

**TOWN OF MANLIUS
ZONING BOARD OF APPEALS
February 15, 2018**

The Town of Manlius Zoning Board of Appeals assembled at the Town Hall, at 6:30 PM with Chairman Henry McIntosh presiding and the following Board members present:

	Member	KP Kelly
	Member	T.R. Schepp
Absent	Member	Al Ruthig
Absent	Member	Jim Campbell
	Secretary	Deborah Witzel

Also, Present: Derek Gagnon

The Pledge of Allegiance was recited

Minutes and Legal Notices

Member Kelly made a motion, seconded by Member Schepp to approve the minutes of January 18, 2018 and it was carried unanimously.

Chairman McIntosh stated that he has confirmed that the legal notices have been published for the applications on the agenda. Member Schepp made a motion, seconded by Member Kelly to waive the reading of the publication for the items on the agenda and it was carried unanimously.

Mr. Gagnon, explained he would like to move the existing shed from one side of the driveway (which is in front of the main entrance to the house) to the other. Mr. Gagnon stated that his neighbor is in favor of the new placement of the shed as it would provide them with some privacy.

Chairman McIntosh opened the public hearing at 6:32PM

Derek Gagnon, 5388 Springview Dr., Fayetteville (Tax Map # 090.-03-14.0)
Public Hearing for an area variance for an existing shed to be moved on the
property line requesting a 20' side yard setback to meet the required 20' side yard
setback.

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. Gagnon stated - No
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? Mr. Gagnon stated - No
- 3) Whether the requested Variance is substantial? Mr. Gagnon stated - No
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? Mr. Gagnon stated - No
- 5) Whether the alleged difficulty was self-created? Mr. Gagnon stated – No

Board Questions

Member Schepp asked if there would be a permanent foundation. Mr. Gagnon answered no it will be gravel and a wood frame. Member Schepp reviewed the topography of the property stating that most of the terrain is not suitable for the shed. Member Schepp asked if Mr. Gagnon had come up with any other options. Mr. Gagnon answered the location he is requesting on the side or in the front yard toward the road, he is not in favor of the front yard option. Member Schepp asked if the shed would be on the asphalt of the driveway if placed on the side yard. Mr. Gagnon answered no.

Member Kelly confirmed that the neighbors had been notified about the proposed shed move. Member Kelly asked if the shed could be located next to the garage where the sidewalk is. Mr. Gagnon stated that the shed would block the stairs and front door, so he would not be willing to place it there.

Board Discussion

Member Schepp stated he does not have a problem granting the zero variance because of the special circumstances of the topography of the property.

Member Kelly would like the owner to be sure the shed does not go over the property line.

Chairman McIntosh stated he would like to see the shed behind the front line of the garage but being that is not possible, and the neighbor is okay with side yard location and there being no environmental issues he is okay with the side yard location.

SEQRA Review

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.

Chairman McIntosh closed the public hearing at 6:55PM

Board Action

Member Schepp made a motion, seconded by Member Kelly to grant an area variance to Derek Gagnon, 5388 Springview Dr., Fayetteville (Tax Map # 090.-03-14.0) for an area variance for an existing shed to be moved on the property line requesting a 20' side yard setback to meet the required 20' side yard setback.

The Board voted as follows:

Chairman McIntosh	aye
Member Kelly	aye
Member Schepp	aye

The motion was carried.

Other Business – no new business

Adjournment

With there being no other business, Member Schepp made a motion, seconded by Member Kelly, and carried unanimously, to end the meeting at 7:02 PM

Respectfully submitted,
Deborah Witzel, Secretary
Zoning Board of Appeals