

MINUTES OF THE TOWN OF WAYNE  
ZONING BOARD OF APPEALS  
December 6, 2021

The meeting opened at 7:00 PM with a roll call of the members. The meeting was held in-person and via Zoom at the Town Hall.

	PRESENT	ABSENT	LATE
MEMBERS: Wayne Hand, Chair	___	_X_	___
Jon Serdula	_X_	___	___
Candy Dietrich, alt	_X_	___	___
David Westcott	_X_	___	___
Gill Harrop, CEO	___	_X_	___

ALSO PRESENT: David Bauer, Anis Fadul, Diane Legendre, James Webb, Don & Michelle Clark, Patrick Flynn.

Ms. Dietrich is chairing the meeting. Mr. Westcott made a motion to approve the minutes of November 1, 2021 seconded; Mr. Serdula, minutes approved.

**NEW BUSINESS:**

**Appeal No. 15V21: Jon Serdula**, Property Tax ID # 092.20-01-022.000, 4166 Shorewood Dr. Town of Wayne in LR-3. Seeking to replace a pre-existing, non-conforming structure. Sec. 3,A,4,b. and build an accessory building (Sec 1).

Mr. Serdula was temporarily dismissed from the board while he presented his project. He shared that he wants to tear down the existing house and replace it with a new home. He also wants to build a boat house on the shoreline. The new house will be a conforming structure with the exception of needing 5 feet of setback relief on the south side of the proposed porch.

The committee reviewed the plans presented by Mr. Serdula. Questions arose around the location and height of the boathouse. Mr. Serdula said that the height of the boathouse was 9'4" and would on completion be at grade with the final landscaping. It would not create a view shed issue for the neighbor to the south. Mr. Westcott asked if the boathouse could be moved to the north to allow for a conforming setback. Mr. Serdula indicated that such a move would disturb most of the yard and lake access on his property and he did not want to consider that option.

Public comments opened. A letter of support was received from a neighbor, Jefferds. No other comments offered. Public comments closed.

After considering the five questions, a motion by Ms. Dietrich and seconded by Mr. Westcott was offered to grant 5' of relief from the south property line setback for the new home. The Boathouse is granted 15' setback from the mean high-water line and 5' relief from the south

property line. Motion passed by Mr. Westcott and Ms. Dietrich. Build according to plans date 11/28/2021..

Mr. Serdula rejoined the board as a voting member.

**Appeal No. 16V21: Donald and Michelle Clark Property** Tax ID # 092.12-014-018 at 9076 Wixson Road, Town of Wayne in LR-3. Seeking to expand a pre-existing, non-conforming structure. Sec. 3,A,4,b,5

The Clarks explained that they are seeking to add a garage and some additional living space, mostly garage, to the existing home. They need 3.7' of setback relief on the NW corner of the proposed addition. The board reviewed the plans.

Public comments opened and nothing was offered. Public comments closed. There were no additional questions from the board. They considered the 5 questions. A motion by Mr. Westcott and seconded by Ms. Dietrich was made to approve setback relief of 3.7' on the northwest corner of the proposed addition. Build according to plans submitted 11/12/2021. Motion approved.

**Appeal No. 17V21: James Webb & Diane Legendre** Property Tax ID # 064.08-01-055.000 at 14733 Keuka Village Road, Town of Wayne in LR-2. Seeking to replace a pre-existing, non-conforming structure. Sec. 3,A,4,b, ii,2,6

Mr. Webb explained that they want to tear down the old cottage and rebuild a year-round home on the site. Because of the size and location of the lot they need to preserve the open space on the lakeside of the house. The new home will be in the same basic footprint as the existing non-conforming house. The open space on the lakeside of the lot also preserves the view shed for the neighbors. The board reviewed the plans. Because of the tight lot setback relief would be required as follows:

- 5'10 1/4" on SW corner of proposed new structure
- 5' 8" on SE corner
- 5'5" on NE corner
- 1'1" on the NW

Public Comments opened. There were several letters of support from neighbors who appreciate the consideration of keeping open space and views on the lake side of the property.

Public Comments closed. There was no further conversation on the matter and the five questions were reviewed by the board. A motion was made by Mr. Serdula and seconded by Mr. Westcott, to grant the setback relief as outlined above with the caveat that the project be built according to plans submitted 11/22/2021. Motion passed.

### **Unfinished Business**

### **Discussion**

**Adjournment** The meeting adjourned at 7:39 PM.

November 1, 2021 TOW Zoning Board minutes

Submitted by: Amy Gush, Board Secretary