

MINUTES OF THE TOWN OF WAYNE
 ZONING BOARD OF APPEALS
 July 13, 2017

The meeting opened at 6:25 PM with a roll call of the members.

	PRESENT	ABSENT	LATE ARRIVAL
MEMBERS: Bill Feinstein	<u>X</u>	—	—
Greg Blessing, alt.	—	<u>X</u>	—
Candy Dietrich	<u>X</u>	—	—
Wayne Hand, Acting Chair	<u>X</u>	—	—
Gill Harrop, CEO	—	<u>X</u>	—
 ALSO PRESENT: Paul Madore			
		Dace Madore	

MINUTES:

Ms. Dietrich made a motion to approve the June 8, 2017 minutes with the amended changes made by Mr. Hand, seconded by Mr. Hand.

A roll call vote was taken.

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

Ayes-2. Nays-0. Absent-1. Abstain-1.

NEW BUSINESS:

AREA VARIANCE APPLICATION 10V17, Public Hearing: Paul Madore. Property located at 9617 Garrett View, Town of Wayne. Request to replace existing non-conforming structure allowing for 4 ½ ft. on the northeast boundary. Section 6.2 and 7.2.3

Ms. Madore stated the following:

- They would remove and replace the existing garage on the same footprint.
- The replacement garage would be 18 ft. in height to allow for storage of their kayaks, outdoor furniture, etc.
- Neighboring properties have full second stories on their garages that exceed the height of 18 ft.

Mr. Hand opened the public hearing.

It was noted that 25 letters were sent out to the neighboring property owners and no responses were received.

No one was present to express any concern.

Mr. Hand closed the public hearing.

Mr. Hand stated the applicant was seeking 2 variances; one for building a new structure on an undersized lot and one for 4.5 ft. relief from the northeast boundary.

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: Yes. Reason: The applicant would need to relocate the septic and water lines.
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.

Ms. Dietrich made a motion to approve Area Variance Application No. 10V17 as per submitted plans and using the same footprint as the existing garage; granting a 4.5 ft. of relief from the northeast boundary, seconded by Mr. Feinstein.

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

As there was no further discussion to be discussed, Ms. Dietrich made a motion to adjourn the meeting, seconded by Mr. Hand. The meeting was adjourned at 7:00PM.

Acting Secretary, Nancy Gabel for Maureen Kurtz