

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
January 6, 2015 – 7:00 p.m.

PRESENT:

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

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. 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 44.75 sqft building mounted sign where a 34.6 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. Louis Fournier presented the application to the Board. Purpose of which is to install a 22 ¼' x 2' identification sign, bearing the Casual Male name. Mr. Fournier explained that the proposed sign will replace the canvas sign that is on the roof top now, will be mounted to the building and will be back lit. Further explaining, they are asking for the Board's consideration of an 11 square foot sign variance.

Chairman Feyl stated that Councilman Davern submitted a letter supporting this application as he was not able to attend the meeting.

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

NEW BUSINESS:

None

MINUTES:

Ms. Flood moved to approve the minutes of the December 2, 2014 meeting as amended. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS:

Two vouchers were received from The Post Standard for legal advertising each totaling \$46.31 and \$50.72.

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$1,515.00.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:

DECISIONS:

**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 34.6 sqft building mounted sign is allowed.

Ms. Flood motioned to approve an 11 square foot variance to allow a business identification sign of 44.75 square feet. Mr. Pirro seconded the motion and it was unanimously approved.

Organizational Meeting:

The Zoning Board of Appeals will make the following recommendations to the Town Board:

Mr. Pirro recommended the re-appointment of Mr. Rich de la Rosa as Vice Chairman of the Zoning Board of Appeals. Ms. Flood seconded the motion and it was unanimously approved.

Mr. Pirro recommended the re-appointment of Mr. Feyl as Chairman of the Zoning Board of Appeals. Mr. de la Rosa seconded the motion and it was unanimously approved.

Mr. Pirro motioned to appoint Krista Kenna as Clerk to the Zoning Board of Appeals. Mr. de la Rosa seconded the motion and it was unanimously approved.

Mr. Pirro motioned to appoint Susan Otto of Melvin & Melvin, PLLC as Zoning Board of Appeals Attorney at the prevailing Town rates. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT

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

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
February 3, 2015 – 7:00 p.m.

PRESENT:

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

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Bill Davern, 3rd Ward Councilor

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. 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 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.

PLEASE NOTE: At the request of the applicant, the Public Hearing has been continued to March 3, 2015.

Ms. Flood motioned to continue the Public Hearing to March 3, 2015. Mr. Pirro seconded the motion and it was unanimously approved.

**2. Carol Franceschetti
3800 West Genesee Street
Syracuse, New York 13219**

TM#: 042.-09-10.1

Area Variance: to allow a 36 square foot free standing sign 7' from the West Genesee Street right of way line.

Ms. Flood motioned to declare the application a SEQR Type II and set the Public Hearing for February 3, 2015. Mr. de la Rosa seconded the motion and it was unanimously approved. After a brief discussion among the Board and Councilman Davern, Mr. de la Rosa moved to continue the Public Hearing to March 3, 2015. Ms. Flood seconded the motion and it was unanimously approved.

NEW BUSINESS:

**1. Angela Sagneri
5919 Venus Path
Syracuse, New York 13219**

TM#: 015.1.-01-04

Area Variance: to allow a 30' x 28' garage, 5' from the north side of the property.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for March 3, 2015. Mr. Pirro seconded the motion and it was unanimously approved.

MINUTES:

Ms. Flood moved to approve the minutes of the January 6, 2015 meeting. Mr. Doohar seconded the motion and it was unanimously approved.

VOUCHERS:

None

COMMENTS OF THE BOARD:

Chairman Feyl reminded the Board members of the upcoming 2015 Onondaga County Planning Symposium, March 5, 2015 at the Convention Center at Oncenter.

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

None

ADJOURNMENT

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

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
March 3, 2015 – 7:00 p.m.

PRESENT:

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

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Mike LaFlair, 2nd Ward Councilor

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.
3756 Milton Ave.
Camillus, New York 13031**

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

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.

Kevin Kane, Development Manager of the Widewaters Group, Inc. appeared before the Board representing HD Development of Maryland, Inc., the owner of the property know as Home Depot USA, Inc.

Mr. Kane stated he was asking that the Zoning Board of Appeals grant a series of variances to allow the construction of a second pylon sign located on Hinsdale Road. Further explaining that due to the significant change in the traffic pattern with the development of Township 5. As on record from the December 2 meeting of the Zoning Board of Appeals, Widewaters and Home Depot welcome the success that Township 5 has and continues to have. However, Widewaters' tenants on the far eastern side of the complex are at a disadvantage competitively due to poor visibility and Widewaters is having a hard time leasing out the vacancies.

Mr. Kane stated that the significant distance of 1300 feet from the intersection and the closest merchant being 1000 feet places those tenants at a disadvantage and they would like the ability to compete more with the change in traffic that has occurred.

Mr. Kane stated that they have reviewed traffic studies submitted by Township 5 projecting about an 80% change in the additional traffic heading northbound on Hinsdale Road. Also, stating with the research conducted by the DOT, they have seen a significant change at their front door dropping about 18% since 2005. Mr. Kane explained that the significant change in traffic is why they are asking for the Board to consider granting this request.

Mr. de la Rosa questioned the location of the proposed sign and stated that if the existing sign moved to the other side of the entrance and no longer had the name Home Depot on it, would allow for more space for the other tenants, making their signage more visible.

Mr. Pirro questioned the number of parcels. Mr. Kane stated that there were three parcels joined by an REA.

Ms. Otto questioned where the REA states or references that the three parcels are joined. Ms. Otto stated that the REA document provided to the Board only indicates that parcels A and B are currently owned by Widewaters, seeing no reference within the REA to the Home Depot parcel. Ms. Otto asked Mr. Kane to show her where within the REA it states the three parcels are joined. Mr. Kane asked to take a look at the copy Ms. Otto was referring to.

Mr. Pirro stated that given the fact that there are separate parcels, owned by different individuals, they do not have the right to put the other occupants' names on the sign proposed to be placed on Hinsdale Road. Mr. Pirro noted that the current sign is not on Widewaters' property. Mr. de La Rosa stated if the current sign was moved to the other side of the entrance drive and by removing the Home Depot name would allow for more space for signage for the other tenants.

Mr. Kane stated that the current REA document was a subsequent REA done in 2009 to the original REA that was done in 1997. Ms. Otto stated, if subsequent, this document replaces the original REA and remains the controlling document, superseding the prior one. Ms. Otto stated that, in her opinion, the REA has no relevance to this application even though it has been referenced a lot.

Mr. Pirro and Mr. de la Rosa inquired if applicant has considered advertising only the Home Depot name on the proposed sign located on the Hinsdale side of the Home Depot property and taking down the existing sign.

Ms. Otto explained that Widewaters could place a new free standing sign on its properties as they are allowed under the code, identifying only the tenants on those two properties making the advertisement for those tenants more prominent, without having the Home Depot name on it allows for more space.

Mr. Dooher questioned the proposed sign on Hinsdale. Mr. Kane stated the proposed sign would be a duplicate of the existing sign.

Ms. Flood questioned if Mr. Kane has come up with a new proposal or if we are still talking about the same variances as before. Mr. Pirro stated if not we would be discussing what was discussed several months ago.

