

**TOWN OF MANLIUS
ZONING BOARD OF APPEALS
February 25, 2016**

The minutes of the Town of Manlius Zoning Board of Appeals Meeting held on February 25, 2016 in the Town Hall, 301 Brooklea Drive, Fayetteville, New York. Those present were:

	Chairman	Henry McIntosh
	Member	KP Kelly
	Member	T.R. Schepp
Absent	Member	Al Ruthig
Absent	Member	Jim Campbell
	Secretary	Deborah Witzel
	Code Enforcement Officer	Michael Jones

Also Present: Dan DeMartini,

The Pledge of Allegiance was recited.

Approval of Minutes

Member Schepp made a motion, seconded by Member Kelly to approve the minutes of January 21, 2016 and it was carried unanimously.

Legal Notices

Member Kelly made a motion, seconded by Member Schepp to waive the reading of the legal Notices and it was carried unanimously.

Saladin Hadid/Somerset Technologies, 5188 Hoag Lane, Fayetteville NY Tax Map # 104.-09-14.0 – Area Variance for a side yard setback, requesting 12’ instead of the required 15’ per chapter 155-9-B

Member Schepp made a motion, seconded by Member Kelly to move to the next application on the agenda because the applicant did not appear for the meeting.

The Board voted as follows:

Chairman McIntosh	aye
Member Kelly	aye
Member Schepp	aye

The motion was carried.

Daniel and Marcia DeMartini, 7809 Karakul Lane, Fayetteville NY Tax Map # 096.-08-57.1 – Area Variance for front & side yard setbacks, requesting 10’ side yard & 37.21 front yard, instead of the required 20’ side & 40’ front required per chapter 155-7-B

Mr. DeMartini stated that he would like bump out the left side about 12’ and carrier it back to add a master suite the back of the house with a living room, bedroom, bath and one car garage.

Member Kelly asked if they would be removing the roof. Mr. DeMartini answered yes they will be removing the roof on the left side of the house and replacing the truss's.

Chairman McIntosh asked if Mr. Martini had notified his neighbors. Mr. DeMartini answered yes, and no one had a problem with the plan.

Chairman McIntosh proceeded with the applicant through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? Mr. DeMartini stated - no
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? Mr. DeMartini stated - no
- 3) Whether the requested Variance is substantial? Mr. DeMartini stated - yes
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? Mr. DeMartini stated - no
- 5) Whether the alleged difficulty was self-created? Mr. DeMartini stated – yes

Public Comment:

Chairman McIntosh opened the public hearing and asked if any members of the public wanted to speak, there being no response from the public this session was closed.

Board Questions:

Member Kelly asked if there will be a basement or a crawl space. Mr. DeMartini answered will be up to the engineer it may be a slab or a crawl space.

Member Kelly asked if the siding would be replaced. Mr. DeMartini answered the siding will change to a vertical siding but will be in the same style the house has now. They may change the roof line a bit to make the house more appealing in the front.

Chairman McIntosh asked if he would be keeping the existing garage doors. Mr. DeMartini answered no he would be getting three new matching insulated doors.

Member Kelly asked if there would be a separate entrance to the new living space. Mr. DeMartini answered no.

Member Schepp asked if there would be an outside entrance to the enclosed porch. Mr. DeMartini answered no.

Member Schepp confirmed that Mr. DeMartini had discussed the addition with the neighbor on the left where the addition will be. Mr. DeMartini answered yes that he had gone over the plans with the neighbor and walked the property with him. The neighbors told him they would rather look at his house than the boat that is usually parked there.

Chairman McIntosh asked if any other members of the public wanted to speak, there being no response from the public the comment session was closed.

Chairman McIntosh determined the proposed project and action contemplated 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 Ruthig made a motion to grant an area variance to Daniel and Marcia DeMartini, 7809 Karakul Lane an area variance of a side yard setback of 10' instead of the required 20' and a front yard setback of 37.21 instead of the required 40' with an understanding that no vehicle will be parked in the remaining 10' side yard, based on the information submitted there is to be a one story addition with a garage and master suite, seconded by Member Kelly

The Board voted as follows:

Chairman McIntosh	aye
Member Kelly	aye
Member Schepp	aye

The motion was carried.

Other Business

Member Schepp made a motion, seconded by Member Kelly to table the application of, Saladin Hadid/Somerset Technologies, 5188 Hoag Lane, Fayetteville NY Tax Map # 104.-09-14.0 – Area Variance for a side yard setback, requesting 12' instead of the required 15', this will be put on the next agenda for the March 17, 2016 meeting and Mr. Hadid will be notified.

Member Schepp stated the county planning board had reviewed the LED light question and it will be a no opinion.

Chairman McIntosh stated he told the Town Board that the ZBA was in favor of LED lights if they are properly controlled, with the flashing and fading. Also there have been studies done on the safety of LED lights and the Manlius Police have no incidents on record.

Member Kelly asked if East Syracuse Schools might have some specs or guidelines that they used for the lights they use and if the guidelines would be helpful to the Town of Manlius. The ESM lights are not intrusive to drivers.

Chairman McIntosh said there had been a study done by the national transportation to do with the brightness of these lights.

Member Schepp stated LED is just a way to illuminate a sign and the focus needs to be on the general purpose sign. The issue is whether the sign is flashing or distracting to drivers. With the information gathered by this board we have shown that LED lights are not any better or worse than any illuminated signs.

Member Schepp asked, why we are changing what we already have on the books, no flashing, scrolling or oscillating signs.

Adjournment

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

Respectfully submitted,
Deborah Witzel, Secretary
Town of Manlius Zoning Board of Appeals