

August 18, 2005
Zoning Board of Appeals Minutes
Oswego Town Hall

Chairman: Greg Auleta
Board Members: Robert Baker, Timothy Anderson,
Patty Blackwell, Debra Shoenfelt-Jaskula
Attorney to the Board: Kevin Caraccioli

Call To Order:

At approximately 7:01 PM, Greg Auleta, Chairman of the Zoning Board of Appeals called the meeting to order.

Attendance:

Those in attendance were:

Greg Auleta, Chairman

Robert Baker, Member

Timothy Anderson, Member

Debra Jaskula, Member

Allison Nelson - Filled in for Kevin Caraccioli, Legal Advisor

Marjorie Best, Secretary

Absent was:

Patty Blackwell, Member

Acceptance of Agenda:

Tim Anderson moved that we accept the Agenda for August 18, 2005. Bob Baker seconded the motion. All ayes. Motion carried.

Approval of July 21, 2005 Minutes:

Debra Jaskula made a motion that the July 21, 2005 Minutes be approved. Tim Anderson seconded the motion. All ayes. Motion carried.

New Business:

Application #2005-06 - Mark Wallace - Area Variance:

At approximately 7:05 PM, Greg Auleta called the public hearing for Application #2005-06, Mark Wallace for an Area Variance. He asked Mr. Wallace to state his name, residence, and the purpose of his application. Mark stated his name, and that he resides at 53 Lakeshore Road, Oswego, New York. He stated he would like to put an addition on the back of his property, measuring 20 feet by 32 feet. Greg asked if it was 20 feet by 32 feet North-South. Mark said because of the constraints as far as the property of Chip Spade, he said he would construct on an East-West bias, which would be 7 feet from his property line, which is why he is asking for variance. If he were to have it going North-South, he would have it over Spade's property line by 4 or 5 feet. Greg stated there is a 30 foot back yard set back. He said technically, Mr. Wallace is looking for a variance of 7 feet.

Tim Anderson stated that according to the Land Use Control Ordinance, in an R-4 Residential District, the rear yard set back is 20 feet. Greg said the building would infringe on 7 feet of the

property line. Bob Baker stated it would be 13 feet from the property line. Greg Auleta said the application should be amended considering approval to show a variance of 13 feet.

Greg Auleta asked if the neighbors had been notified. Mark Wallace brought the Distribution Form which all the neighbors signed. The secretary made copies of the form for the members. Mark said all the neighbors were cooperative. He said Chip Spade would not have minded if he went right up to his property line. Greg said the Site Plan submitted shows North-South. Mark said when he submitted it, he thought he had plenty of room until he talked to Chip Spade. He then decided to turn it to East-West. Greg requested the record to show that the neighbors, Dr. John Fountain, George Spade, Dan Mather, and Doris Day applied their signatures showing no opposition to the request for a Variance.

Greg asked for a motion to approve the Variance. Debra Jaskula made a motion to approve Application #2005-06, Mark Wallace, for an Area Variance of 13 feet rear yard setback. Greg stated the request of 13 feet modified the application. The original application stated 7 feet. Bob Baker seconded the motion. All ayes. Motion carried.

Old Business:

Greg Auleta stated he wanted the members to know what he pursued regarding the zoning map. He had some discussion with Marty Weiss of the Oswego County Planning office. He asked Marty what he thought of our map, and Mr. Weiss was in agreement that it is a terrible map. Marty said the County Planning Board is in the works of assisting all the towns in putting together consistent zoning maps. He charges the town 50% in putting together a precise map. He said the cost to the town would be approximately \$750 to \$1,000. Greg said he would contact Vicky Mullen, and go over the matter with her before the next meeting.

Public Comment:

There were no people from the public present.

Open Board Discussion:

Greg made Jim Finn welcome as an Alternate. Jim is willing to attend every session. Greg asked Allison what the rules are. Can he sit up front if he is not voting, because of a full board in attendance? Allison said there is no problem where he sits, unless there are people present for public comment. Jim felt if there were public present, he would just as soon sit in the audience.

Adjournment:

At approximately 7:30 PM, Tim Anderson made a motion to adjourn the meeting. Jim Finn seconded the motion. All ayes. Motion carried.

Respectfully submitted,

Marjorie Best,
ZBA Secretary