

TOWN OF MANLIUS
ZONING BOARD OF APPEALS
August 16, 2018
6:30 PM

The Town of Manlius, Zoning Board of Appeals assembled at the Town Hall, 301 Brooklea Drive, Fayetteville, New York, with Chairman Henry McIntosh presiding and the following Board members present:

Member	T.R. Schepp
Member	Al Ruthig
Member	Jim Campbell
Attorney	Timothy Frateschi
Secretary	Allison Weber

Also, Present: Gregory & Rachel Spicola, Kenneth Coe, Chris Manchester, Scott Pidkaminy.

The Pledge of Allegiance was recited

Ken Coe, 7678 Wise Road, Canastota, NY 13032 - requesting a rear yard variance of 13 feet to construct a barn 27 feet from the rear yard instead of the required 40 feet, a side yard variance of 8 feet, so that it will be 12 feet instead of the required 20 feet from the side yard, and a height variance of 5 feet 3 inches so that it will be 22 feet 3 inches instead of the required 17 feet in height at the property located at 5971 Bowman Road, East Syracuse, NY 13057. Tax Map # 073.-01-01.2.

Chairman McIntosh stated that this is a continuation of a public hearing.

Mr. Coe reviewed the amended application. Mr. Coe stated that the application has been amended to reflect the request made by the Board at the previous meeting (July 19, 2018). Mr. Coe stated that the height variance that the applicant is requesting has been reduced to 22 feet 3 inches. Mr. Coe stated that the height variance cannot be reduced any further due to construction requirements for the 12 foot door.

Mr. Coe submitted a current survey that showed the existing buildings on the property that will be demolished.

Mr. Coe submitted a drawing of the proposed driveway. Conversation ensued regarding the proposed driveway.

Member Ruthig asked the applicant to review further details of the proposed garage and windows. Mr. Coe stated that the building will be used for cold storage for equipment in the winter. The structure will be made of block with an overcoat covering. Mr. Coe stated that there will be 4 doors, 2 windows for venting purposes and 3 glass block windows. Mr. Coe stated that the additional storage will clean up the appearance of the property. There will be no plumbing and no electrical.

Member Schepp asked if the building would be for personal use only? The applicant stated that the building would be for personal use only.

Attorney Frateschi stated that a new application was submitted and published in the paper.

Legal Notices

Member Schepp made a motion, seconded by Member Ruthig to waive the reading of the public notices and it was carried unanimously.

Public Hearing

Chairman McIntosh opened the public hearing at 6:41 PM. There being no comment from the public Chairman McIntosh closed the public hearing at 6:42 PM.

Member Schepp stated that the applicant has made efforts to address the concerns that were raised by the Board at the previous meeting.

Board Action

After reviewing the criteria set forth in the application, the ZBA determined that the benefit to the applicant outweighed any detriment to the neighborhood for the following reasons; (i) the applicant moved the building away from the side yard to reduce the requested variance; (ii) the applicant lowered the height of the building to reduce the requested height variance; (iii) the back of the property is isolated from neighbors and there will be little impact.

Member Schepp made a motion, seconded by Member Ruthig to grant a variance to Ken Coe, 7678 Wise Road, Canastota, NY 13032 to construct a barn on the property located at 5971 Bowman Road, East Syracuse NY 13057. The variance shall provide for a rear yard variance of 13 feet to construct a barn 27 feet from the rear yard instead of the required 40 feet, a side yard variance of 8 feet, to construct a barn 12 feet from the side yard instead of the required 20 feet, and a height variance of 5 feet 3 inches to construct a barn that is 22 feet 3 inches in height instead of the required 17. Conditions of the variance are that the applicant remove the additional exsisting structures as shown on the updated survey submitted on August 16, 2018.

The Board voted as follows:

Chairman McIntosh	Aye
Member Campbell	Aye
Member Ruthig	Aye
Member Schepp	Aye

The motion was carried.

Minutes

Member Ruthig made a motion, seconded by Member Campbell, to approve the minutes of July 19, 2018 as submitted by Secretary Beeman 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 Ruthig to waive the reading of the publication for the items on the agenda and it was carried unanimously.