Mr. Kane expressed his discontent with what Ms. Otto stated. Mr. Kane referred to a piece of the findings from December of 1997 on the last page of his submission to the Board and read the following into record:

“The subject project, which encompasses all three (3) parcels and which is shown on the site map drawing dated December 5, 1997, is bordered on the north by Route 5, on the west by Hinsdale Road and on the south by a railroad right-of-way and Milton Ave. While the project consists of three (3) separate parcels, the concept for development of the project considers the interrelationship of the parcels as presenting one overall project consisting of 18.65 +/- acres, accordingly, the main access to the project and to all three (3) parcels will be by means of one common entrance located on Milton Ave. Consistent with the view of the interrelationship of the parcel; from a virtually unified project, only one pylon sign identifying the occupants of the respective parcels is to be placed at the common entrance on Milton Ave. Also, relative to the issue of available parking will be put in place”.

Mr. Kane stated that these were the findings of the ZBA back in 1997 granting the variances and acknowledgement linking the three parcels of by means of a document of which he is now being told is superseded.

Ms. Otto explained that after that decision Widewaters sold a parcel to Home Depot and explained that the facts have change dramatically. Mr. Kane confirmed it was sold.

Chairman Feyl explained that the sale of that parcel severed that agreement as it is now a separate entity by itself. Stating the Camillus Zoning Board of Appeals has never and will not allow for off premises signage.

Mr. Kane questioned if that happened in 1997. Ms. Otto and Chairman Feyl explained that it did not happen in 1997 as at that time all three parcels were owned by Widewaters.

Chairman Feyl further explained that Mr. Kane does have certain options by code and provided several examples/options.

Chairman Feyl stated that this Board will not and cannot allow for off premises signage as it opens a can of worms and simply cannot be done and is not allowed. Stating the Board appreciates his efforts.

Mr. Pirro stated that is not a unique situation nor is the Board singling Widewaters out as it has been requested before and the same decision has been made as it is simply not allowed.

Ms. Otto asked Mr. Kane if he had any further questions. Mr. Kane stated that he is not a lawyer and is not prepared to argue the legal points, as there is a fundamental point of law he is not prepared to address tonight.

Ms. Flood questioned if Mr. Kane has spoken to the tenants of the property and if any other alternative signage was discussed. Mr. Kane stated the he does not see how a compromise can be made as their problem is the physical distance from Hinsdale to their tenants. Stating Hinsdale is the change carrying the bulk of traffic from Camillus northward and the tenants simply do not have visibility.

Ms. Flood questioned current signage of their tenants and reminded Mr. Kane of the signage located on the back of the smaller plaza tenants. Chairman Feyl agreed with Ms. Flood that the tenants within the smaller plaza are visible from the bypass.

Mr. Kane respectfully disagreed as both directions on Hinsdale is where Widewaters is trying to get their tenants name visible. Explained that as he heads south off the Hinsdale exit he feel consumers would not even notice the smaller plaza except for Home Depot.

Ms. Otto stated that the sign for those tenants can be moved closer to the bypass and removing the Home Depot name would make all of those tenants much more visible before even getting off the exit.

Mr. Kane stated that he recognizes that the Board would not move forward tonight with what they are asking for unless there is more information regarding a subsequent REA supporting cross rights on the parcels.

Chairman Feyl questioned if Mr. Kane was asking for a continuation. Mr. Kane stated that he feels with all of the time and effort put into this application that he feels a request for a continuation is within reason at least to find out if there is a subsequent document rebinding all of these parcels to come to a conclusion. If providing documentation of the cross right possible the Board would reconsider and if there is not a document that supports such cross rights they will submit a letter withdrawing their application.

Ms. Otto stated that her opinion from a legal perspective even if there is a reciprocal agreement giving them rights it still would be an off premises sign and is not binding on this Board. It is not what the agreement provides that controls; it is what the ownership is and the owners would still be different.

Chairman Feyl stated that with that said it is what it is and a decision must be made this evening and thanked Mr. Kane for appearing.

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

**2. Carol Franceschetti
3800 West Genesee Street
Syracuse, New York 13219**

TM#: 042.-09-10.1

Area Variance: to allow a 36 square foot free standing sign 8' from the West Genesee Street right of way line.

Ms. Franceschetti appeared before the Board to discuss her application for a variance. Ms. Franceschetti explained to the Board that she did not receive a letter to appear until two days post and extended her apology to the Board.

Chairman Feyl read a letter into the record submitted by Councilman Davern expressing his support and asked the Board for their consideration to approve this request. Chairman Feyl explained the only concern that was brought up in discussion was the pole that currently extends beyond the existing sign. (Letter submitted is on file in Camillus Town Clerk's office.)

Ms. Franceschetti explained that she has done several improvements over the years to enhance her business for her patrons at this location and is seeking an area variance to allow a 36 square foot sign, 8 feet from the West Genesee Street right of way. Ms. Franceschetti further explained that she has a small restaurant located adjacent to the ice-cream shop and has had a difficult time leasing this space. Chairman Feyl stated that if granting this request, it

would be conditional on the extending pole being cut off to within 6" of the top of her existing sign.

Ms. Franceschetti stated that the current tenant approached her requesting additional signage due to the restaurant being set back and lack of visibility. Ms. Franceschetti expressed that the additional signage would help a great deal and would provide the needed exposure for this small business.

Ms. Flood questioned specifications on the proposed sign. Ms. Franceschetti explained that the proposed sign would measure 3 feet by 6 feet. Ms. Franceschetti also stated the proposed sign would be back lit and be placed directly under her current Carol's sign.

Ms. Otto referred to the hearing guide and inquired why the sign was welded such that the sign protrudes into the set back, as the Camillus Code Enforcement office expressed a concern with the sign protruding into the set back.

Ms. Franceschetti explained that the sign was existing when she purchased the property and the only changes made to the existing sign was replacement of the paneling and is at a loss as why the sign was welded this way.

Chairman Feyl stated that this is a unique situation as this building was built in the 1950's and explained that the Board would take that into consideration when making a decision and further explained the process of consideration and approval of this request.

Ms. Flood questioned what the costs would be to bring the sign into compliance with the Town of Camillus code. Ms. Franceschetti explained that she does not have this information, however, would imagine it would cost a considerable amount as an entirely new sign would need to be purchased and they would need to move the pole back behind the building to become compliant. Further explaining that if doing so, would defeat the purpose of gaining visibility and be a detriment to her business as it would be behind the line of vision.

Mr. LaFlair, 2nd Councilor spoke in favor of this application and asks for the Boards consideration to consider this application for approval.

Mr. Shelon, resident of Camillus spoke in favor of the applicant and feels a new sign for this location would make the adjacent business visible.

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

**3. Angela Sagneri
5919 Venus Path
Syracuse, New York 13219**

TM#: 015.1.-01-04

Area Variance: to allow a 30' x 28' garage, 5' from the north side of the property.

Mr. Pirro moved to continue the Public Hearing to April 7, 2015. Mr. de la Rosa seconded the motion and it was unanimously approved.

NEW BUSINESS:

1. Margaret Timofy
103 Trent Lane
Camillus, New York 13031

TM#: 039.-02-05.0

Special Use Permit: to provide holistic health services as a home occupation.

