

MINUTES OF THE TOWN OF WAYNE
 ZONING BOARD OF APPEALS
 SEPTEMBER 9, 2019

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

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

ALSO PRESENT: David Westcott Kathleen Westcott

MINUTES:

Mr. Walton made a motion to approve the August 5, 2019, minutes as presented, seconded by Ms. Dietrich.

A roll call vote was taken.

	<u>AYE (yes)</u>	<u>NAY(no)</u>	<u>ABSTAIN</u>
Bill Feinstein, Acting Chair	<u>X</u>	—	—
Candy Dietrich	<u>X</u>	—	—
John Walton	<u>X</u>	—	—

Ayes – 3. Nays - 0. Abstain - 0.

NEW BUSINESS:

APPEAL NO. 21V19: David and Kathleen Westcott. Property located at 11469 East Lake Rd., Town of Wayne. Request relief from the road setback, side yard setback and height for a garage.

Mr. Westcott was present to state:

- They would like to construct a 23’ by 25’ garage where they currently park their vehicles.
- The proposed garage would be comparable to an existing garage located on the South side of his property.
- The requested height on the garage would allow for additional storage with access by pull down stairs.
- The additional length would allow for a workbench for his tools.

Upon discussion, the Zoning Board noted the following:

- The applicant was seeking 3-variances: 2 ft. for height relief, 2 ft. for edge of road relief and 4 ft. relief from the South side yard setback.
- The proposed garage would be along the same lines as other garages in the area.

Mr. Feinstein opened and then closed the public hearing as no one was present to express and concern.

Ms. Kurtz stated 15 letters were sent and no responses were received back.

Upon further discussion, the Board agreed to do all 3-variance request together.

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.
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 Variance No21V19 to allow 2 ft. of height relief, 2 ft. relief from the edge of the road, 4 ft. relief from the South side yard setback with the condition it not be any closer to the neighbors immediate adjacent existing garage on the South and be constructed as per drawings submitted with application dated 8/27/19, seconded by Mr. Walton.

A roll call vote was taken.

	<u>AYE (yes)</u>	<u>NAY (no)</u>	<u>ABSTAIN</u>
Bill Feinstein, Acting Chair	<u>X</u>	—	—
Candy Dietrich	<u>X</u>	—	—
John Walton	<u>X</u>	—	—

Ayes - 3 Nays - 0. Abstain – 0.

As there was no further business, Ms. Dietrich made a motion to adjourn the meeting at 6:45 PM, seconded by Mr. Walton.

Respectfully submitted, Maureen Kurtz