

MINUTES OF THE TOWN OF WAYNE
ZONING BOARD OF APPEALS
November 1, 2021

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

	PRESENT	ABSENT	LATE
MEMBERS: Wayne Hand, Chair	<u>X</u>	---	---
Jon Serdula	<u>X</u>	---	---
Candy Dietrich, alt	<u>X</u>	---	---
David Westcott	<u>X</u>	---	---
Gill Harrop, CEO	---	<u>X</u>	---

ALSO PRESENT: David Bauer, John Saltsman, Stacie Summers, Mrs. Craig.

Mr. Serdula made a motion to approve the minutes of October 4, 2021 Mr. Westcott seconded; minutes approved.

NEW BUSINESS:

Appeal No. 14V21: Stacie & Roger Summers, Property Tax ID # 077.15-01-044.000, 12318 East Lake Road, Town of Wayne in LR-1. Seeking to expand a pre-existing, non-conforming structure. Sec. 3, A, 4, 5

Stacie Summers presented the project. They wish to add a second story to create an office and bathroom addition. On the NE corner, the expansion will need setback relief of 2.55' from neighboring property line. Mr. Westcott asked how tall the final structure would be. Ms. Summer said the final height would be well below 34'. The structure's footprint will stay the same with the exception of the bump out on the second floor.

Public comments opened and closed with no comments shared. Mr. Serdula made a motion, which Mr. Westcott seconded, to allow for modification of the pre-existing non-conforming structure and to grant setback relief of 2.6' on the north east side. Further, the final building height must be less than 34' and be planned according to plans dated 10/16/2021.

The motion was unanimously approved.

UNFINISHED BUSINESS

Appeal No. 13V21: Crooked Lake Court, Property Tax ID # 064.00-01-001.1200 at 9933 Sunfish Drive, Town of Wayne in LR-2. Seeking to replace a pre-existing, non-conforming structure. Sec. 4.b, ii, 6.

Mr. Saltsman brought a new plan. He also had made the dimension calculations between the original trailer and the new structure comparable calculations. He showed on the new plans the ample setbacks from neighboring domiciles. Mr. Hand asked if the newest proposed structure was any smaller than the plan submitted at the last meeting.

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It is still an overall increase of 20%. The owner indicate that a different trailer would have to be selected and the design process restarted.

Mr. Saltsman said that the existing trailer is a very small trailer around 836 sq feet. The proposed trailer is 1003 sq feet.

Public Comments were opened and closed with no input.

In board discussion Mr. Hand revisited previous issues in Crooked Lake Park where trailers were oversized for the allowed space or built larger than the plans submitted. Mr. Westcott worried about setting a precedent by allowing the increase in size for the new trailer. Mr. Westcott asked Mrs. Craig if they had been advised at the start of the replacement process to limit size to that of existing trailer. Mr. Craig said they were advised to do that, but they went ahead with a custom trailer, made as small as the builder would allow.

The board recognized there were no setback issues with this project. Previous projects that wanted a larger trailer also impinged on setbacks from neighboring dwellings and needed setback relief. Mr. Westcott underscored that moving forward, all projects must stay in the same footprint and size as the existing structure.

The board considered the five questions and determined that the project could proceed – entirely dependent on the size of the allotted space and generous setbacks.

Mr. Westcott made a motion, seconded by Mr. Serdula, to allow the enlargement of a pre-existing non-forming replacement trailer given the large lot and that the setbacks from other dwellings must at least 20' and built according to plans submitted 1/11/2021.

The motions passed unanimously.

Unfinished Business

Mr. Hand asked if there was an unfinished business or items for discussion. Nothing arose.

Discussion

Mr. Hand will not be available for the December meeting.

Adjournment The meeting adjourned at 7:50 PM.

Submitted by: Amy Gush, Board Secretary