

Agenda
Zoning Board Meeting
April 20, 2023
6:30 PM

1. Virtual Meeting Instructions - April 20, 2023

Documents:

[4-20-23 Zoning Board Meeting Instructions.pdf](#)

2. Pledge Of Allegiance

3. Approval Of Minutes - March 16, 2023 - Tabled

4. Danielle & Ryan Ewert, 8291 E. Seneca Turnpike, Manlius NY, (Tax Map # 099.-01-27.4)
Requesting a Variance of 13.76' to meet the required 200' for Front Road Frontage

Documents:

[Application - 8219 E. Seneca Turnpike - Ewert.pdf](#)
[8291 E. Seneca Turnpike - Subdivision-22x34 3-8-23 - signed.pdf](#)
[20230412_190652.jpg](#)
[20230412_190649.jpg](#)

5. Tim & Diane Goode, 7119 Carstairs Circle, East Syracuse NY, (Tax Map # 076.-10-23.0)
Requesting a Variance of 10' to meet the required 25' Rear Yard Setback

Documents:

[5 Questions - 7119 Carstairs Circle.pdf](#)
[Building Permit - 7119 Carstairs Circle.pdf](#)
[Building Plans.pdf](#)
[Image Mate - 7119 Carstairs Circle.pdf](#)
[Survey.pdf](#)
[ZBA Application - 7119 Carstairs Circle.pdf](#)
[20230412_195330.jpg](#)
[20230412_195323.jpg](#)

6. Dawn & Kevin Smalley, 8278 Glen Eagle Dr., Manlius NY (Tax Map # 117.-12-09.0)
Will need one side yard setback and one rear yard set back in the (south west rear corner) for the installation of a 16 X 36 inground pool.

Documents:

[Application for Building Permit.pdf](#)
[8278 Glen Eagle Dr ZBA Denial.pdf](#)
[Building Plan.pdf](#)
[Survey.pdf](#)
[Image Mate.pdf](#)

7. Other Business

8. Adjournment

This meeting is being recorded and live streamed. The recording will be broadcast live and will be posted to the town website at www.townofmanlius.org



April 20, 2023 – 6:30PM

Zoning Board Meeting Instructions

The easiest way to participate in the meeting is to use the link provided below. The meeting will be conducted on the ZOOM platform as a webinar. Please make sure that when you complete your attendee registration you enter your full name.

Click on the link or enter the meeting URL web address as listed below.

<https://us02web.zoom.us/j/84218027130?pwd=cZ1MjMyT0pnKzg2QURKRnljb0thdz09>

Password to join when prompted:

Password: **619727**

Enter your email address and name and join the meeting.

Join by telephone by dialing the number below:

(929) 436-2866

When prompted to enter the Webinar ID, use the number below followed by #

Webinar ID: 842 1802 7130

Press # again to skip the personal id and enter the password below followed by #

Password: **619727**

If this is your first time joining a ZOOM meeting you may practice using ZOOM meeting platform at <https://zoom.us/test>.

APPLICATION
TOWN OF MANLIUS – ZONING BOARD OF APPEALS
301 BROOKLEA DR.
FAYETTEVILLE NY 13066
315-637-3521 OR 315-637-8619

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY

THE ZONING BOARD OF APPEALS normally meets on the 3rd Thursday of the month, this schedule is subject to change. For your application to be placed on the agenda for the Zoning Board, you must file your complete application by the **file date-which is the last working day of the month by noon**. The placement of your application on the ZBA agenda is subject to caseload and/or the evaluation of your application under the New York State Environmental Quality Review Act and the requirements for referral to the Onondaga County Planning agency.

The ZBA Board reserves the right to limit the number of cases it hears at any one meeting to the first applications received. Additional applications may be delayed until a later meeting despite submissions prior to the File by Date.

An incomplete application will not be considered at all.

Once an application has been scheduled a public meeting notice will be published in the Eagle Bulletin and a meeting agenda will be mailed to each applicant. All scheduled applications will be open for inspection at the Town of Manlius, Town Clerk's Office.

Unless otherwise notified, all ZBA meetings will begin at 6:30PM at the Manlius Town Hall, 301 Brooklea Dr. Fayetteville NY. The applicant or an authorized representative must attend the meeting to present their application to the Zoning Board of Appeals Board.

VARIANCE SUBMITTAL REQUIREMENTS

1. A total of 9 copies of your application packet which must include – **Building Permit that has been denied by the Code Officer, ZBA application, survey, building plans, disclosure affidavit and the (short environmental assessment form - only for commercial property)** will be needed for the ZBA Board.
2. One **copy** of an accurate survey map of the property drawn by a licensed land surveyor. The survey must designate existing structures and proposed structures or additions. The survey must also show driveways and/or parking spaces as well as the distances from the rear, front and side property lines to the closest point on the primary structure. Distances from accessory or secondary structures to boundary lines should be shown as appropriate.
3. Environmental Assessment Form (*only for commercial property*): Page 1 must be completed by the applicant, if short form is used.

Town of Manlius
Town Clerks Office

MAR 20 2023

Received and Filed

4. A fee of \$100.00 for a residential area variance, \$200.00 for a Commercial use variance, \$350.00/\$450.00 for a use variance, checks are to be made payable to the Town of Manlius.

The 9 application packets will need to be delivered to the department of Planning & Development by **file by date**.

Area Variances – 5 Criteria Questions

If the applicant requests an area variance from the Town of Manlius Municipal Code, the applicant must consider the 5 criteria questions and be prepared to respond to the ZBA Board if requested to.

1. Whether the benefit sought by the Applicant can be achieved by some other feasible method?
2. Whether the Variance will result in an undesirable change in the character of the neighborhood?
3. Whether the requested variance is substantial?
4. Whether the Variance will have an adverse effect on physical or environmental conditions?
5. Whether the alleged difficulty was self-created?

Use Variances:

If the applicant requests to use the subject property for purposes which are not allowed or are prohibited by the Town of Manlius Municipal Code, the applicant must demonstrate unnecessary hardship. To prove unnecessary hardship, the applicant must submit evidence to demonstrate that:

1. The applicant is deprived of all economic use or benefit from the property in question, which deprivation must be established by competent financial evidence.
2. The alleged hardship relating to the property is unique and does not apply to a substantial portion of the district or neighborhood.
3. That the request use variance, if granted, will not alter the essential character of the neighborhood; and
4. That the alleged hardship has not been self-created.

Use the space below or submit a separate documentation to present the necessary proof. Opportunity will also be given to present proof at the public hearing.

Subdividing the lot into 2
Impossible to split with 200 feet each.

TOWN OF MANLIUS - ZONING BOARD OF APPEALS

APPLICANT / PROPERTY INFORMATION

Date: 3/20/2023

1. Property Address: 8291 E. Seneca Turnpike Manlius, NY 13104

Property Tax Map # 099.-01-27.4

The Applicants Purpose (new construction, alteration, extension, restoration, modification or other action) with respect to the subject property; New Construction

2. Owner of Property: Danielle and Ryan Ewert

Owner's Address: 8291 E. Seneca Turnpike Manlius, NY 13104

Owner's E-Mail: ewert13104@yahoo.com

Owner's Phone #: 315-263-5154

Does Owners reside at property: yes

Signature of Property Owner: Danielle Ewert &

3. Applicant / Representative / Attorney:

Name: Joseph Mastroianni Company: Mastroianni Engineering, PLLC

Address: P.O. Box 2572 Liverpool, NY 13089

Phone: _____ E-Mail: mastroiannieng@aol.com

4. The Town of Manlius ZBA Board requires that owners of neighboring properties be contacted by the applicant with respect to the proposed variance application. Please see attached instructions and form.

Below this line - For Office Use Only

Application Received by: _____ Date: _____

Payment Receipt #: _____

Date of Denial of Building Permit Application: _____ Current Property Zoning: _____

The subject property will be in conformity with all zoning use as outlined in Chapter 155 of the Town of Manlius Municipal Code, except as stated here by the Code Officer: _____

III. That no Town of Manlius officer, employee or a relative of either, as defined in Section 809 General Municipal Law has any interest in this application.

-OR-

If a Town of Manlius officer, employee or relative of either as defined in Section 809 General Municipal law has any interest in this application, the full particulars are provided on an attached sheet.

Date: March 20, 2023

Danielle Ewert
(Print Name of 1st Applicant)

Danielle Ewert
(Signature of 1st Applicant)

(Entity Name)

By (Officer)

(Title)

8291 E Seneca Trk Manlius
(Mailing Address of 1st Applicant)

NY 13104

315-263-5154
(Telephone Number)

Date: March 20, 2023

Ryan Ewert
(Print Name of 2nd Applicant)

Ryan Ewert
(Signature of 2nd Applicant)

(Entity Name)

By (Officer)

(Title)

8291 E Seneca Trk
(Mailing Address of 2nd Applicant)

Manlius, NY 13104

315-263-2920
(Telephone Number)

ACKNOWLEDGEMENTS

STATE OF NEW YORK)

) SS:

COUNTY OF ONONDAGA)

On this 20 day of March in the year 20 23, before me, the undersigned, a notary public in and for said state, personally appeared Danielle Ewert

, and Ryan Ewert (1st Applicants Name)
(2nd Applicants Name) personally known to me or proved to me on the basis

of satisfactory evidence to be the individual whose name is subscribed to the within Petition and acknowledged to me the he/she/they executed the same in his/her/their capacity, and that by his/her/their signature(s) on the Petition, the individual or the persons upon behalf of which the individual acted executed the instrument.