Mr. Dooher moved to declare the application an Unlisted Action and set the Public Hearing for April 7, 2015. Mr. Pirro seconded the motion and it was unanimously approved.

MINUTES:

Ms. Flood moved to approve the minutes of the February 3, 2015 meeting. Mr. Dooher seconded the motion and it was unanimously approved.

VOUCHERS:

A voucher was received from The Post Standard for legal advertising totaling \$41.16.

A voucher was received from Crystal Rock for supplies totaling \$50.72.

A voucher was received from Onondaga County Planning Federation for schooling totaling \$195.00.

Mr. Pirro 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. 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 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 and the Board completed the Impact Assessment form

Mr. de la Rosa motioned to grant a variance to allow the installation of a second free standing pylon sign, 30 feet high and 200 square feet in size, on the Hinsdale Road side of the property located at 3756 Milton Avenue, further identified by tax map number 017.-04-48.2, which proposed sign would identify Home Depot and the retailers at the adjacent parcels bearing tax map numbers 017.-04-02.1 and 017.-04-48.3. Mr. Pirro seconded the vote.

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

Josephine Flood	Voting	NO
George Doohar	Voting	NO
Robert Feyl	Voting	NO
Steve Pirro	Voting	NO
Richard de la Rosa	Voting	NO

Motion DENIED.

**2. Carol Franceschetti
3800 West Genesee Street
Syracuse, New York 13219**

TM#: 042.-09-10.1

Area Variance: to allow a 36 square foot free standing sign 7' from the West Genesee Street right of way line.

Chairman Feyl and the Board completed the Impact Assessment form

Ms. Flood motioned to grant a 7 foot variance to permit a 6 foot by 6 foot free standing sign set back 8 feet from the West Genesee Street property line of the real property located at 3800 West Genesee Street, further identified by tax map number 042.-09-10.1. Mr. Pirro seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:13 p.m., Mr. Doohar seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
April 7, 2015 – 7:00 p.m.

PRESENT:

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

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Mike LaFlair, 2nd Ward Councilor

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. Angela Sagneri
5919 Venus Path
Syracuse, New York 13219

TM#: 015.1.-01-04

Area Variance: to allow a 30' x 28' garage, 5' from the north side of the property.

Mr. Richard Sagneri, owner appeared before the Board to discuss his application for an Area Variance. Mr. Sagneri stated the home is located within Starlight Estates, is a 4 bedroom colonial with a very small side load garage. Mr. Sagneri explained he was in front of the Board this evening as he would like to build a 30' x 28' garage, 5' from the north side property line.

Mr. Sagneri explained that while there is another option, the proposed project would cost much less. Further explaining he would have to deconstruct and reconstruct his current home, forcing him to move existing dormers involving a great deal of work, time and money.

Mr. de la Rosa questioned if a detached garage could be placed in the rear of his home. Mr. Sagneri stated he would not be able to do so as there is an in ground pool.

Ms. Flood questioned if the existing garage would be part of the proposed garage. Mr. Sagneri explained that it would be utilized for storage and the current mudroom would be extended out into the existing garage.

Ms. Flood questioned if the neighbor to the north was notified. Mr. Sagneri stated that he has spoken to his neighbor on the north side, Judge Welsh and that there were no issues.

Chairman Feyl questioned if there were covenants in the deed or within the development for Starlight Estates and if the Homeowners Association had been notified. Mr. Sagneri explained that he submitted his proposal to the Homeowners Board for review and had been informed he

would be notified if there were any questions or concerns. Chairman Feyl asked if the applicant had anything in writing stating there were no issues with the Homeowners Board. Mr. Sagneri explained that there are neither covenants nor issues, however, has nothing in writing.

Ms. Otto asked if the Homeowners Board has sent an approval of his proposal. Mr. Sagneri stated he submitted his proposal to Mr. Bill Stone, the architect working with the Homeowners Association and has been informed by Mr. Stone that they have no issues.

Mr. Dooher questioned who Mr. Stone was and how he was affiliated with the Homeowners Association. Mr. Sagneri explained that he was the individual who needed to review the proposed plans and to his knowledge was the architect working with the Homeowners Association. Mr. Sagneri also explained that he has a sign off from his neighbor to the north stating there are no issues with this project.

Ms. Otto asked if the applicant felt he could obtain the documentation that he submitted to the Homeowners Association for approval. Mr. Sagneri stated he would not have any issues and will be happy to provide.

Chairman Feyl asked that the applicant send all documentation for approval to the Clerk's office. Mr. Sagneri stated that he would be happy to provide required documentation.

Mr. LaFlair, 2nd Ward Councilor stated he has spoken to the surrounding neighbors and has been informed that there are no issues. Mr. LaFlair also stated that if the Board was requiring approvals from the neighbors and Homeowners Association in writing, that it should be a requirement of all applicants not just a select few. Mr. LaFlair stated that he feels the Board should be consistent with all applications.

Ms. Otto explained that the applicant informed the Board that there was such documentation in writing, and Chairman Feyl was simply asking for that supporting documentation. Ms. Flood stated that the Board receives this type of documentation in writing for several applications not just this particular application.

Mr. LaFlair reiterated his opinion that all applications should be dealt with consistently and the requirements be placed on the application of the requirements upon submission.

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

**2. Margaret Timofy
103 Trent Lane
Camillus, New York 13031**

TM#: 039.-02-05

Special Use Permit: to engage in Personal Service Occupation.

Ms. Timofy appeared before the Board to discuss her application for a Special Use Permit. Chairman Feyl questioned if the applicant has since purchased the property. Ms. Timofy stated that she did indeed purchase the property and provided a copy of the deed to the Board.

Chairman Feyl stated that he has received a letter from the Camillus Planning Board stating it has no issues with this application. (Letter on file in the Clerk's office.)

Ms. Timofy stated that the survey provided to the Board shows specifics on dimensions and size. Ms. Timofy explained that she would be continuing to provide the same services as she had provided on Slawson Street, however, wanted to downsize and had decided to move to 103 Trent Lane.

Ms. Timofy stated that she plans on living at this location by herself.

Ms. Timofy stated that she will not be selling any retail products and encourages clients to purchase necessary products at Green Planet Grocer.

Mr. Pirro questioned entry to be used by clients. Ms. Timofy stated that clients would be entering through the garage.

Ms. Flood questioned where services would be conducted. Ms. Timofy stated that she has plans to use the spare bedroom at this time.

Ms. Otto questioned the amount of habitable floor area. Ms. Timofy stated that approximately 25% of the home would be used.

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

**3. New York Spine & Wellness
Syracuse Orthopedic Specialists
5417 West Genesee Street
Camillus, New York 13031**

TM#: 065.-04-06.1

Area Variances: to identify themselves on the building and for a free-standing sign by the road.

Chairman Feyl explained that an email was received by the applicant requesting the application be continued to the next meeting for Tuesday, May 5.

Mr. Pirro motioned to declare the application a SEQR Type II and set the Public Hearing for April 7, 2015 and to continue the Public Hearing to May 5, 2015. Mr. de la Rosa seconded the motion and it was unanimously approved.

**4. Richard Grobsmith
3637 Warners Road
Syracuse, NY 13209**

TM#: 017.-03-14.0

Area Variance: would like to build a 6' x 8' deck without a cover.

