

Agenda
Zoning Board of Appeals
November 16, 2023
6:30 PM

1. Pledge Of Allegiance
2. Virtual Meeting Instructions - November 16, 2021
Please click the link below to join the webinar:

[https://us02web.zoom.us/j/82819667406?
pwd=RUK3aVd0dDh1d0xWdEFzU3lMSDFqZz09](https://us02web.zoom.us/j/82819667406?pwd=RUK3aVd0dDh1d0xWdEFzU3lMSDFqZz09)

Webinar ID: 828 1966 7406

Passcode: 036341

Documents:

[11-16-23 Zoning Board Meeting Instructions.pdf](#)

3. Approval Of Minutes - October 19, 2023

Documents:

[10-19-23 Draft.pdf](#)

4. Lauren Wisneski, 7721 Farley Lane, Manlius NY (Tax Map # 110.-04-02.0)
View ZBA Application Documents [HERE](#)
5. Linda Barberi, 139 W Dauenhauer St., E. Syracuse NY (Tax Map # 062.-02-03.0)
View ZBA Application Documents [HERE](#)
6. David DeOlden, 7868 Peck Rd., Kirkville NY (Tax Map # 043.-01-08.2)
View ZBA Application Documents [HERE](#)
7. Matthew & Mallery Whipple, 8371 Glen Eagle Dr., Manlius NY (Tax Map # 117.-11-42.0)
View ZBA Application Documents [HERE](#)
8. Robert & Nancy McGovern, 8905 Peck Hill Rd., Manlius NY (Tax Map # 116.-01-23.1)
View ZBA Application Documents [HERE](#)
9. William Rumsey, 602 Churchill Court, Fayetteville NY (Tax Map # 014.-01-09.0)
View Application Documents [HERE](#)
10. Other Business
11. Adjournment

This meeting is being recorded and live streamed. The recording will be broadcast live and will be posted to the town website at www.townofmanlius.org



November 16, 2023 – 6:30PM

Zoning Board Meeting Instructions

The easiest way to participate in the meeting is to use the link provided below. The meeting will be conducted on the ZOOM platform as a webinar. Please make sure that when you complete your attendee registration you enter your full name.

Click on the link or enter the meeting URL web address as listed below.

<https://us02web.zoom.us/j/86960005472?pwd=akFLaThGZzUwT1dVSkh0dCtGLzluQT09>

Password to join when prompted:

Password: **825731**

Enter your email address and name and join the meeting.

Join by telephone by dialing the number below:

(929) 436-2866

When prompted to enter the Webinar ID, use the number below followed by #

Webinar ID: 869 6000 5472

Press # again to skip the personal id and enter the password below followed by #

Password: **825731**

If this is your first time joining a ZOOM meeting, you may practice using ZOOM meeting platform at <https://zoom.us/test>.

**Town of Manlius
Zoning Board of Appeals
October 18, 2023
6:30 PM**

The Town of Manlius Zoning Board held a hybrid meeting with in-person attendees and virtual attendees. The meeting was live streamed on the Town Facebook page and the Town YouTube Channel. The recording of the meeting can be viewed here: <https://youtu.be/Ih9BYpklLFE>

Chairman Timothy Kelly presided, and the following Board members present:

Member	K P Kelly
Member	Clare Miller
Member	Karrie Catalino
Member	Warren Linhart
Secretary	Debi Witzel
Attorney	Jamie Sutphen
Code Officer	Tom Poitras

In Person Attendees that signed in: Emily Valentino

Virtual Attendees: None

The Pledge of Allegiance was recited. The meeting was called to order at 6:38 PM due to technical difficulties.

Approval of Minutes – September 21, 2023

Member Linhart made a motion, seconded by Member Catalino to approve the minutes of September 21, 2023, as submitted by Secretary Witzel.

Ayes: Chairperson T. Kelly, Member Linhart, Member Miller, Member KP Kelly, Member Catalino.

Nays: 0 All in Favor. Motion Carries.

Legal Notices

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

Emily Valentino, 4527 Pauli Dr., Manlius NY (tax map # 111.-08-02.0). Requesting two variances to install a shed and greenhouse.

Ms. Valentino explained that the existing shed was there when they purchased the house. Now they would like to add a greenhouse near the shed, both will be behind the existing fence. If the greenhouse were to be put 20 feet out in the yard it would be in the way of the usable green space.

Discussion about the existing fence being part chain link and part privacy. The board would like both sheds to be behind the privacy fence.

Ms. Valentino stated that both structures would be behind the fence and there would be no windows on the fence side for the greenhouse.

Member Linhart made a motion, seconded by Member Miller, to open the public hearing at 6:34 PM and it was carried unanimously.

Ayes: Chairperson T. Kelly, Member Linhart, Member Miller, Member KP Kelly, Member Catalino.

Nays: 0 All in Favor. Motion Carries.

Member Linhart made a motion, seconded by Member KP Kelly, to close the public hearing at 6:47 PM and it was carried unanimously.

Ayes: Chairperson T. Kelly, Member Linhart, Member Miller, Member KP Kelly, Member Catalino.

Nays: 0 All in Favor. Motion Carries.

Board Questions

Chairperson T. Kelly proceeded with the board through the five (5) criteria questions: These answers are for both the shed and the greenhouse.

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered Yes.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no, as both the shed and greenhouse will be behind a fence.
- 3) Whether the requested Variance is substantial? The board answered yes, as they are requesting 18 feet for the shed and 15 feet for the green house.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no.
- 5) Whether the alleged difficulty was self-created? The board answered yes, for the greenhouse is new. No, for the shed as it was an existing structure.

Determination of ZBA Based on the Above Factors:

For the Existing Shed

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 variance of **18 feet for the existing shed** is the minimum variance 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: **None**.

Determination of ZBA Based on the Above Factors:

For the Greenhouse

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 variance of **15 feet for the greenhouse** is the minimum variance 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: **None**.

SEORA Review

Chairperson T. 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

Member Catalino made a motion, seconded by Member KP Kelly to grant an area variance to Joe and Emily Valentino for the property located at 4527 Pauli Dr., Manlius NY (tax map # 111.-08-02.0). First variance being granted for the purpose of the existing shed 11.8' X 16.3' with an existing side yard setback of 2 feet they need a variance of 18 feet to meet the required 20-foot side yard setback.

Ayes: Chairperson T. Kelly, Member Miller, Member Linhart. Member KP Kelly, Member Catalino.

Nays: 0

All in Favor.

Motion Carries.

Member Linhart made a motion, seconded by Member Catalino to grant an area variance to Joe and Emily Valentino for the property located at 4527 Pauli Dr., Manlius NY (tax map # 111.-08-02.0). The second variance being granted for the purpose of the construction of a 16' X 20' greenhouse with an existing side yard setback of 5' they need a variance of 15' to meet the required 20 feet side yard setback.

Ayes: Chairperson T. Kelly, Member Miller, Member Linhart. Member KP Kelly, Member Catalino.

Nays: 0

All in Favor.

Motion Carries.

Other Business

None

Adjournment

With there being no other business, Member Catalino made a motion, seconded by Member Linhart, and carried unanimously, to end the meeting at 8:15 PM

Respectfully submitted,
Debi Witzel, Secretary
Zoning Board of Appeals

DRAFT