[Signature]
Notary Public

SEAL

LISA M WELCH
NOTARY PUBLIC STATE OF NEW YORK
ONONDAGA
LIC. #01WE6080394
COMM. EXP. 06/25/2023

**TOWN OF MANLIUS
DISCLOSURE AFFIDAVIT**

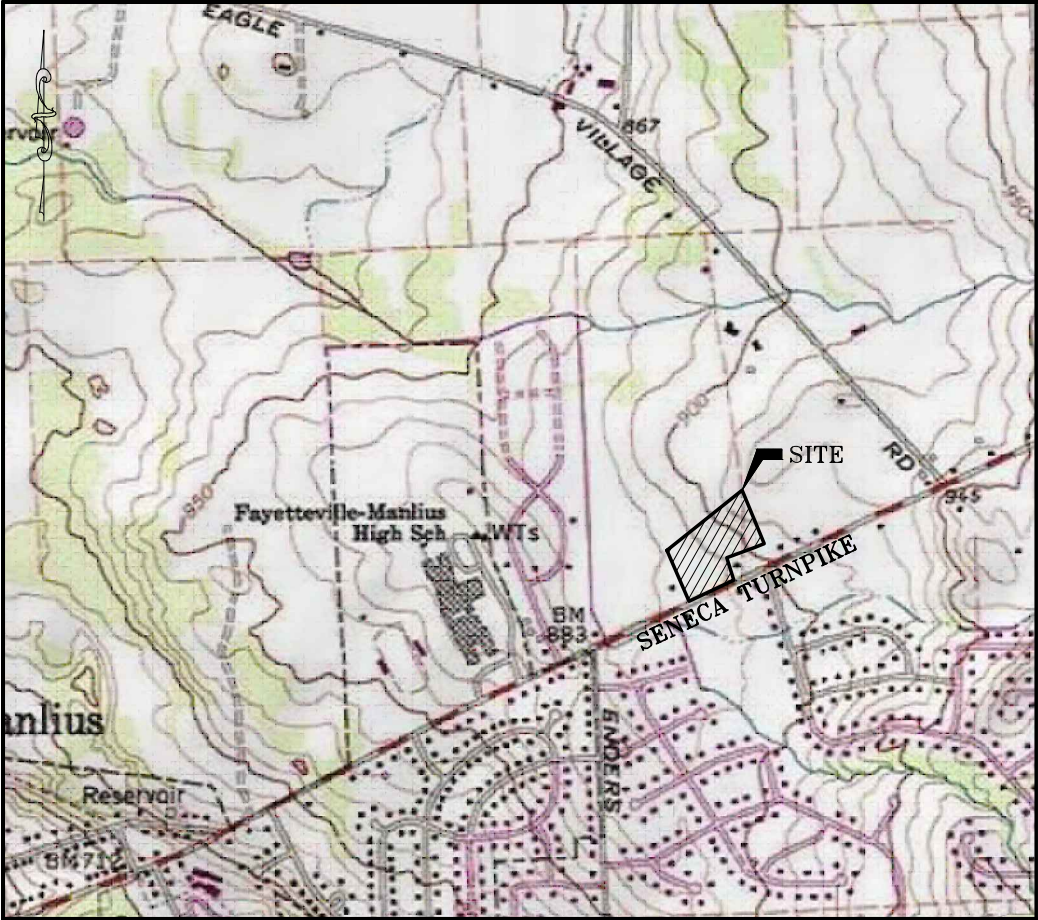
This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a *site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit.*

STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

I, Lisa M. Wake, being duly sworn, deposes and says that (s) he is:
(Notary)
Danelli Ewert and R. Ewert
(applicant, petitioner, corporation officer, property owner, etc.)

II. That deponent has read and is familiar with the provisions of the General Municipal Law, Section 809 which states:

- A. Every application, petition or request submitted for a site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions or any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
- B. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when (s)he, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
- 1) is the applicant, or
 - 2) is an officer, director, partner or employee of the applicant, or
 - 3) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - 4) is a party to an agreement with such an applicant, express or implied, whereby (s) he may receive any payment or other benefit, whether or not for services rendered, or contingent upon the favorable approval of such application, petition or request.
- C. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
- D. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.



LOCATION MAP

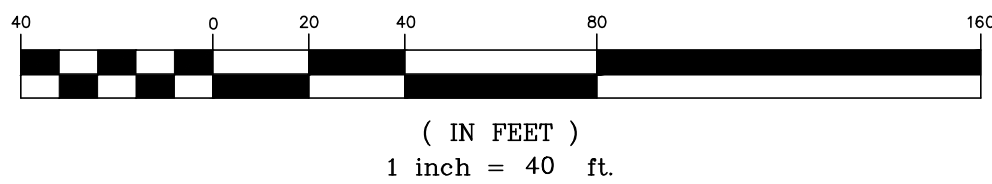
SCALE 1" = 1500'

LEGEND

- T.M. TAX MAP & PARCEL NO.
L. P. LIBER & PAGE
— PROPERTY LINE
- - - - - ADJOINING PROPERTY LINE
I. PIN (FD) IRON ROD FOUND
MON. MONUMENT
Ø UTILITY POLE
Ø-X UTILITY POLE & GUY WIRE
-750- CONTOUR LINE
- - - - - EDGE OF WATER
R.O.W. RIGHT-OF-WAY
P.O.B. POINT OF BEGINNING
-W- APPROXIMATE WATER LINE
-SA- APPROXIMATE SEWER LINE
P.O.B. POINT OF BEGINNING
⊙ SANITARY MANHOLE
-OHE- OVERHEAD ELECTRIC
⊙ DECIDUOUS TREE
⊙ CONIFEROUS TREE
⊕ WATER SPIGOT
⊕ W.V. WATER VALVE
⊕ BM BENCHMARK
△ CBP BASELINE POINT
- - - - - EDGE OF WOODS / BRUSH
⊗ ELECTRIC METER
C.O. CLEANOUT

JOHN &
CONNIE ENDRES
(REPUTED OWNERS)
T.M. 99.00-01-33
L. 4972 P. 937

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

RESUBDIVISION MAP

TYNESWOOD SUBDIVISION - LOT 5

INTO NEW LOTS 5A & 5B

8291 EAST SENECA TURNPIKE

PART OF FARM LOT 88

TOWN OF MANLIUS

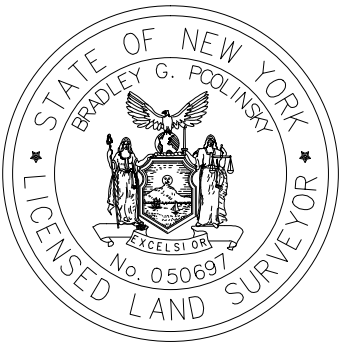
ONONDAGA COUNTY, NEW YORK

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law." "Copies from the original of this survey map not marked with an original of the land surveyor's inked seal or

APPLICANT APPROVAL: _____ DATE: _____
& OWNER APPROVAL RYAN EWERT

APPLICANT APPROVAL: _____ DATE: _____
& OWNER APPROVAL DANIELLE EWERT

TOWN APPROVAL: _____ DATE: _____
TOWN OF MANLIUS PLANNING BOARD CHAIR



THIS MAP OF A SURVEY WAS PREPARED FROM THE NOTES OF AN INSTRUMENT SURVEY COMPLETED BY BRADLEY G. PCOLINSKY, L.S. 12-7-22. SUBJECT TO ANY STATE OF FACTS AN ACCURATE AND UP-TO-DATE ABSTRACT OF TITLE MAY SHOW. SUBJECT TO ANY EASEMENTS OF RECORD.

SIGNED: *Bradley G. Pcolinsky*
DATE: *3-8-23*

REFERENCE:
1. LIBER 2022 PAGE 003252
2. MAP ENTITLED "TYNESWOOD SUBDIVISION - PART OF LOT 88 TOWN OF MANLIUS, ONONDAGA COUNTY, NY" DATED 11-30-1991, BY DAVID VREDENBURGH, L.S. #49159.

JOB# 2022-3-14

BRADLEY G. PCOLINSKY, L.S.
L.S. #050697

1323 BLACK POINT ROAD
CANASTOTA, NY 13032
PHONE: (315) 447-7070
info@bGPSurveying.com

SITE DEVELOPMENT DATA

APPLICANT: RYAN & DANIELLE EWERT
8291 EAST SENECA TURNPIKE
MANLIUS, NY 13104

OWNER: RYAN & DANIELLE EWERT
8291 EAST SENECA TURNPIKE
MANLIUS, NY 13104

INTENT: NO NEW CONSTRUCTION IS PLANNED AT THIS TIME ON LOT 5A.

