

# Zoning Board of Appeals

## Town of Oswego

March 17, 2016

Chair: Tim Anderson  
Vice Chair: Robert Baker  
Members: Michael Asmolik, Robert Dexter, Debra Shoenfelt-Jaskula  
Alternate: Michael J. Asmolik  
Attorney to the Board: Kevin Caraccioli  
Secretary: Debra Hogan

The meeting was called to order at 7:00 p.m. by Chairman Tim Anderson.

### **Board Attendance:**

Tim Anderson, Robert Baker, Michael Asmolik, Robert Dexter, Debra Shoenfelt-Jaskula  
Attorney Kevin Caraccioli

### **Others Present:**

Michael J. Asmolik (alternate)  
William Shannon

### **Acceptance of Agenda:**

Motion by member Robert Baker, second by member Michael Asmolik to accept agenda. All ayes. Carried.

### **Approval of August 20, 2015 minutes:**

Motion by member Robert Baker, second by member Michael Asmolik to accept minutes as written. All ayes. Carried.

### **Public Hearing #16-0001 – Area Variance**

#### **Shannon, William, 320 Co. Rt. 89 – Pole Barn/Garage:**

Chairman Tim Anderson opened the public hearing at 7:05 p.m.

Mr. Shannon is requesting an area variance for the purpose of constructing a 22 x 22 x 10' pole barn/garage to be located on the north side of his property (Siembor Drive).

Building permit was denied by CEO Wayne Newton as it does not meet required front yard setback of 50 feet in an R-2.

Board members discussed front yard setback (50') vs. side yard setback (15') in R-2 as property is surrounded by three roads – Co. Rt. 89, Siembor Drive and Germar Drive. CEO Newton's decision was based using a 50' front yard setback, which the board followed when making their determination.

Mr. Shannon provided a map, stating he could not place the building in another location on his property due to gas lines and old field drains. He will use existing Siembor Drive entrance to his property to access new building. All neighbors were notified.

Attorney Kevin Caraccioli and board members reviewed factors needed to consider when granting an area variance and determined that it met all the criteria.

Motion by member Debra Shoenfelt-Jaskula, second by member Michael Asmolik to grant an area variance of 13 feet for construction of a 22 x 22 x 10 detached garage for property located at 320 Co. Rt. 89 from a 50 foot front yard setback requirement. All ayes. Carried. (See Attachment A).

**Organizational:**

Board members agreed to continue meeting on the third Thursday of each month at 7:00 p.m. If there is no business to act on the meeting will be cancelled.

Motion by member Debra Shoenfelt-Jaskula, second by member Michael Asmolik to continue with Chair Tim Anderson. All ayes. Carried.

Motion by Chair Tim Anderson, second by member Robert Dexter to continue with Vice-Chair Robert Baker. All ayes. Carried.

**New Business:**

Member Michael Asmolik (Sr.) requested that alternate member Michael J. Asmolik, be moved from the alternate position into the full time board position. Member Michael Asmolik (Sr.) would revert to the alternate position. Attorney Caraccioli will formalize this at the next Town Board meeting.

**Old Business:**

Attorney Caraccioli updated the board on the Eason/Noun use variance request (#15-0002) for a Bed & Breakfast. He has spoken with Mr. Eason over the past year and since there has been no action he suggests the board place it on hold.

**Open Discussion:**

General discussion relating to properties in disrepair. Attorney Caraccioli stated that the Town Board is looking at updating the Comprehensive Plan and Zoning Regulations. Planning Board Chair Judy Sabin-Watson will spearhead this, including members of all boards as well as Oswego County Planning.

**Adjournment:**

Motion to adjourn by member Michael Asmolik, second by member Debra Shoenfelt-Jaskula. All ayes. Carried.

Meeting adjourned at 7:40 p.m.

Respectfully submitted,

Debra Hogan  
Secretary

