

MINUTES OF THE TOWN OF WAYNE
ZONING BOARD OF APPEALS
January 8, 2018

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

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

ALSO PRESENT: Hans Peter Weis Ashlee Travis
Sebastien LeSeurre

MINUTES:

The December 14, 2017 minutes were unable to be approved at this time, due to both Mr. Hand and Mr. Feinstein being absent.

NEW BUSINESS:

AREA VARIANCE APPLICATION 24V17: Public Hearing. FLX Vineyards. Property located at 10014 Day Rd., Town of Wayne. Request to construct pole barn greater than 18 ft. high with setbacks less than 75 ft. from Day Rd. LUR 7.8.11 (Amended 2017)

Mr. Hans Peter Weis, owner of the property was present to state:

- He needed more storage space for his winery business.
- The additional space would allow for the storage of his press, boxes, fork lift and other related winery items.

Mr. Blessing opened the public hearing.

Ms. Kurtz stated 24 letters were sent out the neighboring property owners, and no responses were received back.

Mr. LeSeurre was present to state his approval for this request.

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

After some discussion, the following items were noted:

- The applicant was seeking 2 variances.
- The first variance was for a side set back from Day Rd. of 19.4 ft.
- The second variance was for a height variance of 12 ft.
- Both will be heard 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: 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 affect, as per submitted plans.
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 the area variance allowing 19.4 ft. relief from the road right of way and a height relief of 12 ft., as per submitted plans dated 12/21/17, seconded by Mr. Blessing.

An Aye vote was taken. Ayes-2. Nays-0.

Mr. Hans Peter Weis signed the Responsibilities and Conditions sheet. (On file).

As there was no further discussion to be discussed, Ms. Dietrich moved to adjourn the meeting, seconded by Mr. Blessing. The meeting was adjourned at 6:45PM.

Respectfully submitted, Maureen Kurtz