TAX MAP: 099-01-27.4

ZONING RESTRICTIONS:
ZONED "R-A" - RESTRICTED AGRICULTURAL DISTRICT PER TOWN OF MANLIUS ZONING MAPS

MIN. LOT AREA	40,000 FT ² - (WITH SEWER)
MIN. LOT AREA	100,000 FT ² - (WITH SEPTIC)
- REQUIRES A MIN 10,000 FT ² OF SUITABLE LAND FOR THE INSTALLATION OF A SEPTIC FIELD	
MIN. FRONTAGE	150 FT - (WITH SEWER)
MIN. FRONTAGE	200 FT - (WITH SEPTIC)
MIN. SETBACKS	
FRONT	40 FT
SIDE	20 FT
REAR	40 FT

FLOOD ZONE:
THIS PROPERTY IS **NOT** LOCATED WITHIN A FEDERAL REGULATED FLOOD ZONE PER THE FLOOD INSURANCE RATE MAPS (FIRM) FOR THE TOWN OF LINCOLN PROVIDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

WATER SUPPLY:
LOT 5A IS CONNECTED TO PUBLIC WATER. LOT 5B HAS ACCESS TO PUBLIC WATER MAINS.

SEWAGE DISPOSAL:
LOT 5A IS CONNECTED TO PUBLIC SEWER. LOT 5B HAS ACCESS TO PUBLIC SEWER MAINS.

NOTES:
1. CONTOURS BASED ON U.S.G.S. TOPO QUAD (MANLIUS) DATUM - 2' CONTOURS (INTERPOLATED).
2. PROPERTY NOT LISTED ON NYSDEC RESOURCE MAPPER AS HAVING WETLANDS.





Tim and Diane Goode

7119 Carstairs Circle, East Syracuse NY 13057

315-383-0168

Area variances – 5 criteria questions.

1. Whether the benefit sought by the applicant can be achieved by some other feasible method?
 - a. No this can't be achieved by any other method.
2. Whether the variance will result in an undesirable change in character of the neighborhood?
 - a. The addition is being professionally designed by an architect. The addition is designed to make it look like it was always part of the original design of the home.
3. Whether the requested variance is substantial?
 - a. No, I not believe it is.
4. Whether the variance will have an adverse effect on the physical or environmental conditions?
 - a. On physical appearance - No, the proposed design will enhance the home and appearance. The design will look seamless and add value to my home as well as neighborhood. Although I am needing 10' variance; the addition will be built on less of a footprint then my current deck. My current deck was approved and built over 20+ years ago.
 - b. On environmental conditions – No this will not impact environmental conditions.
5. Whether the alleged difficulty was self-created.
 - a. No applicable

Tim Goode email : ~~Tim~~

Goode, Timothy J@gmail.com

Application for Building Permit

Town of Manlius

Department of Planning and Development

301 Brooklea Drive, Fayetteville, NY 13066

(315)637-8619 Fax: (315) 637-0713

Application is hereby made for the issuance of a Building Permit pursuant to the New York State Uniform Fire Prevention and Building Code for work herein described. The applicant agrees to comply with all laws, ordinances, regulations and revisions of the municipality in which the Permit is requested.

Owner/Applicant – Name and Phone Number:

Tim and Diane Goode 315-383-0168

Address of Proposed Work: 7119 Carstairs Cricle, East Syracuse NY 13057

Contractor Name & Address & Phone Number: 315-415-5499

MAD Enterprises 7273 New York 31 Cicero, NY 13039

<https://madenterprises.business.site/>

Proposed Work: Spring 2023 (April/May)

- | | | | |
|---------------------------|-------------------------------|---------------------|-----------------|
| 1. Addition <u>X</u> | 2. Alteration _____ | 3. Demolition _____ | 4. Garage _____ |
| 5. Shed _____ | 6. Deck _____ | 7. Pool _____ | 8. Sign _____ |
| 9. New Construction _____ | 10. Fireplace/Woodstove _____ | 11. Solar _____ | |
| 12. Renewal _____ | 13. Other _____ | | |

Construction Cost: \$ 38,000 ~~38,000~~

Size of Project: 8 X 26

Description of Project:

26 wide X 8 deep addition on back of the house to extend family room. The existing deck will be removed, and this structure will basically go in the same footprint. Roof line will be tied in to make addition look like it was always there. This addition will actually be further away from the property line set back then how my exiting deck sits today.

Residential - New Structure _____ **Existing Structure** _____

of Bedrooms _____ # of Bathrooms _____ # of Fireplaces _____

Total Square Feet w/o Garage _____ Garage Square Foot _____

Other _____

Description _____

Commercial – New Structure _____ Existing Structure _____

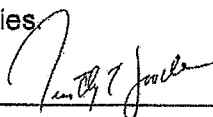
Name of Business: _____ Total Square Feet: _____

Description of Property: _____

All Plumbing and Sanitary systems to be inspected by Onondaga County Department of Health. All Electrical systems will be inspected by a Third Party Electrical Inspector approved by the Town of Manlius.

I hereby agree that no building is to be occupied or used in whole or in part for any purpose what so ever until a Certificate of Occupancy or Compliance has been issued by the Code Enforcement Officer.

I hereby certify that the above information is true to the best of my knowledge. Permission is hereby granted to the Code Enforcement Officer or Authorized representative upon showing proper credentials to enter that above premises or buildings during reasonable working hours to discharge their duties.

Signature:  Date: 3/10/23

CODE ENFORCEMENT USE ONLY

Zoning: R3 (F) 30 (R) 25 (S) 15 Flood Plain _____ Wetlands _____

Received By: DW Receipt No.: 14143 Fee: \$ 255 Date: 3-20-23

Check #: 7207 Cash: _____ Credit Card: _____

Tax Map # 076-10-23.0

Building Permit Number: _____

Approved: _____ Disapproved: _____ Date: _____

Remarks:

3/20/2023 APPLICANT NEEDS A VARIANCE FROM CHAPTER 155-9(B) APPLICANT
IS REQUESTING A 15' REAR YARD SETBACK AND WILL NEED A VARIANCE OF
10 FEET TO PROVIDE RELIEF FROM THE REQUIRED 25' REAR YARD SETBACK


Signature of Code Enforcement Officer

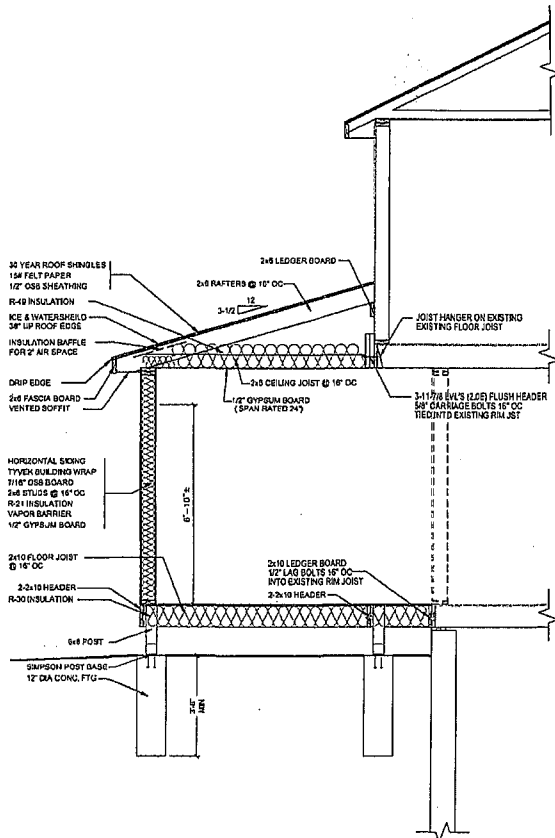


Goode Residence
7119 Carstairs Circle
Town of Manlius, Onondaga County

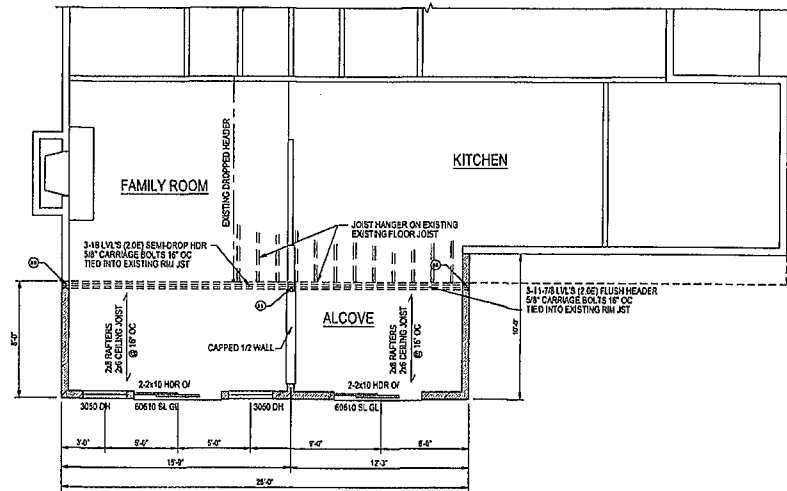
DRAWN BY: NJS
CHECKED: ---
DATE: 01/2023
REVISIONS:

