

TOWN OF LYSANDER
ZONING BOARD OF APPEALS
Monday, June 5, 2017 @ 7:30 p.m.

The special Zoning Board of Appeals meeting was held Monday, June 5, 2017 at 7:30 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: Richard Jarvis, Chairman; Frank Costanzo; Brian Corrigan; Frank O'Donnell

MEMBERS ABSENT: Steve Jordan

OTHERS PRESENT: Trista Holden-Betts; Hugh Kimball, Planning Board and Karen Rice, Clerk

The meeting was called to order at 7:30 p.m.

I. PUBLIC HEARING -- 7:30 p.m.

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| 1. Area Variance—Front Yard
Case No. 2017—002 | Holden-Betts, Robert
3735 Doyle Road |
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The Public Hearing opened at 7:30 p.m.

Richard Jarvis, Chairman, reviewed the application of Robert Holden-Betts for an area variance for property located at 3735 Doyle Road, Baldwinsville, New York. Mr. Betts is seeking a Front Yard Setback Variance to allow the construction of a detached garage.

Mr. Jarvis stated that Mr. Holden-Betts is out of Town. Mrs. Holden-Betts is here this evening on behalf of the family.

Mr. Jarvis further stated that he has been neighbors with the Holden-Betts for the last 15 years or so and has done some work for them but is not involved in this project and has nothing to gain financially with this project. Mr. Jarvis chose not to recuse himself, as he believes he can be objective by this but wanted that to be disclosed.

Trista Holden-Betts stated that they would like to construct a 30' x 40' pole barn that attaches to the existing driveway for the purposes of storing their vehicles and boats. The proposed pole barn location is critical because it's for the purpose using the existing driveway efficiently. Placement of the pole barn is limited due to the access of the leech field. We would like to have the pole barn approximately 25' from the road, similar to the existing garage and to prevent drainage issues. There are no alternatives due to the existing leech field and the grade of the yard.

Mr. Jarvis stated that a survey was provided with modifications drawn on the plan showing the septic and leech field, as well as the proposed pole barn.

Mrs. Holden-Betts concurred stating that her husband made the modifications to the plan showing the septic, leech field, proposed pole barn and location of the driveway.

Mr. Jarvis questioned if the 15' side yard setback could be maintained.

Karen Rice, Clerk, stated that they will be 50+/- feet from the side yard. There is a little hatch mark by the North arrow showing that they own the adjacent property, yet a new survey wasn't prepared.

Mr. Jarvis stated that it appears that the existing garage is right on the boundary line of the road and he presumes has been there for many, many decades.

Mrs. Holden-Betts concurred stating that it's 24.3' from the centerline of the road.

Mr. Jarvis stated that he believes that there is a ditch that runs along the front and questioned if any of it was filled in.

Mrs. Holden-Betts stated that there is a culvert but a portion of the ditch has to remain open. There is a gas line that runs underneath it.

Frank Costanzo questioned the height of the proposed building.

Mrs. Holden-Betts stated that she's not sure, but tall enough to park Tundra in it.

Karen stated that it can't be any higher than 30'.

Mrs. Holden-Betts stated that it won't be any higher than that.

Mr. Costanzo stated that it appears that the garage you have now is a 2 ½ car garage.

Mrs. Holden-Betts stated that it's barely a one car garage.

Mr. Costanzo stated that Doyle Road is quite unique...I measured the road, it's only 23 foot wide and it has two ditches on both sides. Most of the residents there have to put their mailboxes right on the road. A gentleman was coming out of his home to get the mail but wouldn't go out into the road because I was coming by. I was going slow but the speed limit there is 35 mph. The existing garage is a two-car garage. You're going to have a boat and another...

Mrs. Holden-Betts stated that they can't fit a car in the existing garage. We have four children so that garage is filled with bicycles, lawn mowers...it's like a shed. If you pull a car in you can't open the doors because it's just a squirrely little garage. We will put the truck, car and watercraft in the pole barn to get it out of the yard.

Mr. Costanzo stated that the concern he has is you already have one garage really close to the road; you will now have two. The road is not very wide. I can't see a car

and a plow trying to pass one another going down that road. Did you ever think of taking the garage you currently have now and changing it to a pole barn?

Mrs. Holden-Betts stated that they have not. It sits on a concrete slab and I just don't think it would be worth it. If we did that it would probably be 12' from our porch. If we moved into the yard further it would become an eyesore from the house because you'd be looking out our living room window at a garage rather than out our window to a yard.

Mr. Costanzo stated that the lay-out now is alright because people can see you coming out onto the road. Putting another big building next to the road...when you make that turn to come out, is a concern I have.

Mrs. Holden-Betts stated that the driveway is a horseshoe. We're not looking to come straight off the road. We don't want to put another culvert in. We have our driveway set now where it's squared off with a basketball hoop. That area was intended to someday build a pole barn in that location because we would be coming at an angle and not straight in from the road.

Karen reiterated that the pole barn is going to be side loading.

Mrs. Holden-Betts concurred.

Mr. Jarvis added that they've extended the driveway away from the road. It's not going to have another curb-cut.

Mrs. Holden-Betts concurred stating that it's all filled in there. It's all concrete.

Brian Corrigan stated that you have a substantial piece of property there, 2.3 acres. Have you considered placing this pole barn in any other location on this piece of property.

