

MINUTES OF THE TOWN OF WAYNE
 ZONING BOARD OF APPEALS
 April 2, 2018

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

	PRESENT	ABSENT	LATE ARRIVAL
MEMBERS: Bill Feinstein, Co-Chair	—	<u>X</u>	—
Greg Blessing	<u>X</u>	—	—
Candy Dietrich	<u>X</u>	—	—
Wayne Hand, Co- Chair	<u>X</u>	—	—
Gill Harrop, CEO	<u>X</u>	—	—

ALSO PRESENT: Richard Rossette	Marc Mason
Julie Haar	Kurt Falvey

MINUTES:

Mr. Hand made a motion to approve the November 9, 2017 minutes as presented, seconded by Ms. Dietrich.

Mr. Blessing made a motion to approve the February 5, 2018 minutes as presented, seconded by Ms. Dietrich.

NEW BUSINESS:

AREA VARIANCE APPLICATION 06V18: Public Hearing. Marc Mason. Property located at 14517 Keuka Village Rd., Town of Wayne. Request for a lot line alteration on pre-existing non-conforming lots. LUR 6.3 and Subdivision Section 1.8

Mr. Rossette, Attorney for Mr. Mason, was present to state:

- The new survey map dated February 12, 2018 was revised per the Code Enforcement Officer's request to allow for the additional setback from an existing building.
- The lot line adjustment would create 9.6 ft. of natural beach frontage that would allow the applicant to launch and retrieve kayaks and other small watercraft.
- The dash line on the survey map indicate measurements from a previous survey map dated 1986 that is currently on file at Steuben County, (which shows the lots extending into the lake).

Mr. Hand opened the public hearing.

Ms. Kurtz stated 10 letters were sent out the neighboring property owners, and one email inquiring about proposed subdivision was received back.

As no one was present to express any concern, Mr. Hand closed the public hearing.

After some discussion, the following items were noted:

- The applicant was seeking 1.33 ft. of relief on parcel 1, located on the East and 3.08 ft. of relief on parcel B1, located on the West.
- The request was straight forward and would allow for 9.6 ft. of natural beach frontage.
- The applicant would not be creating a separate tax parcel.

The 5 test questions were then reviewed and answered as required by NYS.

1. Whether an undesirable change to the character of the neighborhood will take place or if it would be a detriment to nearby properties: No
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: No.
3. Whether the requested variance is substantial: No.
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: No.
5. Whether the alleged difficulty was self-created: Yes.

It was then determined that the Benefit to the Applicant did outweigh the Detriment to the Neighborhood or Community.

Mr. Blessing made a motion to approve Area Variance Application 06V18, allowing 1.33 ft. relief on parcel A located on the East and 3.08 ft. relief on parcel B1, located on the West, as per submitted survey map #17226 dated 2/12/18, seconded by Ms. Dietrich.

An Aye vote was taken. Ayes-3. Nays-0.

The applicant was instructed to attend the April 9, 2018 Planning Board meeting to continue the subdivision application process.

UNFINISHED BUSINESS:

Mr. Harrop stated that he has received no new information on Variance Application 15V17 at this time.

DISCUSSION:

Mr. Hand stated the Town should consider revisiting the Subdivision Regulations definition on lot line adjustment.

As there was no further discussion to be discussed, Ms. Dietrich moved to adjourn the meeting, seconded by Mr. Hand. The meeting was adjourned at 7:15PM.

Respectfully submitted, Maureen Kurtz

DRAFT