ELEVATION
SHEET NUMBER

A-2

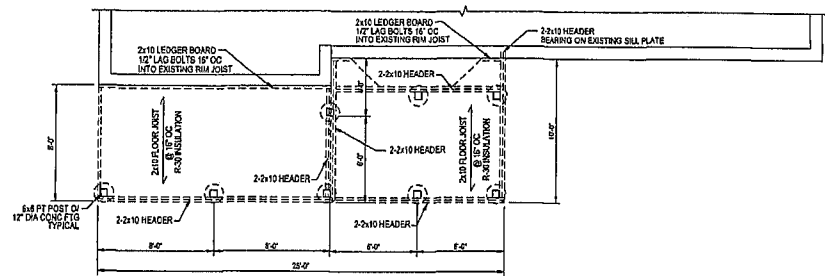


FAMILY ROOM AREA: 318 SF
6\"/>



FIRST FLOOR PLAN

SCALE: 1/4\"/>



FOUNDATION PLAN

SCALE: 1/4\"/>

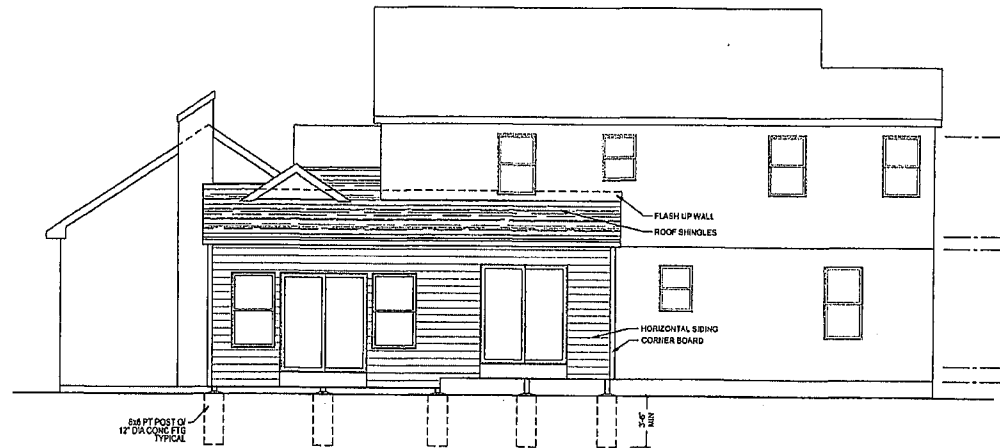


Goode Residence
7119 Carstairs Circle
Town of Manlius, Onondaga County

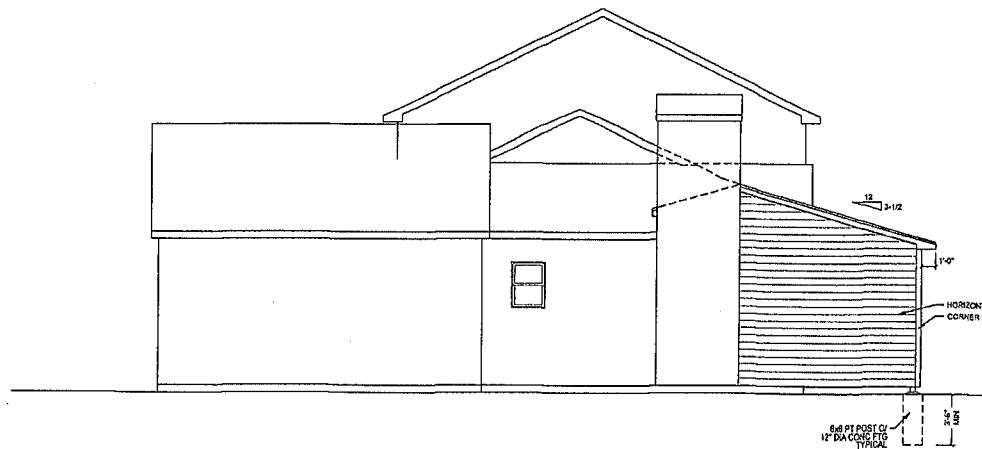
DRAWN BY: MJS
CHECKED: ---
DATE: 01/2023
REVISIONS:

PLANS
SHEET NUMBER

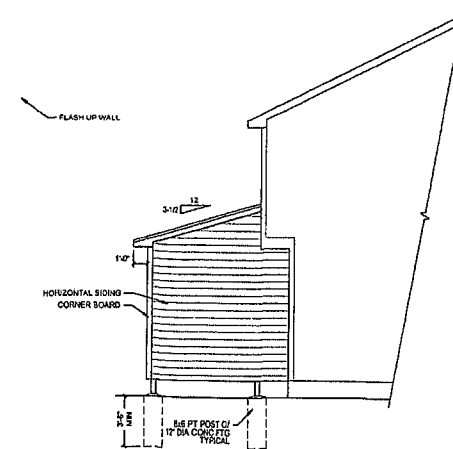
A-1



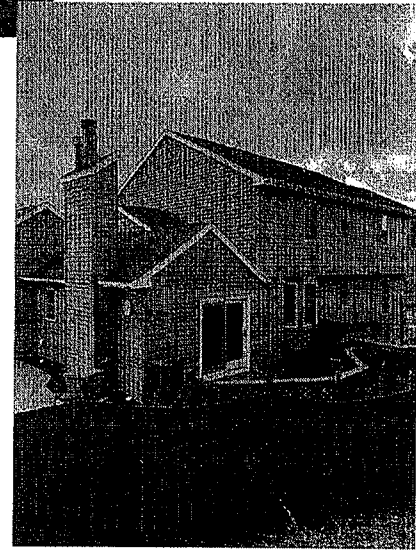
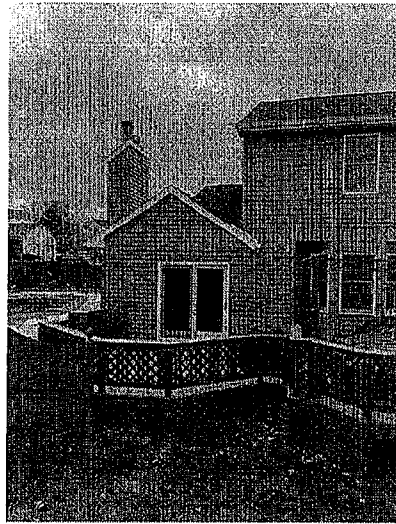
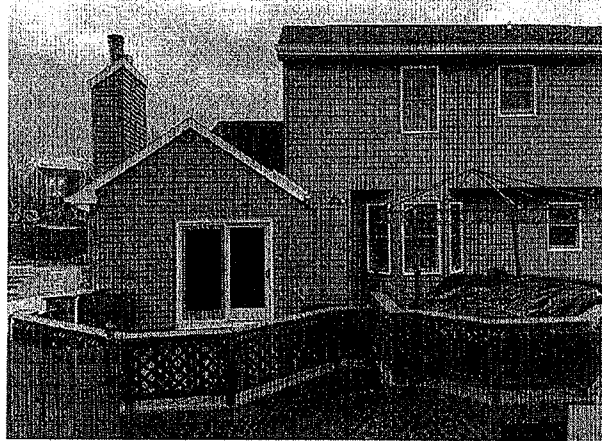
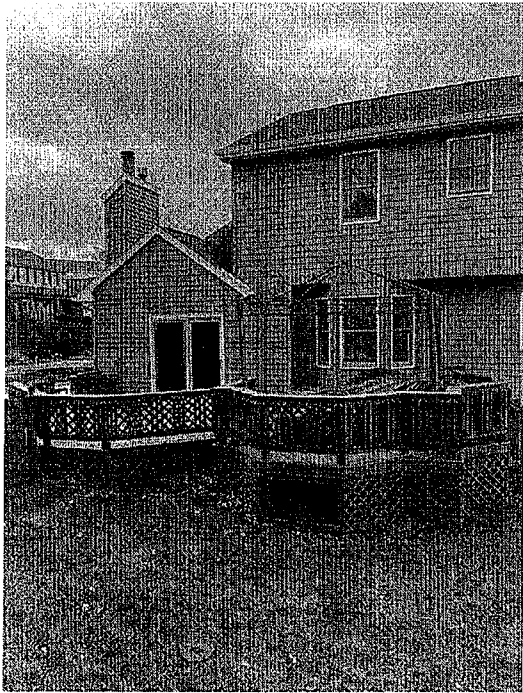
REAR ELEVATION
SCALE: 1/4" = 1'-0"

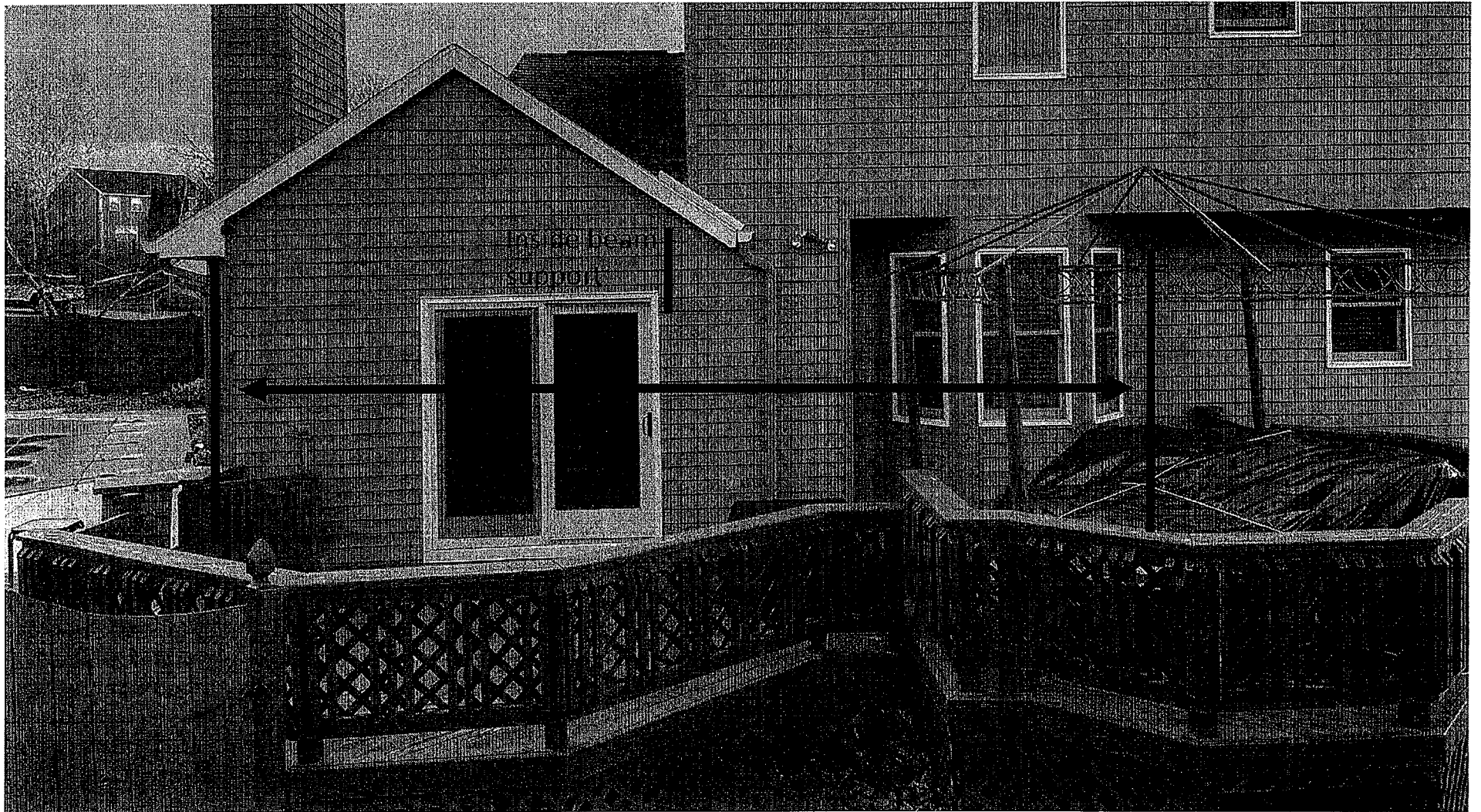


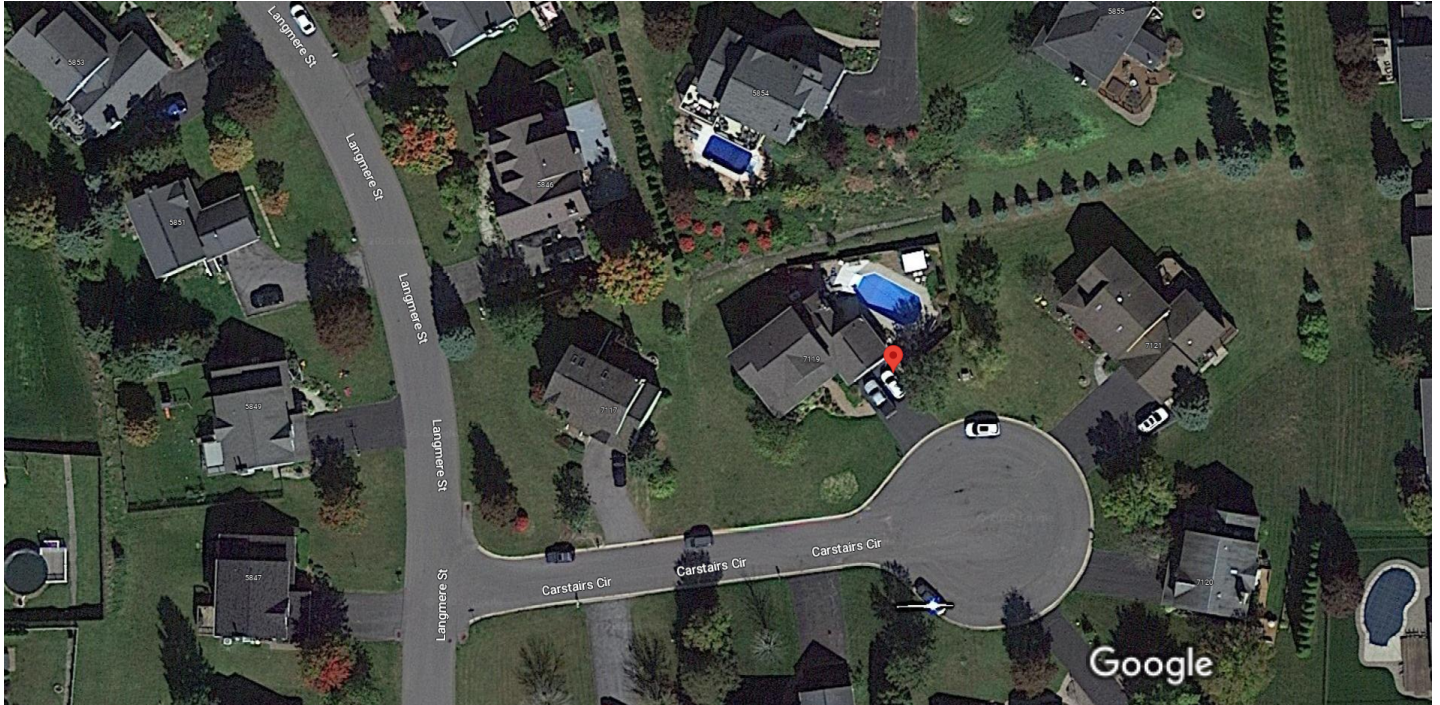
RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"







Map data ©2023 , Map data ©2023 20 ft



43°03'11.3"N 76°01'47.7"W

43.053127, -76.029911



Directions



Save



Nearby



Send to
phone



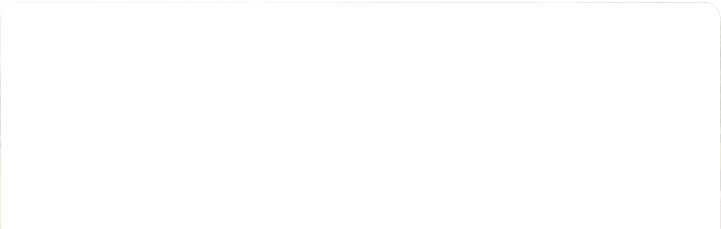
Share



7119 Carstairs Cir, East Syracuse, NY 13057

3X3C+724 Dewitt, New York

Photos

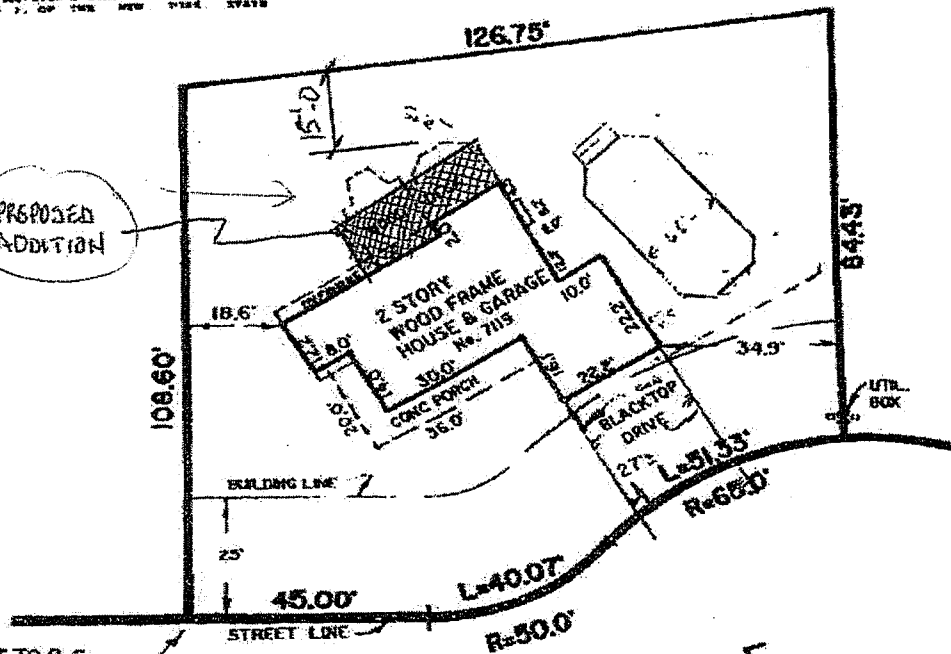


ALL DIMENSIONS OF THIS SURVEY WERE TAKEN FROM THE ORIGINAL SURVEY, WITH THE EXCEPTED 20.0', AND SHOWN IN THE 2ND AND 3RD DIMENSIONS.