Mrs. Holden-Betts stated that they have a leech field and don't want to go digging that up again. To get to any other part of the lawn you'd have to drive over the leech field. We have a crazy grade so it would be pouring water. Although we do have a mason in the family, we don't want to pay him anymore for concrete. It gets a little expensive; so to put any more concrete in the yard it's just going to end up costing us more and more money. We thought this would be an ideal location. I'm getting old...I don't want to walk $\frac{1}{4}$ of a mile to get my truck in the winter. We considered placing it way back in the pines but at that point it could only be used as a storage facility as opposed to store our vehicles in the winter, because it doesn't make sense. Anywhere else on the lawn, the water...we would have to skirt way out and go back because of the leech field. This is really an ideal location especially since it's right off that corner of the existing driveway.

Mr. Corrigan stated that the pole barn is to store two of your vehicles and a water craft...30' x 40 is a substantial size. Have you considered anything smaller that would require the request for the variance to be less than what you're seeking?

Mrs. Holden-Betts stated that they have two trailers, two boat trailers, one has six kayaks and two canoes on it and the other one has two jet skis. They would be on the trailers in the barn going the opposite way. We want to get them out of the yard and preserve them so the mice that live in everything in our neighborhood, we don't have to shoo out.

Mr. Corrigan questioned what the pole barn would be constructed of, aesthetically.

Mrs. Holden-Betts stated that it would be made of metal. Low maintenance, as low maintenance as possible with a green roof to match the existing roof on the house. It would be the same as far as the house and existing out-building.

Mr. Corrigan questioned how long they have owned the residence.

Mrs. Holden-Betts stated that it was sixteen (16) years in March.

There was considerable discussion with regard to the setback required, the setback of the existing structures and the close proximity to the existing road, the pole line and the Town's Highway Boundary.

Mr. Jarvis stated that the existing garage sits right on the high boundary is approximately 25' from the centerline of the road; with the proposed pole barn being placed further back than that.

Mr. Jarvis continued stating that he is very familiar with the property. There is a big grade, the adjacent Alessio property is one of the highest in the area. You can see the nuke plant in Oswego from there. Driving across the leech field would create all kinds of problems. Driving across it every day is not going to be an ideal situation. If you placed a pole barn in place of the existing garage no one would be able to see your house. You'd drive by with a pole barn which would be right on top of the road. If you moved it back it would be right on top of the house. Knowing the property I don't think that's a viable option.

Considerable scenarios were discussed with Mr. Corrigan stated that the proposed location is not to scale and what the exact setback variance is being sought.

Karen stated that she talked with Mr. Holden-Betts, that's my writing on the application, but he stated that he can get 30' and a 20' setback is being requested.

Mr. Jarvis stated that we don't know the exact location of the leech field either...

Mrs. Holden-Betts stated that it's just beyond the existing driveway. We have a French drain at the top of our driveway to make sure that our leech field doesn't get soaked. There are five fingers that come from the back corner of our house. There is a patio that wraps around our house. The patio comes off about five feet and that's where the septic is. The septic has the huge leech field because we have a water problem.

Frank O'Donnell questioned if fingers have been added.

Mrs. Holden-Betts stated that they have. If you go up and down the dead end portion of Doyle Road you will see that the properties are very close to the street. The gentleman who lives across the street ripped off the front because that was literally five feet off of the road. Our next door neighbor's barn is also very close to the road.

Karen questioned if the Health Department issued a permit for the expansion of the leech field.

Mrs. Holden-Betts stated that she has no idea.

Mr. Costanzo stated that he notices the homes that were close to the road as well but they don't have two garages sitting close to the road.

Mrs. Holden-Betts concurred stating that the reason they set up their driveway as such was so that we're not backing up onto the road, like how it was before. We're right below the hill and right above the hill...cars would zip by.

Mr. Jarvis stated that the hills don't obstruct the view up and down Doyle Road though, you can see up and down Doyle Road. The dips aren't deep enough where anybody is out of your sight.

Mrs. Holden Betts agreed but if you're backing out it could be obstructed.

Mr. Corrigan stated that he 's envisioning that this building would be roughly 15 to 17 feet off of the paved area.

Different setback modifications were discussed....one being a 15' setback variance request, which would allow you to be 35' from the centerline of the road.

Mr. Jarvis stated that it could impact the size of the barn by 5' or a compromise to build your barn further back by 5'.

Mr. Jarvis questioned if this item can be tabled until such time that Mrs. Holden-Betts can discuss this with her husband.

Karen stated that it can be tabled indefinitely. If we close the hearing I believe it has to be acted on within 62 days, that's the rule with the Planning Board anyway.

Mr. Jarvis stated that tabling it will allow you time to come in with other exhibits to offer, revised survey, photographs, etc...

Mrs. Holden-Betts concurred.

Motion by Corrigan, Second by Costanzo:

Motion by Corrigan to table a decision on the Holden-Betts3735 Doyle Road, Baldwinsville, New York Area Variance Request.

4 Ayes -- 0 Noes

Karen stated that the next special meeting according to the calendar would be July 3, 2017, however the building is closed for Independence Day. The next available date would be Monday, July 10, 2017.

The Public Hearing adjourned at 8:05 p.m.

II. APPROVAL OF MINUTES

RESOLUTION #1 -- Motion by Costanzo, Second by O'Donnell

RESOLVED that the minutes of the Monday, March 6, 2017 Special Zoning Board of Appeals meeting be approved as submitted.

4 ayes -- 0 Noes

III. ADJOURN

RESOLUTION #2 -- Motion by Costanzo, Second by Corrigan

RESOLVED, that the June 5, 2017 Special Zoning Board of Appeals meeting adjourn at 8:05 p.m.

4 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk