

**Town of Camillus
Zoning Board of Appeals
January 5, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Ron Belle
Richard de la Rosa
Bob Feyl
Michael LaFlair
Steve Pirro

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

None

Chairperson Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

Mr. de la Rosa moved to waive the reading of the Public Hearing notices. Mr. Feyl seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

- 1. Coppertop Tavern
3380 Milton Avenue
Syracuse, NY 13219**

TM#: 046.-01-01.1

Area Variance: Total signage

The applicant did not appear, having previously contacted the Board to request a continuance. They were not able to provide a proposed date of availability at the time of their request.

Mr. Carr indicated that a date must be set for the continuance and he recommended the Board continue it to the next meeting on January 19, 2010. He will send a letter to the applicant indicating their attendance is required.

Mr. Belle moved to continue the application to the January 19, 2010 meeting. Mr. LaFlair seconded the motion and it was unanimously approved.

NEW BUSINESS

- 1. Michelle Spraker
112 Canterbury Drive
Camillus, NY 13031**

TM#: 060.-01-06

Area Variance: Side Yard Requirement

Mr. Belle moved to declare the application a SEQR Type II and set the Public Hearing for the January 19, 2010. Mr. Feyl seconded the motion and it was unanimously approved.

2. **Elena Spivak-Bobki**
106 Terrace Drive
Syracuse, NY 13219

TM#: 035.-03-14.0

Area Variance: Total signage

Mr. Pirro moved to declare the application a SEQR Type II and set the Public Hearing for the January 19, 2010. Mr. Feyl seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. Feyl moved to approve the minutes of the December 15, 2009 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

VOUCHERS

Vouchers were received from the Post Standard for legal advertising totaling \$121.28

Mr. Feyl moved to approve payment of the voucher. Mr. de la Rosa seconded the motion and it was unanimously approved.

COMMENTS OF THE BOARD

Chairperson Flood noted that the Zoning Board of Appeals' proposed new member would be Jerry Casey.

Mr. Feyl stated his dismay that St. Joseph's Church had placed a sandwich board on West Genesee Street advertising their clothing drop off bin, after their representative specifically stated to the Board during their Public Hearing that there would be no signage. Chairperson Flood will speak with Code Enforcement Officer Tom Price regarding the sign.

ADJOURNMENT

Mr. Feyl moved to adjourn the meeting at 7:20 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Martha Dickson-McMahon, Interim Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
January 19, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Ron Belle
Jerry Casey
Richard de la Rosa
Bob Feyl
Michael LaFlair
Steve Pirro

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Dave Callahan, 6th Ward Councilor
John Fatcheric, Planning Board Chairman
Dick Griffo, 5th Ward Councilor
Dave Phillipone, 1st Ward Councilor
Tom Price, Code Enforcement Officer
Approximately 7 others

Chairperson Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Chairperson Flood welcomed Jerry Casey to the Zoning Board of Appeals.

Mr. Feyl moved to waive the reading of the Public Hearing notices. Mr. Belle seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

**1. Coppertop Tavern
3380 Milton Avenue
Syracuse, NY 13219**

TM#: 046.-01-01.1

Area Variance: Total signage

The applicant did not appear, having stated previously they were not able to provide a proposed date of availability; the Board discussed the options of dismissal.

Chairperson Flood inquired if the Board received a response and questioned if the applicant had contacted anyone in the Camillus Code Enforcement office. Mr. Price stated that the applicant had not been in contact with anyone from his office.

Mr. Belle questioned if the applicant knew they were required to attend to avoid dismissal.

Mr. Carr confirmed that he sent at the Board's request, additional correspondence to the applicant noting they were required to appear on said date to address the application or send a representative to the hearing. The letter cautioned that the application would be dismissed if they failed to appear.

Mr. Belle moved to dismiss the application due to failure to appear. Mr. Feyl seconded the motion and it was unanimously approved.

2. Michelle Spraker
112 Canterbury Drive
Camillus, NY 13031

TM#: 060.-01-06

Area Variance: Side Yard Requirement

Ms. Spraker appeared before the Board to present her application. She explained that she is seeking an area variance to allow her the ability to extend her existing garage for the purpose of creating a two-car garage. Ms. Spraker stated that she spoke to Mr. O'Neil of the Camillus Code Enforcement office and was informed by Mr. O'Neil she needed to seek a variance.

Mr. Carr explained if the totality of the side yards do not total 25 feet with a minimum side yard requirement of 7 feet, then a variance would be required. On the survey map submitted no dimensions were detailed, leaving a question what were the exact measurements from the existing garage to the side yard property line. Ms. Spraker approached the Board providing drawings that did show measurements of the proposed addition and the footage.

After a detailed discussion among the Board, Mr. Carr and the applicant, it was determined that with the proposed addition a variance is needed as the totality of side yards do not meet the 25 feet requirement even though each side yard would have the minimum of the required 7 feet.

Chairperson Flood asked Ms. Spraker to elaborate on her variance request. Ms. Spraker stated there is room for a single car and some storage in her existing garage, however, would like to enlarge it to fit two cars. Ms. Flood inquired whether Ms. Spraker had informed her immediate neighbors of her wish to expand her garage. Ms. Spraker explained that she did speak to her neighbors, noting that none opposed her plans.

Mr. de la Rosa expressed his concern with the addition, as in doing so does not leave much room on the side of the property if emergency vehicles needed to access the back of the property.

Mr. LaFlair inquired if the driveway would be expanded. Ms. Spraker stated that she would be expanding the driveway.

Mr. Pirro inquired if the proposed garage would have a side door, expressing his concern with the amount of space building the addition would leave. Ms. Spraker confirmed that there would not be a side door.

Councilor Griffo, 5th Ward Councilor stated that he has visited neighbors in the area, none of whom indicated any objections to Ms. Spraker's addition to her garage.

Mr. Price, Camillus Code Enforcement Officer stated that there does appear to be some confusion with the measurements as he has reviewed the dimensions himself; after recalculating the measurements a variance would be required for 2+ feet as the applicant is reducing the total side yard to roughly 23 feet.

Mr. Belle motioned to close the public hearing. Mr. LaFlair seconded the motion and it was unanimously approved.

3. Elena Spivak-Bobko
225 Knowell Road
Camillus, NY 13031

TM#: 035.-03-14.0

Area Variance: Side Yard Requirement

Ms. Spivak-Bobko appeared before the Board to discuss her application. Ms. Spivak-Bobko stated that she would like to make her one car garage into a two-car garage with adding additional space to the garage by bumping out the front of the garage, the purpose of which is to accommodate two vehicles and gain storage space.

Ms. Spivak-Bobko approached the Board providing drawings of the proposed addition including the front of the garage bump out. This proposed bump out did not appear on the original application request.

Mr. Carr questioned the size of the bump out. Ms. Spivak-Bobko confirmed that it would be about 5 feet. Mr. Carr stated that this addition to her original request does not enter into the equation, as the front yard set back requirement of 35 feet would still be met.

Mr. Feyl questioned if this request was discussed with her neighbors. Ms. Spivak-Bobko confirmed that she did speak to her neighbors and that they have no issues with the proposed addition.

Mr. LaFlair inquired if the existing driveway would be expanded. Ms Spivak-Bobko confirmed that the existing driveway would not be expanded and will remain the same.

Mr. Casey questioned who owned the trees on the right side of the property. Ms. Spivak-Bobko confirmed that she owned the trees to the right of the property and stated that she does plan to clean them up by trimming them back. Mr. Casey also asked for confirmation on the bump out only being the garage and not the entire front of the house. Ms. Spivak-Bobko confirmed the bump out would only be the addition to the garage and not the entire house.

Mr. Pirro questioned how many feet the bump out would be. Ms. Spivak-Bobko confirmed that it would be 5 to 6 feet.

Chairperson Flood pointed out to the Board that Knowell Road is an arterial road, therefore, doubles the front yard set back requirements from 35 feet to 70 feet.

Mr. Carr pointed out that this residency is a non-conforming structure, stating that one cannot increase a non-conforming structure without being in violation, therefore, requiring a variance for the bump out. Mr. Carr requested that the Board be specific if granting a variance for the bump out to the garage as one would not want the variance granted for the entire house.

Mr. Callahan, 6th Ward Councilor stated that he did visit the property, however, did not have an opportunity to speak to any of the neighbors as he only recently heard of this request, as there was an error on the meeting agenda.

Mr. Callahan pointed out his concerns stating that the original request and the publication in the paper did not include the bump out. This new request could pose a problem to the next-door neighbors as it could create a visual impairment. He requested that the hearing be continued so he could make the neighbors aware of the change in the variance request.

Mr. Carr stated that the application would need to be advertised with the new the bump-out request and this new hearing could not take place earlier than February 16th.

Mr. Price, Code Enforcement Officer noted the applicant has changed the original request and suggests denying the application forcing the applicant re-apply. Mr. Price also stated that he would like to review the non-conforming set back issue, as in his opinion it cannot be done. Mr. Carr stated that the only way one could do this is by means of seeking a variance.

Mr. Feyl motioned to continue the Public Hearing to February 16th. Mr. Pirro seconded the motion and it was unanimously approved.

Chairperson Flood requested that the applicant provide a detailed drawing to the Board including accurate measurements before her next hearing. At this point Ms Spivak-Bobko stated she was not sure of her final dimensions. Chairperson Flood explained to the applicant that she must make a final decision before she resubmits her drawings.

**4. Katalin & Tamas Vegvari
438 Horan Road
Solvay, NY 13209**

TM#: 015.-04-03.0

Area Variance: Side Yard Requirement

Mr. & Mrs. Vegvari appeared before the Board to discuss their request.

Mr. Carr asked for clarification as the application is for a 100% set back variance for a farm store, stating a farm store is an accessory use for a non residential property under Section-440 of the code. This property appears to be a residential property, therefore, a farm store would not be a permitted on this property, noting that the set back is really irrelevant.

Stating that the selling of fruits and vegetables from ones home by means of a stand or tent could possibly be an accessory use which is permitted on a temporary basis. As it appears to counsel that this is not a farm store but rather a stand or tent.

Mr. Feyl questioned how long they have had the stand and if the produce is grown by the applicant. Mr. Vegvari stated he has had is for a number of years. Recently the Camillus Code Enforcement Officer informed them that they need a permit to sell their fruits and vegetables.

Mr. Belle questioned the size of the tent. Mr. Vegvari stated the tent was 10 feet x 10 feet in size.

Mr. Feyl noted that this section of Horan Road is extremely busy and expressed his concern with people stopping and parking on the side of the road as there is currently no parking. Mr. Vegvari stated that they currently have 8 parking spaces within the driveway, however, has plans to put in a turn around driveway.

Mr. Feyl noted that the while the applicant has stated he has plans to build a turn-around driveway, the Board has no guarantee the driveway will be built and commended the Camillus Code Enforcement office for recognizing what could be a public safety hazard.

Chairperson Flood informed the applicant that the applicant must get permission to make another road cut by contacting the Highway department and possibly the county prior to starting any work.

Mr. Belle and Mr. LaFlair concurred with Mr. Feyl's concerns with this request. Mr. LaFlair also suggested signage encouraging customers for the stand to park in the driveway.

Mr. Vegvari stated that he has an 85 feet x 20 feet driveway to accommodate parking. Mr. Vegvari also pointed out that the stand was previously on the edge of the road and recently has been moved back 40 feet from the road. Mr. Vegvari stated that by moving the stand further back, customers will be encouraged to park in the driveway.

Chairperson Flood questioned how many cars currently utilize the driveway. Mr. Vegvari stated two.

Mr. Casey stated that he has no further questions as in his opinion this is clearly not a farm store but rather a stand.

Mr. Carr stated that if this is defined as a stand and not a store, then it is up to the Code Enforcement Officer's determination as to whether this application is an ancillary use to a residential property or an unauthorized commercial operation.

Mr. de la Rosa stated that he has looked at the sight and his concern with the amount of traffic on the property.

Chairperson Flood question what prompted this request. She also asked if all the produce sold was grown on this site. Mr. Vegvari stated that he leased 20 acres in the Baldwinsville – Phoenix area to grow additional produce. Chairman Flood asked if he had leased this before or after starting his stand, and the applicant stated he leased it after. He works the land after his job and on weekends and brings the produce back to his Horan Road residence to sell.

Mr. Price stated that what prompted him to visit the Vegvari home was that he struggles with the traffic concerns the stand poses and feels the parcel of land is turning into commercial use rather than residential.

Jane Komeda of 301 Horan Road appeared before the Board to express her concerns. She stated at times there are three or four cars parked on both sides of the road, making it difficult for an emergency vehicle to get through if necessary. Ms. Komeda also indicated that to her knowledge this is a daily operation running 24/7 and the area is also lit in the evening hours.

Dave Phillipone, 1st Ward Councilor was present representing Mark Kolinski, 2nd Ward Councilor who apologized he could not be here this evening. Mr. Phillipone stated that Mr. Kolinski did speak to the applicant as well as visited the sight to see the location of the stand. Mr. Phillipone noted that Mr. Kolinski interviewed neighbors, Mr. Cericola and Mr. Fred Proietti whom both have indicate they have no problems with the application. Mr. Phillipone also stated that Mr. Kolinski spoke to Ms. Komeda and that her concerns are exactly were expressed this evening.

