

Zoning Board of Appeals
Meeting
August 15, 2024
6:30 PM

1. Virtual Meeting Instructions

Documents:

[08-15-24 Zoning Board Meeting Instructions.pdf](#)

2. Pledge Of Allegiance

3. Approval Of Minutes - July 18, 2024

Documents:

[07-18-24 Draft.pdf](#)

4. Ty Zelinsky - 130 Dauenhauer St W, East Syracuse (Tax Map # 062.-01-18.0)
Will Need 7 Feet 5 Inch Side Yard Setback Variance

[Documents](#)

5. Paul Madden - 5269 Hoag Ln, Fayetteville (Tax Map # 096.-08-03.0)
Will need a 17-Foot Front Yard Setback Variance

[Documents](#)

6. Colleen Davis - 7256 Roumare Rd, East Syracuse (Tax Map # 076.-03-15.0)
Will Need a 15 Foot Front Yard Setback Variance and a 5 Foot Side Yard Setback Variance

[Documents](#)

7. Other Business

8. Adjournment



August 15, 2024 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/89037415311?pwd=OGVrLys4dGx0eFRvNk5GVdImNUpmUT09>

Password to join when prompted:

Password: **284556**

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: 890 3741 5311

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

Password: **284556**

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

**Town of Manlius
Zoning Board of Appeals
July 18, 2024
6:30 PM**

The Town of Manlius Zoning Board held a hybrid meeting with in-person attendees and virtual attendees. Due to technical difficulties this meeting was not live streamed. Chairperson Karrie Catalino presided, and the following Board members present:

Member	Clare Miller
Member	Tim Kelly
Member	Warren Linhart
Member	Eric Christensen
Secretary	Carrie Grevelding
Attorney	Jamie Sutphen
Code Officer	Tom Poitras

In Person Attendees: David Rhodes, Fayetteville. Lisa Bloss, East Syracuse, David Morgillo, East Syracuse, Michael Heck, East Syracuse
Virtual Attendees: None

The Pledge of Allegiance was recited. The meeting was called to order at 6:33 PM.

Approval of Minutes – June 20, 2024

Member Kelly made a motion, seconded by Member Linhart, to approve the minutes of June 20, 2024, as submitted by Secretary Grevelding.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart

Naves: 0 All in Favor. Motion Carries

Chairperson Catalino reviewed the application for 212 Churchill Ave, Fayetteville, NY.

Legal Notice

Member Christensen made a motion, seconded by Member Linhart, to waive the reading of the public notice and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart

Naves: 0 All in Favor. Motion Carries

Member Kelly made a motion, seconded by Member Christensen, to open the public hearing at 6:32 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart

Nayes: 0

All in Favor.

Motion Carries.

David Rhodes – 212 Churchill Ave, Fayetteville, NY (Tax Map #096.-04-20.0

Mr. Rhodes explained to the board that he would be adding a 6-foot by 20-foot covered porch and gave a little history on the property. Mr. Rhodes also stated that he believed it would add character to the property and that it fits in with the character of the neighborhood.

Member Miller made a motion, seconded by Member Kelly, to close the public hearing at 6:37 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart

Nayes: 0

All in Favor.

Motion Carries.

Board Questions

Chairperson Catalino 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. With the angle of the residence they would need a larger variance.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no. It fits the character of the neighborhood.
- 3) Whether the requested Variance is substantial? The board answered no at 9-feet.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered No. No concerns with running water and it fits the character of the neighborhood.
- 5) Whether the alleged difficulty was self-created? The board answered Yes.

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 variance of **9 feet off the side yard 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 further **GRANTS** the variance as requested with the following conditions: None

SEQRA Review

Chairperson Catalino 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

Member Kelly a motion seconded by Member Christensen that the Zoning Board of Appeals to grant side yard setback variance of 9 feet to David Rhodes for the property at 212 Churchill Ave, Fayetteville, NY (Tax Map #096.-04-20.0). This variance is being granted for the construction of a 6-foot by 20-foot covered front porch.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Linhart

Nayes: Member Christensen

Motion Carries.

Chairperson Catalino reviewed the application for 6340 N Kirkville Rd, East Syracuse, NY.

