

Nayes: 0

All in Favor.

Motion Carries.

Frank & Lynne Michalski, 8005 Peck Rd., E. Syracuse NY (tax map # 042.-02-03.6). Requesting two variances to construct a 30'X40'X12' Pole Barn. With an existing rear yard setback of 20' they will need a variance of 20' to meet the required 40' With an existing side yard setback of 15' they will need a variance of 5' to meet the required 20'.

Member Linhart made a motion, seconded by Member KP Kelly, to open the public hearing at 6:34 PM and it was carried unanimously.

Mr. Michalski stated he would like to build a pole barn and is asking for the setbacks as the required setbacks would put the barn in the middle of the yard. Mr. Michalski stated after the new pole barn is built the existing shed will be removed.

Answers given to Board Members questions:

- The barn will have wainscoting, cupola, and a red roof.
- The barn will have a concrete floor.
- They will store two classic cars in the barn.
- The septic system is in the front yard of the property.
- They will not install a driveway to the barn.
- The building will have electricity but no heat.

Ken & Cheryl Katzenstein submitted a letter in opposition to the variances requested. Mr. Katzenstein stated he does not see a hardship concerning this project that would require two variances to build the barn, they have plenty of room in their yard.

Discussion ensued about the requested variances and the distances requested.

Member Linhart made a motion, seconded by Member KP Kelly to close the public hearing at 7:42 PM and it was carried unanimously.

Board Questions

Chairperson T. Kelly proceeded with the board through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered yes, to eliminate the side yard requested variance.
- 2) Whether the Variances will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no, the barn will fit the character of the neighborhood.
- 3) Whether the requested Variances is substantial? The board answered no.
- 4) As to whether the Variances will have an adverse effect on physical or environmental conditions? The board answered no.
- 5) Whether the alleged difficulty was self-created? The board answered yes, they want a barn.

Determination of ZBA Based on the Above Factors:

The ZBA, after taking into consideration the above five factors, finds that: **For the rear yard variance.**

 X The benefit to the applicant **DOES** outweigh the Detriment to the Neighborhood or Community.

 The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that a variance of **20 feet off the rear property line** is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

The ZBA, after taking into consideration the above five factors, finds that: **For the Side yard variance.**

 The benefit to the applicant **DOES** outweigh the Detriment to the Neighborhood or Community.

 X The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that a variance of **5-foot variance for the side yard is denied.**

The ZBA further **GRANTS** the variance as requested with the following conditions: ***to remove the old shed within a year.***

SEQRA Review

Chairperson T. Kelly determined the proposed project and action contemplated is comprised of a Type II Action pursuant to the New York State Environmental Quality Review Act, and as such no further review was required.

Board Action

Based on the findings of the Board, Member Catalino made a motion, seconded by Member Miller grant a rear yard variance of 20' to meet the required 40' and the board will deny the side yard variance of 5 feet. The board will set the condition that the old shed be torn down within a year.

Ayes: Chairperson T. Kelly, Member KP Kelly, Member Linhart, Member Miller, Member Catalino

Nays: 0

All in Favor.

Motion Carries.

Matthew Ventura, 8190 Salt Springs Rd., Manlius NY (tax map # 098.-01-13.0) A Public Hearing requesting one height variance for a garage height of 19'11&9/16" they will need a variance 2'11&9/16" to go above the code height of 17'.

Member Linhart made a motion, seconded by Member KP Kelly, to open the public hearing at 7:09 PM and it was carried unanimously.

Mr. Ventura stated he is requesting the height variance to allow for a loft area for storage the pitch is for snow load. Mr. Ventrua stated he has already removed the old shed and cut trees to make space for the new garage. Mr. Ventura stated there will be a man door and garage door but no windows and will have a concrete floor in the future.

Member Linhart made a motion, seconded by Member KP Kelly to close the public hearing at 7:17 PM and it was carried unanimously.

Board Questions

Chairperson T. Kelly proceeded with the board through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered yes, he could lower the roof pitch.
- 2) Whether the Variances will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no, as there are other large barns in the neighborhood.
- 3) Whether the requested Variances is substantial? The board answered no.
- 4) As to whether the Variances will have an adverse effect on physical or environmental conditions? The board answered no.
- 5) Whether the alleged difficulty was self-created? The board answered yes, he wanted a garage.

Determination of ZBA Based on the Above Factors:

The ZBA, after taking into consideration the above five factors, finds that:

 X The benefit to the applicant **DOES** outweigh the Detriment to the Neighborhood or Community.

 The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that a **three-foot height variance** is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

The ZBA further **GRANTS** the variance as requested with the following conditions: **None.**

SEORA Review

Chairperson T. Kelly determined the proposed project and action contemplated is comprised of a Type II Action pursuant to the New York State Environmental Quality Review Act, and as such no further review was required.

Board Action

Based on the findings of the Board, Member Linhart made a motion, seconded by Member Catalino, to grant Matthew Ventura, 8190 Salt Springs Rd., Manlius NY (tax map # 098.-01-13.0) one height variance for a garage height of 3' bringing the height to 20' which is 3' above the required 17'.

