

MINUTES OF THE TOWN OF WAYNE
 ZONING BOARD OF APPEALS
 January 15, 2019

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

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

ALSO PRESENT: Courtney Bason

MINUTES:

The October 1, 2018 minutes were unable to be approved at this time due to Mr. Feinstein’s absence.

NEW BUSINESS:

AREA VARIANCE APPLICATION NO. 27V18: Public Hearing. Jackie Swarthout. Property located at 9797 Silsbee Rd., Town of Wayne. Request to place a pre-built 12’ by 16’ shed on pre-existing non-conforming lot. 7.2.3 and 6.3

Ms. Bason presented a letter from the owner (on file) allowing her to represent Ms. Swarthout for the application and stated the following:

- The shed would be placed on an existing cement slab and would be used for storage.

Ms. Dietrich opened the public hearing.

Ms. Kurtz stated 8 letters were sent out, one letter was returned and no responses were received back at this time.

As no one was present to express any concern, Ms. Dietrich closed the public hearing.

Upon discussion, the following items were noted:

- The applicant was using an existing cement slab that met all the setback requirements.
- It was a Type II action.

- The reason it needed an area variance was that the lot was located in an AG-R zone and was undersized for that district.

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. 27V18 as per plans submitted to the Zoning Board of Appeals dated 10/30/2018, allowing placement of a 12' by 16 ' pre-built shed onto the existing cement slab, seconded by Mr. Walton.

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

Ms. Bason 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. The meeting was adjourned at 6:45PM.

Respectfully submitted, Maureen Kurtz