Mr. Carr stated that if the representation is such that this is not a building, nor a farm store than there is nothing in front of this board to rule on as the use is simply not permitted.

Mr. LaFlair expressed his concern with dismissing the application as there still appears to be parking concerns. Chairperson Flood stated that the parking concerns need to be monitored by the Code Enforcement office, since the ZBA cannot regulate this problem.

Mr. Feyl expressed his concern with the whole idea.

Mr. de la Rosa made a motion to determine that this is not a farm store, therefore, denying the application. Mr. Feyl seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

1. AT&T

**6118/6720 Devoe Road
Camillus, NY 13031**

TM#: 006.-01-05.1

Chairperson Flood stated that the Camillus Code Enforcement office received an email from the FAA Regulating Department stating the changes that have been made to the AT&T, Devoe Road cell tower to require lighting as part of the FAA regulations.

Mr. Price questioned if the determination of 1991 ZBA motion could be amended as the 1991 motion stated the cell tower could not be lit.

Mr. Carr stated that the FAA supersedes any conditional motion that may have been made by the Camillus Zoning Board of Appeals; therefore, an amendment would not be necessary. Mr. Carr offered to conduct a letter stating as such to have documentation on file.

Mr. Fatcheric, Planning Board Chairmen expressed his concerns and questioned if all the other towers located in the town of Camillus will be regulated to require them to be lit and questioned if anyone contacted the Town Board regarding this issue.

Mr. Carr states that this is a regulation put in place by the Federal Government, which supersedes any Town regulations.

Mr. Phillipone, 1st Ward Councilor offered information stating that if this is a concern on the aesthetic nature of the neighborhood, then the residents can file an application with the federal agency to file an appeal on the determination of the federal agency and after exhausting the determination appeal process, if still unhappy one can bring suit federal court.

Mr. Carr stated that if having documentation by the FAA in the file should be sufficient as the town is preempted by the Federal Government.

NEW BUSINESS

None

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the January 5, 2009 meeting. Mr. Feyl seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from Melvin & Melvin for legal services totaling \$937.50.

Mr. Casey moved to approve payment of the voucher. Mr. Belle seconded the motion and it was unanimously approved.

COMMENTS OF THE BOARD

Chairperson Flood reminded the Board of the Onondaga County Training Seminar and asked that it be completed and submitted to the ZBA Clerk by Friday, January 29.

DECISIONS

1. **Michelle Spraker**
112 Canterbury Drive
Camillus, NY 13031

TM#: 060.-01-06

Area Variance: Side Yard Requirement

Mr. Belle motioned to grant a 2.5 foot variance of the total required side yards for the construction of a 6 foot x 26 foot 4 inch addition on the south side of the house. Mr. Feyl seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. Feyl moved to adjourn the meeting at 8:48 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
February 16, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Ron Belle
Jerry Casey
Bob Feyl
Michael LaFlair
Steve Pirro

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Dave Callahan, 6th Ward Councilor
Approximately 4 others

ABSENT:

Richard de la Rosa

Chairperson Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

Mr. Feyl moved to waive the reading of the Public Hearing notices. Mr. Belle seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

**1. Elena Spivak-Bobko
225 Knowell Road
Camillus, NY 13031**

TM#: 035.-03-14.0

Area Variance: Side Yard Requirement

This Public Hearing was continued from the January 19, 2010 meeting. Ms. Spivak-Bobko appeared before the Board to discuss her application.

She explained that she would like to obtain a variance to extend her existing single-car garage and construct a two-car garage. The proposed garage will house her vehicles with extra space for storage of outdoor equipment.

Ms. Spivak-Bobko submitted for the record a letter from her neighbor Nancy Kibby residing at 227 Knowell Road, stating approval of the proposed garage. (attached)

Mr. Casey inquired if the applicant owned the trees on the right side of the property and if so requested they be trimmed back. Ms. Spivak-Bobko confirmed she owned the trees and does have plans to trim them back.

Mr. Feyl asked for clarification of the side yard measurements. After a discussion among the Board, Ms. Spivak-Bobko, and Mr. Carr it was determined that, a two-foot side yard variance would be required.

Mr. Callahan, 6th Ward Councilor, questioned if the neighbors residing at 227 Knowell Road were aware of the 6' bump-out request to the front of the garage. Ms. Spivak-Bobko stated that they are fully aware and are in support of this request.

Mr. Callahan stated that he does not see a problem with this request, however expressed his concern with the neighbor's visibility as the neighbor's house is set back further than the applicant's home.

Mr. Pirro motioned to close the Public Hearing. Mr. Feyl seconded the motion and it was unanimously approved.

2. Realty USA by Syracuse Signage (Jim Williams) TM#: 040.-10-24.1
5104 West Genesee Street
Camillus, NY 13031

Area Variance: Signage

Jim Williams of Syracuse Signage and Mark Re of Realty USA appeared before the Board to discuss their application for an area variance. Mr. Williams stated that the variance they are requesting is for an existing sign that has been located at the address for over 30 years.

Mr. Re provided the Board with some history of ownership and name transitions over the years, informing the Board that Realty USA will now be dropping the Gallinger name to conform with the rest of the company and are hoping simply to reface the existing sign to match the approved sign located at 5110 West Genesee Street. Mr. Re expressed his frustration, that permits had been granted in the past for the exact same request with no issues or concerns, and asking the Board for consideration in granting this request since Gallinger has been an integral part of the business community for several years and has been a good resident of the town of Camillus.

Chairperson Flood questioned the cost of changing out the sign vs. replacing it and Mr. Williams stated that the cost associated with re-facing the sign would be in the range of \$1200 - \$1500 per sign, while the cost of replacing the sign would be \$8,000 - \$9,000 per sign. Chairperson Flood stated while the Board does like to see monument style signs they do consider cost.

Mr. Pirro stated that he does not see this request being a hindrance to anyone and does not see any issues with this request.

Mr. Casey inquired if the existing sign would be changed other than re-facing it to change the name and Mr. Williams confirmed that the only change would be the re-facing of the sign to remove the Gallinger name.

Mr. Belle questioned if this was the only Realty USA in the immediate area and Mr. Re confirmed that this location as well as 5110 West Genesee Street are the only two locations in this immediate area.

Mr. Feyl questioned placement of previously approved sign permits for the 5104 West Genesee St. location and Mr. Re stated that he could only guess at an explanation, as he was not directly involved at that time. Mr. Feyl stated that he does not see why the sign needs to be as tall as it is currently and hopes to come to a compromise. Mr. Re stated that the current

height of the sign has been that way for over 30 years and would still like for it to be as prominent and visible as it has always been.

Mr. Feyl stated that sometimes bigger is a detriment and/or distraction to the driver and in his opinion takes away from the character of the community.

Mr. Feyl stated that as of 2005 the Town tries to get everyone to comply with the Town of Camillus code and in trying to do so would like to see the height of the sign come down. Mr. Re disagreed with Mr. Feyl's statement, noting that this is not a new business, the sign has been in existence for over 30 years, and they would not want to change it. Mr. Feyl stated that he is a proponent of monument signs and is not in favor of 'lollypop signs' and stands on his request for a compromise in the height of the sign.

After a detailed discussion among the Board, Mr. Carr, Mr. Williams and Mr. Re, it was determined that the Code Enforcement office interpreted the existing sign one way in 2006 and is now interpreting the sign differently, therefore, requiring a permit.

Bob Kratz, Marketing Director appeared before the Board representing Realty USA questioning if a variance would be required if the sign as it exists today needed to be replaced and Mr. Carr stated that this sign does not currently have a sign variance, therefore, yes, would require one.

Mr. Feyl requested that each variance be voted on separately allowing any Board member the right to vote separately for or against each request.

Mr. LaFlair motioned to close the Public Hearing. Mr. Belle seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

- 1. Peter Rinaldi
6321 Newport Road
Warners, NY 13164**

TM#: 005.-03-23.0

Area Variance: Parking

This matter was previously continued on October 6, 2009 and November 5, 2009 and after a brief discussion among the Board, Mr. Belle moved to continue the Public Hearing until April 6, 2010. Mr. LaFlair seconded the motion and it was unanimously approved.

NEW BUSINESS

None

MINUTES OF THE PREVIOUS MEETING

Mr. Feyl moved to approve the minutes of the January 19, 2010 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from the Onondaga County Planning Federation for conference dues totaling \$390.00. Mr. Feyl moved to approve payment of the voucher. Mr. Casey seconded the motion and it was unanimously approved.

A voucher was received from the Post Standard for legal advertising totaling \$66.00. Mr. Casey moved to approve payment of the voucher. Mr. Feyl seconded the motion and it was unanimously approved.

A voucher was received from the Post Standard for legal advertising totaling \$75.74. Mr. LaFlair moved to approve payment of the voucher. Mr. Casey seconded the motion and it was unanimously approved.

A voucher was received from the Post Standard for legal advertising totaling \$58.14. Mr. LaFlair moved to approve payment of the voucher. Mr. Casey seconded the motion and it was unanimously approved.

COMMENTS OF THE BOARD

Chairperson Flood stated that the Zoning Board of Appeals has been cordially invited to attend the Grand Aqueduct celebration, which will be held on May 22 at the Erie Canal Park. Chairperson Flood reminded the Board members of the Onondaga County Training Seminar scheduled for Thursday, March 4.

DECISIONS

- 1. Elena Spivak-Bobko
225 Knowell Road
Camillus, NY 13031**

TM#: 035.-03-14.0

Area Variance: Side Yard Requirement

Mr. Pirro moved to grant a 28-foot front yard variance and a 2-foot variance to the north side yard for the purposes of constructing a 4' 6" x 30' addition to the north side of the applicant's residence and to permit a six-foot extension to the front of the applicant's garage. Mr. Feyl seconded the motion and it was unanimously approved.

- 2. Realty USA by Syracuse Signage (Jim Williams)
5104 West Genesee Street
Camillus, NY 13031**

TM#: 040.-10-24.1

Area Variance: Signage

Mr. Pirro moved to grant (1) a 10-foot variance as to the total area; (2) a 5-foot variance as to the height limitations; and (3) a 12-foot variance as to the required front property line setback. Mr. LaFlair seconded the motion.

The motion was put to a vote:

Ayes: Mr. Pirro, Mr. Casey, Chairperson Flood, Mr. La Flair, Mr. Belle
Nos: Mr. Feyl
Absent: Mr. de la Rosa

Motion Carried.

ADJOURNMENT

Mr. Feyl moved to adjourn the meeting at 8:40 p.m. Mr. LaFlair seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
March 16, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Ron Belle
Bob Feyl
Michael LaFlair
Richard de la Rosa

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

None

ABSENT:

Jerry Casey
Steve Pirro

Chairperson Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

PUBLIC HEARINGS:

None

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

1. Peter Rinaldi
6321 Newport Road
Warners, NY 13164

TM#: 005.-03-23.0

Area Variance: Parking

Mr. Feyl moved to dismiss the application without prejudice. Mr. Belle seconded the motion and it was unanimously approved.

NEW BUSINESS

1. Verizon Wireless (Colemen Burke)
120 Topaz Trail
Syracuse, NY 13219

TM#: 070.-01-19.0

Special Use Permit – Add (3) antennas is to water tower and add a small cabinet as ground equipment.

Mr. de la Rosa moved to declare the application an unlisted action under SEQRA and set the Public Hearing for the April 6, 2010. Mr. Feyl seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. Feyl moved to approve the minutes of the February 16, 2010 meeting. Mr. LaFlair seconded the motion and it was unanimously approved.

VOUCHERS

The board for the following payment approvals reviewed detailed vouchers from Hummel's Office Plus for supplies totaling \$31.99 and \$174.58, and The Post Standard for legal advertising totaling \$46.67.

The board also reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$1,375.00.

Mr. Feyl moved to approve payment of the vouchers. Mr. Belle seconded the motion and it was unanimously approved.

COMMENTS OF THE BOARD

Chairperson Flood submitted for the Board's review a memo dated March 2010 from the office of the New York State Comptroller Thomas P. DiNapoli regarding the New York State and Local Retirement System. Chairperson Flood also reminded the Zoning Board members that they have been cordially invited to attend the Grand Aqueduct celebration, which will be held on May 22 at the Erie Canal Park.

Chairperson Flood stated that she would ask the Code Enforcement office to follow up on three outstanding board issues. The first being with Mr. Rivilin pertaining to the removal of the yellow concrete pedestals remaining from the old sign located in the Rite Aid Plaza.

CopperTop Tavern was also discussed regarding the lighting issues on the sign near Milton Ave. They were told to remove excess lighting last fall, and this is still outstanding.

The final zoning non-compliance is the satellite dish on the property at 106 Terrace Drive.

Mr. Feyl noted that the clothing drop off sign is no longer located in front of St. Joseph's Church.

DECISIONS

None

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:28 p.m. Mr. Feyl seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
April 6, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Ron Belle
Bob Feyl
Michael LaFlair
Richard de la Rosa
Jerry Casey
Steve Pirro

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Jim Salanger 4th Ward Councilor
4 Others

ABSENT:

None

Chairperson Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notices. Mr. Feyl seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

2. Verizon Wireless (Colman Burke)
120 Topaz Trail
Syracuse, NY 13219

TM#: 070.-01-19.0

Special Use Permit – Add (3) antennas to water tower and add a small cabinet as ground equipment.

