

TOWN OF EDEN
ZONING BOARD OF APPEALS
2795 EAST CHURCH ST, EDEN, NY 14057

PUBLIC HEARING DATE: May 17, 2018

BOARD MEMBERS PRESENT: Phil Muck
Curtis Neureuter
Joseph Winiecki
Drew Reidel
Doug Schaeu
Candice Pineau

MEMBERS ABSENT: Kristin Kent

APPLICANT PRESENT: Mr. Joshua Wooley

OTHERS PRESENT: Gary Sam – Town Board Member
Jesse Baker – Code Enforcement
Officer

RESIDENTS: Mr. Joshua Wooley, Mr. Paul Osinski, Mr. William Bancroft

RE: **Appeal No. 2018-6 (Wooley)**
3651 Yochum Road
Eden, NY

Mr. Winiecki called the hearing to order at 7:00 p.m.

Mr. Winiecki then read the following Legal Notice published in the “The Sun”:

Pursuant to the Code of the Town of Eden, notice is hereby given of a public hearing by the Zoning Board of Appeals of the Town, to be heard on Thursday, May 17, 2018 at 7:00 P.M. at the Town Hall, 2795 East Church Street, to consider the following:

Bancroft: Application for a Special Permit under Code section 225-32 F, to allow a home occupation at 2401 Shadagee Road for the sale of custom lumber products.

Osinski: Application for variances at 4146 Schintzius Road, under the Bulk Regulations in Code section 225-23, to allow (1) construction of a new garage (side lot line violation), (2) addition to an existing garage (side lot line violation) and (3) waiver of the total lot coverage rule for each project above.

Wooley: Application for variances at 3651 Yochum Road, under Code sections 225-23 (side lot line violation) and 225-25 (side lot line and street line setback violations), to allow construction of a pole barn.

Dated: April 25, 2018

Mr. Winiecki noted that there was no one in attendance in the audience.

Mr. Winiecki stated that our secretary, Ms. Diane Herzog has reviewed all the applicants Certified Mailings and they are all in substantial compliance with our Code requirements. Mr. Winiecki then explained the order of hearing and appeal process. If the applicant does not like the decision of this board they can appeal to New York State Supreme Court; the decision of this board will be filed with the Town Clerk.

Mr. Winiecki then asked the applicant to give this board a little background into why he would like to build a pole barn to close to his lot line.

Mr. Wooley: *I am interested in building a pole barn. The location would be most suitable for this building is in between our driveway and our right side property line. There is currently a frame shed that is 11' wide by 16.2' long that is in the place where I would like to replace with the pole barn. This location on our property is the only location available to build due to a ravine, and our house being a slight hill. The left side of our driveway is also a hill then the ravine starts. The Property next to where I would like this pole barn is a wooded area with no house on the property. As drawn on the survey the building I would like is 20' x 40' long 16' side walls and 19'2" peak. It would be build 10' from the side property line.*

The board also asked Mr. Wooley the following: *(his response in Italics)*

- **How much land do you own?** *I have 2.4 acres*
- **Are you going to have power or water in pole barn?** *No, I will only be using it for storage.*
- **Is there anywhere else you could put this pole barn?** *No, the property has a ravine and a hill.*

Mr. Winiecki then went through the list of requirements for a variance:

1. **Do you feel there will be an undesirable change to the character of the neighborhood?** *No*
2. **Do you see any benefits sought from building this pole barn?** *No*
3. **Do you feel this requested area variance is substantial?** *No*
4. **Do you feel this will impact the environment negatively?** *No*
5. **Is this self- created?** *Yes, but not a hindrance*

Mr. Neureuter made a motion to grant the Area Variance to allow the construction of a pole barn 10' from the side lot line at 3651 Yochum Road. Seconded: by Mr. Reidel. All in favor: Phil Muck (Aye) Joe Winiecki (Aye) Curtis Neureuter (Aye) Candice Pineau (Aye) Doug Scheu (Aye) Drew Reidel (Aye) motion approved.

Respectfully submitted,
Diane Herzog
Secretary
May 20, 2018

The above minutes were reviewed and approved on _____, 2018 by