Ms. Flood motioned to declare the application a SEQR Type II and set the Public Hearing for April 7, 2015. Mr. Pirro seconded the motion and it was unanimously approved. Mr. Grobsmith appeared before the Board to discuss his application for an Area Variance. Mr. Grobsmith stated the dimensions of the house and lot while referring to the documents

provided. Mr. Grobsmith explained the purpose for this request was a safety concern as his wife shattered her ankle on the existing entrance.

Mr. Grobsmith stated the proposed deck would be 8' long, 6' deep, having a 4' set of stairs off to the side.

Mr. Grobsmith stated he has spoken to his surrounding neighbors and submitted written approvals to the Board.

Ms. Flood questioned if a roof would be considered. Mr. Grobsmith stated that given the pitch of the existing roof, a roof on the porch would not be feasible.

Mr. Pirro questioned if a railing would be installed. Mr. Grobsmith confirmed a railing would be used and code would be followed.

Mr. LaFlair, 2nd Ward councilor stated that while he did not speak to the applicant or surrounding neighbors, however, expressed his support for this application asking for the Board's consideration.

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

NEW BUSINESS:

Ms. Otto explained that Mr. Kevin Kane of Widewaters emailed the Board for reconsideration of the denial. Ms. Otto stated that the applicant cannot demand reconsideration, the Zoning Board of Appeals is the only entity authorized by the statute to hold a rehearing, and a rehearing can only be done if a motion by a Board member is made for a rehearing.

Ms. Otto further explained that there is no rehearing absent a motion. Ms. Otto explained the process should a motion for a rehearing be made, stating in the event of a motion was made by a Board member to hold a rehearing; there is no rehearing unless the motion passes unanimously.

Further explaining, if a motion for a rehearing is made and passes unanimously, it would be advertised as a new hearing. Ms. Otto explained that, if there is a new hearing, there would be no modification, annulment or change of the decision unless such a motion passes unanimously.

Ms. Otto stated that she senses Mr. Kane believes that he is automatically entitled to a rehearing upon submission of request, however, that is simply not true.

Chairman Feyl explained what might be reconsidered for a rehearing. Chairman Feyl gave examples such as a monument sign, relocation of the signage, and a smaller sign, however, believes Widewaters is not willing to make any changes or compromises at this time.

Ms. Flood expressed that she felt Mr. Kane lead the Board to believe that a compromise would be made and has not done so nor does it have intention to do so.

Ms. Otto explained that Mr. Kane was very critical of the Board's decision and Notice of Action and has approached the Town to reconsider passing a law to allow off premises signage along Hinsdale Road.

Ms. Otto stated that she has explained to Mr. Oudemool and Supervisor Coogan that even if such a law were to pass, the Board's reaction may not change due to the Board's traffic and safety concerns, as well as possible developments.

Ms. Otto explained that Widewaters wants to duplicate the current sign and therefore she stated to Mr. Oudemool and Supervisor Coogan that the Zoning Board may still not want to grant the variances because they would be substantial.

Mr. de la Rosa stated that he himself still has an issue with the sign not being on their property.

Ms. Flood stated that Mr. Kane has not presented anything different to the Board and is indicating no signs of a compromise. A conversation among the Board regarding concerns of not willing to compromise, along with safety concerns and off premises signage still remain an issue.

Ms. Flood questioned if the Town Attorney and Supervisor had been made aware of the compromises the Zoning Board has tried to offer to Mr. Kane. Ms. Otto stated that she had a lengthy conversation and has emailed the Notice of Action and Resolution to Mr. Oudemool.

After a detailed discussion among the Board and Ms. Otto, no one on the Board would move for reconsideration.

The Board was therefore polled, and the results were:

Richard de la Rosa	Voting	NO
Steve Pirro	Voting	NO
Robert Feyl	Voting	NO
George Dooher	Voting	NO
Josephine Flood	Voting	NO

No motion was made for reconsideration of the prior decision.

MINUTES:

Ms. Flood moved to approve the minutes of the March 3, 2015 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS:

Two vouchers were received from Syracuse Media for legal advertising totaling \$73.50 and \$44.10.

A voucher was received from Hummel's Office Plus for supplies totaling \$35.88.

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$2,880.00.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

Mr. Kane e-mailed a 112 page letter, with enclosures, seeking reconsideration of Widewaters' or Home Depot's application. Chairman Feyl received a letter from Mr. Kane, critical of the Board's decision that Mr. Kane copied to Town Attorney Oudemool and Supervisor Coogan.

OLD BUSINESS:

None

DECISIONS:

1. Angela Sagneri

TM#: 015.1.-01-04

5919 Venus Path

Syracuse, New York 13219

Area Variance: to allow a 30' x 28' garage, 5' from the north side of the property.

Chairman Feyl and the Board completed the Impact Assessment form.

Mr. de la Rosa moved to grant a variance to allow the installation of a 30' x 28' garage addition at 5919 Venus Path, Syracuse, New York 13219, granting a 5' variance for the north side yard and a 12.3' variance for the total side yardage, conditioned upon the applicant providing written documentation from the Homeowners Association as well as the neighbors consenting to the project.

2. Margaret Timofy

TM#: 039.-02-05

103 Trent Lane

Camillus, New York 13031

Special Use Permit: to engage in Personal Service Occupation.

Chairman Feyl and the Board completed the Impact Assessment form.

Ms. Flood moved to grant a special use permit to provide holistic health services as a home occupation at 103 Trent Lane, Camillus, New York 13031. Mr. Pirro seconded the motion and it was unanimously approved.

4. Richard Grobsmith

TM#: 017.-03-14.0

3637 Warners Road

Syracuse, NY 13209

Area Variance: would like to build a 6' x 8' deck without a cover.

Chairman Feyl and the Board completed the Impact Assessment form.

Ms. Flood moved to grant a variance to allow a 6' x 8' uncovered deck/porch in the front yard of the property located at 3637 Warners Road, Syracuse, New York 13209. Mr. Dooher seconded the motion and it was unanimously approved.

ADJOURNMENT

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

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
May 5, 2015 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
George Doohar
Steve Pirro
Joy Flood

ABSENT:

Richard de la Rosa, Vice Chairman

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Bill Davern, 3rd Ward Councilor
Mike LaFlair, 2nd Ward Councilor
7 others

Chairman Feyl called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Mr. Pirro moved to waive the reading of the public hearing notices. Ms. Flood seconded the motion and it was unanimously approved.

PUBLIC HEARING:

**1. New York Spine & Wellness
Syracuse Orthopedic Specialists
5417 West Genesee Street
Camillus, New York 13031**

TM#: 065.-04-06.1

Area Variances: Off-site sign and signage on building

Andrew Loucy of Image Press appeared on behalf of the applicant. He explained the applicant's desire is to place a monument sign on the property immediately east of their ingress/egress road because there is no space to accommodate the monument sign within the allowed 15' setback on their own property. They also wish to place two business identification signage on the building itself.

Chairman Feyl confirmed that the applicant understood that neither of the things they are requesting is allowed by within an LBO district. He suggested the applicant reconsider the layout of the ingress/egress to be configured with two lanes rather than the proposed three lanes, which would allow sufficient space for the monument sign with an area variance granted for the setback. He also suggested they consider incorporating the business identification signs into directional signage, which is allowed within LBO zoning.