Mr. Burke appeared before the Board acting as the agent representing Tectonic on behalf of Verizon Wireless to discuss his application for a Special Use Permit. The purpose of which is the addition of three (3) new antennas on the water tank located at 120 Topaz Trail and one (1) cabinet located on a 3 x 5 concrete pad both of which are to accommodate the next revolution of technology.

Chairperson Flood read a letter from the Camillus Planning Board of which stated upon review of the modifications, found no adverse impacts proposed that would affect the site.

Mr. Casey questioned the total structural capacity of the current array and if any additional antennas had been discussed. Mr. Burke stated at this time he could not say without a structural assessment. Also noting that in his experience Verizon Wireless is a very conservative company and does not build anything that is not structurally sound.

Mr. Casey questioned if the proposed strongwell box would be hidden enough so it was not in plain sight of surrounding neighbors. Mr. Burke stated that the strongwell box will be located to the east while most of the neighbors are located to the west.

Mr. Feyl expressed the concerns of Mr. Friske from the water department, that the water tank was painted two years ago and any damage to the tank will be the responsibility of Verizon Wireless. He questioned the proposed MFC disconnect and if it was discussed with Mr. Friske. Mr. Burke stated that the MFC disconnect was a 4 x 4 post with safety electric disconnect for the fiber box that it was discussed with Mr. Friske.

Mr. Feyl questioned if the new antenna specs and site plan have been provided to Mr. Friske. He also questioned if when new technology comes forth, who is responsible for the removal of existing antennas. Mr. Burke stated that he believed Verizon Wireless was responsible as per the lease agreement.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

Mr. Salanger, 4th Ward Councilor stated that he did visit the property and did not have any opposition to this request, however, as Mr. Feyl touched on the question of the antennas becoming obsolete that Tectonic/Verizon Wireless be responsible for their removal as stated in the Town contract.

Mr. Feyl motioned to close the Public Hearing. Mr. Belle seconded the motion and it was unanimously approved.

OLD BUSINESS

None

NEW BUSINESS

None

MINUTES OF THE PREVIOUS MEETING

Mr. Feyl moved to approve the minutes of the March 16, 2010 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

VOUCHERS

The board for the following payment approval reviewed a detailed voucher from the Post Standard for legal advertising totaling \$54.32.

Mr. Casey moved to approve payment of the vouchers. Mr. Pirro seconded the motion and it was unanimously approved.

COMMENTS OF THE BOARD

Chairperson Flood stated that the ZBA members had received an email from Tom Price, Camillus Code Enforcement Officer expressing his concerns regarding a recent sign application that was approved by the ZBA. Chairman Flood discussed with the members the points of the email and her concerns with the code's office interaction with the zoning board and its applications. Mr. Feyl stated his opinion and support regarding the email. Mr. Pirro, Mr. Belle, and Mr. Casey commented how and why they stand by their decision.

Chairperson Flood commented that going back to an applicant's location does help guide members once they see the results of their decisions on previous variance requests. Looking on a result does have an influence when determining future requests of a similar nature.

DECISIONS

**1. Verizon Wireless (Colman Burke)
120 Topaz Trail
Syracuse, NY 13219**

TM#: 070.-01-19.0

Special Use Permit – Add (3) antennas is to water tower and add a small cabinet as ground equipment.

As lead agency, the zoning board completed Part II of the environmental assessment form. This will become part of the completed legal document. Mr. de la Rosa declared a negative declaration as a result of the environmental assessment form. Mr. Feyl seconded the motion and it was unanimously approved.

Mr. Feyl moved to grant amending the special use permit for the placement of three (3) additional antennas at their existing elevation on the existing Topaz Trail, Hidden Knolls Water Tank and an additional small ground equipment cabinet. This action will be subject to the condition that the maintenance and installation of the antennas and the cable meet with the approval of the Camillus Consolidated Water District. Mr. Casey seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:48 p.m. Mr. Feyl seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
May 4, 2010 - 7:00 p.m.**

PRESENT:

Bob Feyl, Vice Chairman
Ron Belle
Michael LaFlair
Richard de la Rosa
Jerry Casey
Steve Pirro

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

2 Others

ABSENT:

Joy Flood

Vice Chairman Feyl called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

PUBLIC HEARINGS

None

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

3. Mark Pigula
6205 ½ Devoe Road
Camillus, NY 13031

TM#: 006.-05-03.1

Area Variance – 40’ variance to build a 32’ x 100’ Pole Barn 35’ from the Right of Way, required set back is 75’.

After a brief discussion among the Board and Mr. Carr, Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for the May 18, 2010. Mr. Belle seconded the motion and it was unanimously approved.

4. Len Daniluk
2277 West Genesee Tnpk
Camillus, NY 13031

TM#: 023.-01-21.2

Special Use Permit – Barn addition to house more horses and a reeling arena.

Vice Chairman Feyl moved to declare the application an unlisted action under SEQR and set the Public Hearing for the May 18, 2010. Mr. de la Rosa seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the April 6, 2010 meeting. Mr. Casey seconded the motion and it was unanimously approved.

VOUCHERS

The board also reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$375.00.

Mr. LaFlair moved to approve payment of the vouchers. Mr. Belle seconded the motion and it was unanimously approved.

COMMENTS OF THE BOARD

None

DECISIONS

None

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:28 p.m. Mr. Feyl seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
May 18, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Ron Belle
Jerry Casey

STAFF PRESENT:

Ronald Carr, Esq.

Richard de la Rosa
Bob Feyl
Michael LaFlair
Steve Pirro

GUESTS & MEMBERS OF THE PUBLIC:

Mark Pigula, Highway Superintendent
Mark Kolinski, 2nd Ward Councilor
1 Other

Chairman Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notices. Mr. Casey seconded the motion and it was unanimously approved.

Chairperson Flood clarified the process of ZBA applications. She stated that when a hearing is advertised it will be held on that night. The hearing guide is sent to the applicant with a list of questions that need to be addressed at the hearing and the applicant must be present to do so, or a representative is required to appear for that applicant. Chairman Flood stated that these procedures have been in place to benefit both the board and applicant. When procedure is deviated, confusion occurs. Any correspondence with the applicant must be thru the ZBA Chairperson, the ZBA Attorney, or the clerk's office only. Continuations will come from the hearing and correspondence from these sources only.

PUBLIC HEARINGS

5. Mark Pigula

TM#: 006.-05-03.1

**6205 ½ Devoe Road
Camillus, NY 13031**

Area Variance – 40' variance to build a 40' x 100' Pole Barn 35' from the Right of Way, required set back is 75'.

Mr. Pigula appeared before the Board to discuss his application for an Area Variance. Stating his original barn burned down and would now like to replace it with a 40' x 100' pole barn, the purpose of which is to house wood, equipment and a sawmill. Mr. Pigula noted that the barn would set back 55', however, a 40' variance is required to meet the current 75' set back requirements. New maps were presented to the board with updated dimensions and overhead view of the area affected.

Mr. Pigula explained why the proposed location was chosen. Chairperson Flood stated that if the 75' set back requirement is met, the barn would be extremely close to if not touching the silos, making the drying bins and silos inaccessible. Mr. Pigula stated that with the elevation of the land, the barn would sit 10' down from the road, with this in mind; there are no site issues from any point in the road near the proposed barn.

Mr. Casey questioned the height of the barn. Mr. Pigula stated that the height of the barn would be 18' tall. Mr. Casey questioned the thought of widening Devoe Road. Mr. Pigula stated that Devoe Road is a county road and was widened some time ago, however, does not foresee it done again in the near future, as several homes sit close to the road now.

Mark Kolinski, 2nd Ward Councilor stated that he did visit Mr. Pigula's site and has spoken to the neighbors and everyone he spoke to is fully in support of this project.

Mr. LaFlair motioned to close the Public Hearing. Mr. Belle seconded the motion and it was unanimously approved.

6. Len Daniluk
2277 West Genesee Tnpk
Camillus, NY 13031

TM#: 023.-01-21.2

Special Use Permit – Barn addition to house more horses and an arena.

Mr. Daniluk appeared before the Board to discuss his application for a Special Use Permit, stating he currently operates a 35-stall horse stable, along with operating an active farm, raising beef cattle. The addition enables Mr. Daniluk to board more horses and provide an enclosed environment for owners to ride their horses year round during inclement weather.

Chairperson Flood questioned the parking accessibility, traffic flow in and out of the location and hours of operation. Mr. Daniluk stated that borders have access 24/7; however, it would be in operation during day light hours most likely up until 10 pm.

Several Board members brought up the following concerns: the extent of care given to the horses, hours of operation, size, and capacity of indoor arena. Mr. Daniluk addressed all these concerns, stating that he feeds grooms and exercises the horses for the boarders. He passed out new maps with the dimensions of the arena, and the new barn.

The proposal states there will be a 26-horse stall addition to the existing main barn with a riding arena for boarders with lessons being offered.

Chairperson Flood read e-mails submitted by Mr. Phillipone, as he was not able to attend. The e-mails expressed Mr. Phillipone's support of the application and stated that he visited the site and spoke to surrounding neighbors, none of which was opposed to the application.

Mr. Pigula stated that he fully supports this request and likes to see support and growth to the local agricultural community.

This application is still in front of the Planning Board for some open issues. Mr. delaRosa moved to continue the application to the June 1, 2010 meeting. Mr. LaFlair seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

- 1. Clearwire (Robert Willson)**
5844 Belle Isle Road
Syracuse, NY 13209

TM#: 015.-04-09.6

Special Use Permit – To modify existing tower with new antennas and one additional dish.

Mr. de la Rosa moved to declare the application an unlisted action under SEQR and set the Public Hearing for the June 15, 2010. Mr. LaFlair seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the May 4, 2010 meeting. Mr. Casey seconded the motion and it was unanimously approved.

VOUCHERS

None

CORRESPONDENCE

The invitation to the board to come to the aqueduct celebration was read by the Chairman. The fall seminar of the state planning board was discussed.

COMMENTS OF THE BOARD

None

DECISIONS

- 1. Mark Pigula**
6205 ½ Devoe Road
Camillus, NY 13031

TM#: 006.-05-03.1

Area Variance – 40' variance to build a 40' x 100' Pole Barn 35' from the Right of Way, required set back is 75'.

Mr. de la Rosa moved to grant a 40' front yard variance from the 75' front setback requirement to construct a 40' x 100' pole barn. Mr. Casey seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:55 p.m. Mr. Feyl seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
June 1, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Jerry Casey
Richard de la Rosa
Michael LaFlair
Steve Pirro

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Dave Phillipone, 1st Ward Councilor
1 Other

ABSENT:

Bob Feyl
Ron Belle

Chairman Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

**7. Len Daniluk
2277 West Genesee Tnpk
Camillus, NY 13031**

TM#: 023.-01-21.2

Special Use Permit – Barn addition to house more horses and an arena.

Chairperson Flood read into record a letter received from the Camillus Planning Board.

Mr. Daniluk appeared before the Board stating that he did not have any additional information to provide at this time.

The Board did not have any additional questions or concerns for Mr. Daniluk at this time.

A detailed conversation was held among the Board, Mr. Carr, and Mr. Daniluk regarding the following: ownership, size of parcel, cattle barn, horse barn as well as the proposed arena and barn.

Mr. Carr stated that for the record this is a 214.5-acre operating beef cattle farm with an established ongoing riding stable, with a primary use for the boarding of horses noting this application is an expansion of that primary use that already exists with the addition of 26 stalls and an indoor riding arena.

Chairperson Flood questioned the necessity of the Special Use Permit. Mr. Carr noted that the boarding of horses started before the implementation of the zoning law, therefore, could only say that with the expansion of the permitted use the Code Enforcement office saw the obligation of imposing the requirement for a Special Use Permit.

Mr. de la Rosa motioned to close the Public Hearing. Mr. Pirro seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

**2. John Friske
3522 Camillus Ave
Warners, NY 13164**

TM#: 009.-05-14.0

Area Variance – for a 12' x 12' accessory building for gardening purposes.

After a detailed conversation among the Board and Mr. Carr, Mr. de la Rosa moved to reject the application as submitted due to missing information, errors regarding dates and for it to be referred back to the Code Enforcement office for them to contact the applicant. Mr. Pirro seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. LaFlair moved to approve the minutes of the May 18, 2010 meeting. Mr. Casey seconded the motion and it was unanimously approved.

VOUCHERS

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$750.00.

The board also reviewed a detailed voucher from The Post Standard for legal advertising totaling \$60.44 and from the Town of Lafayette for county training seminar totaling \$42.86.

Mr. de la Rosa moved to approve payment of the vouchers. Mr. LaFlair seconded the motion and it was unanimously approved.

CORRESPONDENCE

None

COMMENTS OF THE BOARD

Chairperson Flood stated that the outstanding non-compliance issue with regards to yellow concrete posts located at the Rite Aid Plaza on West Genesee Street, a letter was sent to the property owner from the Camillus Code Enforcement office asking the owner to contact them.

DECISIONS

1. Len Daniluk

TM#: 023.-01-21.2

2277 West Genesee Tnpk
Camillus, NY 13031

Special Use Permit – Barn addition to house more horses and an arena.

After an unlisted SEQR assessment was completed by the Board, Mr. de la Rosa moved to declare a negative declaration finding that the proposed project has no adverse environmental impact. Mr. LaFlair seconded the motion and it was unanimously approved.

