

TOWN OF LYSANDER  
ZONING BOARD OF APPEALS MEETING  
Monday, November 4, 2013 @ 7:30 p.m.  
8220 Loop Road, Radisson

The special meeting of the Lysander Zoning Board of Appeals met Monday, November 4, 2013 at 7:30 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: L. Micha Ordway, Chairman; Richard Jarvis; Frank Costanzo; Chris Patrick

MEMBERS ABSENT: S. Webster Reid, Chairman

OTHERS PRESENT: Tim Wolsey, Code Enforcement Officer; Norm Carroll; Sue Carroll; Ed Frye and Karen Rice, Clerk

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

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

- |                               |                         |
|-------------------------------|-------------------------|
| 1. Side Yard Setback Variance | Carroll, Norman & Susan |
| Case No. 2013—002             | 3277 Greenleaf Drive    |

The Public Hearing opened at 7:30 p.m.

L. Micha Ordway, Chairman, reviewed the application of Norman and Susan Carroll for a Side Yard Setback for property located at 3277 Greenleaf Drive, Phoenix, New York.

Ed Frye, Advanced Construction Technologies, submitted a letter to the Zoning Board of Appeals outlining the proposed project in their request for a Side Yard Setback Variance to allow the construction of an attached garage that will be made part of the public record in part:

**We are applying for a 3'6" area variance for the north east corner of the structure for a proposed garage addition. Mr. Carroll is a New York State Fire Instructor and has a sizable amount of training gear. The addition is to properly store and maintain his gear in good working condition for use throughout the County and State in various training classes for volunteer and career agencies as well as free up space in his present garage which presently houses the equipment to properly store his vehicle inside. As seen in the plans and survey, which we have provided, the current residence is serviced by a 2 car attached garage and driveway on the north east corner of the property. Although there is a large space on the north west corner of the home it would not be a feasible solution as it is not serviced by a driveway. The installation of a detached garage and driveway across the front of the property to reach the north west side of the property does not fit with the current planning concerns in the development and would not be acceptable to the Home Owner's Association (HOA). Also, the installation of the**

**driveway to service a detached garage on the north west side of the property would increase the stormwater runoff from the hard surface which may result in drainage issues on the rear of the adjoining property directly in front of the lot. An addition to the current garage poses no significant change to look to the planning of the development. Also, the current drainage on the north east side of the addition will not be affected. We have submitted our plan to the HOA and have their approval.**

Mr. Frye continued stating that the variance request is not for the entire side of the proposed 12' x 26' garage because half of the existing garage is used to house all of his equipment. The proposed garage will be attached to the present structure. The variance request is just for the front corner of the garage, going back up to 8 or 9 feet. Alternatives were looked at (as referenced in Mr. Frye's project description) and maps provided by Google Earth, however the most feasible way to allow him to store all of his equipment for the NYS instructor classes is to put it on this side of the house. Further, a shed is not an option as the HOA does not allow them.

There is a letter on file dated November 3, 2013 from the neighbor most affected by the variance, Richard Woodridge, 3279 Greenleaf Drive, Phoenix, New York, which will be made part of the public record, stating no objection to the granting of the variance, however with conditions:

**This letter is in reference to the application of Norman and Susan Carroll, for a Side Yard Setback Variance for the property located at 3277 Greenleaf Drive, Phoenix, Tax Map No. 081.-02-12.0. I am writing to inform the Board that I, Richard Woodridge, give my consent for the Side Yard Setback Variance to allow the construction of an attached garage. There is one concern I have with two trees that are on the property line and on in particular that is near the front corner of the proposed attached garage. It is my request that if something happens to either tree during construction of the attached garage that the damaged tree(s) will be replaced with similar type and size trees.**

Mr. Frye stated that they don't plan on touching any of the pine tree buffer there.

There was some discussion with regard to what type of foundation is going in with Mr. Frye stating that he has talked to his arborist about the project and whether or not it would interfere with the existing trees. If for some reason something does get damaged it will be replaced and Mr. Woodridge is fine with that. The Carroll's also want the trees to remain as they also enjoy their privacy.

Chris Patrick stated that the footprint that was received in the email made it look like the building was going to be on the line.

Mr. Frye stated that it will not and he doesn't know why the architect laid it that way on the plan to make it look that way.

Mr. Ordway questioned if it was a one story garage.

Mr. Frye stated that it is one story with attic trusses so that the upstairs can be used for storage.

Mr. Ordway reiterated that Mr. Woodridge's concern "It is my request that if something happens to either trees during construction of the attached garage that the damaged tree(s) will be replaced with similar type and size trees".

Mr. Ordway continued stating that these are established trees.

The Carroll's and Mr. Frye assured the board that they would replace them with what the biggest they can find, assuming Mr. Woodridge doesn't want saplings. Hopefully that won't happen but the arborist will be consulted if need be.

Mr. Frye stated that they don't have a problem having that as a condition of any approval.

Mr. Ordway stated that he doesn't want to speak for the board but yes, he would like to see that.

Richard Jarvis stated for full disclosure that Richard Woodridge is a client of his, however he doesn't believe that is a problem.

Frank Costanzo stated that the applicant has a lot of property, it's just too bad you can't put it behind the house and not right there on the corner, there's plenty of room for what you want to do.

Mr. Frye stated that they would have to wrap the driveway around the property...

There was some confusion as to whether or not the applicant was asking for a 3' variance or 6' variance. It was determined that there they are seeking a 3'6" variance with Mr. Ordway stating that there's quite a bit of room between the two houses because of where the other house sits.

Mr. Ordway opened to the floor for public comment, however nobody was present.

The Public Hearing closed at 7:45 p.m.

#### FINDINGS:

An undesirable change to the character of the neighborhood will not result in granting this variance.

There will be no adverse impacts on the physical or environmental conditions of the area or neighborhood.

The reason for seeking the setback variance was not created by the applicants.

There are no feasible alternatives that do not require a variance without causing considerable impacts on the adjacent owners.

The Homeowner's Association would not allow any other possible options.

There is no opposition from the community.

The effected neighbor does not oppose the construction, however he does ask that if the construction disturbs or kills the existing trees along the property that they be replaced with trees of similar type and size.

The application did not require referral to the Onondaga County Planning Board for their review and recommendation.

RESOLUTION #1 -- Motion by Jarvis, Second by Patrick

RESOLVED, that the Zoning Board of Appeals grant to property located at 3277 Greenleaf Drive, Phoenix, New York, Tax Map No. 081.-02-12.0, a 3'6" Side Yard Setback Variance, to allow the construction of a 12' x 25'4" attached two story garage with the following conditions:

1) In the event that any of the trees bordering the two properties are destroyed during the construction process of the attached garage or damaged in any way they will be replaced with similar type and size trees.

4 Ayes -- 0 Noes

The applicant thanked the board for their time.

II. APPROVAL OF MINUTES

There were no corrections, amendments or additions made to the minutes of the October 7, 2013 special Zoning Board of Appeals meeting.

RESOLUTION #2 -- Motion by Jarvis, Second by Ordway

RESOLVED, that the minutes of the October 7, 2013 special Zoning Board of Appeals meeting be approved as submitted.

4 Ayes -- 0 Noes

III. ADJOURN

RESOLUTION #3 -- Motion by Costanzo, Second by Patrick

RESOLVED, that the November 4, 2013 special Zoning Board of Appeals meeting adjourn at 7:50 p.m.

4 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk