

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
January 7, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Jerry Casey
Steve Pirro

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

2 others

Absent:

Joy Flood

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. Pirro seconded the motion and it was unanimously approved.

PUBLIC HEARING:

1. **Kandon LLC
McDonalds
East of 5308 West Genesee Street
Camillus, New York 13031**

TM#: 035.-05-25.1

Area Variance: To allow a 5.75 sq ft directional sign, bearing the McDonald's golden arches logo; signage of 46.84 sq ft on the front of the McDonald's building to be constructed at the property; and a 14 sq ft sign on the side of the building, consisting of the McDonald's golden arches logo.

Chairman Feyl stated he received a letter from Rocklyn Companies, Inc. supporting this application and have also received positive feed back from the Camillus Planning Board.

Chairman Feyl asked the applicants refer to the hearing guide while addressing the Board and answering questions.

Mr. Chris Boyea, of Bohler Engineering and Mr. Michael Barben of McDonalds, presented the application. Purpose of which is to install 5.75 square foot directional signs, bearing the McDonald's golden arches logo, and signage of 46.84 square feet on the front of the building notwithstanding that it is approximately forty feet long; together with a 14 square foot sign on the side of the building, consisting of the golden arches logo.

Mr. Boyea explained that the proposed 3,900 sq ft state of the art McDonald's building will be located on the vacant land between the existing Dunkin Donuts and existing Radio Shack. Further explaining this is an extremely large investment for McDonald's and signage is extremely important.

Mr. Boyea provided a site plan and drawings for the Boards review.

Mr. Boyea stated they have been going through this process for several weeks and while going through the Camillus Planning Board, were asked to limit the number of required signage before even approaching the Camillus Zoning Board.

Mr. Boyea explained that a 'standard' McDonalds building has several more signs than what they are proposing and as suggested by the Camillus Planning Board have decided to cut 50% of the signage from their proposal. Mr. Boyea explained that quality is more important than quantity.

The proposed building will be 40 ft wide and will face West Genesee Street. Mr. Boyea stated that vehicles will have full access from West Genesee Street, however, explained vehicles can also enter from the Dunkin Donut property as well as the existing Radio Shack side slip lane.

Mr. Art Kanerviko, landlord for the property, appeared in support of the applicant and advised the Board that Onondaga County DOT has approved the curb cuts from West Genesee Street.

Mr. Boyea further explained the need for directional signage. Mr. Boyea stated they are seeking a variance of 2.75 square feet, per sign, in doing so will allow them to install four directional signs of 5.75 square feet variance in size as well as being allowed to display the McDonald's golden arches logo on each of the directional signs.

Mr. Boyea stated they are also looking for the Board to allow the NextGen 24" x 16'5" Wordmark "McDonald's" sign and a 14 square foot McDonald's golden arches logo on the front side of the building, as well as a 14 square foot McDonald's golden arches logo wall sign on the east side of the building.

Mr. Casey and Mr. de la Rosa questioned the directional signage and where it would be located. Mr. Boyea explained the proposed placement of the directional signs.

Chairman Feyl questioned if the directional signs would be 2-sided. Mr. Boyea confirmed all of the directional signs to be 2-sided signs.

Chairman Feyl and the Board reviewed the proposed signage and questioned if all of the directional signs would have the McDonalds golden arches logo on them. Mr. Boyea stated that they would like all of the directional signs to have the golden arches logo.

Mr. Casey expressed that in his opinion the McDonalds golden arches logo was not a necessity to have on the directional signs and feels it to be redundant.

Chairman Feyl stated that he finds the McDonalds golden arches logo to be important as individuals connect with the logo and is identifiable.

Comments of the Public

Mr. Art Kanerviko, of Kandon, LLC expressed his support of the proposed application and asked for the Boards consideration to approval of this application.

After a detail conversation among the Board, the applicants and Ms. Otto Mr. de la Rosa moved to close the Public Hearing. Mr. Casey seconded the motion and it was unanimously approved.

Comments of Town Officials

None

Comments of the Board

None

New Business

- 1. Darren Williams** **TM#: 020.-04-08.1**
William & Frank Szczech c/o Pine Grove Country Club
4176 Milton Ave.
Camillus, New York 13031

Special Use Permit: to operate a small engine repair business from the garage.

Mr. Pirro moved to declare the application an Unlisted action and set the Public Hearing for February 4, 2014. Mr. Casey seconded the motion and it was unanimously approved.

- 2. Gemini Estates Assoc., L.P.** **TM#: 015.-04-06.2**
458 Horan Road
Syracuse, New York 13209

Area Variance: to allow 8' x4' free standing sign set back 4' from the front yard property line.

Mr. Casey moved to declare the application a SEQR Type II and set the Public Hearing for February 4, 2014. Mr. Pirro seconded the motion and it was unanimously approved.

Vouchers

Two vouchers were received from The Post Standard for legal advertising each totaling \$43.63 and \$55.13.

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

Correspondence

Chairman Feyl reminded the Board members of the upcoming Annual Planning Symposium on March 13 at the Convention Center at Oncenter.

DECISIONS

1. Kandon LLC

TM#: 035.-05-25.1

McDonalds

East of 5308 West Genesee Street

Camillus, New York 13031

Area Variance: To allow a 5.75 sq ft directional sign, bearing the McDonald's golden arches logo; signage of 46.84 sq ft on the front of the McDonald's building to be constructed at the property; and a 14 sq ft sign on the side of the building, consisting of the McDonald's golden arches logo.

Chairman Feyl and the Board completed the Impact Assessment form.

Mr. Casey motioned to approve a 7 square foot variance from the requirements of Section 809(A) of the Code of the Town of Camillus to allow the NextGen 24" by 16'5" Wordmark "McDonald's" sign and the 14 square foot McDonald's golden arches logo on the front or south side of the building to be erected at West Genesee Street, Syracuse, New York 13219, which real property bears tax map number 035.-05-25.

The foregoing resolution was duly put to vote, which resulted as follows:

Josephine Flood	Absent	
Jerry Casey	Voting	YES
Robert Feyl	Voting	YES
Steve Pirro	Voting	YES
Richard de la Rosa	Voting	YES

Motion approved.

Mr. Casey motioned to approve a 14 square foot McDonald's golden arches logo wall sign on the east side of the building, at the property to be developed at West Genesee Street, Syracuse, New York 13219, which real property bears tax map number 035.-05-25.

The foregoing resolution was duly put to vote, which resulted as follows:

Josephine Flood	Absent	
Jerry Casey	Voting	YES
Robert Feyl	Voting	YES
Steve Pirro	Voting	YES
Richard de la Rosa	Voting	YES

Motion approved.

Mr. Casey motioned to approve 2.75 square feet, per sign, to allow the applicant to install four directional signs of 5.75 square feet at the real property located at West Genesee Street, Syracuse, New York 13219, which real property bears tax map number 035.-05-25.

The foregoing resolution was duly put to vote, which resulted as follows:

Josephine Flood	Absent	
Jerry Casey	Voting	YES
Robert Feyl	Voting	YES
Steve Pirro	Voting	YES
Richard de la Rosa	Voting	YES

Motion approved.

Mr. Casey motioned to approve the 5.75 square foot directional signs to bear the McDonald's golden arches logo, at the real property located at West Genesee Street, Syracuse, New York 13219, which real property bears tax map number 035.-05-25.

The foregoing resolution was duly put to vote, which resulted as follows:

Josephine Flood	Absent	
Jerry Casey	Voting	NO
Robert Feyl	Voting	YES
Steve Pirro	Voting	YES
Richard de la Rosa	Voting	YES

Motion approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:59 p.m., Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
February 4, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Jerry Casey
Steve Pirro
Joy Flood

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Mike LaFlair, 2nd Ward Councilperson
2 others

Absent:

None

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. Ms. Flood seconded the motion and it was unanimously approved.

PUBLIC HEARING:

1. **Annette Williams**
4176 Milton Ave.
Camillus, NY 13031

TM#: 020.-04-08.1

Special Use Permit: Would like to operate a small engine repair from the attached garage.

Chairman Feyl stated he received a letter of permission from Frank Szczech, the owner of this property supporting this application for the home occupation and have also received a letter from the Camillus Planning Board with positive feedback. Copies of the letters are on file in the Town Clerk's office.

Chairman Feyl asked the applicant refer to the hearing guide while addressing the Board and answering questions.

Ms. Annette Williams, tenant residing at 4176 Milton Avenue, presented the application. Explaining the purpose of the application is to obtain a Special Use Permit to allow a home occupation to operate a small engine repair shop in the garage of the residency.

Ms. Williams stated she does reside at the property, along with her son. Ms. Williams confirmed it is not really a business rather a hobby as her son enjoys tinkering. Ms. Williams further explained everything will be in her name to protect her son legally and will not be filing for a DBA.

While referring to the hearing guide Ms. Williams explained that she does not have exact dimensions of the single car garage and residency, however, has provided specifics in the application that was submitted.

Ms. Williams expressed concern with set hours of operation as her son tinkers in his free time. Further explaining her son requires paid help to assist him throughout the day and helps his father in the evening hours so there really are no set hours of operation. Ms. Williams ensured the Board they would be following the Town of Camillus code for noise ordinance.

Mr. de la Rosa questioned traffic activity, Ms. Flood questioned the number of employees and Mr. Casey questioned disposal of materials used.

Ms. Williams stated that in her opinion she sees no issues with traffic activity as individuals are quickly in and out and do not stay for any period of time. Ms. Williams further explained that individuals who drop off items for repair, typically do not park along Milton Ave. as the residency has a top driveway along with a circle turn-a-round driveway that individuals can use.

Ms. Williams confirmed there will be no employees, possible having three customers per week.

All testing of mowers, weed eaters, chainsaws, etc. will be done in the back yard during the day. Ms. Williams explained that all waste is disposed of properly as oils and solvents are placed in a recyclable container and brought to Auto Zones, while metals are brought to a local scrap yard. Ms. Williams confirmed that no waste is disposed of in the municipal trash.

Ms. Williams stated that her residency does not qualify being within a neighborhood as the garage is approx 25' off Milton Ave and would consider this area to be a main thoroughfare.

Ms. Williams stated that she has ideas in place to help with a noise barrier.

