

TOWN OF LYSANDER
ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that pursuant to Section 267-a(12)Town Law, a Public Hearing will be held by the Town of Lysander Zoning Board of Appeals on Monday, April 3, 2023 at 7:45 p.m. at the Town of Lysander Town Offices, 8220 Loop Road, Baldwinsville, New York, for the purpose of considering the following:

The application of Bill and Kristin Marsallo for an Area Variance for property located at 84 Afternoon Drive, Baldwinsville, New York, Tax Map No. 049.2-012-15.0 to allow the placement of a swimming pool and associated structures in accordance with Article VII, Section 320-18, Paragraph A(2) of the Lysander Town Ordinance.

Dated: March 14, 2023

Richard Jarvis, Chairman
Lysander Zoning Board of Appeals

PLEASE BE ADVISED THAT DUE TO A SCHEDULING CONFLICT THIS PUBLIC HEARING WILL BE OPENED BUT ADJOURNED UNTIL THE MAY 8, 2023 at 7:30 P.M. ANY COMMENTS QUESTIONS AND CONCERNS CAN BE ADDRESSED AT THAT TIME. NO DECISION WILL BE MADE APRIL 3, 2023.

Sorry for any inconvenience. If you have any questions please contact the Clerk to the Zoning Board of Appeals at (315)638-4819 or planning@townoflysander.org. Thank you!

TOWN OF LYSANDER
ZONING BOARD OF APPEALS

APPLICATION

Application Number 2023-003 Date 3-14-2023 Fee \$150

Type of Application

- ☐ Special Use Permit
☐ Permit for Temporary Structure/Occupancy (explain need on page 2)
☐ Extension of Permit for Temporary Structure/Occupancy (explain need on page 2)
☒ Appeal of Decision made by the Code Enforcement Officer
 ☒ Area Variance (provide details on page 2)
 ☐ Use Variance (use requested _____)
☐ Informal Interpretation (describe issue on page 2)
☐ Other _____

Applicable Sections of the Zoning Ordinance

Article VII, Section 320-18, Paragraph
A(2) Setbacks

**Review by Onondaga County
Planning Board**

☐ Required ☐ Not Required

**Review by Town of Lysander
Planning Board**

☐ Required ☐ Not Required

Applicant

Name Bill + Kristin Marsullo
Street Number 84 Afternoon Drive Municipality Baldwinsville
State NY Zip Code 13027

Property

Street Number 84 Afternoon Drive Municipality Baldwinsville
State NY Zip Code 13027
Tax Map Number 049.2-02-15.0.
Owner (if different than applicant)
 Name _____
 Address _____
Zoning District R-12.5 Overlay Control _____
Size of Property 86.66 155 acres
Existing Structures/Uses ☐ Conforming ☐ Nonconforming

Need and Description

For temporary permits, explain why a permit is needed. For area variances, attach a copy of a current survey and any drawings or plans - if reducing or enlarging documents that **do not** include a graphic representation of scale indicate the percentage of reduction or enlargement. Attach additional pages if necessary.

We are requesting 7-10ft for a pool + fence area (included) to move the pool 7-10ft to the right on our property due to the odd configuration including easement and forever green space

Area Variances

- ## Alternatives

Explain in detail why the proposed action cannot be conducted where a variance would not be required, or where a smaller variance would be required (attach additional pages if necessary).

As per plans attached we would have fencing around the entire yard which also has a forever green area and 2 easements. We contacted the developer to try and petition the 10ft and were told to apply for a variance with the town. As you can see on the plans with current configuration the fence will be 1 foot from the front of the pool. We are asking to either be granted the 10 feet of land or have waived the 10 foot requirement from the middle of the easement. Under the current plan the land would have to be graded and it would be over the steps on our deck

Sworn this 14 day of MAY, 20 23

John A. Rio

Notary Public

KAREN A. RICE
Notary Public, State of New York
Qualified in Onondaga County
No. 4855987

Commission Expires May 12, 20____

Applicant/Representative Signature

William A. J. Kustin
Applicant/Representative Signature
Kustin Mousello
Owner/Representative Signature

Owner/Representative Signature

Page 2 of 2

Continued —

due to the slope. Five-ten feet would put us on the flat part of our property. We have maintained the access area as well as the power box landscaping since we moved in October 2016 and the lot that was vacant next door.

We would also be fine with moving the access to the other side of our house where there is also space to get to the green area.

T.M.

DRAINAGE EASEMENT

105.51'

30'

10'

16'

15'

55'

24.3'

AC UNIT

10.0'

16.0'

19.0'

10.0'

10.0'

24.2'

10'

10'

10'

19.0'

5.6'

4.8'

2.1'

34.0'

FRAME HOUSE No. 84

24.2'

17.7'

6.0'

4.0'

20.3'

38.0'

24.3'

155.03'

29'

CONC. WALK

CONC. WALK

ASPHALT DRIVE

41.9'

46.0'

40'

94.65'

DRAINAGE EASEMENT

BUILDING LINE

UTILITY BOXES

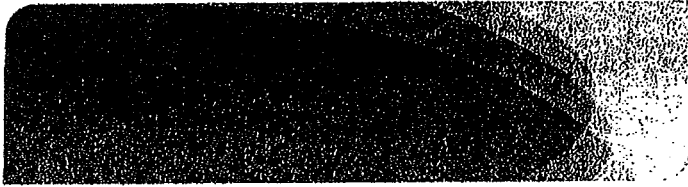
86.52'

ROAD BOUNDARY

VILLAGE OF BALDWINSVILLE WATER EASEMENT

1170.86' TO P.C.-S.C. GIDDINGS TRAIL

Scanned with CamScanner



Highlander HOA, Inc.

(Lysander Preserve)
7519 Morgan Rd, Liverpool NY 13090
Ph. 315.451.4980
sattwood@heritage-homes.net

June 25, 2021

Bill Marsallo
84 Afternoon Drive
Baldwinsville, New York 13027

Dear Bill,

The Highlander HOA ACC hereby approves your application to install the pool, shed and a 6' high white vinyl and steel fence around the back yard of your property as per the specifications set out by yourself and Butler Fence.

The Highlander HOA ACC does not have the authority to grant permission for any change or amendment to the easement rights and access. This change would have to be granted by applying for a variance with the Town of Lysander.

We remind you to please follow any and all town regulations and permits that may be applicable to your project.

Thank you for taking the time to advise us of your intentions.

Sincerely,

Dan E. Bargabos
Architectural Committee