Mr. de la Rosa moved to grant a Special Use Permit conditioned upon review of the site plan in May of 2011. Mr. Pirro seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:58 p.m. Mr. Casey seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
June 15, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Jerry Casey
Richard de la Rosa
Michael LaFlair
Steve Pirro
Bob Feyl

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

2 Others

ABSENT:

Ron Belle

Chairman Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notices. Mr. Feyl seconded the motion and it was unanimously approved.

3. Clearwire (Robert Willson)
5844 Belle Isle Road
Syracuse, NY 13209

TM#: 015.-04-09.6

Special Use Permit – To modify existing tower with new antennas and one additional dish.

Chairperson Flood read into record a letter received from the Camillus Planning Board.

Mr. Wilson appeared before the Board on behalf of Clearwire to discuss his application to modify an existing Special Use Permit. Mr. Willson explained that Clearwire is in the process of updating the existing wireless network services in the Syracuse area, and would like to upgrade the equipment at this location.

Stating that the scope of work would consist of the following:

- (1) Remove and replace the existing three panel antennas. (New panel antennas will be 6" longer and 6" wider than the existing panel antennas.)
- (2) Remove and replace one dish antenna. (The existing dish antenna is approximately 24" in diameter and the new dish antenna will be 34" in diameter.)
- (3) Addition of one new dish antenna, 26" in diameter with no changes to any ground equipment.

With the proposed changes, Clearwire will be able to provide faster and more reliable services to its customers.

Chairperson Flood confirmed with Mr. Willson that additional ground support equipment would not be added such as new generators. Mr. Willson stated that all existing ground equipment would be sufficient to handle new additions. The Board then proceeded to ask their questions.

Mr. Feyl questioned if the applicant was aware that Verizon would be building a 120' tower with plans to build a new access road that will run next to their existing tower and that the existing access road will be eliminated. Mr. Feyl wanted to point this out and make sure Mr. Willson was aware of the new tower and the possibility of any adverse effects to the current tower.

A detailed conversation was held among the Board, Mr. Carr, and Mr. Willson regarding the following: ownership, tower carriers, previous permits issued, as well as dimensional size and height of proposed equipment and responsibility of tower upkeep/removal.

Mr. Carr stated for the record the sequence of ownership as follows; Crown Castle currently owns the tower with three carriers on the tower, Sprint as well as another carrier (name unknown) and Clearwire.

Mr. Feyl motioned to close the Public Hearing. Mr. LaFlair seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

1. John Friske
3522 Camillus Ave
Warners, NY 13164

TM#: 009.-05-13.0

Special Use Permit – For a 12' x 12' accessory building for gardening purposes on a lot under five acres.

Mr. de la Rosa moved to declare the application an unlisted action under SEQR and set the Public Hearing for the July 6, 2010. Mr. Casey seconded the motion and it was unanimously approved.

2. Trinity Baptist Church
6198 Airport Road
Syracuse, NY 13209

TM#: 012.-01-19.2

Area Variance – Signage.

Mr. Feyl moved to declare the application a SEQR Type II and set the Public Hearing for the July 6, 2010. Mr. Pirro seconded the motion and it was unanimously approved.

3. Ron and Terry Moore
2721 Rolling Hills Road
Camillus, NY 13031

TM#: 021.-02-06.2

Area Variance – 32' x 40' Accessory building situated in front of principal building, 50' from building line.

Mr. Feyl moved to declare the application a SEQR Type II and set the Public Hearing for the July 6, 2010. Mr. Casey seconded the motion and it was unanimously approved.

- 4. Holy Family Parish (John Elliott)**
111 Chapel Drive
Syracuse, NY 13219

Special Use Permit & Area Variance – for an accessory building on a residential lot without a principal building.

Mr. Casey moved to declare the application an unlisted action under SEQR and set the Public Hearing for the July 20, 2010, awaiting Planning Board decision. Mr. Feyl seconded the motion and it was unanimously approved.

- 5. David J. Frchetti**
354 Gerelock Road
Solvay, NY 13209

Special Use Permit – Accessory garage.

Mr. LaFlair moved to declare the application an unlisted action under SEQR and set the Public Hearing for the August 3, 2010, awaiting Planning Board decision. Mr. Feyl seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the June 1, 2010 meeting. Mr. LaFlair seconded the motion and it was unanimously approved.

VOUCHERS

The board also reviewed a detailed voucher from The Post Standard for legal advertising totaling \$60.44.

Mr. Pirro moved to approve payment of the vouchers. Mr. Feyl seconded the motion and it was unanimously approved.

CORRESPONDENCE

None

COMMENTS OF THE BOARD

Mr. LaFlair questioned the status of the outstanding non-compliance issues with regards to the concrete posts at the Rite Aid Plaza.

Chairperson Flood stated that another letter was sent to the property owner from the Camillus Code Enforcement office. She also stated that the next phase of the streetscape project will help to bring the owners into compliance since it will directly affect that frontage.

DECISIONS

1. **Clearwire (Robert Willson)**
5844 Belle Isle Road
Syracuse, NY 13209

TM#: 015.-04-09.6

Special Use Permit – To modify existing tower with new antennas and one additional dish.

Mr. de la Rosa motioned to approve the modification of a previously issued 1996 Special Use Permit as modified in May 2000, by permitting the upgrade of the existing telecommunication equipment on the existing tower by removing and replacing three panel antennas, removing and replacing one dish antenna and adding one additional dish antenna. Mr. Feyl seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:58 p.m. Mr. Feyl seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
July 6, 2010 - 7:00 p.m.

PRESENT:

Joy Flood, Chairperson
Jerry Casey
Richard de la Rosa
Michael LaFlair
Ron Belle
Steve Pirro
Bob Feyl, Vice Chair

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Dave Phillipone, 1st Ward Councilor
Tom Price – Code Enforcement Officer
6 Others

ABSENT:

None

Chairperson Flood called the meeting to order at 7:06 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notices. Mr. Feyl seconded the motion and it was unanimously approved.

**6. John Friske
3522 Camillus Ave
Warners, NY 13164**

TM#: 009.-05-13.0

Special Use Permit – For a 12' x 12' accessory building for gardening purposes on a lot under five acres.

Mr. Friske appeared before the Board to discuss his application for a Special Use Permit. Mr. Friske stated the purpose of the application is to build a 12 x 12 accessory building to store gardening equipment. Mr. Friske provided pictures of what the building would look like to the Board.

After a detailed conversation among the Board, Mr. Friske, Mr. Carr and Mr. Price regarding parcel identification and ownership, dimensions/placement of the shed and material to be used, Mr. Friske noted that he owns the four parcels across the street from his primary residence, therefore, there are no neighbors surrounding the parcel where the shed will be located. Stating that the reason for the Special Use Permit is due to the fact there is not a principal structure on the property, parcel 187. Mr. Friske informed the Board that the shed will not have power nor water hook up, will be 6' in height and material to be used will be plywood with vinyl siding. Mr. Friske stated that the shed will be 5' off the back property line and will be centered on the property.

Mr. Feyl motioned to close the Public Hearing. Mr. Pirro seconded the motion and it was unanimously approved.

**7. Trinity Baptist Church
6198 Airport Road
Syracuse, NY 13209**

TM#: 012.-01-19.2

Area Variance – Signage.

Mr. Hurst, Chief Deacon of Trinity Baptist Church appeared before the Board to discuss his application along with Pastor Len Robinson and Mr. Donald Huff, committee member. Providing photos to the Board, Mr. Hurst explained the location of the sign stating that the purpose of the sign is to display date and times of church services and activities. Indicating that many people driving along Airport Road do not see the current sign as it is parallel to the road and is often missed. Mr. Hurst stated the proposed sign will run perpendicular to the road and will be seen when driving from both directions along Airport Road.

The Board asked several questions regarding size, height, and placement of the sign, functionality, use, lighting and current signage use. Mr. Hurst stated that the sign is used and was purchased at a significant discount. The sign will have enclosed florescent lighting with changeable lettering. The sign measures 15' off the property line with the lettering section 52" in height, and measuring 90" high overall from ground level. Mr. Hurst stated that they would eventually landscape around the sign as funding allows.

Mr. Price, Town of Camillus Code Enforcement Officer stated that the current sign will remain and sent the applicant to the Zoning Board of Appeals as the proposed sign is in need of a area variance for the overall square footage of both signs.

Mr. Hurst stated that the current sign was a memorial donation and would be difficult to have removed without hurting feelings.

Mr. Feyl questioned if temporary signs will be removed if the proposed sign was approved. Mr. Hurst stated that if approved temporary signage would no longer be used.

Pastor Robinson stated that he has been informed that their church is difficult to find as it is neither clearly visible nor well identified. Stating that the proposed sign was purchased at a tremendous discount and will allow the church to provide a clear identification and allow for services and activities to be displayed.

Mr. de la Rosa motioned to close the Public Hearing. Mr. Belle seconded the motion and it was unanimously approved.

**8. Ron and Terry Moore
2721 Rolling Hills Road
Camillus, NY 13031**

TM#: 021.-02-06.2

Area Variance – 32' x 40' Accessory building situated in front of principal building, 50' from building line.

Mr. Moore appeared before the Board to discuss his application for an area variance to build a 32' x 40' accessory building for use as a detached garage to store an RV during the winter months. Mr. Moore provided photos to the Board on what the proposed structure will look like along with computer drawn elevations.

Stating that the detached garage will be parallel with the house, 50' over from the side line and from the center of the road will be 75'. The topography of the land gives this area the best placement for the structure.

A conversation held among the Board, Mr. Carr, and Mr. Moore regarding the following: sight line, proposed use, lighting, storage, building style, structure components, and dimensions.

Mr. Feyl stated that it should be noted that the line of sight from Rolling Hills would be above anyone's sight line, there are no surrounding neighbors and believes it will be hardly noticeable.

After a conversation between Mr. Price and Mr. Carr it was determined the applicant is in need of a 25' front yard variance.

There were no further questions among the Board.

Mr. Feyl motioned to close the Public Hearing. Mr. LaFlair seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

1. David J. Frchetti
354 Gerelock Road
Solvay, NY 13209

TM#: 021.-02-06.2

Special Use Permit – Accessory garage.

Mr. Belle moved to amend this action and reset the Public Hearing for the July 20, 2010, awaiting Planning Board decision. Mr. LaFlair seconded the motion and it was unanimously approved.

NEW BUSINESS

None

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the June 15, 2010 meeting. Mr. Casey seconded the motion and it was unanimously approved.

VOUCHERS

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$1,468.75.

Mr. de la Rosa moved to approve payment of the voucher. Mr. Feyl seconded the motion and it was unanimously approved.

The board also reviewed a detailed voucher from The Post Standard for legal advertising totaling \$79.56.

Mr. Casey moved to approve payment of the voucher. Mr. Pirro seconded the motion and it was unanimously approved.

CORRESPONDENCE

None

COMMENTS OF THE BOARD

Chairperson Flood suggested changes be made to the applications that are submitted to the Zoning Board of Appeals, as well as the Zoning Board Referral Form to clearly indicate when an applicant has been referred to the Planning Board as well as the County.

Mr. Pirro questioned the status of the yellow concrete posts located at the Rite Aid Plaza on West Genesee Street.

Mr. Price commented that letters have been sent to the property owner of the Rite Aid Plaza and the Town of Camillus Attorney is now involved.

DECISIONS

1. John Friske

TM#: 009.-05-13.0

**3522 Camillus Ave
Warners, NY 13164**

Special Use Permit – For a 12’ x 12’ accessory building for gardening purposes on a lot under five acres.

Mr. de la Rosa motioned to approve Special Use Permit to construct an accessory building in the form of a 12’ x 12’ storage shed. Mr. Feyl seconded the motion and it was unanimously approved.

2. Trinity Baptist Church

TM#: 012.-01-19.2

**6198 Airport Road
Syracuse, NY 13209
Area Variance – Signage.**

Mr. de la Rosa motioned to approve a variance of 8.5 ‘ to allow a second freestanding sign on the subject property. This sign will identify the Church and also list the times of Church services and other Church events Mr. Feyl seconded the motion and it was unanimously approved.

3. Ron and Terry Moore

TM#: 021.-02-06.2

**2721 Rolling Hills Road
Camillus, NY 13031**

Area Variance – 32’ x 40’ Accessory building situated in front of principal building, 50’ from building line.

Mr. Feyl motioned to approve a 25’ front yard variance to construct a 32’ x 40’ accessory building in front of the principal building with a setback of 50’ off the front property line. Mr. Casey seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:10 p.m. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
July 20, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Jerry Casey
Richard de la Rosa
Michael LaFlair
Ron Belle
Steve Pirro
Bob Feyl, Vice Chair

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Bill Davern, 3rd Ward Councilor
4 Others

ABSENT:

None

Chairman Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notices. Mr. Feyl seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

**9. Holy Family Parish (John Elliott)
111 Chapel Drive
Syracuse, NY 13219**

TM#: 056.-04-03.0

Special Use Permit & Area Variance – for an accessory building on a residential lot without a principal building.

Mr. Elliott appeared before the Board representing the Holy Family Parish as facilities management volunteer and parishioner.

The purpose of the application is the installation of a 10' x 14', 10 ½ 'tall, pre-constructed wooden shed on a lot without a principal building.

