

MINUTES OF THE TOWN OF WAYNE
ZONING BOARD OF APPEALS
February 4, 2019

The meeting opened at 6: 35 PM with a roll call of the members.

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

ALSO PRESENT: Tom Edwards, Contractor

MINUTES:

The October 1, 2018 minutes were unable to be approved at this time due to Mr. Feinstein's absence.

Ms. Dietrich made a motion to approve the January 15, 2019 minutes as presented, seconded by Mr. Walton.

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

NEW BUSINESS:

APPEAL APPLICATION NO. 01V19: Public Hearing, Daniel Dalton. Property located at 14398 Keuka Village Rd., Town of Wayne. Request to construct a guest house greater than 500 sq. ft. 1.0, 3,d,iii

Mr. EdwardS contractor for the Dalton's was present to represent the Dalton's and stated the following:

- The old carriage house was demolished.
- The new guest/carriage house would be basically on the same footprint as the old carriage house and would increase from 46 ft. to 48 ft.
- KWIC has approved the existing septic system after a new 1000 gallon septic tank was installed.
- They are currently awaiting to hear from NYSEG about either using or replacing the existing gas line running from the main house.

Ms. Dietrich opened the public hearing.

Ms. Kurtz stated 8 letters were sent out and one phone call was received back inquiring about side yard setbacks.

As no one was present to express any concern, Ms. Dietrich closed the public hearing.

Upon discussion, the following items were noted:

- The proposed building was close to the same footprint as the old carriage house and in the same location.
- It was a Type II action.
- The reason it needed a variance was that the proposed construction is larger than the allowed sq. footage.

Mr. Walton made a motion to accept the application as presented, seconded by Ms. Dietrich.

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: Yes.
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. Walton made a motion to approve Appeal Application No. 01V19 as per plans submitted to the Zoning Board of Appeals dated 12/28/2018, seconded by Ms. Dietrich.

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

Mr. Edwards signed the responsibilities and conditions agreement. (On file)

As there was no further discussion to be discussed, Mr. Walton made a motion to adjourn the meeting. The meeting was adjourned at 6:50PM.

Respectfully submitted, Maureen Kurtz