Chairman Feyl stated that this Board would ask the garage door be kept open for safety. Stating in his opinion there is no concern with noise based upon the distances to the other adjoining properties.

Mr. Pirro questioned safety with regards to fire. Ms. Williams stated they do have fire extinguishers within the garage that are accessible and in working order. Ms. Williams stated she will be increasing her insurance on the off chance to ensure everything is covered.

Ms. Williams stated that they have no intent to conduct retail business as this is more of a hobby for her son and if making anything at all would be the cost on the parts he uses to fix the items.

Chairman Feyl explained that under a special use permit the applicant has a right to a 2' x 2' sign. Ms. Williams thanked Chairman Feyl for his explanation as she is now aware and understands specific size requirements and allowances.

Ms. Flood questioned if there was any chance in the future that this hobby would escalate to cars. Ms. Williams stated there is no possible way that would happen as her son does not even have a driver's license.

Ms. Flood and Mr. Casey questioned if the applicant would be advertising. Ms. Williams stated no advertising will be done.

A letter from Camillus Code Enforcement officer was submitted and on file in the Camillus Town Clerks office.

Comments of Town Officials

Mike LaFlair, 2nd Ward Councilor stated that he did reach out to the applicant and surrounding neighbors as well as the owners of the property. Explaining that while one resident had a concern with a business in a residential area and traffic flow, received support from the owners of the property as well as neighbors.

Mr. LaFlair stated that he has also spoken to Tom Price, Code Enforcement Officer where concerns with limiting the Special Use Permit to the individual/operator were discussed. Mr. LaFlair asked for the Boards consideration in limiting the Special Use Permit to the individual/operator should the individual decide to move.

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

**2. Gemini Estates Assoc., L.P.
458 Horan Road
Syracuse, New York 13209**

TM#: 015.-04-06.2

Area Variance: to allow 8' x4' free standing sign set back 4' from the front yard property line.

Mr. Mark Sertl, Officer of Surmar Management Group who is a limited partnership with Gemini Estates Assoc., L.P. appeared before the Board to discuss the application for an area variance. Purpose of which is to allow an existing double sided 8' x 4' free standing sign, set back 4' from the property line. Mr. Sertl confirmed the sign is not and will not be illuminated.

Mr. Sertl explained the existing sign is to identify the main entrance into the property. Further explaining in his opinion Horan Road is within an industrial area having vacant land across the street, as well as to the south. Mr. Sertl stated that the business to the North of the property currently has a sign that is similar in placement or distance to the street.

Mr. Sertl stated that the sign was installed by the original builders in 1986 and in 1992 the property was bought and the sign was replaced in its original location.

Mr. Sertl explained that the cost to move the sign would be an estimate of \$500 along with needing to re-landscape the old area

Mr. Sertl explained that the current location is the only flat spot the property has as there is a very steep grade along the entrance to the property.

Due to the existing grading of the property feels there is not a better location for the sign to be placed. Mr. Sertl stated that there is no detriment to the neighborhood feels the request is not substantial and should be considered for approval.

Comments of the Public

None

Comments of Town Officials

Mike LaFlair, 2nd Ward Councilor stated this has been an existing sign for several years now with no issues. Stated a similar request for a sign along Horan Road was met and sees no reason why this request could not be considered for approval.

After a brief conversation among the Board, the applicant and Ms. Otto Mr. de la Rosa moved to close the Public Hearing. Ms. Flood seconded the motion and it was unanimously approved.

Comments of the Board

None

New Business

None

Minutes of the previous meeting:

Mr. Casey moved to approve the minutes of the January 7, 2014 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

Vouchers

None

Correspondence

Chairman Feyl reminded the Board members of the upcoming Annual Planning Symposium on March 13 at the Convention Center at Oncenter.

DECISIONS

1. **Darren Williams** **TM#: 020.-04-08.1**
William & Frank Szczech c/o Pine Grove Country Club
4176 Milton Ave.
Camillus, New York 13031

Special Use Permit: to operate a small engine repair business from the garage.

Chairman Feyl and the Board completed the Impact Assessment form.

Mr. Pirro motioned to approve the applicant to perform small engine repairs in the garage of the house located at 4176 Milton Avenue, Camillus, New York 13031, which real property is further identified by tax map number 020.-04-08.1, except that this special use permit shall end or terminate, without the necessity of any further hearing or notice, upon the termination of the applicant's occupancy of the property or upon the termination of the applicant's lease by the owner of the subject real property. Ms. Flood seconded the motion and it was unanimously approved.

2. **Gemini Estates Assoc., L.P.** **TM#: 015.-04-06.2**
458 Horan Road
Syracuse, New York 13209

Area Variance: to allow 8' x4' free standing sign set back 4' from the front yard property line.

Mr. Pirro motioned to approve an 11' variance from the requirements of Section 802(N) of the Code of the Town of Camillus to permit the continued location of an existing 8' x 4' free standing sign 4' from the front property line of 458 Horan Road, Syracuse, New York 13209, which real property is further identified by tax map number 015.-04-06.2. 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., Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
March 4, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Jerry Casey
Steve Pirro
Joy Flood

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

One

Absent:

None

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

PUBLIC HEARING

None

Comments of the Public

None

Comments of Town Officials

None

Comments of the Board

Chairman Feyl reminded the Board members of the upcoming Onondaga County Planning Symposium, March 13 at the Convention Center at Oncenter.

New Business

1. **John Forte**
3475 Warners Road
Camillus, New York 13031

TM#: 012.-01-02.0

Area Variance: to allow a new build (home) 35' back from the right of way on an arterial street.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for April 1, 2014. Ms. Flood seconded the motion and it was unanimously approved.

Minutes of the previous meeting:

Mr. Casey moved to approve the minutes of the February 4, 2014 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

Vouchers

A voucher was received from The Post Standard for legal advertising totaling \$54.39.

A voucher was received from Onondaga County Planning Federation for schooling totaling \$260.00.

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$2,745.00.

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

Correspondence

None

DECISIONS

None

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:05 p.m., Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
April 1, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Jerry Casey
Steve Pirro
Joy Flood

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Two

Absent:

None

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. Pirro seconded the motion and it was unanimously approved.

PUBLIC HEARING

1. **John Forte**
3475 Warners Road
Camillus, New York 13031

TM#: 012.-01-02.0

Area Variance: to allow a new build (home) 35' back from the right of way on an arterial street.

Mr. Forte appeared before the Board to present his application for an area variance. Mr. Forte confirmed he is the owner of the property. Explaining the depth of the lot is approximately 164' and the depth of the proposed house to be at approximately 48'.

Mr. Forte stated that he feels a 20' setback is too close to the road and is asking for a variance allowing him to build 35' back from the right of way.

Ms. Flood questioned the topography of the lot. Mr. Forte explained that the lot size is unique and feels granting this variance would make his proposed home look more in place with the rest of the surrounding homes.

Mr. Forte stated his attorney cleared any possible concerns and issues ahead of time with regards to contaminated soil and wetlands.

Mr. de la Rosa moved 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

New Business

1. **Timoshuk Leonty**
6128 Breed Road
Camillus, NY 13031

TM#: 006.-01-04.4

Area Variance(s): to build a new home 10' from the north property line and 32' from the south property line.

Chairman Feyl moved to declare the application a SEQR Type II and set the Public Hearing for May 6, 2014. Mr. Casey seconded the motion and it was unanimously approved.

2. **Paul Ponto**
120 Germania Ave.
Syracuse, NY 13219

TM#: 042.-04-18

Area Variance: to build a 16' x 30' detached garage in the front of the rear of the house.

Ms. Flood moved to declare the application a SEQR Type II and set the Public Hearing for May 6, 2014. Mr. Casey seconded the motion and it was unanimously approved.

Minutes of the previous meeting:

Mr. Casey moved to approve the minutes of the March 4, 2014 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

Vouchers

None

Correspondence

None

DECISIONS

1. **John Forte**
3475 Warners Road
Camillus, New York 13031

TM#: 012.-01-02.0

Area Variance: to allow a new build (home) 35' back from the right of way on an arterial street.

Chairman Feyl and the Board completed the Impact Assessment form.

Mr. de la Rosa motioned to approve a 35' area variance back from the front property line to build a proposed home, Mr. Pirro seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:16 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 Minutes
May 6, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Jerry Casey
Joy Flood

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Nine others

Absent:

Steve Pirro

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. Ms. Flood seconded the motion and it was unanimously approved.

PUBLIC HEARING

1. Leonty Timoshuk
6128 Breed Road
Camillus, NY 13031

TM#: 006.-01-04.4

Area Variance(s): to build a new home 10' from the north property line and 32' from the south property line.

Mr. Timoshuk appeared before the Board to discuss his application for two area variances, explaining he purchased this property with the idea of building a home and further explaining that the side yard set backs are not within what is allowable by town code due to the positioning of his home and is asking for a variance on both the north and south side of the property.

Mr. Timoshuk stated the property is 150' wide by over 400' deep and is categorized as an R1 lot. The proposed home is a 2,570 sq ft ranch style, with a three car garage and walk out basement which will allow his young children to exit the house safely to the backyard.

Mr. Timoshuk stated that he attempted to contact all surrounding neighbors and received no opposition. He stated that a variance would not have a negative effect to the north side of the property as he was told by the Camillus Code Enforcement Office that the north side property is not a buildable lot and the property to the south side would not be an issue as it is surrounded by several trees making it very private.

Mr. Timoshuk explained that while choosing the proposed location he took the topography of the lot into consideration as well as the septic system, leach field and existing driveway. Mr. Timoshuk provided a more detailed description of the topography to the Board.

Chairman Feyl read a letter into record received from Councilman Hammerly. (Letter on file in clerk's office.)

Chairman Feyl explained the letter stated that Councilman Hammerly spoke to Mr. John Petosa, owner of the property to the north of the applicant and that Mr. Petosa expressed concern with issues running utility lines in the near future if developing the property.

Mr. Timoshuk stated that he did discuss re-positioning the home with a licensed architect and determined it would not make sense to do so as he would run into problems. Mr. de la Rosa stated that re-positioning the home could cause problems with the location of the leach field.

Ms. Flood questioned the size of the proposed garage. Mr. Timoshuk stated it would be a three car garage that will be utilized to store their vehicles and his boat. Mr. Timoshuk further explained that if they did not keep the 3 car garage, he would have to apply for a variance to build an additional structure for storage of his boat.

Chairman Feyl explained that the Town ordinance states that a boat must be stored behind the home and is impossible to do in this particular situation.

Ms. Flood questioned removal of trees to the north side of the property. Mr. Timoshuk explained everything was already cleared and there will be no additional clearing at this point and the tagged trees will not be touched.

After a brief conversation among the Board and the applicant, Mr. de la Rosa moved to close the Public Hearing. Mr. Casey seconded the motion and it was unanimously approved.

**2. Paul Ponto
120 Germania Ave.
Syracuse, NY 13219**

TM#: 042.-04-18.0

Area Variance: to build a 16' x 30' detached garage in the front of the rear of the house.

Mr. Paul Ponto, owner of the property, appeared before the Board to discuss his application for an Area Variance. The purpose of the application is to build a 16' x 30' detached garage for storage of classic Chevy truck, kids' bikes and outdoor equipment.

Mr. Ponto referred to drawings provided explaining the location of the existing pool and patio. Mr. Ponto asked for the Board's consideration of approval as he would like to

keep the aesthetics of his home with keeping the grass area in the back yard for his children to play.

Additionally, Mr. Ponto explained the shed would have a 12' peak and siding to match the house. Mr. Ponto stated he took great consideration in making sure the proposed garage would start behind his neighbor's home. Mr. Ponto confirmed he spoke to his surrounding neighbors and they had no issues or concerns with his application.

Ms. Flood stated that she received an email from Mr. Davern, 3rd Ward Councilperson and he sees no issues with this request.

Ms. Flood questioned if the garage would have heat and/or electricity. Mr. Ponto confirmed that the garage would have electricity but no heat.

Additionally, Ms. Flood stated that the applicant has done several home improvements over the years and maintains a nicely kept property.

Chairman Feyl read a letter into record received from Councilman Davern stating he spoke to the surrounding neighbors and received no opposition.

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

3. St. Joseph's Church
Heidi Stemkoski (PHZ Architects)
5600 West Genesee Street
Camillus, NY 13031

TM#: 031.-07-40.0

Special Use Permit: to allow for the construction of a sixteen hundred square foot addition and interior alterations.

Ms. Heidi Stemkoski, of PHZ Architects, project manager, presented the application. The purpose of the application is to remove an existing breezeway between the church and rectory and replace it with a new structure to the west side of the church to house a multi-purpose room on the first floor and a food pantry in the basement. The footprint of the new one-story structure is planned to be 50' x 30' structure, approximately 1600 square feet.

St. Joseph's currently operates a food pantry on the property, which is located in the Guyder Center. This project will relocate the food pantry to the basement of the new structure in order to physically separate it from the pre-school. The new food pantry space, therefore, is not intended to increase the number of clients or visitors and is not expected to generate new traffic or parking needs on site.

The multi-purpose space is intended to be used by the parish for coffee hour gatherings before and after weekend masses, as a daily mass chapel on weekday mornings, and for small funerals and small group gatherings.

The addition is expected to help offset heating and lighting costs. This space is not intended to increase the overall capacity of the church during a scheduled weekend mass. Existing parking spaces will be adequate to accommodate the occupants of the proposed addition and will have no impact on residence or neighboring properties.

Chairman Feyl read into record a letter received from the Camillus Planning Board. The Planning Board stated it has no site specific issues with the application, with the exception to provide screening for the air conditioning unit.

Ms. Flood and Mr. Casey questioned the location of the main entry and foyer doors.

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

Comments of the Public

None

Comments of Town Officials

None

New Business

**1. Wildcat Sports Pub
3680 Milton Ave.
Camillus, NY 13031**

TM#: 017.-04-48.3

Area Variance(s): to move existing 36.8 sq ft sign from front of building to the south side of the building. Will also be getting a new sign for the front of the building.

Rich de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for June 3, 2014. Mrs. Flood seconded the motion and it was unanimously approved.

Minutes of the previous meeting:

Mr. Casey moved to approve the minutes of the April 1, 2014 meeting. Ms. Flood seconded the motion and it was unanimously approved.

Vouchers

Two vouchers were received from The Post Standard for legal advertising each totaling \$41.16 and \$71.30.

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$240.00.

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

Correspondence

None

DECISIONS

**1. Leonty Timoshuk
6128 Breed Road
Camillus, NY 13031**

TM#: 006.-01-04.4

Area Variance(s): to build a new home 10' from the north property line and 32' from the south property line.

Chairman Feyl motion to approve the construction of a new house to be constructed at 6128 Breed Road, Camillus, New York 13031, provided the applicant's total side yardage shall be no less than 40' and the north side yard setback shall be no less than 10'. Mr. Casey seconded the motion and it was unanimously approved.

**2. Paul Ponto
120 Germania Ave.
Syracuse, NY 13219**

TM#: 042.-04-18.0

Area Variance: to build a 16' x 30' detached garage in the front of the rear of the house.

Ms. Flood motioned to approve the installation of a 16' x 30' detached garage 20' in front of the rear line of the house at 120 Germania Avenue, Syracuse, New York 13219. Mr. de la Rosa seconded the motion and it was unanimously approved.

**3. St. Joseph's Church
Heidi Stemkoski (PHZ Architects)
5600 West Genesee Street
Camillus, NY 13031**

TM#: 031.-07-40.0

Special Use Permit: to allow for the construction of a sixteen hundred square foot addition and interior alterations.

An 'Impact Assessment Form' was completed and submitted by the Board. Mr. Casey motioned to approve for a modification of a previously issued special use permit to allow the applicant to build a 1,600 square foot addition between the rectory and the church and to install an interior set of doors at the north and south entries of the church to create a vestibule at both entries, at 5600 West Genesee Street, Camillus, New York 13031, provided that the air conditioning unit to be located at the rear of the new

addition is adequately and appropriately screened. Ms. Flood seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:46 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 Minutes
June 3, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Jerry Casey
Joy Flood
Steve Pirro

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Mike LaFlair, 2nd Ward Councilor
Four others

Absent:

None

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. Ms. Flood seconded the motion and it was unanimously approved.

PUBLIC HEARING

1. Wildcat Sports Pub
04-48.3
3680 Milton Ave.
Camillus, NY 13031

TM#: 017.-

Area Variance(s): to move existing 36.8 sqft sign from front of building to the south side of the building. (Will also be getting a new sign for the front of the building.)

Mr. Greg Rinaldi, owner of the Wildcat Sports Pub appeared before the Board to discuss his application for an area variance.

Explaining that the sign they currently have on the front of the building does not light up as promised and is too small. Would like to use the existing 36.8 sq ft sign by moving it to the south side of the building and put a new sign on the front of the building similar to the surrounding store front signs.

Ms. Otto explained that she spoke to Mr. Price, Code Enforcement Officer for the Town of Camillus and according to the Town of Camillus Code, 47 sq ft is what is allowed on the front or west side of the building.

Mr. Rinaldi questioned the signs located on the back side of the surrounding stores. Chairman Feyl explained that the strip of stores that backup to the Route 5 bypass were allowed signs, however, the Wildcat Sports Pub does not back up to the bypass.

After a brief discussion among the Board, Ms. Otto and the applicant it was determined that the proposed sign totals approximately 56 sq ft and would require a variance. Ms. Flood questioned the sign company. Mr. Rinaldi confirmed the Allied Sign Company has been hired.

Comments of Town Officials

Mike LaFlair, 2nd Ward Councilor stated that he supports this application and asks for the Boards consideration to approve.

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

New Business

1. Widewaters Sunnybrook Drive Company, LLC

TM#: 047.-

06-11.0

(Kevin Kane)

104 Sunnybrook Drive

Syracuse, NY 13219

Area Variance(s): ancillary parking

Special Use Permit: pursuant to Sec. 905 of the Code of the Town of Camillus.

Ms. Flood moved to declare the application an Unlisted Action and set the Public Hearing for July 1, 2014. 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 May 6, 2014 meeting. Mr. Casey seconded the motion and it was unanimously approved.

Vouchers

None

Correspondence

None

DECISIONS

1. Wildcat Sports Pub

TM#: 017.-04-48.3

3680 Milton Ave.

Camillus, NY 13031

Area Variance(s): to move existing 36.8 sq ft sign from front of building to the south side of the building. Will also be getting a new sign for the front of the building.

Mr. Casey motion to approve (1) a variance for the existing 36.8 sq ft sign to be placed on the side of the building facing south and (2) a 17 sq ft variance for a new sign to be located on the front of the building facing west, allowing a maximum of and not to exceed 64 sq ft.. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:29 p.m., Ms. Flood seconded the motion and it was unanimously approved.

Specialist

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
July 1, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Jerry Casey
Joy Flood
Steve Pirro

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Five others

Absent:

None

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. Casey seconded the motion and it was unanimously approved.

PUBLIC HEARING

1. Widewaters Sunnybrook Drive Company, LLC
(Kevin Kane)
104 Sunnybrook Drive
Syracuse, NY 13219

TM#: 047.-06-11.0

Area Variance(s): ancillary parking

Special Use Permit: pursuant to Sec. 905 of the Code of the Town of Camillus.

Chairman Feyl read into record a letter received from the Camillus Planning Board, which will be on file in the Town Clerk's office.

Mr. Kevin Kane, Development Manager, acting as agent for The Widewaters Sunnybrook Drive Company, LLC, appeared before the Board to discuss the application for the area variances and special use permit.

Chairman Feyl explained that Mr. Kane had received a Hearing Guide prior to the meeting with questions pertinent to the application and that Mr. Kane has provided to each Board member a response letter answering all questions in the Hearing Guide. (Response letter will be on file in the Town Clerk's Office.)

Chairman Feyl asked all Board members to refer to the Hearing Guide and response letter while asking questions.

Mr. de la Rosa questioned the lot coverage and how any unforeseen water spillage would be handled. Mr. Kane stated the Camillus Planning Board received a detailed drainage study and 100% of any runoff would go into an infiltration trench located on the north side of the property. Mr. Kane further explained that the property will be re-graded to reduce the runoff going toward Sunnybrook as well as the adjacent properties to the north and east.