THESE DIMENSIONS ARE LOCATIONS TO A LOTTERY MAY BEARING A LICENSED LAND SURVEYOR'S SEAL IN A LOCATION OF SECTION 7, TOWNSHIP 7, OF THE NEW YORK STATE SURVEYING LAW.



PROPOSED ADDITION



7119 CARSTAIRS CIRCLE
 1128 1110
 ~ 6' side
 ~ 10' rear

71.37 TO P.C.
 INTO LANGMERE ST.

CARSTAIRS

CIRCLE

LEHR

LAND SURVEYORS



IVERPOOL, NEW YORK

THESEY CERTIFY THAT THIS IS AN ACCURATE MAP MADE FROM AN ACTUAL SURVEY.

LICENSED LAND SURVEYOR

DOUGLAS R. LEHR
 NYSLS #1287

LOCATION SURVEY ON LOT #100, SECTION 7,
 OF THE CLARK HILL ESTATES TRACT
 MAP #694R

KNOWN AS NO. 7119 CARSTAIRS CIRCLE
 TOWN OF MANLIUS, COUNTY OF ONONDAGA, N.Y.

DRAWN BY:
 FLH

SCALE:
 1" = 30'

DATE:
 7 APRIL 1997

REVISIONS:

DRAWING NO.
 97-04-004

Fee \$100

APPLICATION
TOWN OF MANLIUS – ZONING BOARD OF APPEALS
301 BROOKLEA DR.
FAYETTEVILLE NY 13066
315-637-3521 OR 315-637-8619

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY

THE ZONING BOARD OF APPEALS meets on the 3rd Thursday of the month, this schedule is subject to change. For your application to be placed on the agenda for the Zoning Board, please see the attached list of meeting dates and file deadlines. The placement of your application on the ZBA agenda is subject to caseload and/or the evaluation of your application under the New York State Environmental Quality Review Act and the requirements for referral to the Onondaga County Planning agency.

The ZBA Board reserves the right to limit the number of cases it hears at any one meeting to the first applications received. Additional applications may be delayed until a later meeting despite submissions prior to the File by Date.

An incomplete application will not be considered at all.

Once an application has been scheduled a public meeting notice will be published in the Eagle Bulletin and a meeting agenda will be mailed/emailed to each applicant. All scheduled applications will be open for inspection at the Town of Manlius, Town Clerk's Office.

Unless otherwise notified, all ZBA meetings will begin at 6:30PM at the Manlius Town Hall, 301 Brooklea Dr. Fayetteville NY. The applicant or an authorized representative is encouraged attend the meeting to present their application to the Zoning Board of Appeals Board.

VARIANCE SUBMITTAL REQUIREMENTS

1. Application packet which must include – **Building Permit that has been denied by the Code Officer, ZBA application, survey, building plans, disclosure affidavit and the (*short environmental assessment form - only for commercial property*)** will be needed for the ZBA Board.
2. One **copy** of an accurate survey map of the property drawn by a licensed land surveyor. The survey must designate existing structures and proposed structures or additions. The survey must also show driveways and/or parking spaces as well as the distances from the rear, front and side property lines to the closest point on the primary structure. Distances from accessory or secondary structures to boundary lines should be shown as appropriate.
3. Environmental Assessment Form (*only for commercial property*): Page 1 must be completed by the applicant if short form is used.

4. A fee of \$100.00 for a residential area variance, \$200.00 for a Commercial use variance, \$350.00/\$450.00 for a use variance, checks are to be made payable to the Town of Manlius.

Area Variances – 5 Criteria Questions

If the applicant requests an area variance from the Town of Manlius Municipal Code, the applicant must consider the 5 criteria questions and be prepared to respond to the ZBA Board if requested to. These questions must be answered on a separate sheet of paper and submitted with your application.

- Attached*
1. Whether the benefit sought by the Applicant can be achieved by some other feasible method?
 2. Whether the Variance will result in an undesirable change in the character of the neighborhood?
 3. Whether the requested variance is substantial?
 4. Whether the Variance will have an adverse effect on physical or environmental conditions?
 5. Whether the alleged difficulty was self-created?

Use Variances:

X

If the applicant requests to use the subject property for purposes which are not allowed or are prohibited by the Town of Manlius Municipal Code, the applicant must demonstrate unnecessary hardship. To prove unnecessary hardship, the applicant must submit evidence to demonstrate that:

- ?*
1. The applicant is deprived of all economic use or benefit from the property in question, which deprivation must be established by competent financial evidence.
 2. The alleged hardship relating to the property is unique and does not apply to a substantial portion of the district or neighborhood.
 3. That the request use variance, if granted, will not alter the essential character of the neighborhood; and
 4. That the alleged hardship has not been self-created.

Use the space below or submit a separate documentation to present the necessary proof. Opportunity will also be given to present proof at the public hearing.

N/A Per Deb

This section is for - office use only.

Received by: _____

Date: _____

Payment: _____

Receipt #: _____

TOWN OF MANLIUS – ZONING BOARD OF APPEALS

APPLICANT / PROPERTY INFORMATION

Date: _____

1. Property Address: 7119 Carstairs Circle, East Syr, NY

Property Tax Map # 076. -10 - 23.0 13057

The Applicants Purpose (new construction, alteration, extension, restoration, modification or other action) with respect to the subject property; _____

would like to add a 26x8 Addition on back of house
(Remove existing Deck / use the same footprint for addition)

2. Owner of Property: Tim & Diane Goode

Owner's Address: 7119 Carstairs Circle, East Syr, NY 13057

Owner's E-Mail: goode.timothyj@gmail.com

Owner's Phone #: 315-383-068 Does Owners reside at property: yes

Signature of Property Owner: [Signature]

3. Applicant / Representative / Attorney:

Name: N/A Company: _____

Address: _____

Phone: _____ E-Mail: _____

Below this line - For Office Use Only

Application Received by: _____ Date: _____

Payment Receipt #: _____

Date of Denial of Building Permit Application: _____ Current Property Zoning: _____

The subject property will be in conformity with all zoning use as outlined in Chapter 155 of the Town of Manlius Municipal Code, except as stated here by the Code Officer: _____

TOWN OF MANLIUS
DISCLOSURE AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a *site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit.*

[illegible]

I Deborah J. Witzel, being duly sworn, deposes and says that (s) he is:
(Notary)

Timothy Goode
(applicant, petitioner, corporation officer, property owner, etc.)

II. That deponent has read and is familiar with the provisions of the General Municipal Law, Section 809 which states:

- A. Every application, petition or request submitted for a site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions or any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
- B. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when (s)he, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
- 1) is the applicant, or
 - 2) is an officer, director, partner or employee of the applicant, or
 - 3) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - 4) is a party to an agreement with such an applicant, express or implied, whereby (s) he may receive any payment or other benefit, whether or not for services rendered, or contingent upon the favorable approval of such application, petition or request.
- C. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
- D. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

III. That no Town of Manlius officer, employee or a relative of either, as defined in Section 809 General Municipal Law has any interest in this application.

-OR-

If a Town of Manlius officer, employee or relative of either as defined in Section 809 General Municipal law has any interest in this application, the full particulars are provided on an attached sheet.

Date: 3/20/23, 20 23

Date: _____, 20 _____

Timothy J. Goode
(Print Name of 1st Applicant)

(Print Name of 2nd Applicant)

Timothy J. Goode
(Signature of 1st Applicant)

(Signature of 2nd Applicant)

(Entity Name)

(Entity Name)

By (Officer) _____ (Title)

By (Officer) _____ (Title)

719 Carstairs Circle

(Mailing Address of 1st Applicant)

(Mailing Address of 2nd Applicant)

East Syme, NY 13017

315-383-0168

(Telephone Number)

(Telephone Number)

ACKNOWLEDGEMENTS

STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

On this 20th day of March in the year 20 23, before me, the undersigned, a notary public in and for said state, personally appeared Timothy Goode

, and _____
(1st Applicants Name)
(2nd Applicants Name) personally known to me or proved to me on the basis

of satisfactory evidence to be the individual whose name is subscribed to the within Petition and acknowledged to me the he/she/they executed the same in his/her/their capacity, and that by his/her/their signature(s) on the Petition, the individual or the persons upon behalf of which the individual acted executed the instrument.

