

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

November 17, 2020

MEMBERS PRESENT: Richard Lafond, Mark Brunschweiger, Michael Nicholson, Connie Ryan, and Chairman Clavelli.

MEMBERS ABSENT: Don Belcastro, Matthew Brancato, Anthony Pauldine, and Mark Donabella.

Chairman Clavelli called the meeting to order at 6:30 p.m., Tuesday November 17, 2020. Roll call was duly noted.

A motion to approve the minutes of the October 2020 meeting was made by Mark Brunschweiger and seconded by Chairman Clavelli; minutes unanimously approved.

Chairman Clavelli said Connie Ryan and Michael Nicholson will be voting members tonight.

Chairman Clavelli made a motion that all actions taken tonight are excluded, exempt or Type II actions for the purpose of the State Environmental Quality Review Law unless otherwise stated. Motion seconded by Connie Ryan; unanimous approval.

Jeff McGann said the first agenda item under Old Business has been pulled by the Church. He said we may revisit it in January. He said there is a question of the ownership of the property.

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-135

IN THE MATTER OF: Augie Gentile

WHEREAS, Augie Gentile, owner of property situate in a TN1, Traditional Neighborhood 1 Zoning District in the 5th Ward of the City of Oswego, New York, with address 133 Erie Street, being Tax Map Number: 128.77-05-15, has applied for a Total Side Area Variance in accordance to Section 280-12(C) of the City of Oswego Code, to allow for the construction of a new 40'x40' garage and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 17th day of November 2020 and the applicant having appeared and no one appearing in opposition.

Augie Gentile of 133 Erie Street was present for the discussion. Mr. Gentile said he would like to build a 40'x40' garage. Chairman Clavelli asked if it would be attached to the house. Mr. Gentile said yes. Chairman Clavelli asked if it would be sided the same as the house. Mr. Gentile said yes. He said it would be siding and stone. Jeff McGann said the variance he is going for is Total Side Yard. He said the code says a minimum of 6' on both sides with a total side yard of 16'. He said on the northwest corner he is under 6'. He said that is a grandfathered setback and the house is existing. He said without the garage his total side yard of 16' is more than met. He said by creating the garage, even though he is holding the setback on the east side, that combined with the grandfathered setback on the other side does not meet the 16' total side yard. He said that is what they are here to clean up. Chairman Clavelli asked if there was anyone for or against this application and no one came forward. Jeff McGann said it should be noted that they received some calls with concerns because of the size of the garage and knowing that Augie has a detailing business. He said in a TN1 it is not allowed to run a business from home. He said Augie has expressed to him that this is for his own use so he doesn't have any reason to believe anything different. Connie Ryan asked if Mr. McKinstry had any objections. Mr. McKinstry said he is okay with it.

RESOLVED, that a Total Side Area Variance be granted to allow for the construction of a new 40'x40' garage with the stipulation that no business will be conducted from the site.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Chairman Clavelli

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-136

IN THE MATTER OF: Carl & Kathy Zerrahn

WHEREAS, Carl & Kathy Zerrahn, owners of property situate in a TN1, Traditional Neighborhood 1 Zoning District in the 7th Ward of the City of Oswego, New York, with address 69 Ellen Street, being Tax Map Number: 146.23-04-17, has applied for a Side Yard Setback Area Variance in accordance to Section 280-12(C) of the City of Oswego Code, to allow for the construction of a proposed 736 sf. addition and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 17th day of November 2020 and the applicant having appeared and no one appearing in opposition.

Carl & Kathy Zerrahn of 69 Ellen Street were present for the discussion. Kathy Zerrahn said they would like to add a bedroom addition to the back of their house. She said they have a three bedroom home and they were going to lose one because they turned one into a dining room. She said they would like to maintain a three bedroom home. Chairman Clavelli asked if there was anyone for or against this application and no one came forward.

RESOLVED, that a Side Yard Setback Area Variance be granted to allow for the construction of a proposed 736 sf. addition.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Richard Lafond

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-133

IN THE MATTER OF: Dominick Madia

WHEREAS, Dominic Madia, contractor for Oswego Development, LLC - owner of property situate in a CB, Commercial Business Zoning District in the 4th Ward of the City of Oswego, New York, with address 137 State Route 104, being Tax Map Number: 128.43-01-01, has applied for a Front Yard Setback Area Variance in accordance to Section 280-18(C) of the City of Oswego Code, to allow for the construction of a proposed 2,000 sf. addition and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 17th day of November 2020 and the applicant having appeared and no one appearing in opposition.

Paul Halliday of 421 Beverly Drive, Syracuse was present for the discussion. Mr. Halliday said that Dominick Madia could not make the meeting. He said he works for National Structures and National Structures represents Oswego Development, the owners of Oswego Plaza and Price Chopper Plaza. Mr. Halliday said they are proposing a 2,000 square foot addition to the existing parcel that houses Metro Mattress and formally housed Andrew's Liquor which is now vacant. He said the purpose of the 2,000 square foot addition is to create a 4,000 square foot space for Spectrum. He said based on Spectrum's requirements they will need to request a 22' setback variance for the side of the building that faces Route 104. Jeff McGann said the line of the building that runs parallel to 104 is going to continue west. Mr. Halliday said it'll be approximately 3 feet away from the property line. He said all faces of the building will be continuous and same as the existing construction. He said the building will look the same as it does now except just a little bit bigger. He said from the highway you won't know the difference. Jeff McGann said the case is listed as CB which is Commercial Business. He said the paperwork shows it is a central business zoning district and that is incorrect. He said it is a minor detail. He said it doesn't change the setbacks and is just an error in wording. Chairman Clavelli said they received a letter from Oswego County Department of Community Development, Tourism and Planning. He said the 239 Review stated this should be decided as a local issue. Jeff McGann said when they sent the 239 letter out, since it is the rear of the building that impedes on the property line, he put it as the rear setback. He said it is 104 facing

so it is actually a front setback so that is why the 239 letter stated it should be a front setback instead of a rear setback. He said in their paperwork tonight he made that correction. Mr. Caraccioli said there will be an elimination of parking spaces. He asked if there is more than enough parking. Jeff McGann said there is more than enough parking. He said there is also parking on the east side of the building as well. Mr. Caraccioli asked if they are proposing to add parking spaces. Jeff McGann said he does not believe so. He said the whole plaza is owned by the same people. Mr. Caraccioli asked about designated handicap parking. Mr. Halliday said they would comply with the code.

RESOLVED, that a Front Yard Setback Area Variance be granted to allow for the construction of a proposed 2,000 sf. addition.

MOTION MADE BY ZONING BOARD MEMBER: Mark Brunschweiger

SECONDED BY ZONING BOARD MEMBER: Chairman Clavelli