Legal Notice

Member Christensen made a motion, seconded by Member Linhart, to waive the reading of the public notice and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart

Nayes: 0

All in Favor.

Motion Carries.

Member Linhart made a motion, seconded by Member Christensen, to open the public hearing at 6:42 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart

Nayes: 0

All in Favor.

Motion Carries.

Lisa Bloss - 6340 N Kirkville Rd, East Syracuse, NY (Tax Map #058.-02-08.0)

Ms. Bloss explained to the board that the reason she was requesting the variance was due to a recent request for a lot line adjustment. The reason she is requesting the lot line adjustment is so that she could eventually sell the property but keep the acreage without changing it. There was a lengthy conversation regarding the flag lot. Member Kelly felt the lot line adjustment would square up the property.

Member Kelly made a motion, seconded by Member Christensen, to close the public hearing at 7:01 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart

Nayes: 0

All in Favor.

Motion Carries.

Board Questions

Chairperson Catalino 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. Could move the lot line adjustment.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no.
- 3) Whether the requested Variance is substantial? The board answered no. Not for what is being done with the lot line change.
- 4) As to whether the Variance 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.

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 variance of **20-foot rear yard setback variance, and 1-foot side yard setback variance and 19-foot rear yard setback variance for the existing structure** are the minimum variances that should be granted 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

SEQRA Review

Chairperson Catalino 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

Member Christensen a motion seconded by Member Kelly that the Zoning Board of Appeals to grant a rear yard setback variance of 20 feet, and a side yard setback variance of 1 foot to Lisa Bloss for the property at 6340 N Kirkville Rd, East Syracuse, NY (Tax Map #058.-02-08.0). These variances are being granted for the existing building on the property and the approval of a lot line adjustment.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart.

Nayes: 0

All in Favor.

Motion Carries.

Chairperson Catalino reviewed the application for 116 Richmond Rd E, East Syracuse, NY.

Legal Notice

Member Christensen made a motion, seconded by Member Linhart, to waive the reading of the public notice and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart

Nays: 0 All in Favor. Motion Carries.

Member Linhart made a motion, seconded by Member Miller, to open the public hearing at 7:08 PM and it was carried unanimously.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart

Nays: 0 All in Favor. Motion Carries.

Michael Heck - 116 Richmond Rd E, East Syracuse, NY (Tax Map #065.-01-24.0)

Mr. Heck explained that the shed would be in line with the residence, and it would match the color of the residence. Mr. Heck also stated that there would be no electric or plumbing ran to the shed.

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

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart

Nays: 0 All in Favor. Motion Carries.

Board Questions

Chairperson Catalino 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. Could put in the middle of the yard.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no. Houses next door have similar sheds, and it would clean up the driveway.
- 3) Whether the requested Variance is substantial? The board answered yes.
- 4) As to whether the Variance 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.

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 variance of **9-foot side yard setback variance**, is the minimum variances that should be granted 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: The temporary structures in the driveway are removed within 90 days of completion of the shed.

SEQRA Review

Chairperson Catalino 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

Member Kelly a motion seconded by Member Christensen that the Zoning Board of Appeals to grant a side yard setback variance of 9 feet to Michael Heck for the property at 116 Richmond Rd E, East Syracuse, NY (Tax Map #065.-01-24.0). This variance is being granted for the construction of a 16-foot by 12-foot shed. On the condition that the temporary structures in the driveway are removed within 90 days of completion of the shed.

Ayes: Chairperson Catalino, Member Miller, Member Kelly, Member Christensen, Member Linhart.

Nayes: 0

All in Favor.

Motion Carries.

Other Business

Chair Catalino gave the board an update on the extra meetings members attended and the compensation. The Town agreed to pay the board for 1 extra meeting they attended and would look at it during budget time for future meetings. The members asked Secretary Grevelding to inquire about the meeting that was canceled at the beginning of the year.

Adjournment

With there being no other business, Member Kelly made a motion, seconded by Member Christensen, and carried unanimously, to end the meeting at 7:26 PM.

Respectfully submitted,
Carrie Grevelding
Zoning Board of Appeals