Deborah J. Witzel
Notary Public

DEBORAH J WITZEL
Notary Public, State of New York
SEA No. 01WI6162236
Qualified in Onondaga County
Commission Expires March 5, 2027





Application for Building Permit

Town of Manlius
Department of Planning and Development
301 Brooklea Drive, Fayetteville, NY 13066
(315)637-8619 Fax: (315) 637-0713

Application is hereby made for the issuance of a Building Permit pursuant to the New York State Uniform Fire Prevention and Building Code for work herein described. The applicant agrees to comply with all laws, ordinances, regulations and revisions of the municipality in which the Permit is requested.

Name – Owner/Applicant: Dawn & Kevin Smalley

Address of Proposed Work: 8278 Glen Eagle Dr

Phone Number: 315 692-4641

Email Address: dsmalley93@yahoo.com / kr-smalley@hotmail.com

Contractor Name & Address: Cannon Pools 5210 W. Taft Rd N. Syracuse NY 13211

Contractor Phone Number: 315 458-3150

Contractor Email Address: jlemon@cannonpools.com

Proposed Work:

- | | | | |
|---------------------------|-------------------------------|---|-----------------|
| 1. Addition _____ | 2. Alteration _____ | 3. Demolition _____ | 4. Garage _____ |
| 5. Shed _____ | 6. Deck _____ | 7. Pool ☒ | 8. Sign _____ |
| 9. New Construction _____ | 10. Fireplace/Woodstove _____ | 11. Solar _____ | |
| 12. Renewal _____ | 13. Other _____ | | |

Construction Cost: \$ 41,900

Size of Project: 16x36 Rectangle

Description of Project:

Installation of 16x36 Rectangle In-ground pool

Residential - New Structure _____ Existing Structure _____

of Bedrooms _____ # of Bathrooms _____ # of Fireplaces _____

Total Square Feet w/o Garage _____ Garage Square Foot _____

Other _____

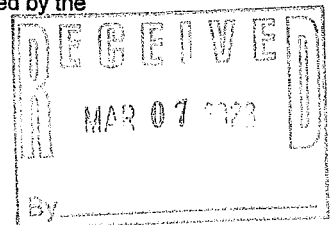
Description _____

Commercial – New Structure _____ Existing Structure _____

Name of Business: _____ Total Square Feet: _____

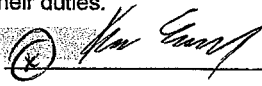
Description of Property: _____

All Plumbing and Sanitary systems to be inspected by Onondaga County Department of Health.
All Electrical systems will be inspected by a Third Party Electrical Inspector approved by the Town of Manlius.



I hereby agree that no building is to be occupied or used in whole or in part for any purpose what so ever until a Certificate of Occupancy or Compliance has been issued by the Code Enforcement Officer.

I hereby certify that the above information is true to the best of my knowledge. Permission is hereby granted to the Code Enforcement Officer or Authorized representative upon showing proper credentials to enter that above premises or buildings during reasonable working hours to discharge their duties.

Signature: 

Date: March 7, 2023

CODE ENFORCEMENT USE ONLY

Zoning: RA (F) 40 (R) 40 (S) 20 Flood Plain Wetlands

Received By: JS Receipt No.: 14089 Fee: \$ 100 Date: 3-7-23

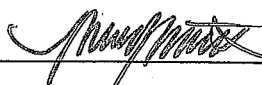
Check #: 174 Cash: Credit Card:

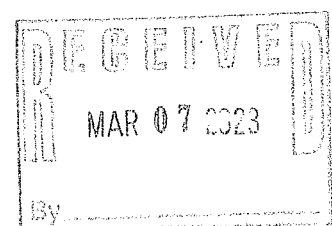
Tax Map # 117.12-69.0

Building Permit Number:

Approved: Disapproved: Date:

Remarks:
3/8/2023 PERMIT REQUIRES VARIANCE - SEE ATTACHED DOCUMENT


Signature of Code Enforcement Officer



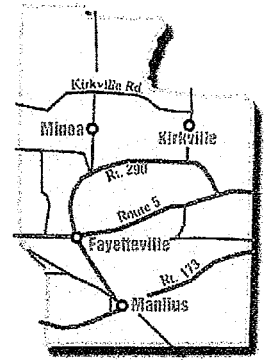
Town of Manlius

3/8/2023

8278 Glen Eagle Dr
Manlius NY 13104

Tax Map ID: 117.-12-09.0

Applicant: Kevin R Smalley & Dawn M Smalley



The building permit for the proposed pool cannot be approved without a variance from the Town of Manlius zoning board of appeals.

Applicant seeking a variance from chapter 155-12 (B). Applicant is requesting 13-foot side yard setback and will need a variance of 7 feet to provide relief from the required 20-foot side yard setback.

Applicant seeking a variance from chapter 155-12 (B). Applicant is requesting 13-foot rear yard setback and will need a variance of 27 feet to provide relief from the required 40-foot rear yard setback.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Poitras".

Tom Poitras
Code Enforcement Officer
Town of Manlius

John Deer, Supervisor

Town Board – Karen Green, Sara Bollinger, Elaine Denton, Heather Waters, Kaitlyn Kriesel, John Deer

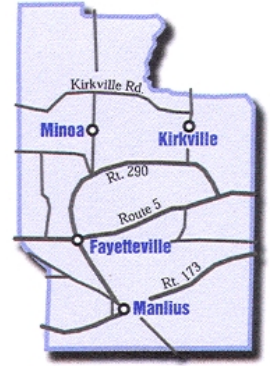
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Tom Poitras
Code Enforcement Officer
Town of Manlius

John Deer, Supervisor

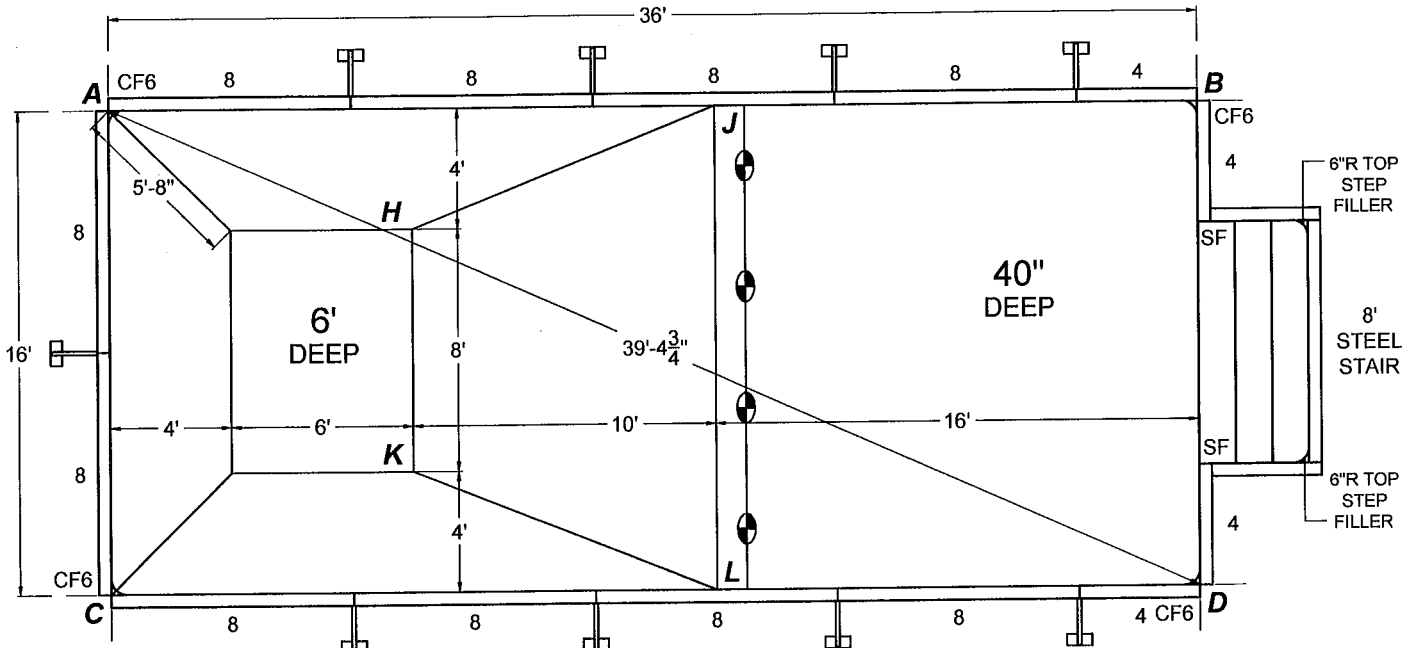
Town Board - Karen Green, Sara Bollinger, Elaine Denton, Heather Waters, Kaitlyn Kriesel, John Deer

FROM A TO:	
D	39'-4 3/4"
H	10'-9 1/4"
J	20'
K	15'-7 1/2"
L	25'-7 1/4"

