace the existing porch using the same footprint, seconded by Mr. Blessing.

A roll call vote was taken. Ayes-2. Abstain-0. Nays-0. Absent-2.

Mr. Thomas signed the variance responsibilities and conditions sheet.

**VARIANCE APPLICATION NO. 02V15:** Thomas Burns. Request relief on the side yard setback and high water mark for landing and stairs.

Mr. Wydra, contractor for Crossroad Carpentry was present to represent the Burns.

Mr. Wydra stated the following:

- The Burns wanted to replace two existing windows with a door and steps on the west side of the cottage, requiring 1.5 ft. of relief from the south west side yard setback and 8 ft. of relief from the high water mark.

No one was present to express any concern about this application.

Ms. Kurtz stated 17 letters were sent to the neighboring properties with 2 responses were received back, stating they had no objection.

Mr. Blessing closed the public hearing.

Upon completion of the Area Variance Findings and Decision questions, Ms. Dietrich made a motion to approve Variance Application No. 02V15 granting 8 ft. of relief on the lakeside high water mark and 1.5 ft. of relief on the south west side yard corner for the stairs and landing, seconded by Mr. Blessing.

A roll call vote was taken. Ayes-2. Abstain-0. Nays-0. Absent-2.

Mr. Wydra signed the variance responsibilities and conditions sheet.

**VARIANCE APPLICATION NO. 01V15:** Michael Widmer. Property located at 14149 Keuka Village Rd., Town of Wayne. Request to construct new porch with canopy on pre-existing non-conforming structure.

Mr. Widmer stated he wanted to place a new porch with canopy over his new door that exited on the front of his cottage instead of the side. A variance was needed due to the structure being non-conforming.

No one was present to express any concern about this application.

Ms. Kurtz stated 22 letters were sent with two responses received back, stating they had no objection.

Mr. Blessing closed the public hearing.

Upon completion of the Area Variance Findings and Decision questions, Ms. Dietrich made a motion to approve Variance Application 01V15 to construct a front porch and entry door as per submitted plans, seconded by Mr. Blessing.

A roll call vote was taken. Ayes-2. Abstain-0. Nay-0. Absent-2.

Mr. Widmer signed the variance responsibilities and conditions sheet.

As there was no further business, Ms. Dietrich made a motion to adjourn, seconded by Mr. Blessing. Ayes-2. Nays-0. The meeting was adjourned at 7:10PM.

Sincerely,

Maureen Kurtz