Ayes: Chairperson T. Kelly, Member KP Kelly, Member Linhart, Member Miller, Member Catalino.

Nays: 0

All in Favor.

Motion Carries.

Joseph Roberts, 5821 Acton St., E Syracuse NY (tax map # 075.-05-09.0). A Public Hearing requesting two variances to install a 15' X 30' X 54' above ground pool. With an existing side yard setback of 10' they will need a variance of 5' to meet the required 15' side yard setback. With an existing rear yard setback of 15' they will need a variance of 10' to meet the required 25' rear yard setback.

Member Catalino made a motion, seconded by Member Linhart, to open the public hearing at 7:21 PM and it was carried unanimously.

Mr. Roberts stated they would like to put a pool in the backyard and will need two variances because of the size of the lot and where the fences are located. Mr. Roberts stated the pool will be as far from the rear property line as possible and right off the existing deck.

The Board discussed adding some sort of privacy fencing across the back line since the large tree was removed.

Mr. Roberts stated he has some arborvitae there now and will be adding more and until that fills in he will attach a black mesh privacy fence that will be attached to the chain link fence.

Member Linhart made a motion, seconded by Member Catalino to close the public hearing at 7:29 PM and it was carried unanimously.

Board Questions

Chairperson T. Kelly proceeded with the board through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered no, this location will keep the pool in line with the existing deck.
- 2) Whether the Variances will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no.
- 3) Whether the requested Variances is substantial? The board answered no.
- 4) As to whether the Variances will have an adverse effect on physical or environmental conditions? The board answered no.

- 5) Whether the alleged difficulty was self-created? The board answered yes, he wanted a garage.

Determination of ZBA Based on the Above Factors:

The ZBA, after taking into consideration the above five factors, finds that:

 X The benefit to the applicant **DOES** outweigh the Detriment to the Neighborhood or Community.

 The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that a **five-foot side yard variance and ten-foot rear yard variance** is the minimum variances that should be granted in order to preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

The ZBA further **GRANTS** the variance as requested with the following conditions:
Arborvitae at a minimum height of 2' be placed along the rear property line sufficient to shield, at a spacing recommended by the nursey and placed within one year.

SEQRA Review

Chairperson T. Kelly determined the proposed project and action contemplated is comprised of a Type II Action pursuant to the New York State Environmental Quality Review Act, and as such no further review was required.

Board Action

Based on the findings of the Board, Member Linhart made a motion, seconded by Member Catalino, to grant Joseph Roberts, 5821 Acton St., E Syracuse NY (tax map # 075.-05-09.0). Requesting two variances to install a 15' X 30' X 54' above ground pool. With an existing side yard setback of 10' they will need a variance of 5' to meet the required 15' side yard setback. With an existing rear yard setback of 15' they will need a variance of 10' to meet the required 25' rear yard setback. The Board added a condition that Arborvitae at a minimum height of 2' be placed along the rear property line sufficient to shield, at a spacing recommended by the nursey and placed within one year.

Ayes: Chairperson T. Kelly, Member KP Kelly, Member Linhart, Member Miller, Member Catalino.

Nayes: 0

All in Favor.

Motion Carries.

**Danielle & Ryan Ewert, 8291 E. Seneca Turnpike, Manlius NY, (tax map # 099.-01-27.4)
Public Hearing for a variance of 13.76 feet to provide relief from the required 200 feet of frontage.**

Attorney Sutphen stated this is a continuation of the public hearing opened at the last meeting held on April 20, 2023.

Chairman T. Kelly reviewed the recommendation resolution Z-23-119 from the Onondaga County Planning Board that stated they wanted to see the installation of the public sewer to this property.

Joe Mastroianni, Engineer for Mr. & Mrs. Ewert reviewed two options for sewer systems. Mr. Mastroianni first option would be a raised bed septic system which is estimated to be about twenty thousand dollars. The second option is to connect to the public sewer at an estimated cost of forty thousand dollars.

A discussion ensued concerning the two different sewer options, the cost and the work involved with each option.

Mr. Mastroianni asked if the board would hold off on a decision it would allow time to get something from the County Health Department stating their view on putting in the septic system.

Attorney Sutphen stated that based on what information comes back to this board it may need to be referred to the OCPB.

Mr. & Mrs. Enders, 8275 E. Seneca Turnpike, Manlius stated they own Compassionate Care Veterinary Hospital and when getting their building permit, they were required to connect to the public sewer system. Mr. Enders stated the requirements for drainage and water are a lot higher for a dog kennel or veterinary hospital as it takes a lot of water to do routine cleanup.

Chairman T. Kelly stated the Board will be keeping the public hearing open to allow time for the applicant to get more detailed information concerning sewer system options.

- Will the Onondaga County Health Department allow a raised bed septic system?
- To see (quotes) from contractors for the installation of both septic systems.

Adjournment

With there being no other business, Member Linhart made a motion, seconded by Member Miller, and carried unanimously, to end the meeting at 7:59 PM

Respectfully submitted,
Debi Witzel, Secretary
Zoning Board of Appeals