# ZONING BOARD OF APPEALS MEETING MINUTES Draft

Town of Wayne - October 5, 2026

## Quick Recap

The Town of Wayne Zoning Board of Appeals met on October 5, 2026, beginning at 6:37 p.m. The Board approved the prior meeting minutes subject to correction of Ms. Rouin's surname; granted Chad Keenan a four-foot building-height variance; tabled the Keuka Dugout LLC waterfront setback application pending documentation of the mean high water line; and approved Nick Vari's proposed enclosure of an existing deck.

## Next Steps

- Mr. Keenan / Mr. Russell: Construct in accordance with the submitted plans and any changes required through Planning Board review.
- Keuka Dugout LLC / Mr. Berry: Obtain a survey depicting a defined mean high water line before the tabled application returns to the Board; consult Code Enforcement regarding survey requirements.
- Mr. Vari: Complete the deck enclosure consistent with submitted plans and Code Enforcement approval.

## Attendance

| Name | Status |
|---|---|
| Mr. Jason Ferris, Chair | Present |
| Ms. Jennifer Rouin | Present |
| Mr. Karsten Konig | Present |
| Mr. Rick Rosenberg | Absent |
| Mr. Wayne Hand | Present |
| Mr. Tom Meyers, Zoning Officer | Present in place of Mr. Jaynes |
| | |

## Summary

Mr. Ferris chaired the October 5, 2026 meeting. The meeting began at 6:37 p.m. Mr. Tom Meyers attended as Zoning Officer. Attendance and the formal roll call should be checked against the meeting record before final approval.

### Review of Agenda

The agenda was formally reviewed.

### Approval of Previous Minutes

The Board approved the previous meeting minutes with a correction to the spelling of Ms. Rouin's surname.

### Chad Keenan - Building Height Variance

Property: 12013 Eastlake Road. Representative: Ryan Russell. The applicant requested four feet of height relief to allow a maximum height of 38 feet at the southwest corner of the proposed residence rather than the previously approved 34 feet.

Mr. Russell explained that excavation showed the planned finished grade could not be raised as intended without adversely affecting drainage near a stream. The building had been repositioned within the buildable area to increase its distance from the stream without additional setback relief. Construction was halted

while the applicant consulted Code Enforcement. The additional height was described as largely screened by terrain and vegetation.

Public Comments opened and closed with no comment.

The Board reviewed the five statutory area-variance considerations, concluding that the change would not undesirably alter neighborhood character, the request was not substantial, and adverse environmental impacts were not expected. The hardship was considered self-created. On balance, the benefit to the applicant outweighed potential detriment.

The Board unanimously approved four feet of height relief for a maximum height of 38 feet at the southwest corner, subject to the submitted plans and any changes required by Planning Board review. Affirmative voters were identified as Mr. Ferris, Ms. Rouin, Mr. Konig, and Mr. Hand.

### Keuka Dugout LLC - Waterfront Setback Variances

Property: 12215 East Lake Road. Property owner: Keuka Dugout LLC. Presenter: Mr. James Berry. The matter concerned demolition of a deteriorating waterfront cottage and construction of a replacement structure requiring setback relief.

Mr. Berry reported that the existing three-bedroom cottage showed settlement, sloping floors, and angled walls and had flooded during a recent major storm. An existing wall or overhang was approximately two inches from a property line, an existing septic tank was in the highway right-of-way, and the deck was approximately 3 feet 9½ inches from the mean high water line. The applicant proposed a new residence, an engineered aerobic septic system and leach field, and a rotated building layout that would improve the creek-side and road setbacks.

The applicant described difficulty obtaining a survey delineating the natural mean high water line because of the age of the seawall, fill, and shoreline changes. The Board explained that it had consistently required a professionally established high water line in comparable cases and could not determine appropriate setback relief without one. Members discussed whether a surveyor might use identifiable points adjacent to the seawall to establish the line.

The Board unanimously tabled the request pending a survey showing a defined mean high water line. Mr. Berry was encouraged to coordinate with Code Enforcement about survey documentation. The summary does not record a motion maker or seconder.

### Nick Vari - Deck Enclosure Variance

Applicant/representative: Mr. Nick Vari, Williamson Building Remodeling. The application sought approval to enclose an existing deck on a pre-existing nonconforming waterfront residence to make a screened, unheated three-season room, without increasing the footprint.

Public Comments opened and closed with no comment.

Mr. Vari described knee walls, screening, a shingled roof at approximately 3½:12 pitch tied into the existing roof, and gutters directed to an existing downspout. The Board considered the structure’s existing nonconforming status and reviewed the five area-variance factors. Members found no undesirable neighborhood change, no substantial variance because the footprint would not increase, and no anticipated adverse environmental effect. Alternatives were possible and the difficulty was considered self-created. The benefit to the applicant outweighed potential detriment.

The Board unanimously approved the deck enclosure in accordance with submitted plans and subject to Code Enforcement approval. Affirmative voters were identified as Mr. Ferris, Ms. Rouin, Mr. Konig, and Mr. Hand.

### Adjournment

Respectfully submitted,

Amy Gush
Zoning Board of Appeals Secretary

Date of Submission: _____

These minutes are subject to approval at the next regularly scheduled Zoning Board of Appeals meeting.