Mr. Elliott provided photos to the Board of what the proposed shed would look like. The proposed shed will be used for storage of garden equipment used to maintain the grounds of

the church. Mr. Elliott referred to a location map drawing and ariel shot, stating that the topography of the church grounds restricts placement of the shed. He indicated they would remove existing trees to place the shed and showed that location.

Chairperson Flood questioned if any other sheds were located on the property. Mr. Elliott confirmed that there are no other sheds located on the property, explaining that the church is presently using the bottom of the deck to store gardening equipment.

The Board, Mr. Elliott, and Mr. Carr had a detailed conversation regarding ownership, location of the shed and proposed use.

Mr. Elliott stated that the shed would be placed on a crushed stone base within a grassy area as indicated in the application. Explaining that gravel vs. the addition of a concrete base will be dependant upon the donations collected for this project. Mr. Elliott stated that the windows and door of the shed would face the street side so it will visually enhance the appearance of the shed.

Mr. Davern, 3rd Ward Councilor stated that he does see a need for a shed and fully supports this request.

Chairperson Flood read a letter submitted from the Camillus Planning Board stating they have no adverse site issues or concerns at this time.

Mr. Feyl motioned to close the Public Hearing. Mr. LaFlair seconded the motion and it was unanimously approved.

**2. David J. Frchetti
354 Gerelock Road
Solvay, NY 13209**

TM#: 021.-02-06.2

Special Use Permit – Accessory garage.

Mr. and Mrs. David Frchetti appeared before the Board regarding their request for a Special Use Permit. They explained that an existing garage, straddling two properties, (two tax parcels), has been removed due to safety concerns, and they are now asking for a garage to be built on one tax parcel without a residence. The size of the proposed garage is 40' x 30', approximately 120 square feet.

Mr. Pirro asked if there would be power in the garage. Mr. Frchetti stated there would be electricity in the new structure to allow for operation of power tools. Mr. Pirro also inquired if there will be any lighting on the outside of the garage. Mr. Frchetti stated there would not be exterior lighting.

A detailed conversation regarding ownership of parcels, land locks, buildable properties, parcel identification, setbacks, size, dimensions, and location of the proposed garage, and intended use was held among the Board, Mr. Carr, Mr., and Mrs. Frchetti.

Mr. de la Rosa questioned if they had plans to sell off any of the property. Pointing out doing so could potentially be a concern as the garage is large and would be located so close to the property line.

Chairperson Flood read a letter submitted from the Camillus Planning Board stating they have no adverse site issues or concerns at this time.

Mr. Feyl also expressed his concern with building a 30' x 40' garage/pole barn 7' off the property line should someone buy the land next to this parcel and what adverse effect it could have on the new owners.

Mr. LaFlair excused himself from the meeting at 7:30 p.m.

Mr. Feyl motioned to close the Public Hearing. Mr. Belle seconded the motion and it was unanimously approved.

**3. Thomas Kehoskie
304 Fieldcrest Circle
Camillus, NY 13031**

TM#: 041.-01-55.0

Area Variances – Signage as well as a front yard set back.

Mr. Kehoski appeared before the Board to discuss his application for signage. Explaining that the proposed signage will require two variances as it is very difficult to place signage because of the existing topography.

Mr. Casey questioned the dimensions of the sign. Mr. Kehoski stated that the sign would be 6' wide x 4' tall.

Mr. Pirro questioned if the sign would be lighted and if the sign consisted of two potential listings or if it was only one sign/one listing. Mr. Kehoski stated that the sign will be internally lit and is only one sign/one listing, however, Prudential's trademark specifications require the sign to be displayed as shown on the drawings.

Mr. de la Rosa stated that one could not ignore the precedent the Board would be setting in granting this permit as other business owners will want the same exceptions granted. Mr. de la Rosa did state that in his opinion the proposed signage did not interfere with any sight line issues from West Genesee Street or the surrounding roads.

Mr. Feyl questioned if a guardrail would be placed in the parking lot. Mr. Kehoski stated that two concrete posts would be used to block and protect the proposed signage. Mr. Feyl questioned if placing posts would take away from the number of required parking spaces and recommended that a guardrail be installed.

Chairperson Flood recommended that the street number be placed on the proposed sign. She also stated that she agreed with Mr. de la Rosa and when checking the sightline driving both East and West that there were none.

Mr. Davern, 3rd Ward Councilor stated that he fully supports this applicant. Stating in his opinion Mr. Kehoski should be complimented for the work he has done on the property and feels a sign is necessary for people to find this location and recommends the Board approve this request.

Mr. de la Rosa motioned to close the Public Hearing. Mr. Casey seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

1. SAML Realty LLC

TM#: 047.-04-13.0

**Mike Lavaranchuk (Owner)
3532 West Genesee Street
Syracuse, NY 13219**

Special Use Permit – Requesting ancillary parking.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for the August 17, 2010. Mr. Feyl seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. Feyl moved to approve the minutes of the July 6, 2010 meeting. Mr. Casey seconded the motion and it was unanimously approved.

VOUCHERS

The board reviewed a detailed voucher from Hummel's Office Plus for supplies totaling \$10.74.

The board also reviewed a detailed voucher from The Post Standard for legal advertising totaling \$95.63.

Mr. Casey moved to approve payment of the vouchers. Mr. Pirro seconded the motion and it was unanimously approved.

CORRESPONDENCE

Chairperson Flood and the Board reviewed the suggested changes to the applications and referral forms that are submitted to the Zoning Board of Appeals, as submitted by the Camillus Code Enforcement office.

Mr. Feyl motioned to approve the revisions made to the referral forms. Mr. Belle seconded the motion and it was unanimously approved.

COMMENTS OF THE BOARD

None

DECISIONS

- 1. Holy Family Parish (John Elliott)
111 Chapel Drive
Syracuse, NY 13219**

TM#: 056.-04-03.0

Special Use Permit & Area Variance – for an accessory building on a residential lot without a principal building.

After an unlisted SEQR assessment was completed by the Board, Mr. de la Rosa moved to declare a negative declaration finding that the proposed project has no adverse environmental impact. Mr. Belle seconded the motion and it was unanimously approved.

Mr. de la Rosa motioned to approve (1) Special Use Permit to construct an accessory building in the form of a 10' x 14' storage shed on the applicant's non-agricultural property that does not contain a principal building pursuant to Sections 600(I) and 1303(A) of the Code of the Town of Camillus and (2) for a 14 feet variance to permit the placement of the storage shed on the affected property 21 feet from the front property line. Mr. Feyl seconded the motion and it was unanimously approved.

- 2. David J. Frchetti
354 Gerelock Road
Solvay, NY 13209**

TM#: 021.-02-06.2

Special Use Permit – Accessory garage.

After an unlisted SEQR assessment was completed by the Board, Mr. de la Rosa moved to declare a negative declaration finding that the proposed project has no adverse environmental impact. Mr. Casey seconded the motion and it was unanimously approved.

Mr. de la Rosa motioned to approve a Special Use Permit to construct an accessory building in the form of a detached garage on the applicant's non-agricultural property that does not contain a principal building pursuant to Sections 600(I) and 1303(A) of the Code of the Town of Camillus. Mr. Pirro seconded the motion and it was unanimously approved.

- 3. Thomas Kehoskie
304 Fieldcrest Circle
Camillus, NY 13031**

TM#: 041.-01-55.0

Area Variances – Signage as well as a front yard set back.

Mr. Feyl motioned to approve a two foot variance as to the 8 feet maximum height and a 10 feet variance as to the 15 feet minimum set back requirements to permit the placement of a 24 square foot free standing sign, which is 8 feet in height and set back 5 feet from the street right-of-way, has been GRANTED to the extent as indicated in the attached resolution and subject to the requirement that the building address number be placed on the sign. Mr. Casey seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. Feyl moved to adjourn the meeting at 8:39 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
August 17, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Jerry Casey
Richard de la Rosa
Michael LaFlair
Ron Belle
Bob Feyl, Vice Chair

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Bill Davern, 3rd Ward Councilor
Dave Phillipone, 1st Ward Councilor
9 Others

ABSENT:

Steve Pirro

Chairman Flood called the meeting to order at 7:01 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notices. Mr. Feyl seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

- SAML Realty LLC
Mike Lavaranchuk (Owner)
3532 West Genesee Street
Syracuse, NY 13219**

TM#: 047.-04-13.0

Special Use Permit – Requesting ancillary parking.

Chairperson Flood read a letter submitted from the Camillus Planning Board dated August 17, 2010. (Attached)

Mike Lavaranchuk appeared before the Board to discuss his application for ancillary parking. Stating the proposed ancillary parking measuring 100' x 60', would be for the following use on the property:

- Snow storage during the winter months
- Additional parking for employees and customers
- Turnaround for traffic vehicles as well as for property, maintenance and delivery vehicles

Indicating that screening/shrubbery will also be added and plans to extend the 6' stockade fence 100' along the R3 property will be completed. Also stating the proposed area will allow them to gain 6-7 additional parking spaces.

Chairperson Flood questioned the average number of employees parking in spaces on any given day. Mike Lavaranchuk stated he thought about 6 to 11.

Stephen Lavranchuk spoke regarding his application providing additional information and a map received from the Town of Camillus Code Enforcement office for referral of site location and statistics. Referring to the map noted that of the 25 parking spaces spots 10, 11, and 12 are not usable, as they do not currently conform to the present code.

Mike Lavranchuk stated that in his most recent conversations with the Camillus Highway Department regarding erosion and drainage runoff concerns along Gifford Street he was informed that there is no drainage along Gifford Street nor has there ever been a clean up on any of the properties. Mike Lavranchuk also questioned if stone was acceptable or if paving was required.

Mr. Feyl questioned if the future storm water drainage and catch basin/drywell system as indicated on the most recent documents, drawings and maps provided to the Board had ever been installed. Stephen and Mike Lavranchuk stated that the drainage and catch basin/drywell system had not been installed, as it was indicated to be completed by a previous landowner.

Mr. Feyl stated that per code paving is required and questioned the elevation of the parking lot pointing out that if paving one would need to raise the elevation to keep the water on the owner's property. Mike Lavaranchuk confirmed that the elevation of the parking lot is lower.

Mr. Belle stated that he agreed with Mr. Feyl to the installation of the storm water drainage and catch basin/drywell system, Mr. LaFlair questioned the lighting and location of the additional parking spaces and Mr. Casey questioned if the property currently had drainage problems and the location of the additional parking spaces.

Mike Lavaranchuk stated that they currently do not have any issues with drainage and confirmed that the water does remain on the owner's property.

Mr. Casey and Mr. de la Rosa questioned if the installation of the storm water drainage and catch basin/drywell system would be completed. Mike Lavaranchuk stated that if approved they do plan to install a storm water drainage and catch basin/drywell system. Mike Lavaranchuk also stated that the recommendation of the Town Engineer was to build up and extend the berm to prevent water run off as well as adding additional shrubbery.

Mr. Feyl stated that in his opinion there are two options:

- 1) Install permeable asphalt, which would require the entire area of the parking lot, be completed with a drainage system underneath.
- 2) Go with the original dry well plans and change the elevation with adding additional shrubbery.

Mr. Carr expressed his concerns as this request is for seeking ancillary parking as the current approved designated parking meets code requirements and is sufficient. Mike Lavaranchuk stated that the current parking does not meet code as 1,000 feet was left out of the initial configurations.

Mr. Carr noted that it has been a determination of the Camillus Planning Board that the parking is sufficient and meeting code requirements and has not been sited by the Code Enforcement office and by ones own emission cannot be the determination of what is now required.

Also noting that the request was not presented as such and was presented for snow removal/storage, turn around and extra employee parking. Mr. Carr stated he does not feel the property is in violation and questioned if the property has even been sited for being in violation of parking. Mike Lavaranchuk confirmed that they have never been sited or in violation of parking by the Camillus Code Enforcement office.

Chairperson Flood questioned if the same paperwork and map was presented to the Camillus Planning Board, due to the fact that the Planning Board is giving recommendations based on what has been given and presented to them. Stephen Lavaranchuk stated that this documentation and map was not given to the Planning Board.

Chairperson Flood read a letter received from Rosanne Canestrare into record dated July 20, 2010 expressing her concerns regarding erosion and fencing, expressing her opposition to the addition or extension of additional parking.

Tom Danable residing at 26 Gifford Drive appeared before the Board to express his concern and opposition to the application as erosion and drainage is a serious issue that must be addressed. Mr. Danable approached the Board presenting photos of drainage, erosion and run off issues. Mr. Danable stated that he has contacted the Camillus Code Enforcement office several times with his concerns and states the Code Enforcement office has informed him that they have nothing to do with this problem and has not responded to the problem at hand.

Joe Canestrare appeared before the Board presenting pictures and a brief video clip of the berm located at 3532 West Genesee Street, drainage issues and run off problems with relation to his home located at 35 Gifford Drive. Mr. Canestrare informed that board that the partial fencing is what he looks at from his yard due to the fence being plowed down during snow removal. He stated that without a fence, snow can be plowed down the hill causing erosion and run off problems.

Mr. Canestrare stated that he has spoken to and has provided pictures showing where the snow removal has caused erosion running over into the R3 line to Mr. Davern as well as Mr. Price, Camillus Code Enforcement Officer.

Mr. Canestrare is requesting that the fence be replaced to provide a buffer that once did exist in 1991 and any erosion problems are resolved, asking that the additional parking be denied and that the Board not allow the applicant to go past the R3 line.

