

DISTRIBUTION LIST

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William Brazill, Trustee
John Champagne, Trustee
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Thomas Petterelli, DPW Superintendent
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Janet Stanley, Justice
Richard J. Greene, Codes Enforcement Officer
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Manlius Historical Society
Minoa Library
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August 17, 2009

**PUBLIC HEARING
LOCAL LAW #5 FOR
2009 – STORAGE
SHEDS**

Upon due notice to all members of the Village Board, a Public Hearing was held on Monday, August 17, 2009 at 7:25 p.m. at the Municipal Building, 240 N. Main Street, Minoa, NY. The purpose was to consider the enactment of Local Law #5 for 2009 amending Chapter 160 of the Village of Minoa Municipal Code entitled “Accessory Uses and Structures: Swimming Pools”, specifically subparagraph “A” relative to storage sheds.

PRESENT: Mayor Donovan
Trustee Brazill
Trustee Champagne
Trustee Cronk
Trustee Theobald
Attorney Primo
Clerk/Treasurer Snider

ABSENT: None

ALSO PRESENT: Eric Christensen, Marlene Christensen, Dennis Erard, Chief Patrick Flannery, John Sears, Chris Beers, and Thomas Petterelli

**PURPOSE OF PUBLIC
HEARING**

Mayor Donovan called the Public Hearing to order at 7:26 p.m. for Local Law #5 for 2009 to consider amending Chapter 160 of the Village of Minoa Municipal Code entitled “Accessory Uses and Structures: Swimming Pools”, specifically subparagraph “A” relative to storage sheds.

Mayor Donovan turned the Public Hearing over to Attorney Primo to provide an overview of the following proposed Local Law:

Village of Minoa

Local Law No. Five (5) of the year 2009.

A local law amending Chapter 160 of the Village of Minoa Municipal Code entitled “Accessory Uses and Structures; Swimming Pools”, specifically subparagraph “A” relative to storage sheds.

Be it enacted by the Board of Trustees of the Village of Minoa as follows:

Section One (1). PURPOSE AND INTENT.

The purpose of this Local Law is to amend Chapter 160 of the Village of Minoa Code entitled “Accessory Uses and Structures; Swimming Pools” to provide regulations relative to storage sheds or similar structures.

Section Two (2). Section 160-25.1(A) of the Code of the Village of Minoa is amended by adding the following sentence at the end of the existing §160-25.1(A):

“A structure or building consisting of a storage shed or similar structure (but not a private garage) shall be deemed an accessory structure or use, however the same may be located within the rear yard in any residential zoned district not closer to the rear or side lot line than a distance of five (5) feet.”

Attorney Primo said that the law would address the placement of storage sheds. He said he had received comments from Richard Greene, Codes Enforcement Officer, but the amount of changes required by Mr. Greene would indicate that he wanted any accessory structure to have the ability to be five feet from the rear or side lot lines. Attorney Primo said that would cover more than storage sheds and said the Board could consider adopting the law as a Band-Aid for the time being to address storage sheds only and then review the code at a later date as it pertains to accessory structures that include more than swimming pools or larger storage units. Attorney Primo said the Board also has the ability to hold off approving Local Law #5 for 2009. Attorney Primo said that the current Municipal Code has a formula requirement for storage sheds based on the size of the yard and setback requirements.

**COMMENTS FROM
THE VILLAGE
BOARD**

Mayor Donovan said that he does not want to take the Band-Aid approach and the Law should be done correctly the first time. Clerk/Treasurer Snider said that there weren't any outstanding building permits that would be affected by approving or not approving the proposed law. Attorney Primo said that Mr. Greene's changes would change the proposed law dramatically and would need to be re-published. Attorney Primo said that he had made the simplest changes that would be necessary to address immediate issues and Mr. Greene wanted to address numerous items on a global fashion that would significantly alter the simplified law.

Trustee Cronk said that property owners could previously place their sheds on their property lines as long as the shed did not interfere with any easements. Discussion ensued and the Board agreed that the Law should be reviewed and adjusted more intensely.

PUBLIC COMMENTS

Chris Beers, 113 Beresford Lane, said the current Code doesn't allow for a storage shed or accessory structure to be placed on the side lot of a residence and/or at the rear lot line and asked how it would affect the Variance application that was

submitted by the Krols for an upcoming ZBA meeting. Attorney Primo said that the changes would permit the shed to be placed in the rear of the yard, but not within five feet of the property line. Mayor Donovan said their Variance Application is a request to place the structure on their side yard, which is currently not allowed.

Marlene Christensen, 61 Windebank Lane, asked how the proposed law would affect property owners who lived in corner lots and are they not allowed to have a shed on their property? Attorney Primo said that corner lots are considered to have two front yards and two side yards and they would need a Variance approval to place a shed on their property. Mrs. Christensen said they had to get previous approval to place a pool and said that it was unfair to corner lot property owners, as they are penalized by being required to have a Variance approval to place a shed and/or pool.

Discussion ensued regarding corner lot requirements and it was agreed that when they go back to review the proposed law they would keep the corner lots in consideration.

John Sears, 103 S. Main Street, asked if there would be a charge to submit the incomplete law to New York State. Mayor Donovan said that if the law is approved at the Regular Board Meeting it will be a complete law that is submitted and there is no charge to submit approved laws, but it appears that there is still work to be done before approving anything.

Mr. Sears said the law will affect all owners in the Village of Minoa and the Village did not publicize the proposed law by advertising at the Lewis Park sign and there is limited communication and no promotion. Mr. Sears asked if the Village plans to use the sign to publicize meetings. Mayor Donovan said the legal notice for the Public Hearing was posted around the Village, published in the Post-Standard and on the Village website.

Marlene Christensen reminded the Board that they did not waive the reading of the Proof of Publication of Public Hearing.

Attorney Primo said that if the Board chose to re-work the proposed law it would need to be re-published when ready for another Public Hearing.

**PROOF OF
PUBLICATION**

A motion was made by Trustee Theobald and seconded by Trustee Champagne agreeing to waive the reading of the Proof of Publication of Public Hearing. All in favor. Motion carried.

PUBLIC HEARING
CLOSED

A motion was made by Trustee Brazill and seconded by Trustee Cronk to close the Public Hearing for Local Law #5 for 2009 at 7:48 p.m. All in favor. Motion carried.

Respectfully submitted,

Suzanne M. Snider

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Village Clerk/Treasurer