

TOWN OF LYSANDER
Zoning Board of Appeals Meeting
8220 Loop Road, Baldwinsville, NY 13027
Monday, June 1, 2026 @ 7:00 p.m.

The special Zoning Board of Appeals meeting was held Monday, June 1, 2026 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: Richard Jarvis; Frank Costanzo; Bob Sweet and Ryan Hagerman

MEMBERS ABSENT: Frank O'Donnell

OTHERS PRESENT: Josh Reynolds; Kevin Rode, Supervisor; Karen Rice, Clerk to Planning ZBA & Codes and Katie Schiano, Clerk to Planning ZBA & Codes

The meeting was called to order at 7:00 p.m.

I. PUBLIC HEARING -- 7:00 p.m.

1. Variance--Parking Case No. 2026—001	Reynolds, Joshua Pig Pen Catering 2935 Lamson Road
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The Public Hearing opened at 7:00 p.m.

Richard Jarvis, Chairman, reviewed the application of Josh Reynolds, 2935 Lamson Road, Phoenix, New York, requesting relief from the parking requirements in the Town of Lysander Zoning Ordinance. Mr. Reynolds is seeking a variance from 84 spaces to 50 spaces, a difference of 34 parking spaces.

Mr. Reynolds explained that the parking requirement is based on the total building square footage, including recent proposed additions that are primarily used for kitchen operations, storage, and employee functions rather than customer occupancy. He stated that much of the additional square footage does not generate additional customer traffic and therefore does not create a corresponding need for additional parking.

Discussion included the existing site layout, proposed parking configuration, traffic flow, and the ability to accommodate vehicles on the property. The applicant noted that the restaurant experiences a significant amount of take-out business and does not have the same customer turnover patterns as larger chain restaurants.

Questions were raised regarding parking layout revisions, traffic circulation, access points, and potential congestion within the parking lot. The applicant stated that no significant parking or traffic issues have been experienced during the restaurant's operation and that the proposed layout would continue to provide adequate access and circulation.

The Public Hearing closed at 7:12 p.m.

FINDINGS:

An undesirable change in the neighborhood will not occur.

The proposed use is sufficient to preserve the general character of the neighborhood and to safeguard the public health.

The use is not substantial and there will not be any adverse impact on the physical or environmental conditions.

Reasonable alternatives do not exist without impacting the surrounding community.

There was no public opposition.

Motion to accept the Findings: Motion by Costanzo, Second by Sweet

RESOLUTION #1 -- Motion by Jarvis, Second by Sweet

RESOLVED, that the Zoning Board of Appeals grant to property located at 2935 Lamson Road, Phoenix, New York, Tax Map No. 022.-01-10.1 an Area Variance requesting relief from the Parking Regulations to reduce the number of parking spaces from the required 84 by 34 to allow 50 and Drive Aisle Widths as needed, as shown on a Site Plan dated May 27, 2026, prepared by Group 1 Design and Vanscape Design, in accordance with Article XX, Section 320-52, Paragraph A (Restaurant) and Article II, Section 320-4, Paragraph B (Parking) of the Lysander Town Ordinance.

4 Ayes -- 0 Noes

Mr. Reynolds thanked the Board for their time.

II. APPROVAL OF MINUTES

Review and approval of the minutes of October 27, 2025 and May 4, 2026 special Zoning Board of Appeals Meetings.

RESOLUTION #2 -- Motion by Sweet, Second by Costanzo

and May 4, 2026 special Zoning Board of Appeals meetings.

RESOLVED, that the Zoning Board of Appeals approve the Minutes of October 27, 2025

4 Ayes -- 0 Noes

III. OTHER BUSINESS

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|-------------------|----------------------------|
| 1. Appeal: | Dorn, Christian & Brittany |
| Case No. 2025—006 | 7412 Plainville Road |

Review and approval of the amended Resolution for the Christian & Brittany Dorn, 7412 Plainville Road, Memphis, New York Appeal application of the CEO's Decision:

The Board reviewed a proposed resolution prepared by the Town Attorney, regarding the appeal filed by Christian and Brittany Dorn for the property located at 7412 Plainville Road. The matter arose from prior litigation between the applicants and the Town regarding the construction of a second residence on the property.

The proposed resolution incorporated the findings and direction resulting from the court's decision, which is on file with the secretary. The resolution outlined findings of fact, conclusions of law, and conditions associated with the issuance of permits and approvals consistent with the court's ruling.

Board members discussed the procedural history of the case and reviewed references within the resolution to prior public hearings, Board actions, and the court order. Questions were raised regarding the accuracy of certain dates and references contained in the resolution and whether the language accurately reflected the sequence of events leading to the court's decision. The Town Attorney provided guidance regarding amendments and clarifications to ensure the resolution accurately reflected the court's ruling and the Board's prior actions.