Mr. Casey questioned for what period has the run off been an issue with relation to Mr. Canestrare's driveway and if there was water in his basement.

Mr. Davern, 3rd Ward Councilor expressed his apology for the delay in informing the neighbors. Stating that if placing pervious asphalt, that it must be done to the entire lot not just the additional spacing and if placing a catch basin that it must be completed correctly and per proper specifications. Mr. Davern expressed his concern with this property being zoned R3, as it was put there for a purpose to protect the residential neighbors. Noting that a previous applicant tried to encroach and come into an R3 Zone and that application was denied. Mr. Davern is concerned that granting this variance may set a precedent, as this type of request has never been allowed.

Mr. Casey stated he would like to see an engineering analysis with relation to the addition of these parking spaces.

Mr. Carr reiterated that he feels there is no basis to request ancillary parking, however, the request can be made, but it would be made as a special use variance.

Chairperson Flood asked the applicants if they would like to continue the Public Hearing based on what questions had been asked of them and if they want to make any adjustments to their variance request. Both Stephen and Mike Lavaranchuk requested the Public Hearing be continued to September 7, 2010.

Stephen Lavaranchuk stated that in his opinion someone should consider extending the screening fence that runs along the southerly boundary, as he understood a fence should exist between residential and commercial properties.

Chairperson Flood questioned how far back the property line went on Mr. Canastrare's property.

Mr. Feyl stated that the Planning Board did not recommend the additional parking; however, it did recommend increasing the height of the berm and size along with additional screening for the benefit of Mr. Canastrare. Mr. Feyl stated that in his opinion the extension would not be allowed and does not see any advantage to continuing this Public Hearing.

Mr. Casey motioned to continue the Public Hearing for September 7, 2010. Mr. Belle seconded the motion.

The motion was put to a vote:

Ayes: Mr. de la Rosa, Mr. Casey, Chairperson Flood, Mr. La Flair, Mr. Belle
Nos: Mr. Feyl

Motion Carried.

**2. Gregory Kuhn
2572 Rolling Hills Road
Camillus, NY 13031**

TM#: 021.-02-11.5

Two Area Variances- Both sheds are located within the front yard.

- 1) 9'7" x 12'5" Shed
- 2) 4'x7'4" Shed

Mr. Phillipone, 1st Ward Councilor requested to be able to make introductory remarks regarding this application. Mr. Phillipone stated that he takes issue with this request as the request for a variance on the 9'7"x12'5" shed has been in existence for over 23 years. Noting it is an existing structure and under section 1100 of the Camillus code is considered a non-conforming use, therefore, no application is required and believes it should be deleted from the application as it predates 1998.

Mr. Phillipone also pointed out the definition of 'structure' under Section 200: Word Usage, B: Basic Definitions, number 13, as the 4' x 7'4" shed is on a 6 acre property that has a 790 elevation that is sloped. Stating that this particular unit is sitting on concrete blocks on the ground, not attached, therefore, it is not a permanent structure and if not it is not a building accessory it does not require a variance under 600H of the Camillus code.

Mr. Phillipone expressed he does not see that a variance is required, sees no impact to residence and expressed his full support of the application.

Mr. Kuhn stated that the purpose of this request is for his 12-year-old daughter to house her garden tools and animals during the winter months. Mr. Kuhn stated that years back he was given permission from Gus Aull the Camillus Code Enforcement Officer at that time. Mr. Kuhn informed the Board that the shed will look nice and have siding.

Mr. de la Rosa stated that he does not have any additional questions at this time. Mr. Casey questioned why one would not consider placing the shed on the back of the property as it would appear to have easier access. Mr. Kuhn stated that he has his septic system back behind the house and that there is no water access for his daughter's animals.

Mr. Feyl stated that he does know the property and feels it is a simple matter of needing a variance.

Mr. de la Rosa motioned to close the Public Hearing. Mr. Feyl seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

None

MINUTES OF THE PREVIOUS MEETING

Mr. Feyl moved to approve the minutes of the July 20, 2010 meeting. Mr. Casey seconded the motion and it was unanimously approved.

VOUCHERS

The board reviewed two detailed vouchers from The Post Standard for legal advertising totaling \$51.26 and \$60.44.

Mr. La Flair moved to approve payment of the vouchers. Mr. Belle seconded the motion and it was unanimously approved.

CORRESPONDENCE

None

COMMENTS OF THE BOARD

None

DECISIONS

1. **Gregory Kuhn**
2572 Rolling Hills Road
Camillus, NY 13031

TM#: 021.-02-11.5

Two Area Variances- Both sheds are located within the front yard.

- 1) **9'7" x 12'5" Shed**
- 2) **4'x7'4" Shed**

Mr. Feyl motioned to grant a variance permitting the placement of two (2) storage sheds to the front of the rear building line of the principal building and into the front yard of the subject property. Mr. de la Rosa seconded the motion and it was unanimously approved

ADJOURNMENT

Mr. Feyl moved to adjourn the meeting at 8:39 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
September 7, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Jerry Casey
Richard de la Rosa
Michael LaFlair
Ron Belle
Bob Feyl, Vice Chair
Steve Pirro

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

1 Other

ABSENT:

None

Chairman Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

PUBLIC HEARINGS:

1. SAML Realty LLC

TM#: 047.-04-13.0

**Mike Lavaranchuk (Owner)
3532 West Genesee Street
Syracuse, NY 13219**

Special Use Permit – Requesting ancillary parking.

Chairperson Flood read a letter submitted from Mr. Stephen Lavaranchuk dated September 3, 2010 requesting the Public Hearing be continued to September 21, 2010.

After a detailed discussion among the Board and Mr. Carr, Mr. de la Rosa motioned to continue the Public Hearing for September 21, 2010. Mr. Belle seconded the motion.

The motion was put to a vote:

Ayes: Mr. de la Rosa, Mr. Pirro, Mr. Casey, Chairperson Flood, Mr. La Flair, Mr. Belle
Nos: Mr. Feyl

Motion Carried.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

1. **Steve Soule** **TM#: 022.-01-06.0**
5885 Bennetts Corners Road
Camillus, NY 13031

Area Variance - Addition to bathroom and adding a deck.

Mr. Feyl moved to declare the application a SEQR Type II and set the Public Hearing for the September 21, 2010. Mr. Casey seconded the motion and it was unanimously approved.

2. **Dan Delpha** **TM#: 049.-02-03**
111 Glenview Parkway
Syracuse, NY 13219

Area Variance – 7' addition on east side of house, 5' from the property line.

Mr. Casey moved to declare the application a SEQR Type II and set the Public Hearing for the September 21, 2010. Mr. Pirro seconded the motion and it was unanimously approved.

3. **Tomak Lewtak** **TM#: 005.-03-08.0/1**
6415; 6421; 6429 Newport Road
Warners, NY 13164 **005.-03-08.1**
005.-03-09.0

Special Use Permit – Converting former church property into a pipe organ building/repair shop/studio.

Mr. Feyl moved to declare the application an Unlisted Action and set the Public Hearing for the September 21, 2010. Mr. de la Rosa seconded the motion and it was unanimously approved.

4. **Thomas S. Kehoskie** **TM#: 041.-01-55.0**
99 Yorkshire Blvd.
Syracuse, NY 13219

Area Variance – Set back from front property line is requested to be reduced to 1' from the required 15'.

Chairperson Flood moved to declare the application a SEQR Type II and set the Public Hearing for the September 21, 2010. Mr. Feyl seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. Feyl moved to approve the minutes of the July 20, 2010 meeting. Mr. Casey seconded the motion and it was unanimously approved.

VOUCHERS

None

CORRESPONDENCE

None

COMMENTS OF THE BOARD

Mr. Feyl reminded the Board of Annual Farmers Picnic that will be held on October 9th located at Gillie Lake, Pavillion #1.

DECISIONS

None

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:55 p.m. Mr. Feyl seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
October 5, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Jerry Casey
Richard de la Rosa
Michael LaFlair
Ron Belle

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Dave Callahan, 6th Ward Councilor
Bill Davern, 3rd Ward Councilor

Chairman Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notices; Mr. Feyl seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

1. **Frederick McManus**
166 North Way
Camillus, NY 13031

TM#: 033.-09-13.0

Area Variance: Reduce front yard setback to accommodate addition

Mr. McManus appeared before the Board to address his application. He explained that he would like to put a 16' x 18' addition onto the southeast corner of his home, behind the garage. Because the home is on a corner lot with the eastern side of the property fronting Lynn Road, which curves in a southwesterly direction, the southeast corner of the addition will encroach into the required front yard setback by approximately 18". As such, he is seeking a variance to the front yard setback to allow the structure.

Mr. Belle inquired whether the existing shed would move and whether the existing play set would remain. Mr. McManus stated that the shed is a freestanding plastic model, which would be removed for the time being and possibly be placed elsewhere at a later time. He noted that while the play set would remain, it was likely the slide would have to be removed to accommodate the addition.

Mr. Pirro inquired whether there would be any changes to the roofline or entrance. Mr. McManus stated the addition roof would be approximately 6' above the existing roofline and the entrance would remain the same.

Public Comment

Councilor Callahan stated he notified the surrounding neighbors and received no responses. He spoke to the neighbor behind Mr. McManus, who indicated no objection to the addition or variance.

Mr. LaFlair moved to close the Public Hearing. Mr. Casey seconded the motion and it was unanimously approved.

2. **John Paoli**
216 Mackay Avenue
Syracuse, NY 13219

TM#: 045.-03-38.0

Area Variance: Reduce front yard setback to accommodate porch & steps

Mr. Paoli appeared before the Board to address his application. He explained his desire to replace the existing steps, which are unsafe, with wooden stairs and a landing, which would encroach into the required front yard setback.

Chairperson Flood inquired what the dimensions of the steps and porch were and when the porch was built. Mr. Paoli explained porch was built in 2000, is 6' deep, and the new steps and landing would be 6' long and extend 4' out from the enclosed porch adjacent to the northwestern corner of the porch. He noted that the structure would not be as close to the street as other structures on Mackay Avenue are.

Mr. de la Rosa inquired why the entrance and landing weren't placed on the side facing the garage. Mr. Paoli explained that wasn't considered when the porch was enclosed years ago.

Mr. Pirro inquired whether the landing & steps would both be made of wood and whether they would have a railing. The applicant confirmed that they would.

Mr. Casey inquired whether the steps could be placed on the northerly side of the porch, facing the driveway. The applicant explained that doing so would mean the steps would encroach into the driveway.

Mr. Feyl inquired whether the applicant knew a permit was required when the porch was enclosed. Mr. Paoli stated the contractor he hired to do the work had taken responsibility for all required permits and he found out later that wasn't done.

Mr. Feyl also inquired why the steps and landing couldn't be on the northerly side of the porch. Mr. Paoli stated the steps would encroach into the driveway and a new doorway would have to be installed on that side.

Mr. Carr verified with the applicant that the porch extends out 6' from the house and the desired landing and steps are intended to extend another 4' beyond that. He also inquired what the setback on the adjacent houses is, as the Board is required to use the mean of those figures in determining the setback; Mr. Paoli was uncertain, but believed one to be the same as his and the other to be approximately 26'.

Chairperson Flood asked whether the applicant intended any further changes to the porch and landing if they were completed. The applicant indicated they did not.

Mr. Feyl expressed concern that allowing this variance would create a precedent for undesired front yard expansion throughout the neighborhood. Chairperson Flood referenced past variances granted

Public Comment

Councilor Davern stated that there are many homes in the neighborhood that have porches extended much further into the front yards; some as close as 15 – 18'. He indicated his belief that the Paoli's project would not negatively impact the aesthetics of the neighborhood and would greatly benefit the applicants.

Mr. Pirro moved to close the Public Hearing. Mr. Belle seconded the motion and it was unanimously approved.

**3. John Szczech
100-102 Myron Avenue
Syracuse, NY 13219**

TM#: 047.-01-01.0

Interpretation: calculation of volume per CH30-Zoning, §1303

Chairperson Flood recused herself from this discussion as she is employed by the owner of the property.

Mr. Szczech appeared before the Board to address this application. He explained that the intent is to remove the existing greenhouse structure on the property and erect a wooden structure on the same footprint, which will have thirteen windows and a door. The new space would serve as a combination of warehouse and retail space.

Vice-Chairperson Feyl explained that the Board was asked to make a determination as to the volume of the new structure. This was discussed extensively with other Town officials and staff at a committee meeting and the determination was made that only “usable volume” should be considered. He stated in his opinion that, given that criteria, the area above the top of the walls that house the roof and trusses for the structure would not be usable space and therefore cannot be considered in the calculation. As such, the volume change between the existing structure and the proposed structure is negligible.

Mr. de la Rosa noted the proposed structure is not dramatically different in dimension that the existing structure, with no notable increase in size or volume.

Mr. Pirro agreed with Mr. de la Rosa and inquired how much higher the roof peak on the proposed structure would be than the existing. Mr. Szczech stated it would be 2’ higher.

Mr. Carr clarified that the Board’s interpretation of volume would be to consider only “usable interior space”.

Mr. de la Rosa moved to close the Public Hearing. Mr. Casey seconded the motion and it was unanimously approved.