Mr. Casey questioned the buffer zone on the west end of the property and why the lot was not parallel to the property. Mr. Kane explained that the geometry of the ancillary parking lot is driven by the geometry of 3504 West Genesee Street parking lot and the new ancillary parking lot needs to respect and continue the existing geometry.

Chairman Feyl questioned the buffer and size of the proposed trees. Mr. Kane stated that arborvitae trees were selected as they are specifically grown to provide screening and he believes the proposed trees will be approximately 20 – 24ft at the base.

Chairman Feyl questioned if the applicant would consider providing deer resistant trees with little or no light between the arborvitae trees. Mr. Kane stated the applicant would consider any recommendation the Board presented.

Mr. Frank Guistella, residing at 124 Sunnybrook expressed his concern with the anticipated increase in volume of traffic on Sunnybrook Drive. Mr. Guastella asked that a 'Do Not Enter' sign be placed at the business line of Sunnybrook Drive.

Chairman Feyl offered as a suggestion signage like that at the egress onto Vanida Drive restricting patrons from turning left into the residential area. Mr. Guistella stated that this was a compromise and part of the answer.

Chairman Feyl stated he received a letter from Bill Davern, 3rd Ward Councilor expressing his support for this application and that he received no opposition to the applicant's request and is asking for the Board's consideration to approve.

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

New Business

**1. Amboy Belle Isle Church
6192 Airport Road
Syracuse, NY 13219**

TM#: 012.-01-18.0

Special Use Permit: Modification to Special Use Permit for a 10' x 12' shed.

Mr. de la Rosa moved to declare the application an Unlisted Action and set the Public Hearing for August 5, 2014. Mr. Casey seconded the motion and it was unanimously approved.

Minutes of the previous meeting:

Mr. Pirro moved to approve the minutes of the June 3, 2014 meeting. Ms. Flood seconded the motion and it was unanimously approved.

Vouchers

Two vouchers were received from The Post Standard for legal advertising each totaling \$40.42 and \$21.89.

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

Correspondence

None

DECISIONS

**1. Widewaters Sunnybrook Drive Company, LLC
(Kevin Kane)
104 Sunnybrook Drive
Syracuse, NY 13219**

TM#: 047.-06-11.0

Area Variance(s): ancillary parking

Special Use Permit: pursuant to Sec. 905 of the Code of the Town of Camillus.

Ms. Flood moved to grant the applicant (i) a Special Use Permit to allow for ancillary parking at 104 Sunnybrook Drive, Syracuse, New York 13219 for use by tenants and patrons of the adjacent commercial property located at 3504 West Genesee Street, Syracuse, New York 13219, and (ii) two Area Variances (ii-a) a 19% variance to allow lot coverage of 54% at 104 Sunnybrook Drive, and (ii-b) to change the buffer strip to 20 ft at the northeast corner of the property; conditioned upon the following: that deer resistant shrubbery be placed to create a solid hedge row without voids, that there be signage at the northernmost egress prohibiting traffic from turning right onto Sunnybrook Drive, that there be no lighting in the ancillary parking lot between the hours of midnight and 6 a.m., and that the applicant comply with all Planning Board requirements. Mr. Casey seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:45 p.m., Ms. Flood seconded the motion and it was unanimously approved.

Specialist

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
August 5, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Jerry Casey
Joy Flood

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Two others

ABSENT:

Steve Pirro

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. Ms. Flood seconded the motion and it was unanimously approved.

PUBLIC HEARING:

- 1. Amboy Belle Isle Church**
6192 Airport Road
Syracuse, NY 13219

TM#: 012.-01-18.0

Special Use Permit: Modify to allow shed

This application was referred to the Camillus Planning Board for review; they indicated no concerns with regard to the proposed shed.

Gary Cook, Chairman of the Trustees for the church, appeared to address the application. He explained that the trustees are in charge of all church maintenance, mechanical, and property issues.

The group desires to erect a 10' x 12' accessory building shed on the topographically level property, locating it 8' east of the southeast corner of the existing church structure. The existing shed 58' south of the church is 50+ years old and no longer in usable condition so it will be removed. The proposed replacement shed will be wood construction on a base of gravel and pressurized timbers, and will be painted white and shingled to match the church structure. The shed will not have electric or water service and will only be used for temporary storage of goods collected year round for semi-annual fund raising rummage sales, and will not house any hazardous, flammable, or caustic materials.

Mr. de la Rosa and Chairman Feyl commended Mr. Cook on his presentation and the upkeep of the property.

Ms. Flood inquired of Mr. Cook whether the trustees considered building a garage instead. Mr. Cook indicated they had not as the cost would exceed their budget for the project and it would be far more complicated than their needs dictate.

The Board conducted a SEQR review determining it was an unlisted action and there are no negative impacts.

NEW BUSINESS:

- 1. M.A.P. Holdings (Dr. Paciorek)**
6192 Airport Road
Syracuse, NY 13219

TM#: 058.-05-01.0

Area Variance: Oversized sign within the front yard setback

Mr. Casey moved to set the Public Hearing for September 2, 2014. Ms. Flood seconded the motion and it was unanimously approved.

MINUTES:

Mr. de la Rosa moved to approve the minutes of the July 1, 2014 meeting. Mr. Casey seconded the motion and it was unanimously approved.

VOUCHERS:

Two vouchers for legal advertising costs of \$38.22 and \$51.45 were received from The Post Standard.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:

The Board conducted a SEQR review relative to the application for an area variance and special use permit to allow ancillary parking for Widewaters Sunnybrook Drive Co., LLC's property at 104 Sunnybrook Drive, the public hearing for which was conducted at the July 1, 2014 meeting. The Board determined there are no negative impacts.

DECISIONS:

1. **Amboy Belle Isle Church**
6192 Airport Road
Syracuse, NY 13219

TM#: 012.-01-18.0

Special Use Permit: Modify to allow shed

Mr. de la Rosa moved to amend the special use permit to allow the proposed shed on the property, contingent upon removal of the existing shed. Ms. Flood seconded the motion and it was unanimously approved.

ADJOURNMENT

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

Respectfully submitted,

Martha Dickson-McMahon, Interim ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
September 2, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Jerry Casey
Joy Flood
Steve Pirro

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Four others

ABSENT:

None

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. Pirro seconded the motion and it was unanimously approved.

PUBLIC HEARING:

2. M.A.P. Holdings (Dr. Paciorek)
4981 West Genesee Street
Syracuse, NY 13219

TM#: 058.-05-01.0

Area Variance: Installation of a 5' x 10' monument sign 2' 9" from the front property line of the real property.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions.

Ms. Lisa Wennberg, Project Manager/Marketing Coordinator of Keplinger Freeman Associates appeared in front of the Board presenting the application.

Ms. Wennberg explained that the proposed sign will be a monument style sign, made of stone and will be internally lit. Ms. Wennberg explained the sign was designed to be in scale with the building and in keeping with the residential character. Further explaining the sign will have a logo panel approximately 10' sq, with a base that is 10' long and 10" in depth.

Chairman Feyl questioned placement of the proposed sign. Ms. Wennberg stated the proposed sign will be located 2' 9" from the front property line, further explaining it is the same off set distance as the church sign located to the east of the property.

Ms. Wennberg provided explanation for the proposed location. Stating due to the topography of the lot and in order to meet with parking specifications as well as access requirements this was the best possible location.

Mr. de la Rosa questioned the side yard and rear setbacks. Ms. Wennberg confirmed the setback from the side (Bramley) property to be about 30', with the rear setback being at least 150'.

Ms. Flood questioned the height of the sign from the ground. Ms. Wennberg confirmed the proposed sign is 5' from the ground. Ms. Flood inquired where the sign was located in reference to where the utility pole is located.

Ms. Wennberg explained the location of the proposed sign and stated there are no site line issues.

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

**3. Diana Jankov
128 Columbus Ave
Syracuse, NY 13219**

TM # 042.-08-19.1

Area Variance: 18' x 20' Deck in the front yard onto existing pool.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions.

Ms. Diana Jankov presented her application for an area variance before the Board. Ms. Jankov stated she is the owner of the property and asked the Board refer to the maps provided showing placement of the existing pool and deck.

Ms. Jankov explained the topography and layout of the property as well as the surrounding properties to the Board. Further explaining there is a rental house directly behind her home, which prevents her from placing the pool behind her house.

Chairman Feyl questioned if the permit was obtained and installation of the pool. Ms. Jankov stated she obtained the pool permit and presented it to Liverpool Pool & Spa who installed the pool.

Chairman Feyl questioned if Ms. Jankov told Liverpool Pool & Spa where to place the pool. Ms. Jankov stated that she told Liverpool Pool & Spa to place the pool on the side of the house but did not give detailed specifications as to exact placement.

Chairman Feyl questioned who drew the lines on the permit provided and if Liverpool Pool & Spa was told to go by the new lines drawn on the permit. Placed the permit in the window for them to see and faxed original dimensions to Liverpool Pool & Spa.

Chairman Feyl explained that if the permit was presented to Liverpool Pool & Spa and they did not follow placement of the pool based on the permit requirements, it would make Liverpool Pool & Spa liable at their cost to move the pool.

Ms. Jankov explained that she went back to Camillus Code Enforcement Office once the pool had been installed as she was concerned with its placement. Ms. Jankov further explained she discussed her concerns with Tim O'Neill and stated that in reviewing the permit he was now going to go by the enclosed entrance on the front of her house. Ms. Jankov stated that Mr. O'Neill told her that doing so would make the current placement of the pool within code.

Ms. Flood questioned if Mr. O'Neill changed the permit to allow for placement of the pool to go off of the enclosed porch on the front of the house to make in line with the pool so it would not be in front of the house. Ms. Jankov confirmed Mr. O'Neill did modify/change the permit drawings with changing the placement of the pool after the fact by drawing the new line on the permit allowing for placement to go off of the front enclosed porch.

Chairman Feyl questioned if a permit was obtained to build the deck. Ms. Jankov confirmed a permit was not obtained.

