

**Town of Manlius
Zoning Board of Appeals
January 16, 2025
6:30 PM**

The Town of Manlius Zoning Board held a hybrid meeting with in-person attendees and virtual attendees. Chairperson Karrie Catalino presided, and the following Board members present:

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

In Person Attendees: Danielle & Ryan Ewert, Manlius. Paula Ellenberg, Manlius. Dirk Oudemool, Syracuse. Tracey Crowe, Manlius. Matthew Sgromo, East Syracuse.

Virtual Attendees: None

The Pledge of Allegiance was recited. The meeting was called to order at 6:30 PM.

Approval of Minutes – December 19, 2024

Member Linhart made a motion, seconded by Member Christensen, to approve the minutes of December 19, 2024, as submitted by Secretary Grevelding.

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

Nayes: 0 All in Favor. Motion Carries

Chairperson Catalino reviewed the application for 8291 E Seneca Tpk, Manlius, 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 Kelly, Member Linhart, Member Christensen, Member Miller

Nayes: 0 All in Favor. Motion Carries

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

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

Nayes: 0

All in Favor.

Motion Carries

Ryan & Danielle Ewert – 8291 E Seneca Tpk, Manlius, NY (Tax Map 099.-01-27.4)

Matthew Sgromo presented the request for variance for the applicants Ryan and Danielle Ewert. This application received a positive recommendation from the Town Planning Board. Dirk Oudemool spoke representing Barbara Emmons and Paula Ellenberg in opposition of the application. Mr. Ewert had the opportunity to explain the reasoning for the variance requests. As well as the ability to answer questions asked by the board.

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

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

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 for both variance requests.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no for both variance requests.
- 3) Whether the requested Variance is substantial? The board answered yes for the request for existing garage and no for the existing shed.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no for both variance requests.
- 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 side yard setback variance of **4-feet for existing shed and a rear yard setback of 20-feet for existing garage** are 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:

1. The variance shall only be effective in the event final subdivision for the “Proposed Lot 5B and 5A” as shown on Plan is granted by the Planning Board;
2. In the event subdivision is granted by the Planning Board:
 - a. A permanent easement be shown on the subdivision plan which grants permanent access through Lot 5A over the “existing paved” and “existing gravel” driveway shown on the Plan to the premises behind the garage structure at Lot 5B;
 - b. A permanent turnaround easement be shown on the final subdivision plan over the lands of proposed Lot 5A to the north of the Garage, and in a location and configuration sufficient for access and turnaround for fire safety, as determined by the Planning Board in Subdivision and/or Site Plan approval;
3. The Garage or shed granted a variance, as shown on the above Plan shall not be expanded or relocated from its currently shown location, unless in conformity with the required 40-foot setback and approved by the Planning with Site Plan approval;
4. All sheds and structures shown on the Plan as “to be relocated” shall be removed from the subdivision plan approved.
5. Any easements required herein shall be shown on a subdivision plan and filed as written easements with the Onondaga County Clerk’s Office as further determined by the Planning Board and Planning Board attorney.
6. The Existing grave and existing pavement to be removed and restored to grass with no passage to the residential property to the east.

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

Chairperson Catalino made a motion seconded by Member Miller that the Zoning Board of Appeals to grant a side yard setback variance of 4-feet for existing shed on Proposed Lot 5B, and one rear yard setback variance of 20-feet for an existing garage structure on Proposed Lot 5B. These variances are being granted with the following conditions which are reasonable considering the locations of the garage and shed in relation to the proposed property lines of the lots as shown on the “Plan” dated 7/3/2024 and last updated 12/18/2024 and which delineates Proposed Lot 5A and Proposed Lot 5B:

1. The variance shall only be effective in the event final subdivision for the “Proposed Lot 5B and 5A” as shown on plan is granted by the Planning Board;
2. In the event subdivision is granted by the Planning Board:
 - a. A permanent easement be shown on the subdivision plan which grants permanent access through Lot 5A over the “existing paved” and “existing gravel” driveway shown on the Plan to the premises behind the garage structure at Lot 5B;
 - b. A permanent turnaround easement be shown on the final subdivision plan over the lands of

proposed Lot 5A to the north of the Garage, and in a location and configuration sufficient for access and turnaround for fire safety, as determined by the Planning Board in Subdivision and/or Site Plan approval;

3. The Garage or shed granted a variance, as shown on the above Plan shall not, be expanded or relocated from its currently shown location, unless in conformity with the required 40-foot setback and approved by the Planning with Site Plan approval;

4. All sheds and structures shown on the Plan as “to be relocated” shall be removed from the subdivision plan approved.

5. Any easements required herein shall be shown on a subdivision plan and filed as written easements with the Onondaga County Clerk’s Office as further determined by the Planning Board and Planning Board attorney.

6. The Existing grave and existing pavement to be removed and restored to grass with no passage to the residential property to the east.

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

Nayes: 0

All in Favor.

Motion Carries

2025 Organizational Meeting

Member Christensen made a motion seconded by Member Miller to approve the meeting dates and filing deadlines for 2025 as presented by Secretary Grevelding.

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

Nayes: 0

All in Favor.

Motion Carries

Other Business:

Secretary Grevelding reminded members to check their emails regarding information on the 2025 County Planning Symposium.

Adjournment

With there being no other business, Member Kelly made a motion, seconded by Member Miller, and carried unanimously to end the meeting at 7:35 PM.

Respectfully submitted,
Carrie Grevelding
Zoning Board of Appeals