**4. Diane Scaravillo
55 Richlee Drive
Camillus, NY 13031**

TM: 033.-04-09.0

Special Use Permit: Home hair salon business

Ms. Scaravillo appeared before the Board to address her application. Chairperson Flood explained that, as part of the Special Use Permit application process, Ms. Scaravillo must also appear before the Planning Board to have her plan reviewed. As she has not yet done that, the Public Hearing would have to be continued until the October 19, 2010 meeting of the Board.

Mr. Carr inquired whether Ms. Scaravillo owns the property, lives at the property, and currently has a hair salon business. Ms. Scaravillo stated her mother owns the property, that she does live there, and that she currently rents space on Milton Avenue for her business.

Public Comment

Councilor Callahan stated that he contacted the surrounding neighbors, received no negative responses, and the neighbor directly across the street stated he was very much in favor of Ms. Scaravillo being granted the permit. Mr. Pirro moved to continue the Public Hearing until October 19, 2010. Mr. de la Rosa seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

- 1. Todd Oudemool** **TM#: 006.1-03-27.0**
111 Viewpoint Lane
Camillus, NY 13031

Area Variance: Accessory building forward of principal structure

Mr. de la Rosa moved to declare this a SEQR II action and set a Public Hearing for October 19, 2010. Mr. Feyl seconded the motion and it was unanimously approved.

- 2. Ray Ross** **TM#: 008.-01-03.0**
3214 Ruby Road
Warners, NY 13164

Area Variance: Reduce front yard setback to accommodate deck expansion

Chairperson Flood read into the record a letter from the Camillus Planning Board Attorney, outlining their opinions upon review of the project.

Mr. de la Rosa moved to declare this a SEQR II action and to set a Public Hearing for October 19, 2010. Mr. Casey seconded the motion and it was unanimously approved.

- 3. CDS Group, Inc.** **TM#: 007.-01-03.3**
6573 Pottery Road
Warners, NY 13164

Special Use Permit: Mining in an Industrial District

Mr. Feyl moved to declare this an unlisted action under SEQR and to set a Public Hearing for November 4, 2010. Mr. La Flair seconded the motion and it was unanimously approved.

4. Steve Napierski
177 Goldenrod Lane
Warners, NY 13164

TM#: 010.7-07-06.0

Area Variance: Reduce front yard setback to accommodate accessory building

Mr. Feyl moved to declare this a SEQR II action and to set a Public Hearing for October 19, 2010. Mr. Casey seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. Feyl moved to approve the minutes of the September 21, 2010 meeting. Mr. Belle seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received for the The Post Standard for legal advertising totaling \$64.26.

Mr. Casey moved to approve payment of the voucher. Mr. Pirro seconded the motion and it was unanimously approved.

CORRESPONDENCE

None

COMMENTS OF THE BOARD

None

DECISIONS

1. Frederick McManus
166 North Way
Camillus, NY 13031

TM#: 033.-09-13.0

Area Variance: Reduce front yard setback to accommodate addition

Mr. Feyl moved to grant a variance to reduce the front yard setback by 2' to allow for the construction of a 16' x 18' home addition behind the existing garage. Mr. Pirro seconded the motion and it was unanimously approved.

2. John Paoli
216 Mackay Avenue
Syracuse, NY 13219

TM#: 045.-03-38.0

Area Variance: Reduce front yard setback to accommodate porch & steps

Mr. Feyl moved to grant a variance to reduce the front yard setback to 20' to allow for the existing enclosed porch. Mr. Casey seconded the motion and it was unanimously approved.

3. **John Szczech**
100-102 Myron Avenue
Syracuse, NY 13219

TM#: 047.-01-01.0

Interpretation: calculation of volume per CH30-Zoning, §1303

Mr. de la Rosa moved that the Board's interpretation of "volume" is that it refers to only usable interior space. In applying that interpretation to this particular application, the Board determined that there is no change to the footprint and the volume will not dramatically increase, therefore no variance is required. Mr. Casey seconded the motion and the vote was as follows:

Ayes: Mr. Belle, Mr. Casey, Mr. de la Rosa, Mr. Feyl, Mr. La Flair, Mr. Pirro
Nos: None
Abstain: Chairperson Flood

ADJOURNMENT

Mr. Feyl moved to adjourn the meeting at 8:25 p.m. Mr. La Flair seconded the motion and it was unanimously approved.

Respectfully submitted,

Martha Dickson-McMahon
Interim Clerk

Town of Camillus
Zoning Board of Appeals
October 19, 2010 - 7:00 p.m.

PRESENT:

Joy Flood, Chairperson
Jerry Casey
Richard de la Rosa
Michael LaFlair
Ron Belle
Bob Feyl, Vice Chairperson
Steve Pirro

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

12 Others

Chairman Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notices; Mr. Feyl seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

1. Diane Scaravillo
55 Richlee Drive
Camillus, NY 13031

TM#: 033.-04-09.0

Special Use Permit – Owner wishes to open a one-chair hair salon.

Chairperson Flood read a letter into record received by the Camillus Planning Board dated October 14, 2010.

Chairperson Flood noted that Mr. Callahan informed her he could not be here this evening, however, did speak to the surrounding neighbors as well as the neighbor directly across the street from Ms. Scaravillo, and received no negative responses of this request.

Ms. Scaravillo appeared before the Board to address her application. Stating her salon will be a one-chair salon by appointment only with parking provided in the residence driveway with entrance through the garage. Appointments will be scheduled enough apart so there will be only one car parked in the driveway at a time. Ms. Scaravillo stated that she has no plans or intention to place a sign on the residence and believes she will not have an impact on the surrounding neighborhood. Mr. Feyl noted that a 2 x 2 sign is allowed should one be considered.

The Board, Ms. Scaravillo, and Mr. Carr had a detailed conversation regarding ownership, location of the salon and proposed use. Ms. Scaravillo stated her mother owns the property; however, she does live there and currently rents space on Milton Avenue for her salon business.

The Board questioned hours of operation, frequency of deliveries, signage and salon entrance. Ms. Scaravillo stated that typical hours of operation is from 9 am to 3 pm, however, hours of operation during winter months will be 9 am to 7 pm with ours of operation during the summer months from 9 am to 9 pm. Stating she will not have deliveries as she picks up any products or supplies that may be required.

Mr. Feyl moved to close the Public hearing. Mr. Casey seconded the motion and it was unanimously approved.

2. Todd Oudemool
111 Viewpoint Lane
Camillus, NY 13031

TM#: 006.1-03-27.0

Area Variance: Accessory building forward of principal structure

Mr. Oudemool appeared before the Board to address his application. Explaining that he would like to build a 30 x 30 accessory structure forward of the principal structure due to the elevation and drainage concerns as there is a significant incline about 10 feet back and would require moving a significant amount of land if complying with code.

Mr. Oudemool provided pictures showing the elevation of the backyard. Stated he did speak to developer Mr. Szczech regarding this request and Mr. Szczech had no issues or concerns as long as the accessory building was sided and roofed to match the house. Mr. Oudemool stated that his home sits on a 1.5-acre lot with a significant space between his side neighbors.

Mr. Oudemool noted that additionally, an agreement with Mr. Szczech on purchasing the land adjacent to his current residence and approached the Board providing a map showing what land will be acquired from Mr. Szczech in the near future.

Chairperson Flood questioned use of the accessory building. Mr. Oudemool stated it would be used for auxiliary use, as a workshop, typical storage use as a garage would normally be used for.

Mr. Feyl stated that in his opinion he feels if the Board was to grant this variance it would take away from the look of the existing development. Stating in his opinion he does not see any hardship and noted that future purchases of property have no bearing on this application. Stating the applicant does not have a hardship, feels the elevations are minimal, and sees no reason why the garage could not be built on the back corner of the house.

Mr. Belle questioned if the home was currently occupied questioned the access road on the side of his house and future use of property planning to purchase from John Szczech.

Mr. LaFlair questioned if a signed purchase offer/contract was completed. Mr. Oudemool stated that a verbal understand was made between Mr. Szczech. Stated that Mr. Szczech has the right to exercise the option to purchase the land, therefore, has "an option on an option." Mr. Szczech has informed him that the option to purchase the land will most likely be exercised before the end of the year.

Mr. Casey questioned placement of the proposed structure and which direction the entrance would face.

Mr. Pirro questioned the lighting, roofline, and height of the building.

Mr. de la Rosa questioned the set back requirements with relation to the height of the building as well as why the applicant did not make the building attached to the house.

Chairperson Flood stated that exact dimensions are required before a decision can be made and questioned if this was discussed with any of the neighbors. Mr. Oudemool stated that he did not discuss this request with his neighbors but will gladly do so.

After a detailed discussion regarding elevation, Mr. Laflair motioned to continue the Public Hearing to November 16, 2010. Mr. Feyl seconded the motioned and it was unanimously approved.

**3. Ray Ross
3214 Ruby Road
Warners, NY 13164**

TM#: 008.-01-03.0

Area Variance: Reduce front yard setback to accommodate deck expansion

Chairperson Flood read a letter into record received from the Camillus Planning Board.

Mr. Ross appeared before the Board to address his application. The purpose of the application is to enlarge the existing deck to avoid the water and ice from gutters dripping on to the deck, which then necessitates repairs to the deck on a yearly basis. Stating application

was before the Planning Board due to the residence being in an industrial zone referring to sections 1101 and 1205 of the Municipal Code.

Chairperson Flood questioned ownership of the lot and surrounding lots.

Mr. Belle questioned the size of the deck. Mr. Ross stated that the deck is 10' x 20' of which has already been completed.

Mr. de la Rosa motioned to close the Public Hearing. Mr. Casey seconded the motion and it was unanimously approved.

**4. Steve Napierski
177 Goldenrod Lane
Warners, NY 13164**

TM#: 010.7-07-06.0

Area Variance: Reduce front yard setback to accommodate accessory building

Mr. Napierski appeared before the Board to address his application. He explained that he would like to place a 10' x 12' shed on the corner of his home along Morning Glory Way. Because the home is on a corner lot feels this is the best placement for the shed. Has plans on constructing the building himself and will place a 4" crusher run pad with a pressure treated 4' x 4' base with a pressure treated floor of which the building will rest on. Mr. Napierski stated the building will have windows and be sided to match the house.

Mr. Pirro questioned the distance from the house. Mr. Belle questioned the distance of the building to the fence and Mr. Feyl questioned the property lines. Mr. Napierski provided drawings to the Board showing property lines and measurements.

Mr. Casey motioned to close the Public Hearing. Mr. Pirro seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

**1. Peter J. Rinaldi
6321 Newport Road
Warners, NY 13164**

TM#: 005.-03-23.0

Area Variance: Number of car spaces is short by two. Applicant does not want to pave and stripe per Sec. 907.

Mr. Pirro moved to set the Public Hearing for Thursday, November 4, 2010. Mr. LaFlair seconded the motion and it was unanimously approved.

**2. Aeksey Grigorchuk
3528 Camillus Ave.
Warners, NY 13164**

TM#: 009.-05-17.1

Area Variance: Owner wants to reduce the front yard setback from 35' to 15'.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for Thursday, November 4, 2010. Mr. Feyl seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. Belle requested that the following statement be added to page three:

“This was discussed extensively with other Town officials and staff at a committee meeting and the determination was made that only “inside usable volume” should be considered.”

Mr. Feyl moved to approve the amended minutes of the October 5, 2010 meeting. Mr. Belle seconded the motion and it was unanimously approved.

VOUCHERS

Two vouchers were received for The Post Standard for legal advertising totaling \$129.29 and \$80.33.

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$2,125.00.

Mr. Feyl moved to approve payment of the voucher. Mr. Belle seconded the motion and it was unanimously approved.

CORRESPONDENCE

None

COMMENTS OF THE BOARD

None

DECISIONS

**1. Diane Scaravillo
55 Richlee Drive
Camillus, NY 13031**

TM#: 033.-04-09.0

Special Use Permit – Owner wishes to open a one-chair hair salon.

Mr. Pirro moved to grant a Special Use Permit to conduct a one-chair salon as a home occupation. Mr. Casey seconded the motion and it was unanimously approved.

**2. Ray Ross
3214 Ruby Road
Warners, NY 13164**

TM#: 008.-01-03.0

Area Variance: Reduce front yard setback to accommodate deck expansion

Mr. de la Rosa moved to grant a 56' front yard variance to construct a 10' x 19' deck onto the front of the home, reducing the front yard setback to 19'. Mr. Feyl seconded the motion and it was unanimously approved.

**5. Steve Napierski
177 Goldenrod Lane
Warners, NY 13164**

TM#: 010.7-07-06.0

Area Variance: Reduce front yard setback to accommodate accessory building

Mr. Feyl moved to grant a variance to place a storage shed in the front yard on Morning Glory Way of this corner lot at a distance no less than 20' off the property line on Morning Glory Way. Mr. LaFlair seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:30 p.m. Mr. Feyl seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
November 4, 2010 - 7:00 p.m.**

PRESENT:

Bob Feyl, Vice Chairman
Jerry Casey
Richard de la Rosa
Michael LaFlair
Ron Belle

STAFF PRESENT:

Susan Otto

GUESTS & MEMBERS OF THE PUBLIC:

7 Others

ABSENT:

Joy Flood, Chairperson
Steve Pirro

Vice Chairman Feyl called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notices; Mr. LaFlair seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

- 1. CDS Group, Inc.
6573 Pottery Road
Warners, NY 13164**

TM#: 007.-01-03.3

Special Use Permit – Mining in an industrial district.