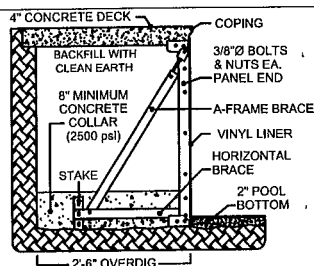
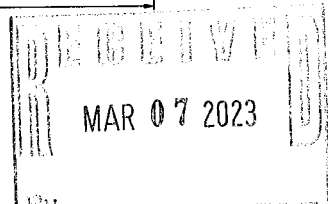
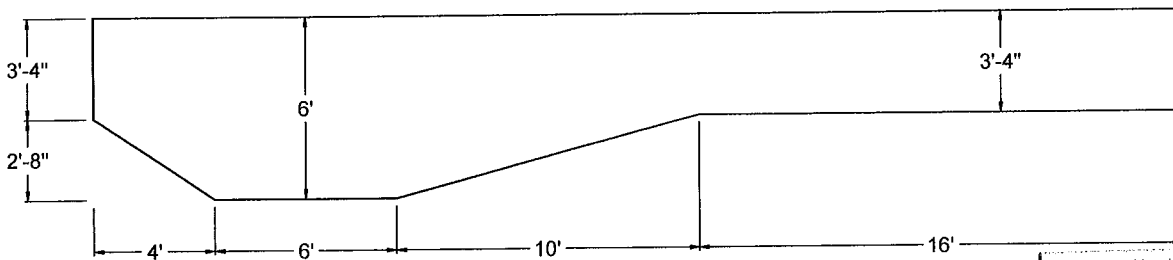
FROM B TO:	
C	39'-4 3/4"
H	26'-3 3/4"
J	16'
K	28'-7 3/4"
L	22'-7 1/2"

FROM C TO:	
B	39'-4 3/4"
H	15'-7 1/2"
J	25'-7 1/4"
K	10'-9 1/4"
L	20'

FROM D TO:	
A	39'-4 3/4"
H	28'-7 3/4"
J	22'-7 1/2"
K	26'-3 3/4"
L	16'



CF6--6" RADIUS CORNER FILLER (04211 x2)
SF--RECTANGLE STAIR FILLER (04206H / 04207H)



THIS POOL CONFORMS TO **APSP/ANSI/ICC-5 2011 & ISPC 2021**
STANDARDS FOR RESIDENTIAL INGROUND SWIMMING POOLS

NON DIVING

DATE

FILE NUMBER : 230303501

Perimeter : 103'-1 3/4"

Surface Area : 575.79 SQ FT

Volume : 15,700 gal.

DRAWN BY : jlandes

Imperial POOLS

phn: 518-786-1200 / fax: 518-786-0954

PER **APSP/ANSI/ICC-5 2011 & ISPC 2021** STANDARDS
FOR RESIDENTIAL INGROUND SWIMMING POOLS.
THE INSTALLER IS RESPONSIBLE FOR PLACING
**1 SKIMMER FOR EVERY 800 sq. ft. & 1 RETURN
FOR EVERY 300 sq. ft.**

WARNING: SWIMMING POOLS CAN BE DANGEROUS WHEN USED IMPROPERLY. CONSULT YOUR DEALER FOR SAFETY
INFORMATION ON SAFE USE. IT IS THE RESPONSIBILITY OF TOWN OFFICIALS, BUILDERS AND THE HOMEOWNERS TO
FOLLOW ALL SAFETY RECOMMENDATIONS OF ANSI/APSP, LOCAL ORDINANCES AND EQUIPMENT MANUFACTURERS.

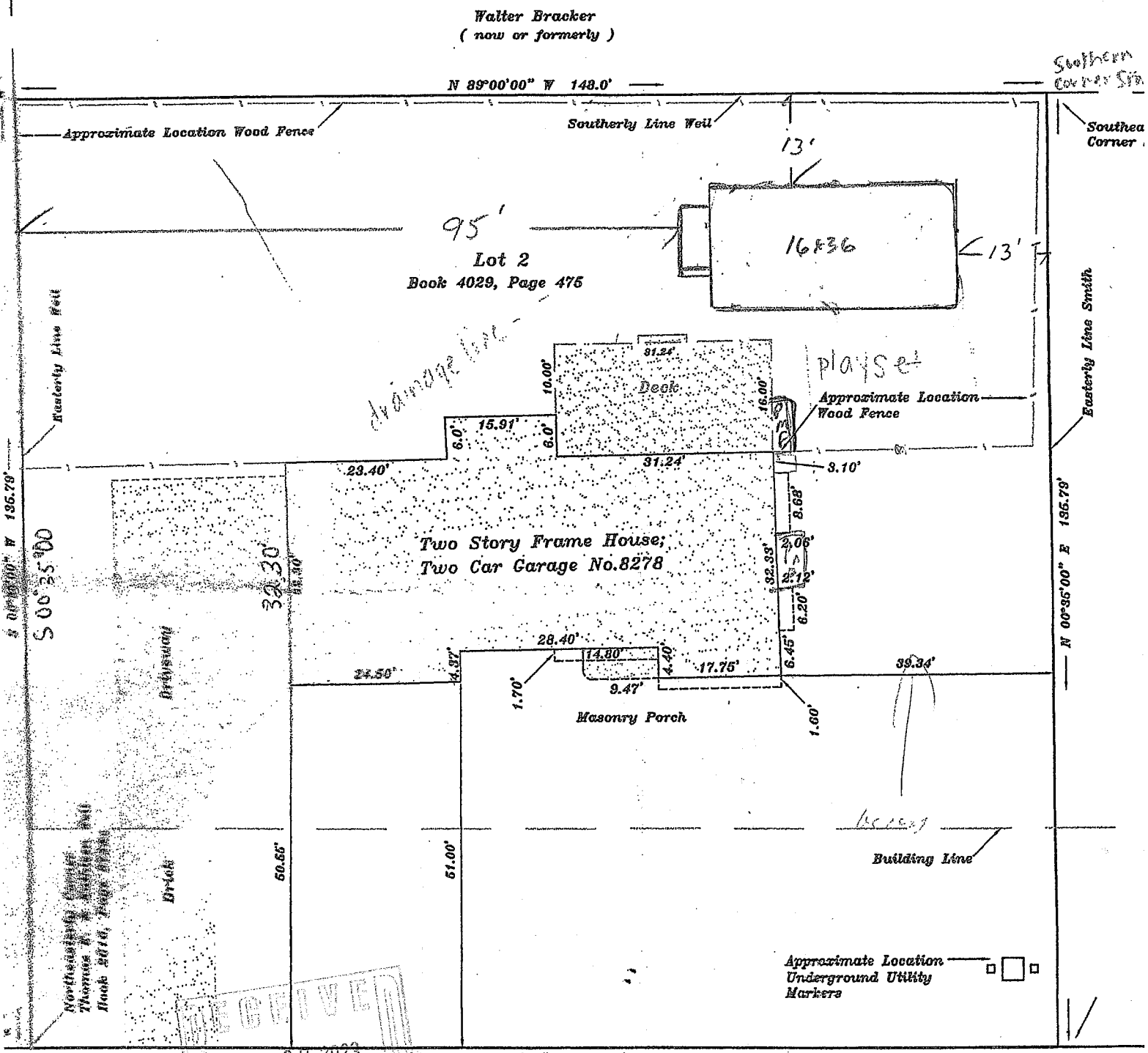
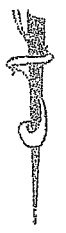
CUSTOMER SIGNATURE REQUIRED

DEALER
NAME : Cannon

CUSTOMER
NAME : Smalley

STEEL

DEPTH AND SHAPE OF POOL MEET MINIMUM STANDARDS OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE 2021 FOR IN-GROUND SWIMMING POOLS. A MEANS ENTRY/EXIT FOR BOTH THE DEEP END AND THE SHALLOW END OF THE POOL MUST BE PROVIDED IN ACCORDANCE WITH THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE 2021. EQUIPOTENTIAL BONDING MUST BE PROVIDED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE NFPA 70. ALL A-FRAME BRACES ARE TO BE MOUNDED WITH MINIMUM 8 INCH DEEP POURED 2500 P.S.I. CONCRETE COLLAR AROUND ENTIRE PERIMETER OF POOL. NO DIVING LABELS ARE TO BE INSTALLED AROUND THE PERIMETER OF POOL AS REQUIRED. SUCTION ENTRAPMENT AVOIDANCE IS TO BE INSTALLED IN ACCORDANCE WITH ANSI/APSP/ICC-7. ALL WORK NOT SPECIFICALLY SHOWN IS TO BE DONE IN ACCORDANCE WITH THE REQUIREMENTS OF THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE AND ALL OTHER APPLICABLE CODES.



RECEIVED
MAR 07 2023
BY

Glen Eagle Drive

1 = 20

Northeasterly Corner
Douglas R. & Lisa A.
Smith Book 3487, Page 297 &c

8278 Glen Eagle



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