

DRAFT MINUTES OF A REGULAR MEETING

OF THE ZONING BOARD OF APPEALS OF THE TOWN OF POMPEY

A regular meeting of the Zoning Board of the Town of Pompey, New York was held via zoom due to Governor Cuomo's Executive Order #202.1 at 7 p.m. November 9, 2020

Board members present: David Tessier, Chairperson
Patrick Frazee
David Hale
Donald Neugebauer
Kevin Sharpe

All members of the Zoning Board of Appeals were present. Also present were Jamie Sutphen Attorney, and Nikki Reid, Town of Pompey Clerk's Office.

David and Samantha Warren, 2854 Gardner Road, Tax Map ID:017.-02-09.3.

Present for the applicant David Warren (Applicant) For property variances.

Chairman Tessier read the application.

Farm zone, not within 100 feet of flood zone. Farm district, Town minimum of 50 feet setback from road, Structure requires variance for setback of 20 feet. Long narrow side yard. Structure would need to be placed closer to the road due to placement of driveway, drop off to the South and back of yard and to be visually appealing. Still 45 feet from the edge of pavement and well screened by evergreen trees. Structure is tastefully designed and well screened, very similar to other structures in the area. Looking for a 30 foot variance.

Short environmental assessment attached along with map and aerial photo.

Fees have been paid, it was advertised and neighbors were notified.

We do not require Onondaga County review , not on County Highway, a residential accessory garage and front yard setbacks do not require County review.

Letter from Barb and Sam Fresino, 2821 Gardner Road. They are in favor of granting a variance. They are great neighbors and keep their property very well maintained. Any addition should add value to their property and ours.

SEQRA review type 2 and no other environmental review is required. The Zoning Board of Appeals of Pompey is the lead agency and no further review is needed. Motion made by Dave Hale and seconded by Kevin Sharpe. All in favor. Motion carried.

Don Neugebauer made the motion and David Hale seconded the motion to open the public hearing at 7:12 p.m. All in favor, motion carried.

David Warren had no further comments; there are stakes in the ground to represent the size and placement of structure. 24 X 48 pole barn. No other place on property to put the barn.

Dave Hale asked if the building was going to be elongated toward the house or driveway? 24 feet wide and 48 feet long. Longer side runs down the driveway and is about 15 feet from the driveway to allow access.

Shorter peak will be facing Gardner road and well hidden by trees.

Neighbor to the South, 2832 Gardner Road, Wendy Gathman on zoom has concerns about whether the property was surveyed. She stated she owns a 5 acre lot between her home and the Warren property and is concerned the structure is on her property. Yes it was surveyed and it is 34 feet from the Gathmans property line. There is also a considerable amount of trees on the Warren property that will remain and provide screening between the properties. Pompey requires only 5 feet setback from side property lines. Wendy is concerned that the barn will depreciate her property. Height of structure will be 17 to 18 feet to the peak. No lights will be placed on the South side of the structure. No other place to put a building. Neighbor is not in favor of variance. She feels she will never be able to sell her lot. There are trees between properties that will hide the structure. Because of grade they can not put it behind the house and to push it back farther would put it up too close to the house and would be more visible from the road. Doors would be on the driveway side of the building. There is a creek that runs through the Gathman property. The woods are on the Warren property. Neighbor believed she could never build a house on her lot because the barn is too close to her property.

Metal or vinyl siding with a few windows. Overhead garage doors, no sliding doors.

Patrick Frazee asked if the Town of Pompey Highway Supervisor had any concerns? Tom Purcell, Highway superintendent has no highway department concerns with structure.

Motion to close the public hearing at 7:42 by Don Neugebauer, seconded by Kevin Sharpe. All in favor, motion carried.

Patrick Frazee said no conditions needed. The infringement is on the highway. No restrictions needed.

Town of Pompey Highway department already given the ok. No restrictions needed. There is an overhead powerline that he needs to stay back from, which he has.

There are other structures on the road that are also closer than 50 feet to the right away line.

The Zoning Board of Appeals discussed all criteria and after the discussion Patrick Frazee made a motion seconded by Kevin Sharpe, to grant the variance as requested in accordance with the decision of the Zoning Board of Appeals attached hereto. All members voted by roll call. All in favor, motion carried.

Motion to close meeting at 7:53 by Dave Hale, seconded by Don Neugebauer. All in favor, motion carried.

Respectfully submitted by

Donna Alnutt
Secretary of the Zoning Board of Appeals