

DRAFT
MINUTES OF THE TOWN OF WAYNE
ZONING BOARD OF APPEALS
 September 12, 2022

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.

MEMBERS:		PRESENT	ABSENT	LATE
Wayne Hand, Chair	_X_	___	___	
Jon Serdula	_X_	___	--	
Candy Dietrich, alt	_X_	___	___	
David Westcott	_X_	___	___	
Gill Harrop, CEO	___	_X_	___	
Emily Jennifer Rouin, Alt	_X_	___	___	
Karsten Konig	_X_	___	___	
Dave Bauer, Board Liaison	_X_	___	___	

ALSO PRESENT: Steve Tarcza, Joan Tarcza, Lauren Kearney, Steven Tarcza II, Kirsten Tarcza, Nancy and Larry Woodward, Dan Scuteri, Lu Ann Simmons, Tom Arnnionga, Brain Mattiatio, Dave Altamura, Shona and Tom Freeman, Dustin Edsall, Rich Morrison.

Ms. Rouin made a motion to approve the minutes of August 8 , 2022 seconded by Mr. Serdula, minutes approved.

NEW BUSINESS:

Appeal No. 05V22: Brian Mattiaccio, Property Tax ID #077.12-01-008.100, 12436 Town of Wayne in LR-2. Sec. 3.A.4.b.5. Remodel a non-conforming property, setback less than 10'

The project is a cottage renovation seeking setback relief on the south property line. The new deck will follow the line of the house and will be 7' 9" from the property line on the south side. Public comments opened. No comments were offered. Public comments closed.

Motion passed to approve addition of a covered deck to a pre-existing, non-conforming structure and provide setback relief of 3 feet from the property line. Conditions of approval include building according to plans submitted 6/17/2022 and not encroach more than 7' toward property line.

Appeal No. 06V22: Nancy Woodward, Property Tax ID #092.08-01-027.000, 9242 Wixson Road Town of Wayne in LR-3. Sec. 3.A.4.b.5. to build a porch on a non-conforming property, setback less than 10'

Ms. Woodward seeks to build a covered porch on a pre-existing, nonconforming structure. The new porch will follow the existing line of the house and the southwest corner of the build will encroach on the lot line a distance of 6' 9." Set back in this zone is eight feet. Public comments opened. No comments were offered. Public comments closed.

A motion was approved to grant 2' setback relief from the property line to allow for expansion of a pre-existing non-conforming structure. The porch is to be built according to plans submitted on 8/25/2002

Appeal No. 07V22: Dustin Edsall, Property Tax ID #105.00-03-020.131, 9019 County Rt 87 Town of Wayne in HC-1, Sec. 3.A.4.b.5 Replace non-conforming existing home, right-of-way setback less than 75'

Mr. Edsall seeks to replace a single wide trailer with a new, doublewide modular home. As the home is in Hillside conservation #1, the new home will be too close to the road. The slope, utilities and septic tank placement make it too costly to site the home further back on the property. Public comments opened. No comments were offered. Public comments closed.

Motion was approved for the replacement of the existing non-conforming home and provide 25' setback relief from the road right of way. The new building to be built according to plans submitted 8/27/2022.

Appeal No. 08V22: David Altamura, Property Tax ID #064.08-01-045.000, 14663 Keuka Village Road Town of Wayne in LR-2. District 1 regulations, #3, G. to build garage and guesthouse, setback less than 10,' steep slope, and excess height.

Mr. Altamura seeks to build a garage with second story guest house. He is seeking setback relief from property lines and relief from the height restriction on accessory buildings. The Altamura's said that they would be buying land from the Kopinsky neighbors to give the new garage setback on the northwest side. They were asked if they could move the structure forward 5' to meet setback on the east.

Mr. Hand asked about the size of the proposed guest house. Mr. Altamura said it would be 480 square feet with the rest of the second floor being used for storage. He also indicated that the bath in the guest house would have its own holding tank. Public comments opened. No comments were offered. Public comments closed.

Mr. Westcott inquired about the regulations to build by a creek. Mr. Hand said that would fall to the planning board to sort out during site plan review. Mr. Hand asked if the owners would consider a smaller structure sited in such a way as to not need variances. Altamura said no.

Approval granted for setback relief of 12' height, and 7' of setback relief on the east, and 7' on the front (west) side with the following conditions:

- 2nd floor guest house living area must be less than 500 sq ft
- Acquire at least 20' x 20' of land on the west side from the Kopinski Sibs LLC
- There are satisfactory resolutions at site plan review of all construction issues concerning steep slope and the creek setback

Appeal No. 09V22: Steve & Jean Tarcza, Property Tax ID #078-00-01-008.300, Keuka Hill near Rt 230 Road Town of Wayne in HC-1. District regulations¹, e. & f, and Sec 3, c, ii Undersized lot, road frontage less than 300', driveway setback less than 5'

The property has only 16' of road front and needs a driveway for access. The property is bounded by town land – the town will not grant an easement through their plot. The neighbor will not grant an easement for access through their land. The Tarczas want to build a three-car garage on the property for storage. It will not be hooked to utilities or have septic.

Public comments opened. Deana Warner filed a letter of complaint. Rich Morrison offered some historical perspective on the land. Public comments closed.

Motion to approve providing a total of 6' of setback relief from the property boundaries at Keuka Hill Road to build a 12' drive

Unfinished Business

Discussion

Adjournment The meeting adjourned at 8:58 PM.

Submitted by: Amy Gush, Board Secretary