Chairman Feyl stated that he spoke to the Camillus Code office and the pool could have been easily placed 15' back with having a privacy fence while still meeting code requirements. Further explaining that Liverpool Pool & Spa should have made sure a permit was obtained, reviewed the permit and followed specific placement permissions when installing the pool.

Ms. Jankov questioned structures in front of homes and what the limitations are within code.

Chairman Feyl explained that while he cannot speak to those properties, unless there is a hardship it is difficult to obtain approval and cannot base judgment or approval on what other properties have.

Ms. Jankov explained that she also wanted to place a new set of access stairs from the driveway to the pool, while extending the deck 4 feet out to the front yard.

The Board questioned drawings provided to the Camillus Code Enforcement Office upon receipt of the pool permit. Ms. Jankov approached the Board providing the original permit along with drawings.

After reviewing the original permit and drawings Chairman Feyl questioned who drew on the original permit as the drawings show the pool being located behind the house. Ms. Jankov confirmed Mr. O'Neill drew the line on the permit when he reconfigured the enclosed entrance to now be the front of the house.

Mr. Casey questioned if the applicant was open to some changes. Ms. Jankov stated that she was willing to compromise and make necessary changes.

Ms. Flood questioned who was building the deck. Ms. Jankov stated that her boyfriend was building the deck.

The Board discussed possible options and choices with the applicant. Chairman Feyl suggested placing a fence around the top of the pool with moving the deck to the side or back yard.

After a detailed discussion of possible changes and compromises, Ms. Flood motioned to close the public hearing. Mr. Casey seconded the motion and it was unanimously approved.

**4. Russell Rich
162 Bennett Road
Camillus, NY 13031**

TM#: 017.-05-29.0

Area Variance: 24' x 40' Detached Garage in front of the rear of the house.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions.

Mr. Russell Rich appeared in front of the Board to present his application for an area variance.

Mr. Rich explained that he is the owner of the property and has lived there since 1988 with his wife Laurie. Mr. Rich stated the property is a single family home, on 2.5 acres of land and with an existing garage approximately 200' from the street.

Mr. Rich stated that the proposed garage will be utilized for housing vehicles and cars. Mr. Rich explained the existing garage is used as a workshop, while the existing barn is primarily used for mowers and storage.

Mr. Rich explained that he choose this location as it is close to the driveway, with minimal repairs or changes needing to be made, however, was primarily chosen for ease of convenience.

Mr. Rich explained his plan to come off the corner of the existing garage, in 24' and to then come up 40-42'. Mr. Pirro questioned the utility easement located on the property. Mr. Rich explained that the proposed garage should be just off the easement and will in no way be place on the easement. Mr. Rich stated he fully understands they cannot go along or on the right of way.

Mr. Rich stated that was one reason he did not choose to place the proposed garage behind the house as a result of the utility easement and wants to save the big trees within the front yard.

Mr. Rich approached the Board providing letters of support from his surrounding neighbors. Mr. Rich explained that he spoke to surrounding neighbors and has received no opposition.

Chairman Feyl read the letters into the record. (On file in the clerk's office.)

Mr. Rich stated that time is extremely important as the bad weather could be coming sooner than later and could become an issue.

Explaining house has been in his family since the early 50's.

Mr. Pirro questioned the height of the proposed garage. Mr. Rich confirmed it would not be more than 12-15' tall as they do not want a tall structure. Mr. Rich described it to be a three car garage to match the existing house, with basic interior and exterior lighting.

Chairman Feyl stated that Councilman LaFlair contacted him as he was unable to attend the hearing, however, stated he meet with the applicant on site and saw no issue with the request. Councilman LaFlair requested that the applicant be given due consideration for approval from the Board.

Mr. de la Rosa motioned to close the public hearing. Ms. Flood seconded the motion and it was unanimously approved.

NEW BUSINESS:

**1. Snowbirds Landing II, LLC
5983 Paradise Circle
Syracuse, New York 13219**

TM#: 015.1-07-02.1

Area Variance: New construction of patio home. Encroaching 1.1' into the 25' setback.

Mr. Casey moved to declare the application a SEQR Type II and set the Public Hearing for October 7, 2014. Mrs. Flood seconded the motion and it was unanimously approved.

**2. Matt Lester
Morgan Management
3546 – 3604 West Genesee Street
Syracuse, New York 13219**

TM#: 047.-04-14.0/15.0/16.0

Area Variance & Special Use Permit: Ancillary Parking and lot coverage.

Ms. Flood moved to declare the application an Unlisted Action and set the Public Hearing for October 7, 2014. Mr. Pirro seconded the motion and it was unanimously approved.

**3. Vars & Nancy Smith
5226 E. Fox Hill Lane
Camillus, New York 13031**

TM#: 026.-04-12.4

Area Variance: Replace and upgrade of a 12' x 32' garden storage shed that will be placed in the front of the rear of the principal building.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for October 7, 2014. Mrs. Flood seconded the motion and it was unanimously approved.

MINUTES:

Mr. Pirro moved to approve the minutes of the August 5, 2014 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 \$3,975.00.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

**1. M.A.P. Holdings (Dr. Paciorek)
4981 West Genesee Street
Syracuse, NY 13219**

TM#: 058.-05-01.0

Area Variance: Installation of a 5' x 10' monument sign 2' 9" from the front property line of the real property.

Chairman Feyl and the Board completed the Impact Assessment form determining there are no negative impacts.

Mr. Casey motioned to approve two (2) variances for a free standing sign: (1) for total square footage, granting an 11 square foot variance and (2) a setback variance, granting a 13' variance. Mr. de la Rosa seconded the motion and it was unanimously approved.

**2. Diana Jankov
128 Columbus Ave
Syracuse, NY 13219**

TM # 042.-08-19.1

Area Variance: 18' x 20' Deck in the front yard onto existing pool.

Chairman Feyl and the Board completed the Impact Assessment form determining there are no negative impacts.

Ms. Flood motioned to approve the installation of an 18' x 20' pool deck that would extend eighteen feet into the front yard and eighteen feet in front of the west side of the house. Mr. Casey seconded the motion.

The motion was put to a vote:

Ayes: None
Nos: Mr. de la Rosa, Mr. Pirro, Chairman Feyl, Mr. Casey, Ms. Flood
Absent: None

Motion DENIED.

**3. Rich Russell
162 Bennett Road
Camillus, NY 13031**

TM#: 017.-05-29.0

Area Variance: 24' x 40' Detached Garage in front of the rear of the house.

Chairman Feyl and the Board completed the Impact Assessment form determining there are no negative impacts.

Mr. de la Rosa motioned to approve the construction and placement of a 24' x 40' detached garage in front of the rear of his house by no more than 58'. Mr. Pirro seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:17 p.m., Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
October 7, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Jerry Casey
Joy Flood

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Bill Davern, 3rd Ward Councilor
13 others

ABSENT:

Steve Pirro

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. Ms. Flood seconded the motion and it was unanimously approved.

PUBLIC HEARING:

1. Matt Lester
Morgan Management
3546 – 3604 West Genesee Street
Syracuse, New York 13219

TM#: 047.-04-14.0/15.0/16.0

Area Variance & Special Use Permit: Ancillary Parking and lot coverage.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions.

Ms. Lisa Wennberg, Project Manager/Marketing Coordinator of Keplinger Freeman Associates and Mr. Ray Trotta of the HollandTrotta, Inc. appeared in front of the Board presenting their application.

Ms. Wennberg stated that the applicant is in the process of obtaining all three properties with an anticipated closing to be sometime in October 2014.

Ms. Wennberg described the usage of the parcels to the Board. Explaining that the R3 portion of the existing lot where the large building is currently located will be utilized as ancillary parking and is proposed to be 240' wide by 200' deep.

Further explaining the topography of the parcels, Ms. Wennberg stated the conditions to gently slope to the north with a low area for storm water retention.

Ms. Wennberg also stated that 40' back along Gifford from the property line will remain in a vegetated state with the addition of trees to eliminate any light spillage.

Ms. Wennberg explained the usage and distance to surrounding buildings/structures, stating the property to east is commercial with ancillary parking located approximately 66' from the northwest corner of their building, while the property to the west also being commercial is approximately 140' from the northeast corner and about 275' from the southeast corner of the proposed property.

Ms. Wennberg explained the anticipated impact relating to the parking area including any impact on the character of the neighborhood. Ms. Wennberg explained in her opinion it will be a vast improvement from what is currently there and will be maintained.

Ms. Wennberg explained the proposed parcel will have retail, quality/casual restaurants as well as a coffee shop with hours of operation between 5 am and 11pm. Stating there will be no fee for ancillary parking and are currently drafting an agreement with the surrounding residents for a cross access easement for usage.

Stating the purpose for the ancillary parking will be for employee parking and overflow. The ancillary parking lighting will be perimeter lighting on the lawn areas with one free standing pole within the lot. There will be no light spillage as required by code.

The east property line will have a 25' buffer strip with a row of arborvitae to be planted 2 every 10' along the property edge. The applicant agreed to plant deer resistant arborvitae. The north property line will have a 60' buffer.

Ms. Wennberg stated the circulation of the parking lot necessitated the 56% lot coverage.

Chairman Feyl read a letter into the record received from the Camillus Planning Board. (On file in the Town Clerk's office.)

Mr. Casey questioned the road going down to Gifford and questioned if it would be repaved. Ms. Wennberg stated they spoke to the Camillus Highway Department and is working with the Highway Superintendent on specific needs and requirements.

Chairman Feyl commented that Councilman Davern has stated that after speaking to the surrounding neighbors of the area, he suggests having a breakaway burrier, thus blocking off the roadway onto Gifford to prevent people from using it as a cut through.

Mr. Tom Daniabile of 26 Gifford Drive appeared before the Board to express his opposition to this application. Mr. Daniabile stated that in his opinion granting this application will create more traffic along Gifford and cause an unwanted disruption to the neighborhood. Mr. Daniabile stated that he agrees with Councilman Davern and feels road to Gifford should be closed off.

Mr. Daniabile expressed concerns with drainage plans on the proposed properties, stating that with the current conditions his property sees a great deal of flooding from water overflow.

Chairman Feyl explained that the current property has had a drainage issue for some time as it has not been cleaned nor maintained; however, the proposed plan should improve and possibly even resolve the drainage issues.

