

Ms. Kurtz stated 12 letters were sent out and no responses were received back at this time.

As no one was present to express any concern, Mr. Feinstein closed the public hearing.

Upon discussion, there were no concerns since the applicant was replacing a pre-existing non-conforming structure and moving the new into more conformity by placing it further back from the road right-of-way.

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: 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. 24V18 as per submitted plans submitted to the Zoning Board Appeals dated 9/18/18 and be no closer to the lot lines that currently exists, seconded by Mr. Feinstein.

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

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

AREA VARIANCE APPLICATION NO. 25V18: Public Hearing: Kevin and Christine Reilly. Property located at 4182 Shorewood. Town of Wayne. Request to add 2 additions to pre-existing non-conforming structure.

Ms. Reilly was present to state:

- They would like to replace their existing non-conforming front porch that faces Waneta Lake with 12' by 24' porch.
- They would like to put another 12' by 16' addition on the road side of the home that met the setback requirement.
- The additions would allow for them to put in a water treatment system and storage.
- KWIC gave a waiver for the septic to allow for proposed addition.

As no one was present to express any concern, Mr. Feinstein closed the public hearing.

Ms. Kurtz stated 11 letters were sent and no responses were received back.

Upon discussion, it was determined it was an expansion of a pre-existing non-conforming structure.

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: 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. 25V18 as per submitted building plans, seconded by Mr. Feinstein.

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

Ms. Reilly signed the responsibilities and conditions agreement. (On file)

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

Respectfully submitted, Maureen Kurtz