Mr. Loucy inquired whether business identification signs would be allowed in the windows of the building. Chairman Feyl explained they would not.

Mr. Loucy inquired about the signs on the property located at 5390 West Genesee Street, which is zoned LBO according the map he has. Mr. Feyl wasn't certain of the zoning, but explained that the comprehensive plan calls for no commercial zoning west of Knowell Road, with the exception of two buildings which were grandfathered in. He also gave several examples of LBO businesses in the vicinity of the applicant's building, which have no building signage.

Chairman Feyl offered to continue the public hearing to allow Mr. Loucy to provide this information to his client, the applicant, who can consider and present alternative signage plans. Mr. Loucy agreed that would be acceptable.

Mr. Pirro moved to continue the public hearing to the June 2, 2015 meeting. Mr. Dooher seconded the motion and it was unanimously approved.

2. Matt & Colleen Brigati
174 Golden Meadows Way
Warners, NY 13164

TM#: 010.1-07-13.0

Area Variance: Shed in front yard setback

Matt and Colleen Brigati appeared to address their application. They explained that their residence is located on a corner lot, giving it two front yards. The total lot is 7/10 of an acre with a 7° grade to the west, with house setback 35' from Goldenrod Lane and 40' from Golden Meadows Way. They have added a deck, pool, hot tub, and fire pit to the back yard and, once the shed is constructed, will add a poured concrete pad around the pool. They wish to install a 12' x 16' x 10' storage shed with two accessibility doors, one within the fenced in pool area and one in facing the southerly property line along Goldenrod Lane.

The slide for the pool is positioned appropriately for safer entrance into the deep water of the pool. That leaves two possible locations for the shed, one being to the northwest of the slide where grading is a problem or the proposed location to the southeast of the slide, which has no grading issue and would also allow accessibility to the shed without being impeded by the slide. The preferable location results in the shed encroaching 9' into the front yard setback on the southern side of the property.

They discussed their plans with their three closest neighbors, at 193, 198, and 200 Goldenrod Lane, and provided a signed document from the neighbors expressing that they support the construction of the shed as proposed.

Mr. Pirro inquired whether the aesthetics of the shed would match the house. Ms. Brigati indicated it would be an identical color match.

Councilor LaFlair complimented the Brigati's on the appeal of the property improvements they have made thus far, and stated his support of the applicant being granted the requested variance.

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

3. Empower F.C.U.
3700 West Genesee St.
Syracuse, NY 13219

TM#: 042.-10-04.1

Area Variance: Drive-thru canopy in front yard setback

Neil Zinsmeyer of Naparella Consulting appeared on behalf of the applicant. He explained that since originally developed, the credit union has seen an increase in business, which has

resulted in vehicles stacking onto Hunt Avenue during their busier hours. To alleviate the issue, Empower acquired the residential property next door, had it rezoned, and used it to expand their parking lot and relocate their ATM driving lanes to the back of the parking lot. The existing drive thru teller lanes were expanded by one lane and the canopy covering it is encroaching into the Hunt Avenue front yard setback.

Ms. Flood inquired whether there was enough room for vehicles to navigate through the ATM lanes and the drive thru teller lanes without conflicting traffic patterns. Mr. Zinsmeyer confirmed there was.

Ms. Otto confirmed that the encroachment into the setback was 14.4'.

Councilor Davern stated that an informational meeting was held regarding the expansion and those homeowners who attended agreed that the vehicle stacking on Hunt Avenue was an issue and supported the changes made. He also noted that Empower has been cooperative about installing the additional landscaping screening requested by neighboring residents. He stated his support of the applicant being granted the requested variance.

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

NEW BUSINESS:

1. **Zeck Builders/Waterbridge Development Corp.**
105 Archstone Way
Camillus, NY 13031

TM#: 006.1.-01-55.0

Area Variances: Structure forward of the front building line

Ms. Flood moved to declare this a SEQR Type II action and set the public hearing for June 2, 2015. Mr. Pirro seconded the motion and it was unanimously approved.

MINUTES:

Mr. Pirro moved to approve the minutes of the April 7, 2015 meeting. Mr. Doohar seconded the motion and it was unanimously approved.

VOUCHERS:

A voucher was received from Melvin & Melvin for legal services totaling \$405.00.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

1. **Matt & Colleen Brigati**
174 Golden Meadows Way
Warners, NY 13164

TM#: 010.1-07-13.0

Area Variance: Shed in front yard setback

Chairman Feyl conducted the SEQR review. Mr. Pirro moved to grant the applicant a 9' variance to the front yard setback to allow for a 12' x 16' x 10' shed to be placed on the side/front yard of the corner lot at 174 Golden Meadows Lane.

2. **Empower F.C.U.**
3700 West Genesee St.
Syracuse, NY 13219

TM#: 042.-10-04.1

Area Variance: Drive-thru canopy in front yard setback

Chairman Feyl conducted the SEQR review. Ms. Flood moved to grant the applicant a 15' variance to the front yard setback to allow for a drive thru lane canopy to extend into the front yard setback on the westerly/Hunt Avenue adjacent side of the property at 3700 West Genesee Street.

ADJOURNMENT

Ms. Flood moved to adjourn the meeting at 7:38 p.m. Mr. Dooher seconded the motion and it was unanimously approved.

Respectfully submitted,

Martha Dickson-McMahon, Interim ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
June 2, 2015 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
George Dooher
Joy Flood
Rich de la Rosa

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Dick Griffo, 5th Ward Councilor
5 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. Mr. Dooher seconded the motion and it was unanimously approved.

PUBLIC HEARING:

**1. New York Spine & Wellness
Syracuse Orthopedic Specialists
5417 West Genesee Street
Camillus, New York 13031**

TM#: 065.-04-06.1

Area Variances: to identify themselves on the building and for a free-standing sign by the road.

Andrew Loucy of Image Press appeared on behalf of the applicant. Mr. Loucy explained that the entry to the location was determined to be under the jurisdiction of the Onondaga County DOT, which required the entry lane be a three lane entrance. Mr. Loucy approached the Board providing documentation of the final plans signed by the Town of Camillus Planning Board as well as Onondaga County DOT.

Chairman Feyl explained that according to town code, placement of the sign must be located on the owner's property and cannot be placed on the proposed property as the owner is identified as Dr. Fallon. Chairman Feyl further explained that nothing has even been provided to the Board stating that Dr. Fallon would give permission of the proposed sign being placed on his property.

Mr. Loucy explained that Mr. Price, Town of Camillus Code Enforcement Officer told him to appear in front of the Zoning Board of Appeals for a variance request. Chairman Feyl questioned drawings provided and placement of the proposed signs located on the drawings. Mr. Loucy provided explanation of the proposed signs as shown on the drawings.

Mr. Loucy questioned the variance granted to the NBT Bank by the Zoning Board of Appeals. Chairman Feyl stated that NBT Bank was to be zoned by the Camillus Town

Board as commercial, however, was left LBO to appease the surrounding neighbors. Chairman Feyl further explained that the Zoning Board of Appeals made an exception to the rule in this specific situation. Chairman Feyl stated that he cannot use this specific exception to grant signage to an applicant where it is not allowed.