Mr. Daniabile also expressed concerns with ancillary parking within the residential areas and questioned zoning of the proposed ancillary parking plan. Ms. Wennberg confirmed that the ancillary parking lot will be over 60' away from Gifford.

Ms. Wennberg explained that they have had the storm water system reviewed and approved by the Town of Camillus Engineer and will have three bio retention areas to treat storm water. Ms. Wennberg further explained that a portion of the storm water will be draining into the Onondaga Storm Water System that runs along West Genesee Street with a portion that will drain to the back of the property into the large bio retention area.

Elevation was questioned by Mr. Daniabile. Mr. Trotta explained that they have gone through the engineering drainage plans thoroughly to ensure the current flooding problem won't exist with the new system.

Mr. Daniabile expressed concern with the emptying of the dumpsters and hours of operation. Chairman Feyl explained that unfortunately the Zoning Board of Appeals has nothing to do with that issue and must be taken up with the Town Board.

Mr. Daniabile stated that he feels the town does not look out for the neighborhood or the residents. Mr. Daniabile abruptly left the meeting.

Mr. Bob McGarvuy appeared in front of the Board to express his concern with the potential for increased traffic and would like to see that the connecting road to Gifford be closed. Mr. McGarvuy questioned the height of the proposed light pole that will be placed in the back parking lot and if it would be set on a timer. Ms. Wennberg stated they are proposing a 20' tall light pole.

Mr. Trotta explained to the Board and members of the public that they are going down in total size of the buildings.

Mr. Davern, 3rd Ward Councilor spoke to the surrounding neighbors and expressed his concern with the increase in traffic on Gifford Drive. Councilman Davern stated that he has been working to block off the private road to Gifford Drive with a breakaway barrier or swing gate. Councilman Davern stated that while he is not opposing this application, he would like to point out that he is looking out for the surrounding residents.

Councilman Davern explained that while it is not a concern with the Board this evening, the dumpster issue and hours of operation is being regulated and tickets have been issued by the Camillus Code Enforcement office.

Ms. Beth Debo of 32 Gifford Drive appeared before the Board to express her concern with this application. Ms. Debo stated that her house is located directly across from the proposed parking lot and is happy to hear the driveway to Gifford Drive will be closed

off. Ms. Debo stated she is concerned with the possible increase in noise the proposed properties will create. Chairman Feyl explained that there will be barriers or buffers to help control the potential noise.

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

2. Snowbirds Landing II, LLC
5983 Paradise Circle
Syracuse, New York 13219

TM#: 015.1-07-02.1

Area Variance: Newly constructed patio home encroaches 1.1' into the 25' setback.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions.

Mr. Victor Girozdich appeared before the Board to discuss his application. Mr. Girozdich stated he was owner of the property and that the contractor he hired placed the home in the wrong location.

Mr. Girozdich is asking the Board for consideration of an area variance for a single family patio home on a ¼ acre lot, as the corner of the garage is encroaching 1.1' into the 25' setback requirements.

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

3. Vars & Nancy Smith
5226 E. Fox Hill Lane
Camillus, New York 13031

TM#: 026.-04-12.4

Area Variance: Replace and upgrade of a 12' x 32' garden storage shed that will be placed in the front of the rear of the principal building.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions.

Ms. Flood stated that while she is close friends with both Mr. and Mrs. Smith, she sees no reason to recuse herself from making a decision. She knows the property well.

Ms. Nancy Smith appeared before the Board to discuss her application for an area variance. Ms. Smith stated that she and her husband are owners of the property. Ms. Smith described her property to be a single family two story colonial residence with an attached two story high three car garage that sits on a 12.19 acre wooded lot.

Ms. Smith explained that the proposed shed will be 32' x 12', professionally built by Mennonite by Saunders. Ms. Smith stated the shed will have double hinge doors and will be utilized to hold lawnmowers, garden tractors, snow blowers and various tools and gardening equipment.

Ms. Smith stated that they currently have all of this equipment outside in the elements which isn't optimal.

Ms. Smith provided detailed information and photos of proposed shed.

Ms. Smith and the Board determined dimensions and the distance of the proposed shed from the rear line of the house, taking into consideration the placement of the house at an odd angle.

Ms. Smith explained that the closest neighbor to the north will be 193' from the proposed shed with woods between both properties. Ms. Smith confirmed that the proposed shed will not have electricity or water.

Ms. Smith explained that the location was selected as they have an herb garden with large trees and fencing which they would like to keep. Ms. Smith stated that they took the topography and woods into consideration with proposed placement. Ms. Smith stated they could not place the shed to the rear of the house as there is an existing pool with very little space as it starts slopping up hill to a wooded area.

Ms. Smith stated that the shed will match the existing house and will be a nice addition in her opinion. Ms. Smith stated that the height of the shed will be 7' tall on the side walls with the end wall being 10.5' tall. Ms. Smith stated that the rear of the shed will be located approximately 225' from the rear of the house.

After a detailed discussion among the Board, Ms. Otto and the applicant, Mr. de la Rosa motioned to close the Public Hearing. Mr. Casey seconded the motion and it was unanimously approved.

**4. Realty USA
Keplinger Freeman Associates
5104 West Genesee Street
Camillus, New York 13031**

TM#: 040.-10-26.1

Area Variance: Proposed parking does not meet the required amount needed on site, permit to allow for 97 spaces instead of 112 spaces.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for November 6, 2014. Mr. Casey seconded the motion and it was unanimously approved.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions.

Ms. Lisa Wennberg, Project Manager/Marketing Coordinator of Keplinger Freeman Associates, appeared in front of the Board presenting the application.

Ms. Wennberg explained that the applicant currently owns a portion of the property. Ms. Wennberg explained that the applicant is proposing to combine the agent office with the corporate office into one facility.

Ms. Wennberg described the property to be approximately 200' wide x 350' deep, 1.61 acres, with the northern portion of the lot sloping down toward West Genesee Street. Ms. Wennberg stated that the property will propose parking on the east, west, north and south sides of the building. Further explaining that they are at 99 parking spaces, 10' x 18' in size, as per code, with proposed lot coverage at 73%. The proposed property will have sidewalks, landscaping and a storm water management facility located under the south parking area.

Ms. Wennberg described the surrounding properties. On the north side is a residence, to the east side of the property is a church, to the west of the property is Walgreen's, and to the south is the West Genesee High School.

Ms. Wennberg stated the anticipated use will be by office staff, agents and clients Mon.-Fri. during normal business hours, and on Saturday and Sunday by appointment only. Ms. Wennberg confirmed that the largest use will be during normal business hours for agents and clients coming in on the Hinsdale Road side of the building.

Ms. Wennberg discussed snow storage areas and referred the Board to the plans for specific details.

Chairman Feyl stated that this application went to SOPCA and came back with a parking issue and concern on the south side of the property along West Genesee Street. Chairman Feyl also stated that the Camillus Planning Board noted that they did not like parking on the south side of the building and is asking that the parking be eliminated on the south side of the building along West Genesee Street.

Chairman Feyl thinks that snow will be pushed onto the sidewalk. Chairman Feyl commented that the 12 spots are 15' from the sidewalk. Chairman Feyl also stated that the sidewalk is downhill and everything runs downhill.

After a detailed discussion among the Board and Ms. Wennberg, the Board is requesting that the applicant take into consideration modifying the proposed plan by elimination of the 12 parking spaces on the south side of the building.

Ms. Flood questioned how many people would work in the corporate office and the number of agents. Representatives of the applicant stated that 10 to 12 people would work in the corporate office and there are 46 agents and the most saturation of agents would be 1/3 or 15.

Ms. Wennberg described the proposed property to be a two story building with a walk out basement on south side of the site with an agent main entry located on the Hinsdale

Road side of the building and a corporate main entrance on the West Genesee Street side of the building with the bulk of the applicant's business on the retail side.

Ms. Wennberg confirmed there would be an employee entrance on the east side of the building and lot, which is on the lower level. Both Ms. Flood and Chairman Feyl indicated that there is a sidewalk on the east side, which is on the lower level. The applicant's corporate officers can park there. Ms. Flood indicated that it is not a great distance to walk from the east side of the building to the south entryway. Further stating that there is handicapped parking on the east side, and the handicapped can park there and enter the building on the east side, at the lower level.

The Board and Ms. Wennberg discussed parking for the handicapped, the entrance locations, and if the building was equipped with an elevator. Ms. Wennber and Mr. Scrutton confirmed the building did have an elevator. However, they expressed concern with redirecting visitors and not utilizing the specifically designed entryway on the south side. The Board emphasized that the south entryway would still be there. Ms. Flood stated that everyone can still use the southside entryway; however, they would just have to walk a little further.

Ms. Wennberg indicated that the applicant will be proposing a monument style sign, made of stone and will be internally lit. Ms. Wennberg explained the sign was designed to be in scale with the building and in keeping with the residential character of the neighborhood. Ms. Wennberg further explained the sign will have a logo panel approximately 10' sq., with a base that is 10' long and 10" in depth.

Chairman Feyl expressed concern with the ability to see the sign if the parking remains on the south side of the proposed building based upon the drawings provided. Chairman Feyl stated that everyone traveling west won't be able to see the sign if snow is stacked there. Chairman Feyl stated that if the parking on the south side of the building were eliminated, the sign from West Genesee Street would be much more visible from West Genesee Street in his opinion.

Chairman Feyl reiterated that SOPCA, the Camillus Planning Board as well as Chairman Feyl himself expressed opposition with parking on the south side of the proposed building and that he would recommend eliminating the parking on the south side of the building. Chairman Feyl stated that if approved, this application may be conditioned upon elimination of the south side parking.

Ms. Flood motioned to close the public hearing. Mr. Casey seconded the motion and it was unanimously approved.

NEW BUSINESS:

**1. The Fairmount Company, LLC
3514 West Genesee Street
Syracuse, New York 13219**

TM#: 047.-05-22.2

Area Variance: Requesting a 45 sqft building mounted sign where a 30 sqft building mounted sign is allowed.

Ms. Flood moved to declare the application a SEQR Type II and set the Public Hearing for November 6, 2014. Mr. de la Rosa seconded the motion and it was unanimously approved.