The Board reviewed the findings of fact and conditions contained within the resolution, including compliance with approved plans, obtaining all required permits, disconnection of water and sewer service to the existing residence upon completion of the new residence, revocation of the certificate of occupancy for the existing residence, and conversion of the existing residence to accessory/storage use in accordance with Town ordinances.

For Reference Purposes: May 4, 2026 Resolution:

RESOLUTION #1 -- Motion by Jarvis, Second by Costanzo

RESOLVED, the Zoning Board of Appeals grants approval for the applicants to proceed with construction of a new residence while maintaining temporary occupancy of the existing residence, on property located at 7412 Plainville Road, subject to the following conditions:

- ***Upon issuance of a certificate of occupancy for the new residence, the certificate of occupancy for the existing residence shall be revoked.***
- ***The existing structure shall be converted to an accessory use and shall no longer function as a residence.***
- ***Water and sewer services to the existing structure shall be disconnected, subject to inspection and verification by the Code Enforcement Officer.***

5 Ayes -- 0 Noes

Lucas Huber, Esq, on behalf of the Town Attorney prepared the following Findings & Resolution for the Boards review:

June 1, 2026 Revised Resolution:

Date: May 4th, 2026

Re: Application of Christian and Brittany Dorn for Appeal CEO Decision at 7412 Plainville Road, Memphis, New York 13112

RESOLUTION #3 – Motion by Costanzo, Second by Hagerman

RECITALS

WHEREAS, Christian and Brittany Dorn (hereinafter “Applicants”) filed an application with the Town of Lysander Zoning Board of Appeals (hereinafter “Board”) seeking a permit under New York law and the Town of Lysander Zoning Ordinance/Code, for property located at 7412 Plainville Road, Memphis, New York 13112 and identified on the Town of Lysander Tax Map as 036.-03-14.0 (hereinafter “Property”); and

WHEREAS, the Applicants seek an appeal from a determination by the Codes Enforcement Officer; and

WHEREAS, the Board duly noticed and conducted a public hearing on this Application on May 4th, 2026 at 7:09pm at 8220 Loop Road, Baldwinsville, New York 13027 in accordance with New York and the Town of Lysander governing notice and hearing procedures; and

WHEREAS, notice of said hearing was published in the Syracuse Newspaper, a newspaper of general circulation in the Town of Lysander, on August 31, 2025; and

WHEREAS, the Board heard testimony from the Applicants and their attorney Carl Schmidt, Esq., and members of the public, and reviewed all materials submitted in connection with the application; and

WHEREAS, the Board has considered all relevant factors under New York law and the Town of Lysander Zoning Ordinance/Code as well as the courts decision and order under Brittany Dorn and Christian Dorn vs. Town of Lysander, Town of Lysander Zoning Board of Appeals (Index No.: 010963/2025)

FINDINGS OF FACT

Based on the evidence presented at the public hearing and the documentary record, the Board makes the following Findings of Fact:

1. **Property Description and Zoning.** 7412 Plainville Road, Memphis, New York 13112 is zoned for residential use and is currently used for residential purposes, the surrounding land is also zoned for and utilized for residential purposes.

2. Applicants have sought a building permit relating to the construction of a new residence on the Property.
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CONCLUSIONS OF LAW AND DECISION

Based on the foregoing Findings of Fact, the Board makes the following Conclusions of Law and hereby **GRANTS** the application and directs the issuance of a building permit subject to the conditions set forth below.

Conditions of Approval:

1. Compliance with Plans. All development, construction, and use of the Property shall be in strict accordance with the approved plans and documents.
2. Conditions Regarding Modifications. Any material modification to the approved plans shall require prior written approval of the Board.
3. Required Permits. Applicants shall file for and obtain all required permits for construction of the new residence and pay all applicable fees.
4. Water and Sewer. Upon completion of the new residence, Applicants shall be required to disconnect all water and sewer services to the prior residence, and such disconnection shall be inspected and verified in person by the Code Enforcement Officer.
5. Certificate of Occupancy. Only upon completion of the new residence and upon the issuance of a certificate of occupancy for the new residence, the certificate of occupancy for the prior residence shall be simultaneously revoked.
6. Accessory/Storage. The prior residence shall be converted to accessory/storage space in accordance with all Town of Lysander ordinances/codes

Effective Date and Appeal Rights:

This Resolution shall take effect immediately upon filing with the Town of Lysander Clerk/Office of the Zoning Board. Any person aggrieved by this decision may seek judicial review by commencing a proceeding pursuant to NY CLS Town § 267-c within Thirty (30) days of the filing of this Resolution, as provided NY CLS Town § 267.

4 Ayes – 0 Noes

IV. ADJOURN

RESOLUTION #4 – Motion by Costanzo, Second by Sweet

RESOLVED, that the June 1, 2026 Zoning Board of Appeals meeting adjourn at 7:30 p.m.

4 Ayes – 0 Noes

Respectfully Submitted,

Katie Schiano, Clerk
Zoning Board of Appeals