

TOWN OF LYSANDER  
ZONING BOARD OF APPEALS  
Monday, July 11, 2022 at 7:30 p.m.

The special meeting of the Town of Lysander Zoning Board of Appeals was held Monday, July 11, 2022 at 7:30 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: Richard Jarvis, Chairman; Frank Costanzo; Frank O'Donnell; Edwin Baker and Robert Sweet

OTHERS PRESENT: Kathleen LaRocca; Bob Colling; Doug Bartkowiak; Dick Borza and Karen Rice, Clerk to the ZBA

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

Richard Jarvis, Chairman, welcomed Robert Sweet to the Zoning Board of Appeals, replacing Matt Hunt who moved to the Planning Board.

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

1. Area Variance	Bartkowiak, Doug
Case No. 2022—003	7560 Plainville Road

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

Richard Jarvis, Chairman, reviewed the application of Doug Bartkowiak for an Area Variance to Dimensional Requirements for property located at 7560 Plainville Road, Memphis, New York, Tax Map No. 043.-02-02.2 to allow a subdivision of property after the fact in accordance with Article IX, Section 320-22, Paragraph A(1) and Article XXI, Section 320-62, Paragraph D(1)(o) and (2)(b) of the Lysander Town Ordinance.

Doug Bartkowiak purchased the property without benefit of subdivision and would now like to sell the lot but it is not considered a residential building lot since it did not go through the subdivision process.

A deed was prepared, dated March 24, 2010 and filed in the Onondaga County Clerk's Office March 24, 2010.

Steve Sehnert, Applied Earth Technologies prepared a survey, no date shown and invoiced the applicant April 28, 2010.

There is a letter on file dated June 8, 2010 when electrical services was requested.

Mr. Bartkowiak stated that he has used the property for recreational use, a dock for his boat with a picnic area; hoping to build a home at some point in time, however due to medical reasons the property will be sold.

Mr. Jarvis identified a few issues/obstacles Mr. Bartkowiak may run into:

- Septic System & Well
- Proximity to the Floodplain
- Driveway

It was determined that with technology the way it is today sewage disposal and a water source shouldn't be an issue.

Mr. Bartkowiak stated that there is an existing driveway and a pad for his boat when he went there on weekends.

With regard to the Floodplain, any buyer would have to work within the Floodplain regulations.

Frank Costanzo stated that the variance requested is substantial, 140' shy on the lot width. It appears to be a very steep lot to develop.

Mr. Bartkowiak stated that there are narrow lots all along that section.

Karen Rice, Clerk, stated that prior to the ordinance being changed, 100' was required.

Kathleen LaRocca and Bob Colling, who are in attendance this evening, live next door with an 85' with a 2600 square foot home.

Robert Sweet asked if the applicant could purchase additional property from the original seller.

Mr. Bartkowiak stated that he approached the owner but now wants substantially more and as Mr. Costanzo stated it is a steep lot with the adjoining property being steeper with a 60' drop-off.

Ms. LaRocco, 7414 Plainville Road, stated that the lots along there are steep. Ours being ¼ to 1/3 of the property, not quite halfway down, but we have a walk-out basement. We have lived here 8 ½ years and water has never got into their swimming pool.

Ms. LaRocco stated that her only concern is water pressure

Motion by Baker, Second by Costanzo to close the Public Hearing 7:45 p.m.

#### FINDINGS:

An undesirable change in the neighborhood will not occur

Proposed use is sufficient to preserve the general character of the neighborhood and to safeguard the public health.

The use is not substantial; the variance is substantial. There will not be an adverse impact on the physical and environmental conditions.

Reasonable alternatives do not exist without impacting the surrounding community.

There is no opposition from the community.

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

RESOLVED, that the Zoning Board of Appeals grant to property located at 7560 Plainville Road, Memphis, New York, Tax Map No. 043.-02-02.2 an Lot Width Variance in the amount of approximately 140' and Minimum Lot Size Variance in the amount of approximately 39,995 square feet to allow the subdivision of land after the fact, in accordance with Article IX, Section 320-22, Paragraph A(1) and Article XXI, Section 320-62, Paragraph D(1)(o) and (2)(b) of the Lysander Town Ordinance.

3 Ayes -- 2 Noes (Costanzo and Sweet)

The application is approved.

Mr. Bartkowiak thanked the Board for their time.

#### II. APPROVAL OF MINUTES

There were no changes made to the Minutes of the June 6, 2022 special Zoning Board of Appeals meeting.

#### RESOLUTION #2 -- Motion by Costanzo, Second by O'Donnell

RESOLVED, that the minutes of the June 6, 2022 special Zoning Board of Appeals meeting be approved as submitted.

5 Ayes -- 0 Noes

III. ADJOURN

RESOLUTION #3 -- Motion by Baker, Second by O'Donnell

RESOLVED that the June 6, 2022 special Zoning Board of Appeals meeting adjourn at 7:50 p.m.

5 ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk to Zoning Board of Appeals