

**TOWN OF MANLIUS
ZONING BOARD OF APPEALS
May 16, 2019
6:30 PM**

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

Member	Jim Campbell
Member	Al Ruthig
Member	Clare Miller
Member	Judy Salamone
Secretary	Allison Weber
Attorney	Joseph Frateschi

Also, Present: Adam Duerr

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

Minutes

Member Salamone made a motion, seconded by Member Campbell, to approve the minutes of April 18, 2019 as submitted by Secretary Weber and it was carried unanimously.

Legal Notices

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

Chairman Kelly opening the public hearing at 6:32 PM.

Marc Quesnel, 8454 Woodbox Road, Manlius NY 13104. (Tax Map #115.-06-62.0) for a rear yard variance of 20 feet to construct a shed 20 feet from the rear yard instead of the required 40 feet.

Mr. Duerr appeared on behalf of property owner Mr. Quesnel. Mr. Duerr explained that the proposed placement of the shed is because the owner is planning on installing a pool in the backyard in the near future.

Chairman Kelly 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. Duerr answered no.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? Mr. Duerr answered no.
- 3) Whether the requested Variance is substantial? Mr. Duerr answered no.

- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? Mr. Duerr answered no.
- 5) Whether the alleged difficulty was self-created? Mr. Duerr answered no.

Board Questions

Member Salamone asked who owned the pine trees at the back of the yard. Mr. Duerr answered Mr. Quesnel the applicant did.

Member Campbell asked if the shed will match the look of the house. Mr. Duerr answered yes.

Chairman Kelly asked what the shed will be used for. Mr. Duerr answered for items like tools, lawn mower and such.

Member Ruthig asked how far the shed will be from the pool. Mr. Duerr answered he did not know.

Member Miller asked if the shed will still go in with or without the pool. Mr. Duerr answered yes.

Chairman Kelly closed the public hearing at 6:40 PM.

Member Ruthig stated that the proposal looks fine. Member Ruthig stated that the applicant has a limited amount of space, the yard is enclosed and the pool will be invisible to the neighborhood.

Member Campbell stated that the pool will not be visible from the road.

Attorney Frateschi 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. The applicant showed that he would not be able to install a pool in a safe manner without the variance due to the limited space in 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. The back of the property is shielded by trees, and, therefore will obscure the view of the shed.
- 3) Whether the requested Variance is substantial? The board answered no. It is only a 10-foot variance.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no. None detected.
- 5) Whether the alleged difficulty was self-created? The board answered yes but it is not determinative of the final decision of the Board.

SEQRA Review

Chairman Kelly 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 Salamone made a motion, seconded by Member Campbell, to grant Marc Quesnel, 8454 Woodbox Road, Manlius NY a rear yard variance of 20 feet to construct a shed 20 feet from the rear yard instead of the required 40 feet.

The Board voted as follows:

Chairman Kelly	Aye
Member Ruthig	Aye
Member Campbell	Aye
Member Miller	Aye
Member Salamone	Aye

The motion was carried.

Adjournment

With there being no other business, Member Miller made a motion, seconded by Member Salamone, and carried unanimously, to end the meeting at 6:47 PM

Respectfully submitted,
Deborah Witzel, Secretary
Zoning Board of Appeals