

TOWN OF ONONDAGA ZONING BOARD OF APPEALS

JOHN ELLEMAN, CHAIRMAN
MITCHELL CARMODY
BÉNÉDICTE DORAN
RONALD RYAN
CAROL SCHATTNER
ELLEN PRIEST, ATTORNEY
CHERYL E. HAMMOND, SECRETARY

MEETING MINUTES

JULY 17, 2018

Present: Mitchell Carmody
Bénédicte Doran
Ronald Ryan
Carol Schattner
Attorney: Ellen Priest
Secretary: Cheryl E. Hammond

Excused: John Elleman

Acting Chairman, Mitchell Carmody, called the meeting to order on Tuesday, July 17, 2018 at 7:15 PM.

Hearings:

1. Marcellus School District and Agents: Daniel & Robert Bennett

This was a continuance of the application for Marcellus School District and agents Daniel and Robert Bennett for a Use Variance to allow an existing school to house an athletic club, a Use Variance under §285-8 and a daycare/preschool program, a Special Permit use under §285-8(c)(8), and to reduce the required 274 parking spaces to the 96 spaces proposed by the applicant, an Area Variance under §285-33 of the Zoning Law of the Town of Onondaga at the property known as 4641 Kasson Road, in the Town of Onondaga, in a residential and country district (RC).

Acting Chairman, Mitchell Carmody, stated that the recommendations have been received from the Onondaga County Planning Board and the Town Planning Board and shared those findings with the applicants.

Michelle Brantner, Superintendent for Marcellus Schools, Anthony Sonnachio, School Business Administrator for Marcellus Schools, Rob and Daniel Bennett were all present.

Mr. Carmody explained how a Use Variance must have certain criteria met before it can be approved. These criteria that have to be met are:

- [a] The applicant cannot realize a reasonable return, provided that lack of return is substantial as determined by competent financial evidence.
- [b] The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood.

[c] The requested use variance, if granted, will not alter the essential character of the neighborhood.

[d] The alleged hardship has not been self-created.

The Board does not feel that these criteria have been met to approve the Use Variance. The daycare usage is a permitted use, but the other use would not be allowed. A Use Variance has to be very specific as it remains with the property.

Ronald Ryan proposed a motion, seconded by Mitchell Carmody that the Use Variance be denied.

Motion carried 4-0.

Action on Minutes of June 5, 2018 Meeting:

Carol Schattner proposed a motion, seconded by Ronald Ryan, that the minutes of the June 5, 2018, meeting be APPROVED with changes.

Motion carried 4-0.

Adjourn:

Meeting was adjourned at 7:35 p.m.

Respectfully Submitted,

Cheryl E. Hammond
Secretary