Gregory Spicola, 6124 Town Isle Road, Kirkville, NY 13082 - requesting a height variance of 2 feet to construct a 3 car garage 19 feet high, rather than the required 17 feet, at the property located at 6124 Town Isle Road, Kirkville, NY 13082. Tax Map # 070.-03-02.0

Mr. Spicola stated that he would like to construct a 3-car garage with a loft for storage.

Chairman McIntosh opened the public hearing at 6:46 PM. Chairman McIntosh asked if the neighbors had been notified. Mr. Spicola answered yes

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. Spicola answered no. Mr. Spicola stated that he needs to construct a new garage so that the old garage can be turned into an additional room for their house to make room for their growing family.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? Mr. Spicola answered no.
- 3) Whether the requested Variance is substantial? Mr. Spicola answered no.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? Mr. Spicola answered no.
- 5) Whether the alleged difficulty was self-created? Mr. Spicola answered yes.

Board Questions

Member Ruthig asked if the garage would have electricity. The applicant stated that he would like to install electricity to the garage eventually, but it will not be installed right now.

Member Ruthig asked about the finish on the exterior of the garage. The applicant stated that the garage will have a metal roof and a wood exterior. Member Campbell stated that the appearance will be in keeping with the character of the neighborhood.

Chairman McIntosh closed the public hearing at 6:54 PM.

Member Schepp stated that the garage is in keeping with the character of the neighborhood, there are no environmental impacts and it is not a densely populated area.

SEQRA Review

Chairman McIntosh 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

Based on the answers provided in the application and before the board, the ZBA determined that the benefit to the applicant outweighed any detriment to the neighborhood.

Member Ruthig made a motion, seconded by Member Campbell to grant a variance to Gregory Spicola, 6124 Town Isle Road, Kirkville, NY 13082 to install a 3 car garage the property located at 6124 Town Isle Road, Kirkville, NY 13082. The variance shall provide a height variance of 2 feet to construct a 3 car garage 19 feet high, rather than the required 17 feet.

The Board voted as follows:

Chairman McIntosh	Aye
Member Campbell	Aye
Member Ruthig	Aye
Member Schepp	Aye

The motion was carried.

Chris Manchester, 8498 Poolsbrook Road, Kirkville, NY 13082 - requesting a front yard variance of 2 feet to construct a covered porch 38 feet from the front property line instead of the required 40 feet, at the property located at 8498 Poolsbrook Road, Kirkville, NY 13082. Tax Map # 059.-02-33.1.

Chairman McIntosh asked if the neighbors had been notified. Ms. Manchester answered yes.

Ms. Manchester stated that she would like to remove the existing porch and construct a larger covered porch. Ms. Manchester stated that she will also be putting an addition on the house that does not require a variance.

Member Schepp asked the applicant how much closer the existing porch is to the front property line compared to the proposed porch. Ms. Manchester stated that the proposed porch is 6 inches closer to the front property line.

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? Ms. Manchester answered no. Ms. Manchester stated that the proposed porch will add aesthetic value to the house.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? Ms. Manchester answered no.
- 3) Whether the requested Variance is substantial? Ms. Manchester answered no.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? Ms. Manchester answered no.
- 5) Whether the alleged difficulty was self-created? Ms. Manchester answered yes.

Chairman McIntosh opened the public hearing at 7:01 PM. There being no comment from the public Chairman McIntosh closed the public hearing at 7:01 PM.

Board Discussion

Chairman MacIntosh stated that the proposed porch will add more character to the house.

Member Campbell stated that the existing porch is not as attractive as the proposed porch.

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.

Board Action

Based on the answers provided in the application and before the board, the ZBA determined that the benefit to the applicant outweighed any detriment to the neighborhood.

Member Campbell made a motion, seconded by Member Ruthig, to grant an area variance to Chris Manchester, 8498 Poolsbrook Road, Kirkville, NY 13082 to construct a covered porch at the property located at 8498 Poolsbrook Road, Kirkville, NY 13082. The variance shall provide a front yard variance of 2 feet to construct a covered porch 38 feet from the front property line instead of the required 40 feet.

The Board voted as follows:

Chairman McIntosh	Aye
Member Campbell	Aye
Member Ruthig	Aye
Member Schepp	Aye

The motion was carried.

Adjournment

With there being no other business, Member Schepp made a motion, seconded by Member Campbell, and carried unanimously, to end the meeting at 7:04PM

Respectfully submitted,
Allison Weber, Secretary
Zoning Board of Appeals