Mr. Nick DeSantis of the CDS Group appeared before the Board to address his application. Stating that they have appeared before the Camillus Town Board, Planning Board, and spoke directly to the Town Supervisor to understand the processes required.

Mr. DeSantis stated they are requesting a Special Use Permit that will allow them to mine the said property located at 6573 Pottery Road. Explaining that this location was the former Syracuse Pottery site that had previously been mined under DEC permit and has since been fully reclaimed in 2003.

Stating that CDS is proposing to mine 40,000 cubic yards of clay, of which would include both mining sites combined with the effected area being 12.9 acres. Informing the Board that CDS will not be affecting the DEC wetland, however, will be affecting the buffer. Mr. DeSantis explained there would be two mining areas, mining area (1) on the northern border, and mining area (2) on the southerly border of which are located on a 62-acre industrial zoned parcel.

Vice Chairman Feyl stated that when it comes to an industrial zone with relation to a mining permit, the ZBA has very little to say about or the effect it would have on the wetlands and buffer as it falls under the DEC jurisdiction. Vice Chairman Feyl explained that the Board should focus on any adverse effects this request may have on the community or any future developments and to take into consideration what the Town Board and Planning Board have stated.

Mr. Nick DeSantis stated there would be two mining access areas. Mining area (1) will be located on the north end, which intersects with Pottery Road. Stating they are proposing an access road that will be 200' from the northern property line of Pottery Road southward. Mr. DeSantis assured the Board that with the development coming in across the street this will be 60' offset from the centerline of the access road to the centerline of Turkey Run. Mr. DeSantis pointed out to the Board that this proposal is pending DEC approval of this location.

Access to mining area (2) will be located on the southerly boarder by means of the present owner Matrix Solutions and will be accessed by use of their gate. Mr. Desantis explained that CDS currently has an agreement in place with Martix for the construction of an access road and for use/access to their gate.

Mr. DeSantis stated that both access roads will be constructed of a 12' thick layer of run a crush and gravel and would be maintained for the active life of the mine. Stone, wood chips, and other measures will be employed to minimize the tracking of soil from the mine into Pottery Road.

Mr. de la Rosa expressed concern with trucking traffic and noise control. Mr. DeSantis stated that trucks will utilize Herman Road as well as Warners Road and does not anticipate any issues with noise control as these roads are currently running trucks, as it is already a major trucking route.

Normal hours of operation are 7 AM to 7 PM Monday – Saturday, with no operations on Sundays or holidays as set by the DEC and as stipulated in the mining permit. Mr. DeSantis stating that they do not anticipate mining during the winter months.

After a detailed discussion among the Board, Mr. DeSantis, and Ms. Otto regarding proposed application, Mr. de la Rosa moved to close the Public Hearing. Mr. Casey seconded the motion and it was unanimously approved.

**2. Peter J. Rinaldi
6321 Newport Road
Warners, NY 13164**

TM#: 005.-03-23.0

Area Variance: Number of car spaces is short by two. Applicant does not want to pave and stripe per Sec. 907.

Vice Chairman Feyl read a letter submitted from the Camillus Planning Board dated November 4, 2010.

Mr. Greg Rinaldi appeared before the Board to address his application. He explained that he would like to reduce the number of required parking spaces from 35 to 30 due to the existing/active leach fields. Mr. Rinaldi stated that the Camillus Code Enforcement office might have misunderstood as he does intend to groove and brick the parking lot with use of reflector rods.

Referring to the map provided, Vice Chairman Feyl stated that only a very small area would be affected by the leach fields and based upon the parking lot design the lot must be striped and paved, as it is a requirement of code.

Mr. Feyl explained that to some degree exceptions could be made to allow for evaporation of the leach fields. Noting that there are several paving materials that could be used over the leach fields, (i.e.) crushed stone, millings and permeable paving.

After a detailed discussion among the Board, Mr. Greg Rinaldi, Mr. Phil Rinaldi, and Ms. Otto regarding paving and striping, it was understood that a total of 9 parking spaces immediately west of the property would have alternate paving material due to the evaporation of the active leach fields.

Mr. LaFlair questioned garbage removal. Mr. Greg Rinaldi explained that waste removal would be done on a daily basis and will be brought directly to Superior Waste Removal.

Vice Chairman Feyl questioned ingress and egress. Mr. Greg Rinaldi stated that 6" curbing will be used at each entrance and exit as well as 'one way' signage.

Mr. Belle questioned the proposed parking lot lighting. Mr. Greg Rinaldi provided an explanation of lighting to be used.

Mr. Casey moved to close the Public hearing. Mr. de la Rosa seconded the motion and it was unanimously approved.

**3. Aeksey Grigorchuk
3528 Camillus Ave.
Warners, NY 13164**

TM#: 009.-05-17.1

Area Variance: Owner wants to reduce the front yard setback from 35' to 15'.

Aeksey Grigorchuk appeared before the Board to address his application. He explained that he would like to build a home at the said 1.477 acres location and in doing so would like to reduce the front yard setback from 35' to 15' due to topography and elevation of the land.

Vice Chairman Feyl stated that this lot would be classified as a flag lot and questioned if the surrounding neighbors have been informed of this request. Mr. Grigorchuk stated that he did speak to Mr. Friske and that Mr. Friske had no issues.

After a detailed discussion regarding property lines, distance between lots and placement of the proposed home, Mr. de la Rosa moved to close the Public Hearing. Mr. LaFlair seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

None

MINUTES OF THE PREVIOUS MEETING

Vice Chairman Feyl requested that a change be made at the bottom of page two and would read as follows:

"Stating the applicant does not have a hardship, feels the elevations are minimal, and sees no reason why the garage could not be built on the back corner of the house."

Mr. Casey moved to approve the amended minutes of the October 19, 2010 meeting. Mr. Belle seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received for The Post Standard for legal advertising totaling \$81.09.

Mr. de la Rosa moved to approve payment of the voucher. Mr. LaFlair seconded the motion and it was unanimously approved.

CORRESPONDENCE

None

COMMENTS OF THE BOARD

None

DECISIONS

- 1. CDS Group, Inc.
6573 Pottery Road
Warners, NY 13164**

TM#: 007.-01-03.3

Special Use Permit – Mining in an industrial district.

Mr. de la Rosa moved to grant a Special Use Permit pursuant to Section 1303(K) of the Code of the Town of Camillus to permit the extractive mining of clay on the subject property. Mr. Casey seconded the motion and it was unanimously approved.

- 2. Peter J. Rinaldi
6321 Newport Road
Warners, NY 13164**

TM#: 005.-03-23.0

Area Variance: Number of car spaces is short by two. Applicant does not want to pave and stripe per Sec. 907.

Mr. LaFlair moved to grant an Area Variance of the above referenced application for a five (5) space onsite parking variance permitting thirty (30) onsite parking spaces on the subject property and permitting the nine (9) spaces located in the foremost northwest corner of the subject property and located to the northwest of the 413 contour line as shown on the proposed plot plan of the subject property prepared by Paul Olszewski, P.L.S. and dated August 8, 2010 to be paved with asphalt millings and delineated by striping and requiring the remaining twenty-one (21) other required parking spaces on the site to be paved with asphalt and properly delineated by striping. Mr. de la Rosa seconded the motion and it was unanimously approved.

- 3. Aeksey Grigorchuk
3528 Camillus Ave.
Warners, NY 13164**

TM#: 009.-05-17.1

Area Variance: Owner wants to reduce the front yard setback from 35' to 15'.

Mr. LaFlair moved to grant a Special Use Permit of the above referenced application for a 20-foot front yard variance from the 35-foot front setback requirement to construct a single-family residential dwelling on the subject flag lot property. Mr. Belle seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:27 p.m. Mr. Casey seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

**Town of Camillus
Zoning Board of Appeals
November 16, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Jerry Casey
Richard de la Rosa
Ron Belle
Bob Feyl, Vice Chairperson
Steve Pirro

ABSENT:

Michael LaFlair

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

None

Chairman Flood called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

PUBLIC HEARINGS:

**5. Todd Oudemool
111 Viewpoint Lane
Camillus, NY 13031**

TM#: 006.1-03-27.0

Area Variance: Accessory building forward of principal structure

Chairperson Flood stated that the applicant has requested to continue the Public Hearing and read an e-mail received from Todd Oudemool.

After a brief discussion among the Board, Mr. Feyl moved to continue the Public Hearing to March 15, 2011. Mr. Pirro seconded the motion and it was unanimously approved.

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

2. Tuscarora Golf Club
2901 Howlett Hill Road
Camillus, NY 13031

TM#: 025.-03-24.0

Special Use Permit: To add an outdoor restroom facility at the golf course

Mr. Casey moved to declare the application an Unlisted Action and set the Public Hearing for the December 7, 2010. Mr. Pirro seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. Feyl moved to approve the minutes of the November 4, 2010 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

VOUCHERS

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$750.00.

Mr. de la Rosa moved to approve payment of the voucher. Mr. Feyl seconded the motion and it was unanimously approved.

CORRESPONDENCE

None

COMMENTS OF THE BOARD

Chairperson Flood announced Mr. Carr's retirement and thanked him for his hard work and dedication served to the Town of Camillus for 25+ years, specifically the Zoning Board of Appeals and wished him well.

ORGANIZATIONAL

Chairperson Flood stated that in 2011, the ZBA meetings would be held at 7:00 p.m. on the first and third Tuesdays of each month as listed below.

January 4th and 18th, 2011
February 1st and 15th, 2011
March 1st and 15th, 2011
April 5th and 19th, 2011
May 3rd and 17th, 2011
June 7th and 21st, 2011
July 5th and 19th, 2011
August 2nd and 16th, 2011
September 6th and 20th, 2011
October 4th and 18th, 2011
November 1st and 15th, 2011
December 6th and 20th, 2011

Mr. Feyl moved to recommend Ms. Susan Otto of Melvin & Melvin as ZBA Attorney, as highly recommended by our ZBA attorney Ron Carr. Ms. Otto has represented the Zoning Board of Appeals on numerous occasions. Mr. Belle seconded the motion and it was unanimously approved.

Mr. Feyl moved to recommend Krista Kenna as ZBA Clerk for 2011. Mr. Belle seconded the motion and it was unanimously approved.

Mr. Feyl moved to recommend Mr. de la Rosa as Vice Chairperson for 2011. Mr. Belle seconded the motion and it was unanimously approved.

Mr. de la Rosa moved to recommend Mr. Feyl as Chairperson for 2011. Mr. Belle seconded the motion and it was unanimously approved.

Mr. Pirro moved to recommend Ms. Flood to serve another five-year term. Mr. Casey seconded the motion and it was unanimously approved.

Mr. Casey made a motion to recommend Mr. Feyl to serve another five-year term. Mr. Pirro seconded the motion and it was unanimously approved.

Chairperson Flood requested that the recommendations as well as the 2011 ZBA schedule of meetings be provided to the Town Board for their meeting.

DECISIONS

None

ADJOURNMENT

Mr. Feyl moved to adjourn the meeting at 8:25 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeal

**Town of Camillus
Zoning Board of Appeals
December 7, 2010 - 7:00 p.m.**

PRESENT:

Joy Flood, Chairperson
Jerry Casey
Richard de la Rosa
Ron Belle
Bob Feyl, Vice Chairperson
Steve Pirro
Michael LaFlair

STAFF PRESENT:

Ronald Carr, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

One other

ABSENT:

None

Chairman Flood called the meeting to order at 7:10 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notices; Mr. Feyl seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

**3. Tuscarora Golf Club
2901 Howlett Hill Road
Camillus, NY 13031**

TM#: 025.-03-24.0

Special Use Permit: To add an outdoor restroom facility at the golf course

Chairperson Flood read a letter into record received by the Camillus Planning Board dated December 7, 2010.

Bob Caryl member of Tuscarora Golf Club Board of Directors presented the application for a modification of a Special Use Permit. Mr. Caryl stated that the Camillus Code Enforcement Officer had advised the Golf Course Organization that the building was "a non-approved structure" and needed to obtain the necessary approvals and permits.

Mr. Caryl stated that the building measures 20' x 20', has been in existence for approximately twelve years, and consists of a men's room, lady's room, as well as a storage room with intent to sell beverages outside the building for special events.

Chairperson Flood read an e-mail submitted by Mr. Phillipone, as he was not able to attend. The e-mail expressed Mr. Phillipone's support of the application and stated that he visited the site and spoke to surrounding neighbors, none of which was opposed to the application. After a brief discussion among the Board, Mr. Casey moved to close the Public Hearing. Mr. Feyl seconded the motion and it was unanimously approved

COMMENTS OF THE PUBLIC

None

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

None

MINUTES OF THE PREVIOUS MEETING

Mr. Feyl moved to approve the minutes of the November 16, 2010 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

VOUCHERS

None

CORRESPONDENCE

None

COMMENTS OF THE BOARD

None

DECISIONS

1. Tuscarora Golf Club
2901 Howlett Hill Road
Camillus, NY 13031

TM#: 025.-03-24.0

Special Use Permit: To add an outdoor restroom facility at the golf course

Mr. Casey moved to declare the application an unlisted action under SEQR and grant the modification of the previously issued Special Use Permit of the Tuscarora Golf Club, Inc. to construct a restroom outbuilding on the golf course grounds. Mr. Feyl seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:25 p.m. Mr. Feyl seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk
Zoning Board of Appeals

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