

TOWN OF ONONDAGA
5020 Ball Road - Syracuse, NY 13215
ZONING BOARD OF APPEALS

JOHN ELLEMAN, CHAIRMAN
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NADINE BELL, ATTORNEY
STACY MARRIS, ATTORNEY
VICTORIA ROGERS, SECRETARY

ZONING BOARD OF APPEALS

Minutes of August 4, 2026

Present:

Mitch Carmody
Carol Schattner
Ronald Ryan

Stacy Marris, Town Attorney

Victoria Rogers, Secretary

Absent:

John Elleman
Bénédicte Doran

Attending:

Samir Malovic – Applicant
Austin Lord - Applicant
Stephen Reed -Representative for Halcyon
Suzanne Baldwin- Applicant
Paul Fitzgerald – Applicant
Timothy Schad – Applicant
James Haines - Applicant

Acting Chairman Mitch Carmody called the meeting to order at 7:00p.m.

Samir Malovic – 4396 Whedon Rd. (003.-02-09.0)

Area Variance

Discussion:

The Board discussed the application of Samir Malovic, owner and applicant of property located at 4396 Whedon Road, for an area variance to construct a proposed 30-foot by 50-foot accessory barn. Mr. Malovic explained that he has three children, four vehicles, lawn and tractor equipment, bicycles, and other outdoor equipment, but currently has no garage or adequate storage space. The proposed barn would primarily be used for storage. The Board reviewed the proposed location and discussed the applicable side- and rear-yard setback requirements. It was determined that the proposed barn could potentially be relocated to meet the required setbacks while maintaining the requested size. The Board explained that reducing the number of variances requested would make the

application easier to approve, and that if the structure could be relocated to comply with the setbacks, the only remaining variance would be for the accessory structure to exceed 50% of the size of the principal structure. Mr. Malovic agreed to return home, measure the proposed location, and determine whether the structure could be moved to comply with the setbacks. The Board also encouraged him to obtain letters or signatures from neighboring property owners indicating that they had no objection to the proposal. Mr. Malovic was advised that he would need to notify the Town of his decision regarding the application by the following Tuesday in order to meet the publication deadline for the next public hearing.

Austin Lord – 4228 Dave Tilden Rd. (037.-00-04.0)

Area Variance

Discussion:

The Board discussed the application of Austin Lord for a proposed 32-foot by 40-foot accessory building to be located behind his residence. Mr. Lord explained that the building would primarily be used for storage of beekeeping equipment, lawn equipment, and other related materials, which would allow him to remove equipment from outside storage and help address concerns associated with exposed beekeeping materials. Mr. Lord indicated that he had reviewed the applicable setbacks and was willing to meet the required setbacks. The Board discussed the proposed Gambrel roof and attic trusses and whether the design would constitute a two-story structure under the Town's zoning regulations. The Board explained that the structure could be considered two stories depending upon its height and whether a floor was located beneath the roof. The Board's primary concern was the required side-yard setback due to the potential two-story height. Mr. Lord indicated that he had obtained letters from neighboring property owners in support of the proposal. The Board explained that if the required setback could be met, the primary variance would be related to the size of the accessory structure exceeding 50% of the principal structure. The applicant indicated he was willing to move the proposed barn over to meet the required setbacks. The Board agreed the application should be published for a public hearing at the next meeting on August 18th.

Halcyon Inc. – 3942 Bailer Rd. (062.-02-05.6)

Area Variance + Special Permit

Public Hearing:

The Board opened the public hearing for the application of Halcyon, Paul Fitzgerald and Suzanne Baldwin, owners and applicants of property located at 3942 Bailer Road, concerning a special permit and area variance for a proposed ground-mounted solar project. The Board reviewed the Planning Board's response and discussed the proposed location of the solar array within the front/side-yard area. The Board's primary concern was the placement of the array in relation to the residence and the desire to maintain the house as the prominent feature when viewed from the roadway. The applicants explained that moving the array farther toward the rear of the property could create conflicts with their geothermal system, existing trees, drainage and septic considerations, and available sunlight. Several alternative locations and configurations were discussed, including moving the array farther back and dividing the panels into two separate sections or rows rather than having one long array. The Board indicated that financial considerations alone would

not justify granting the requested variance if other feasible locations were available. The applicants agreed to investigate the location of the geothermal system, existing site constraints, sunlight exposure, and possible alternative configurations. The Board indicated that it would prefer to see the array moved sufficiently far back so that the residence would remain the dominant feature from the roadway. The public hearing was left open to allow the applicants additional time to investigate the alternatives and return with a revised proposal. No final decision was made.

Timothy Schad – 5907 E. Seneca Tnpk. (032.-02-01.3)

Area Variance

Public Hearing:

The Board opened a public hearing for Timothy Shad for area variances relating to an approximately 800-square-foot accessory structure at 5907 East Seneca Turnpike. The application originally requested relief because the structure would exceed 50% of the size of the principal structure, would be located within the side yard, and would not meet the applicable side-yard setback. During the hearing, the Board was reminded that the proposed structure would contain a living area, which created an additional zoning issue because a detached structure containing an independent living area could effectively constitute a second dwelling on the same parcel. Mr. Shadd explained that he had originally proposed placing the structure at the end of his driveway but was subsequently told that it would need to be moved and connected to the house by a breezeway. Mr. Shadd expressed his preference not to construct the breezeway because he believed it would negatively affect the appearance of the property. The Board explained that connecting the structure to the principal residence would change the zoning treatment of the proposed building and allow it to be considered part of the principal structure rather than a separate accessory dwelling. After further discussion, Mr. Shad decided to proceed with the previously approved plan that included the breezeway rather than continue pursuing the additional variance. The Board determined that the variance application was therefore no longer necessary, and Mr. Shad was advised that he could submit a written request for a refund of the variance application fee.

James Haines – 3351 Hayden Rd. (060.-01-09.0)

Area Variance

Public Hearing:

The Board considered the application of James Haines for an area variance to reduce the required 50-foot front-yard setback to allow construction of an attached garage at 3351 Hayden Road. Mr. Haynes explained that alternative locations were impractical due to the property's slope, existing mature trees, septic and leach-field limitations, utilities, and access concerns. He stated that relocating the garage elsewhere on the property would require substantial excavation and could require the removal of mature trees, while the proposed location would provide more practical access to the garage and allow it to be attached directly to the existing residence. The Board discussed the proposed location and determined that the garage could be constructed approximately 30 feet from the road right-of-way. The Board also noted that similar properties in the area have existing structures located closer to the roadway. Letters supporting the application were submitted, and a member of the public spoke in favor of the request. Following discussion, the Board closed

the public hearing and Board member Ron Ryan made a motion to approve the variance. Board member Carol Schattner supported his motion and the variance was approved unanimously. The Board approved the application subject to the condition that the attached garage be constructed no closer than 30 feet from the road right-of-way. The approval was also subject to the Board's standard conditions, including submission of an as-built property survey and compliance with any applicable wetland regulations or required permits.

The meeting concluded at 8:15pm.

Respectfully submitted,

Victoria Rogers

Zoning Board Secretary