Chairman Feyl questioned if the applicant understood that what they are requesting is not allowed within an LBO district and suggested the applicant reconsider the placement of the monument sign. Chairman Feyl also suggested the applicant consider incorporating the business identification sign into the directional signage, which is allowable within LBO zoning.

Mr. Loucy inquired if he should speak to Mr. Price regarding new consideration and placement of the monumental sign within their property. Chairman Feyl stated that Mr. Loucy should speak with Mr. Price to understand what setback variances may be required and to understand what is allowable within LBO zoning.

Chairman Feyl offered to continue the public hearing to allow Mr. Loucy to provide this information to his client, the applicant, to consider and present alternative signage plans as well as giving him time to speak to Mr. Price from the Camillus Codes Office. Mr. Loucy agreed and asked that the public hearing be continued to July.

Ms. Flood moved to continue the public hearing to July 7, 2015. Mr. de la Rosa seconded the motion and it was unanimously approved.

2. Zeck Builders/Waterbridge Development Corp. TM#: 006.1.-01-55.0
105 Archstone Way
Camillus, NY 13031

Area Variances: Structure forward of the front building line

Mr. Zeck appeared before the Board to discuss his application for area variances to permit the construction of a new home at 105 Archstone Way, Lot 15, 45' in front of the building line with a total side yardage of 57.5'. Mr. Zeck explained that due to the topography the proposed location makes the most sense.

Chairman Feyl stated that he has received a letter from Councilman LaFlair supporting this application and Mr. LaFlair having received no opposition to this request.

Mr. Zeck explained that he is the principal owner of this proposed Lot 15 as well as the adjoining properties.

Ms. Flood questioned who was building the home to be located at 105 Archstone Way, Lot 15 and questioned the exact location of lot. Mr. Zeck confirmed that he will be building the home and provided further explanation of Lot 15.

Chairman Feyl and the Board referred to the drawings/maps provided while reviewing the building line of the proposed home and adjoining lots.

Mr. Zeck stated the dimensions of the property to be approximately +/- 1 acre, having 96' along Archstone Way, 367' on the North West property line and 409' on the south property line. Mr. Zeck described the proposed home to be approximately 1600 sq ft. Mr. Zeck

further explained the home to be 62' from the back line of the house, with having 30' on one side of the house and 42' on the other side of the house.

Mr. de la Rosa questioned placement of the house to the south of Lot 15. Mr. Zeck provided an explanation to the Board.

Ms. Flood stated that she has no issues with this request as the topography clearly dictates placement. Mr. Zeck explained that if staying to the building line for Lot 15, the rear of this house would be 19' lower than Lot 14 and Lot 16 and would create several issues and be extremely costly.

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

**3. Jaclyn Iasnik
Syracuties Child Care
(Owner: Gavin Lynch)
309 Kasson Road
Camillus, NY 13031**

TM#: 061.-03-02.0

Special Use Permit: allowance of a P7 use (child daycare) in an LBO district.

Ms. Jaclyn Iasnik appeared before the Board to present her application for a Special Use Permit. Ms. Iasnik explained that the purpose of the Special Use Permit is to operate a 1300 sq ft Child Care Center within the lower level of 309 Kasson Road.

Ms. Iasnik stated she is interested in leasing the lower half of his building and is in the process of getting the lease agreement together, which would be for a term of five years.

Chairman Feyl questioned parking for employees and parents. Ms. Iasnik confirmed that there are 21 spaces in total and that Dr. Lynch's employees utilize six spaces. Ms. Iasnik further explained that the day care would have a maximum of four employees, leaving 11 open spaces.

Ms. Iasnik further stated that parents typically drop off and pick up within a short period of time and could not see any of the parents needing to stay.

Chairman Feyl questioned the number of children at the proposed location. Ms. Iasnik stated that in this space the maximum number of children she can have is 24. Ms. Iasnik stated that she currently runs the daycare out of her home and holds a NYS license which allows her to care for 18 out of her home.

Chairman Feyl questioned what would happen if parents all drop off and pick up their children at the same time. Ms. Iasnik explained the particulars of the day care, stating that parents drop off at different times, varying from 7 am to 9 am. Ms. Iasnik stated that currently none of the kids show up at the same time and is only looking to move the home daycare to this proposed location with keeping the current schedule.

Chairman Feyl questioned Dr. Lynch's business hours. Ms. Iasnik stated that his hours of operation are from 9 – 5pm, while most of her drops off times are before 9am with pick up times after 5pm.

Mr. Dooher questioned the number of spaces Dr. Lynch would use for patient parking. Ms. Iasnik stated that Dr. Lynch has informed her that he may utilize up to 6 for his staff and 4 for his patients.

Mr. Dooher questioned if there would be functions where all parents would come at one time. Ms. Iasnik stated that they currently do not hold any events where all parents would attend. Pick up times all vary and would not be picking up at the same time as all have different schedules.

Ms. Flood questioned the daycare's hours of operation. Ms. Iasnik stated that her hours of operation will be extended 1 hour to allow more time for parent pick-up for convenience as many parents have a hard time getting their by 5pm.

Ms. Iasnik stated that she currently has 14 children and can have 4 more children at her home located on Stetson Circle.

Ms. Flood questioned outdoor activity for the children. Ms. Iasnik stated that it is a short walk to a public park where the children would have outdoor activity.

Ms. Iasnik further stated she staffs according to the NYS guidelines and regulations for child per caregiver guidelines.

The Board questioned the entrance into and exit from the daycare. Ms. Iasnik explained that the entrance and exit would be located in the back of the building, nowhere near Kasson Road.

Chairman Feyl stated that out of courtesy to the Camillus Planning Board, this application will be referred to the Camillus Planning Board for review and would then she would need to reappear in front of the Zoning Board at the July 7th meeting for the continuation of the Public Hearing.

Mr. de la Rosa moved to continue the public hearing to July 7, 2015. Mr. Dooher seconded the motion and it was unanimously approved.

**4. Camillus Country Club
5690 Bennetts Corners Road
Camillus, NY 13031**

TM#: 022.-01-17.0

Amended Special Use Permit: replacement of golf course clubhouse that was destroyed in fire.

Mr. Colegrove, architect from Harmony Architect & Associates, and Jivi Govender, owner of Camillus Country Club appeared in front of the Board presenting their application. Purpose is to modify a Special Use permit as the existing building was lost in a fire.

Chairman Feyl asked that the applicant refer to the Hearing Guide provided while addressing the Board.

Mr. Colegrove stated that the property is approximately 206 acres. Mr. Colegrove further explained that the existing building was destroyed in a fire that was located in the northwest corner of the property, approximately 174' from Bennetts Corners Road and 300' to the nearest adjacent neighbor.

Mr. Colegrove described the site to be very hilly, however, stated they are trying to move things around to accommodate for the topography and in order to move the building closer to the parking lot.

Mr. Colegrove approached the Board explaining the location of the proposed building and further explained the site plan drawings. Mr. Colegrove stated that the new building will be placed within the footprint of the previous building with some minor additions and changes.