MINUTES:

Mr. Casey moved to approve the minutes of the September 2, 2014 meeting. Ms. Flood seconded the motion and it was unanimously approved.

VOUCHERS:

Two vouchers were received from The Post Standard for legal advertising each totaling \$71.30 and \$98.49.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

**1. Matt Lester
Morgan Management
3546 – 3604 West Genesee Street
Syracuse, New York 13219**

TM#: 047.-04-14.0/15.0/16.0

Area Variance & Special Use Permit: Ancillary Parking and lot coverage.

Chairman Feyl and the Board completed the Impact Assessment form determining there are no negative impacts. Mr. Casey motioned to approve (i) a special use permit for ancillary parking at tax map parcel numbered 047.-04-14.0, subject to planting of deer resistant shrubbery along the north side of the property along Gifford Street, Ms. Flood seconded the motion and it was unanimously approved.

Mr. Casey motioned to approve (ii) a variance from Sec. 905 of the Code to allow for a dumpster within the ancillary parking area per the drawings provided, Ms. Flood seconded the motion and it was unanimously approved.

Mr. Casey motioned to approve (iii) a 21% variance per Sec. 606(B) of the Code to allow lot coverage of 56% at the said parcel. Ms. Flood seconded the motion and it was unanimously approved.

The approval of special use permit and variances are subject to approval by the Camillus Planning Board.

2. Snowbirds Landing II, LLC
5983 Paradise Circle
Syracuse, New York 13219

TM#: 015.1-07-02.1

Area Variance: New construction of patio home. Encroaching 1.1' into the 25' setback.

Chairman Feyl and the Board completed the Impact Assessment form determining there are no negative impacts. Ms. Flood motioned to approve a 1.5' variance to accommodate an already erected patio home whose garage encroaches into the front yard setback. Mr. De la Rosa seconded the motion and it was unanimously approved.

3. Vars & Nancy Smith
5226 E. Fox Hill Lane
Camillus, New York 13031

TM#: 026.-04-12.4

Area Variance: Replace and upgrade of a 12' x 32' garden storage shed that will be placed in the front of the rear of the principal building.

Chairman Feyl and the Board completed the Impact Assessment form determining there are no negative impacts. Mr. de la Rosa motioned to approve construction of a 12' x 32' shed to be placed in the front of the rear of the house and 225' from the rear line of the house. Mr. Casey seconded the motion and it was unanimously approved.

4. Realty USA
Keplinger Freeman Associates
5104 West Genesee Street
Camillus, New York 13031

TM#: 040.-10-26.1

Area Variance: Proposed parking does not meet the required amount needed on site, permit to allow for 97 spaces instead of 112 spaces.

Chairman Feyl and the Board completed the Impact Assessment form determining there are no negative impacts. Mr. Casey motioned to approve a variance of 25 parking spaces to allow 87 parking spaces instead of the 112 parking spaces required under the Code, provided there is no parking at all on the south side of the property along West Genesee Street. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:37 p.m., Mr. Casey seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
November 6, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Steve Pirro
Joy Flood

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

6 others

ABSENT:

Jerry Casey

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. Pirro seconded the motion and it was unanimously approved.

PUBLIC HEARING:

1. The Fairmount Company, LLC
3514 West Genesee Street
Syracuse, New York 13219

TM#: 047.-05-22.2

Area Variance: requesting a 45 sqft building mounted sign where a 30 sqft building mounted sign is allowed.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions. Mr. Craig Tesler with Premier Sign Systems, Mr. Al Meilutis Executive Vice President/Chief Operating Officer of Metro Mattress, Mr. Louie Fournier Property Manager, as well as Mr. Joe Fiorie appeared before the Board presenting the application. Purpose of which is to request an area variance allowing business identification signage as well as a free standing sign to exceed 100 sq ft.

Mr. Meilutis stated that Metro Mattress is very excited to announce that they have currently renewed a five year lease with the property owner for this site. Mr. Meilutis explained Metro Mattress has been at this location for over 20 years and currently have plans to open a second store within Township5.

Mr. Meilutis provided drawings to the Board for review. Mr. Meilutis explained that the old sign, measured 50 sq ft. and while they are changing their brand image they will be dropping the tag line 'discount sleep super store'.

Ms. Otto questioned the measurements of the store frontage. Mr. Meilutis stated the proposed sign measures 45 sq ft and feel it is within reason as the footage for the front of the building is 36 linear ft.

Mr. Meilutis further explained that while they are a unique business and feels the proposed signage in such a high traffic area would ensure patrons know exactly where their store is located.

Chairman Feyl stated that he received an email from Councilman Davern expressing his support and asked that the Board consider approving this application.

After a brief discussion among the Board, Mr. Pirro moved to close the Public Hearing. Ms. Flood seconded the motion and it was unanimously approved.

**2. First Baptist Church of Memphis
1960 NYS Route 5
Elbridge, New York 13060**

TM#: 023.-02-01.3

Modification of Special Use Permit: pursuant to Section 1303(A) of the Code of the Town of Camillus to allow for the expansion of the parking lot.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions. Pastor Arthur George and Deacon/Trustee John Lippert appeared in front of the Board to discuss their application to modify the existing Special Use Permit.

Pastor George asked that the Board refer to the site plans and drawings provided. Explaining they have doubled in size and are looking to expand their parking lot, ultimately by adding a second parking lot consisting of 88 spaces. Pastor George explained that the proposed location would be to the right of the existing parking lot.

Pastor George stated the reason they are seeking a modification is that the existing parking is insufficient. Stating that they currently have people who attempt to come to Sunday services, however, are not be able to park and end up leaving. Pastor George explained that they are looking for a safe place for individuals to park.

Chairman Feyl questioned funding for such a project and what the anticipated time frames would be to complete such a project. Pastor George confirmed they are seeking grants and if getting the grants will complete the entire process all at once this coming spring. Further explaining if not obtaining the grants necessary, they are asking to have permission that the entire project be completed within a 5 year period.

Chairman Feyl stated that they may want to consider the possibility of using millings, oil and stone. Chairman Feyl explained that by doing so would allow them to complete the project in far less timeframe at almost half the cost.

Chairman Feyl explained that by code the Board is required to ensure it is paved, however, explained there are options. Pastor George explained they currently have funding to get started and have plans to install stone, gravel and lighting this spring, however, more funding and issuance of grants are necessary for them to complete the project in its entirety.

Mr. Pirro questioned primary use. Pastor George stated that primary use will be on Sundays during mass hour, holidays and on rare occasions such as in the event of an emergency and or special meeting.

Mr. Pirro questioned if once the stone and gravel was in place would the parking lot be utilized for overflow parking. Pastor George stated they would like to utilize the parking as soon as possible if allowable. Pastor George also explained that they currently have volunteers wearing vests who assist members in parking and direct traffic.

Ms. Otto stated that the applicant in speaking with Mr. Price of the Camillus Code office indicated the applicant also needed a variance. Chairman Feyl stated that the Board would also consider granting a variance this evening.

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

**3. Lykin, LLC
d/b/a Mavis Discount Tire
5332 West Genesee Street
Camillus, New York 13031**

TM#: 035.-05-52.2

Area Variance: from the requirements of Sections 809(A) (2) of the Code of the Town of Camillus to permit the installation of a 69 square foot sign on the west face of the building.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions. Mr. Ray Masoni appeared in front of the Board on behalf of Mavis Tire to discuss their application for a variance. Obtaining a variance would allow Mavis Tire to place a 69 sq ft sign on the west side of the building.

Chairman Feyl questioned who was responsible to ensure proper permits were obtained and in place prior to the signs being installed. Mr. Masoni explained it was the General Contractors understanding that the plans/drawings provided were stamped showing signage and believed the signs were approved. Mr. Masoni stated that it was a simple misunderstanding and the signs got put up without having a permit.

Ms. Flood stated that she has driven west to east and you cannot even see the sign located on the west side of the building due to the proximity of the building located next to it the sign is covered.

Mr. Masoni further explained that if removing the signage from the west side of the building there would be approximately 40 holes that would be visible requiring the siding be replaced at an additional cost.

The Board collectively stated that they saw no specific requirement nor need to leave the signage on the west side of the building.

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

NEW BUSINESS:

1. HD Development of Maryland, Inc.
c/o Home Depot U.S.A., Inc.
3756 Milton Ave.
Camillus, New York 13031

TM#: 017.-04-48.2
(017.-04-02.1 & 017.-04-48.3)

Area Variance: to allow off premises identity signs on the on premises, increase permitted height from 25' to 30' and to increase the number of free-standing signs from one to two as well as to increase the permitted size from 150sqft to 200 sqft.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for December 2, 2014. Ms. Flood seconded the motion and it was unanimously approved.

MINUTES:

Ms. Flood moved to approve the minutes of the October 7, 2014 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 \$4,500.00.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

**1. The Fairmount Company, LLC
3514 West Genesee Street
Syracuse, New York 13219**

TM#: 047.-05-22.2

Area Variance: requesting a 45 sqft building mounted sign where a 30 sqft building mounted sign is allowed.

Chairman Feyl and the Board completed the Impact Assessment form determining there are no negative impacts. Ms. Flood motioned to grant a 9 sq ft variance to allow increase in signage to 45 sq ft. Mr. Pirro seconded the motion and it was unanimously approved.

**2. First Baptist Church of Memphis
1960 NYS Route 5
Elbridge, New York 13060**

TM#: 023.-02-01.3

Modification of Special Use Permit: pursuant to Section 1303(A) of the Code of the Town of Camillus to allow for the expansion of the parking lot.

Chairman Feyl and the Board completed the Impact Assessment form determining there are no negative impacts. Ms. Flood motioned to (i) grant a modification to the Special Use Permit for the expansion of 88 spaces, (ii) grant a variance to allow for the use of millings or better coverage in place of asphalt paving, (iii) grant a variance to defer final striping pending the installation of the millings or better coverage, conditioned upon completion of the project in its entirety be completed within three years. Mr. Pirro seconded the motion and it was unanimously approved.

**3. Lykin, LLC
d/b/a Mavis Discount Tire
5332 West Genesee Street
Camillus, New York 13031**

TM#: 035.-05-52.2

Area Variance: from the requirements of Sections 809(A) (2) of the Code of the Town of Camillus to permit the installation of a 69 square foot sign on the west face of the building.

