

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 Paul Osinski

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

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

RE: **Appeal No. 2018-4 (Osinski)**  
**4146 Schintzius 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 recapped the applicant's situation to the board: This application was tabled April 17, 2018.**

This board had asked Mr. Osinski to come up with other options for the placement of his garage item # (1) since he was in violation of the side lot line under code 225-23. Mr. Osinski has now provided us with a new survey with the Septic System plotted per scale, like we had asked at the April 2018 meeting. The board had denied item # (2) the addition to an existing garage (side lot line violation). Now, the Code Enforcement Officer has found in the code book about item # (3) his lot coverage %, that waiver of the lot coverage is no longer relevant to this project. Mr. Baker said that under the Bulk Regulations since his lot is non-conforming we will have to use district RR (Rural Residential) under user group F for this application. Under that user group the applicant's percent of lot coverage will go from 10% to 20 % and he will no longer need a variance to waive the lot coverage issue.

*Mr. Osinski - I have decided to have the garage under 15' high. According to the Code Enforcement Officer I will not need a variance any longer for my garage. I may want to revisit the garage addition with other options since that was denied by this board in April.*

**Mr. Winecki made a motion to table the application for the construction of a new garage in the event that Mr. Osinski has any issues with meeting the bulk requirements for his new garage. Seconded: by Phil Muck; Curtis Neureuter; Aye, Drew Reidel; Aye, Doug Sheau; Aye, Candice Pineau; Aye, all in favor, "Aye". Motion approved.**

Respectfully submitted,  
Diane Herzog  
Secretary  
May 20, 2018

The above minutes were reviewed and approved on \_\_\_\_\_, 2018 by

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