Mr. Colegrove stated that the existing building was 5009 sq ft and proposed building will be 6148 sq ft, making the proposed building a bit larger. Mr. Colegrove further stated that the parking lot will remain the same, other than removing the parallel parking spaces to provide better access to the front of the building. Mr. Colegrove stated that the currently have 85 parking spaces with plans to remove 4.

Mr. Colegrove stated that he does not feel it will impact the character of the neighborhood as it is designed as a low profile building, with a more residential feel to it. Chairman Feyl noted that there are several surrounding residential homes with the same style roof.

Ms. Flood stated she does not see any problems or issues with this application as the topography is very hilly and feels it fits in nicely.

Ms. Flood questioned whether additional parking would be utilized in the lower grassy area. Mr. Govender stated that at this time they will not be doing anything with that area.

Mr. Dooher questioned the number of parking spaces. Mr. Colegrove stated that they currently have 89 spaces and would go down to 85 spaces with the new design.

Mr. de la Rosa stated that he would certainly want to give them the opportunity to rebuild what was destroyed by the fire.

Mr. Colegrove questioned if it was necessary to appear in front of the Camillus Planning Board. Chairman Feyl stated that they did not have to appear in front of the Planning Board. Chairman Feyl stated that this is simply an amendment of a Special Use Permit that was already granted and amending it does not require they appear.

Ms. Flood questioned when they anticipated the completion of the new build. Mr. Govender stated some time in the fall it would be completed, once things slow down a bit.

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

NEW BUSINESS:

None

MINUTES:

Mr. Dooher moved to approve the minutes of the May 5, 2015 meeting. Ms. Flood seconded the motion and it was unanimously approved.

VOUCHERS:

A voucher was received from Syracuse Media for legal advertising totaling \$63.21.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

2. Zeck Builders/Waterbridge Development Corp. TM#: 006.1.-01-55.0
105 Archstone Way
Camillus, NY 13031

Area Variances: Structure forward of the front building line

Chairman Feyl conducted the SEQR review.

Mr. de la Rosa moved to grant the applicant a 3' variance from the requirements of Section 603(B)(2) of the Code of the Town of Camillus to allow total side yardage of approximately 57', at 105 Archstone Way, Camillus, New York 13031, which real property is further identified by tax map number 006.1.-01-56.0. Ms. Flood seconded the motion and it was unanimously approved.

Mr. de la Rosa moved to grant the applicant a variance from the requirements of Section 600(A)(2) of the Code of the Town of Camillus to permit the construction of a new house at 105 Archstone Way, Camillus, New York 13031, approximately 45' +/- in front of the building line established in the tract map filed for Waterbridge Terrace, which the real property is further identified by tax map number 006.1.-01-56.0. Ms. Flood seconded the motion and it was unanimously approved.

4. Camillus Country Club TM#: 022.-01-17.0
5690 Bennetts Corners Road
Camillus, NY 13031

Amended Special Use Permit: replacement of golf course clubhouse that was destroyed in fire.

Chairman Feyl conducted the SEQR review.

Ms. Flood moved to grant a modified special use permit pursuant to Sections 1303(A) and 402(P23) of the Code of the Town of Camillus to allow the construction of a new clubhouse at the country club located at 5690 Bennetts Corners Road, Camillus, New York 13031, to replace the clubhouse that was destroyed by fire. The real property that is the subject of the

application is further identified by tax map number 022.-01-17.0. Mr. Dooher seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:49 p.m. Mr. Dooher seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
July 7, 2015 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
George Doohar
Joy Flood
Rich de la Rosa
Steve Pirro

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

4 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. Doohar seconded the motion and it was unanimously approved.

PUBLIC HEARING:

**1. New York Spine & Wellness
Syracuse Orthopedic Specialists
5417 West Genesee Street
Camillus, New York 13031**

TM#: 065.-04-06.1

Area Variances: to identify themselves on the building and for a free-standing sign by the road.

Andrew Loucy of Image Press appeared on behalf of the applicant. Mr. Loucy explained that at last month's meeting it was recommended that they consider placing the sign on the east side of the property and were told to come back with specific sign dimensions on how much space would be required for a variance.

Mr. Loucy explained that where the Board suggested placing the sign would not work as there are fiber optics along with other utility lines, making it impossible for consideration. Stating their only option is to consider an off premises sign that would be located on the west side of the entrance on Dr. Falons property.

Mr. Loucy explained that entire property was originally owned by Dr. Fallon. Further explaining that Dr. Fallon then sold a piece of the property to New York Spine & Wellness and SOS, however, the entrance was to be considered a shared driveway

Mr. Loucy stated that they have no legal documentation to proceed as their attorneys have tried to contact Dr. Fallon and are still waiting to hear back.

Chairman Feyl explained that until providing a legal contract or documentation, that everything is hearsay.

Chairman Feyl questioned dimensions of the proposed sign on the east side of the entrance. Mr. Loucy stated that they have approximately 10 – 15'. Chairman Feyl stated that the applicant must provide an exact number and until the owners come up with a plan providing specifics, they will open and have no signage.

Ms. Flood questioned how many feet the applicant owned on the east side of the entrance. Mr. Loucy stated that he did not have exact measurements. Ms. Flood stated that exact measurements must be provided along with drawings showing placement of the proposed sign. Mr. Loucy informed the Board that he has been told by the contractor that a sign could not be placed on the east side of the entrance without moving the fiber optics and wiring.

Chairman Feyl questioned if Mr. Loucy wanted to withdraw the application and have the owners re-apply. Mr. Loucy questioned if providing documentation from Dr. Fallon agreeing to let the applicants place the proposed sign on his property would allow them to have an off premises sign. Mr. Pirro stated that having a letter or contract would still not change the law as the law does not allow off premises signage.

Ms. Otto stated that if Mr. Loucy wanted to withdraw the application, that would be fine. If not, the Board would vote upon the application tonight.

Mr. Loucy stated that when re-applying that he will inform the owners they must apply for the signage to be placed on their own property.

Ms. Otto stated that if reapplying they must provide the Board with a drawing and exact measurements.

Mr. Loucy requested to withdraw the application for an area variance. Mr. Pirro moved to accept the request to withdraw the application for an area variance. Mr. de la Rosa seconded the motion and it was unanimously approved.

**2. Jaclyn Iasnik
Syracuties Child Care
(Owner: Gavin Lynch)
309 Kasson Road
Camillus, NY 13031**

TM#: 061.-03-02.0

Special Use Permit: allowance of a P7 use (child daycare) in an LBO district.

Chairman Feyl stated that he has received a letter from the Camillus Planning Board stating it has no issues with this application. (Letter on file in the Clerk's office.)

Ms. Jaclyn Iasnik appeared before the Board to present her application for a Special Use Permit. Ms. Iasnik explained that the purpose of the Special Use Permit is to operate a 1300 sq ft Child Care Center within the lower level of 309 Kasson Road.

Ms. Iasnik explained that she appeared in front of the Camillus Planning Board for Site Plan review and is now reappearing in front of the Zoning Board of Appeals for final consideration. Mr. Pirro moved to close the public hearing. Mr. Dooher seconded the motion and it was unanimously approved.