Chairman Feyl and the Board completed the Impact Assessment form determining there are no negative impacts. Mr. Pirro motioned to grant a variance to allow placement of a 69 sq ft sign of the west side of the building. Ms. Flood seconded the motion.

The foregoing resolution was duly put to vote, which resulted as follows:

Richard de la Rosa	Voting	NO
Steve Pirro	Voting	NO

Robert Feyl	Voting	NO
Jerry Casey	Absent	
Josephine Flood	Voting	NO

Motion DENIED.

Ms. Flood motioned to grant a variance of 1 sq ft. for the signage on the front of the building as well as the free standing sign. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:04 p.m., Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
December 2, 2014 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Steve Pirro
Joy Flood
Jerry Casey

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

1 other

ABSENT:

None

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. Ms. Flood seconded the motion and it was unanimously approved.

PUBLIC HEARING:

**1. HD Development of Maryland, Inc.
c/o Home Depot U.S.A., Inc.
48.3)
3756 Milton Ave.
Camillus, New York 13031**

**TM#: 017.-04-48.2
(017.-04-02.1 & 017.-04-**

Area Variance: to allow a second free-standing sign to identify retail tenants on the adjoining property, and to increase the permitted height of the second proposed sign from 25' to 30', increase the number of free-standing signs from one to two, and increase the permitted size from 150 sq ft to 200 sq ft.

Chairman Feyl asked that the applicant refer to the hearing guide while addressing the Board and answering questions.

Mr. Kevin Kane appeared before the Board to discuss the Home Depot application for an area variance. Mr. Kane explained that the proposed sign will be exactly the same as the current sign located on the west side of the property. Mr. Kane explained the location on the south side of the property was selected as Milton Ave. is a primary source of access to the HomeDepot plaza. Photos along with a letter answering questions from the Hearing Guide were presented to the Board.

Chairman Feyl stated that he takes issue with the photos provided if being used as a comparison. Chairman Feyl explained that the photos provided depict signs of a

different size, are monumental signs, look extremely nice, and are maintained to current standards, while the current sign located at the HomeDepot property is a mess, has not been maintained, has no lighting, and does not meet current standards.

Chairman Feyl also noted that at this specific location Home Depot currently has a massive sign located on the south side of the building, a large sign on the west side, as well as a sign on the northern part of the property. Chairman Feyl stated he had an issue with the applicant wanting to place the exact same signage on the west side of the building as in his opinion it would be excessive and takes away from all of the decent signage in the area.

Mr. de la Rosa stated that he could see where the smaller retail stores would want an additional sign on the west side of the property as the current signage they have on the south side of the building cannot be seen from Milton Ave. Mr. de la Rosa discussed the possibility of a sign being placed on the corner of Milton Ave. and Hinsdale Road to replace the existing signage.

Mr. Pirro felt additional signage would be excessive, however, agreed with Mr. de la Rosa in that the smaller stores are who could benefit from this request.

Mr. Casey stated he agreed with Mr. Pirro and felt it would not benefit people coming off the highway. Mr. Casey asked if the applicant would be open to other considerations.

Ms. Flood stated she suggests changing existing signage. Ms. Flood suggested adding more back lighting so the sign would be better visible to the public. Ms. Flood also felt the additional signage was not necessary and would not be in favor of placing an additional signage on the corner of Hinsdale Road and Milton Avenue as it is an extremely busy corner already.

Chairman Feyl stated that if an additional sign was considered it would be to benefit the smaller businesses with having conditions of excluding Home Depot.

Ms. Otto brought to the Board's attention that a variance would still be required because, according to Sec. 802(K) of the Camillus Town Code all signage must be located on the same site as the business the sign identifies.

Mr. Kane stated he would look into the maintenance of the sign and could not speak to that this evening but would get some answers. Mr. Kane also stated that the idea of the additional signage is primarily driven from the small businesses merchants need to be known. Stating that the original pylon sign was installed when the original shopping center owned by The Widewaters Milton Ave. Company. They expansion over time has changed ownership and is now owned by HD Maryland Company, Inc. Mr. Kane explained that they effectively are one piece of parcel.

Mr. Kane stated even though they are owned by separate entities, the rights of a consumer or merchant flows evenly across the parcels, as you cannot have restrictions on movement of utilities, access, signage and are effectively one piece of real estate. Mr. Kane included the subdivision maps for the Boards review.

Mr. Kane also explained that the illumination on an orange background sign such as Home Depot will not have the same illumination as a white background sign. Explaining that Home Depot has corporate standards that must be followed and simply cannot go in and change the illumination of the signs.

Chairman Feyl stated that Home Depot in his opinion needs to come up to today's requirements and standards.

Mr. Kane stated that it would be difficult for such a change as approval from several investors, lenders and entities is not easily obtained.

Ms. Flood pointed out the space allowed for the small businesses is difficult to read as it is within such a small area.

Chairman Feyl explained that the current code encourages monumental signs with use of LED lighting for efficiency and would appreciate if the applicant would reconsider a 2014 plan.

Mr. Kane asked for a continuation of the application as he does not want to consider a denial or an appeal. Stating he was not aware the Town did not like the current pylon sign and felt replicating the current pylon sign would make very little change as the sign has been there for some time.

Ms. Flood stated in her opinion the proposed sign is difficult to read and asked if the applicant would reconsidered redesigning the sign and resubmitted.

Chairman Feyl stated that the attitude for signage back in the 90' was very different from the Town's opinion today as the Town in general encourages new designs such as monumental signs. Chairman Feyl stated that he would appreciate rethinking the entire plan coming up with a 2014 plan and not to fall back on a 90's plan which is outdated.

Ms. Flood suggested redesigning the sign allowing the smaller retailers more signage space.

The Board, Ms. Otto and Mr. Kane discussed how much of the proposed sign would be left blank and possibilities of flexibility without diminishing chances of leasing. Expressed blank signage as being eyesores to the Town. Mr. Kane expressed that it is extremely difficult as there are corporate standards to follow in understanding what their needs are.

Chairman Feyl asked that the applicant consider a more practical plan with trying to follow current requirements. Chairman Feyl stated he would like to see improvements to the property along with upgrades.

Mr. Kane explained that the task to consider alternative upgraded signage is difficult as he is dealing with three separate parcels with different lenders and tenants. Stating it would be difficult in getting everyone's approval to consider other options. Chairman Feyl stated that in his opinion this effort should be considered.

Mr. Kane stated that he cannot tell the Board when Home Depot will upgrade the store.

Mr. LaFlair, 2nd Ward Councilman appeared expressing he feels there is a need for signage for the smaller venues with the increased traffic flow along Milton Avenue and 695.

After a discussion among the Board and Mr. Kane, Mr. de la Rosa moved to continue the Public Hearing to February 3, 2014. Ms. Flood seconded the motion and it was unanimously approved.

NEW BUSINESS:

**1. The Fairmount Company, LLC
3514 West Genesee Street
Syracuse, New York 13219**

TM#: 047.-05-22.2

Area Variance: requesting a 44.75 sqft building mounted sign where a 34 sqft building mounted sign is allowed.

Ms. Flood moved to declare the application a SEQR Type II and set the Public Hearing for January 6, 2015. Mr. Casey seconded the motion and it was unanimously approved.

MINUTES:

Mr. de la Rosa moved to approve the minutes of the November 6, 2014 meeting as amended. Ms. Flood seconded the motion and it was unanimously approved.

VOUCHERS:

A voucher was received from The Post Standard for legal advertising totaling \$73.50.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:

Ms. Otto and the Board discussed the Realty USA application, identified by TM#: 040.-10-26.1, located at 5104 West Genesee Street Camillus, New York 13031.

Ms. Otto brought to the Boards attention that this Board granted Realty USA a variance to allow a reduced number of parking spaces located at the corner of West Genesee Street and Hinsdale Road provided there was no parking on the south side of the property. As the south side of the property drops in elevation onto the sidewalk, if plowed could possibly have snow fall onto the sidewalks causing an obstruction, in

addition if snow was to be plowed to the south side of the property it would block the view of monument sign.

Ms. Otto explained that at the time of the hearing this Board was being informed by the Town of Camillus Planning Board as well as the Onondaga County Planning Board, that they were both adverse to any parking on the south side of the property. After this Board granted the variance with conditions the Camillus Planning Board changed its view and allowed the applicant to have parking on the south side of the property.

Mr. Tom Price, Camillus Code Enforcement Officer, asked that the Board reconsider approving the variance without any conditions. Ms. Otto explained that only by a unanimous vote could this matter be set for another re-hearing. In the event of a re-hearing, the applicant would come in again, present its case and if the Board was to grant the variance without conditions, the only way this could pass would be by a unanimous vote. Ms. Otto explained to the Board that if one person disagrees, it will not pass as the decision must be unanimous. Ms. Otto also explained if this Board changes their mind there needs to be a good reason to do so.

Chairman Feyl stated in his opinion there is a major safety issue.
After a detailed discussion, the Board decided not to take any further action.

DECISIONS:

None

ADJOURNMENT

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

Respectfully submitted,

Krista Kenna, ZBA Clerk

B

Breed Road 6128
Area Variance 15, 17, 21

F

Forte, John
Area Variance 12, 14, 16

G

Gemini Estates Assoc., L.P.
Area Variance 3, 9, 11
Germania Ave. 120
Area Variance 15, 18, 21

H

Horan Road 458
Area Variance 3, 9, 11

K

Kandon LLC
Area Variance 1, 4

L

Leonty, Timoshuk
Area Variance 15

M

Milton Ave. 3680
Area Variance 20
Milton Ave. 4176
Special Use Permit 3, 7, 11

P

Ponto, Paul
Area Variance 15, 18, 21

S

St. Joseph's Church
Special Use Permit 19, 21

T

Timoshuk, Leonty
Area Variance 17, 21

W

Warners Road 3475	
Area Variance	12, 14, 16
West Genesee Street 5308	
Area Variance	1, 4
West Genesee Street 5600	
Special Use Permit	19, 21
Wildcat Sports Pub	
Area Variance	20
Williams, Annette	
Special Use Permit	7
Williams, Darren	
Special Use Permit	3, 11