**3. Berkshire Hathaway Home Services
(Owner – Dr. Mark Paciorek)
5099 West Genesee Street
Camillus, NY 13031**

TM#: 058.-03-02.3

Area Variance: replacement of existing 24 square foot sign with a 40 square foot sign, 4 feet x 10 feet.

Mr. Nasoni and Ms. Mary MacKaig appeared before the Board to discuss their application. Mr. Nasoni explained that the proposed sign will be 4' x 10', internally lit and will be placed 15' from the curb.

Chairman Feyl asked that the applicant refer to the hearing guide when addressing the Board.

Mr. Nasoni stated that he is in front of the Board this evening to ask for an exception to the code as it is written. Further explaining he is simply trying to follow the corporate standards set by Berkshire Hathaway.

Chairman Feyl questioned the location of the previous Berkshire Hathaway sign located just down the street and its dimensions.

Chairman Feyl stated that the applicant was fully aware of the LBO requirements as they moved from one LBO to another LBO location. Further questioning if the corporate standards changed as it worked before and does not work for them now.

Mr. Nasoni explained that the previous sign was a 6' high and the current sign is only 4' in height. In order to get the letters long enough and high enough they need the additional space as they now have to share signage space at this new location.

Ms. Otto questioned the proposed sign dimensions. Mr. Nasoni provided explanation.

Ms. Flood questioned placement of the proposed sign. Chairman Feyl questioned the size of the proposed sign. Mr. Nasoni stated that the proposed signage will get the letters up to a 5 1/2", making it visible from the road. Mr. Nasoni stated that the proposed sign will be a monument style sign approximately 2' off the ground.

Ms. Flood questioned if the proposed sign would extend towards the road. Mr. Nasoni stated that the proposed sign would extend towards the road and existing parking lot.

Mr. Nasoni stated that with the existing trees and the lettering being so small it would not be visible from the road and the public would pass right by.

Mr. Nasoni stated that other local businesses in the surrounding areas have larger signage. Mr. Nasoni stated that St. Michael's Church and the insurance company down the road both have larger signs than what they are proposing. Chairman Feyl explained that the St. Michael's Church is exempt from requirements and that RJ Wright Insurance Company is grandfathered in as it has been there over 30+ years. Chairman Feyl explained that all other surrounding businesses are within code, providing explanation of the current requirements.

Mr. Nasoni stated that what they are proposing in his opinion would not be out of place with the surrounding business signage.

Chairman Feyl stated that making an exception for this application only makes all the other businesses along West Genesee Street wanting the same exception.

Ms. Otto questioned the existing sign in comparison to the proposed sign. Mr. Nasoni approached Ms. Otto explaining the comparison of the two signs.

Mr. Pirro questioned the pictures provided to the Board of the comparisons. Ms. Flood stated that a true identification of the proposed sign not superimposing an image would be much easier to review.

Mr. Nasoni reiterated that they are here in front of the Board for consideration as it would be impossible for the public to read if staying within code.

Chairman Feyl stated the Town of Camillus code has been in existence for several years and meets signage criteria for local businesses and he has not seen or heard of issues with signs not being visible.

Ms. Flood questioned why they couldn't go back to the applicant to consider changes and or modifications.

Mr. Nasoni stated that Berkshire Hathaway and CNY Realty is one and the same company, and that CNY Realty is the broker for Berkshire Hathaway. Chairman Feyl stated that they need to propose or consider changes to come to a compromise.

Ms. Otto stated that she did not have written consent from the owner. Ms. MacKaig stated she does have consent verbally, however, can obtain it in writing if necessary.

Ms. MacKaig stated that she thought they would be able to obtain signage that was considerably larger when they were making the decision to move to this location.

Chairman Feyl stated that it is to the benefit of the surrounding neighborhood to follow the code set forth by the Town of Camillus and does not see the justification to make an exception to the code

Ms. Flood stated that she would like to see the applicant come back with exact measurements and exact images of what the proposed sign will look like with no super imposing images.

Ms. Flood moved to continue the Public Hearing to August 4, 2015. Mr. de la Rosa seconded the motion and it was unanimously approved.

NEW BUSINESS:

**1. Katherine Croon
206 Male Avenue
Syracuse, NY 13219**

TM#: 042.-01-24

Special Use Permit: to operate a part-time massage practice with no employees or retail.

Ms. Flood moved to declare this an unlisted action and set the public hearing for August 4, 2015. Mr. Doohar seconded the motion and it was unanimously approved.

2. Benjamin Allznson
(Owner – Cynthia Maggio)
6001 West Genesee Street
Camillus, New York 13031

TM#: 027.-03-11.1

Special Use Permit: to board dog's in an internal facility with approximately 10 suites

Ms. Flood moved to declare this an unlisted action and set the public hearing for August 4, 2015. Mr. Dooher seconded the motion and it was unanimously approved.

MINUTES:

Ms. Flood moved to approve the minutes of the May 5, 2015 meeting. Mr. Dooher seconded the motion and it was unanimously approved.

VOUCHERS:

A voucher was received from Syracuse Media for legal advertising totaling \$63.21.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

1. Jaclyn Iasnik
Syracuties Child Care
(Owner: Gavin Lynch)
309 Kasson Road
Camillus, NY 13031

TM#: 061.-03-02.0

Special Use Permit: allowance of a P7 use (child daycare) in an LBO district.

Chairman Feyl conducted the SEQR review. Mr. de la Rosa moved approve a special use permit to allow for the operation of a child day care center at 309 Kasson Road, Camillus, New York 13031, further identified by tax map number 061.-03-02.0. Mr. Dooher seconded the motion and it was unanimously approved.

ADJOURNMENT

Ms. Flood moved to adjourn the meeting at 7:49 p.m. Mr. Dooher seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
August 4, 2015 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
George Dooher
Joy Flood
Rich de la Rosa
Steve Pirro

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

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. Mr. Pirro seconded the motion and it was unanimously approved.

PUBLIC HEARING:

- 1. Berkshire Hathaway Home Services
(Owner – Dr. Mark Paciorek)
5099 West Genesee Street
Camillus, NY 13031**

TM#: 058.-03-02.3

Area Variance: replacement of existing 24 square foot sign with a 40 square foot sign, 4 feet x 10 feet.

Chairman Feyl stated that the applicant asked for a continuation at the last meeting, however, noted the applicant was not present this evening.

Mr. Pirro moved to close the application without rendering a decision. Mr. Dooher seconded the motion and it was unanimously approved.

- 2. Katherine Croom
206 Male Avenue
Syracuse, NY 13219**

TM#: 042.-01-24

Special Use Permit: to operate a part-time massage practice with no employees or retail.

Chairman Feyl stated that he has received a letter from the Camillus Planning Board stating it has no issues with this application. (Letter on file in the Clerk's office.)

Ms. Croom appeared before the Board to discuss her application for a special use permit, stating that she is the owner of the property and resides there. Ms. Croom explained that she

maintains a full-time job and will only be offering massage therapy as a part-time in-home business.

Ms. Croom stated that her home has a 1½ car wide and 2½ car in length driveway. Ms. Croom explained that she will be seeing one client at any given time, therefore, the maximum number of cars at her home would be two cars, her own car along with one other vehicle.

Ms. Croom stated that the massage practice will be part-time, ideally seeing 1 -2 clients per week. Ms. Croom confirmed that she is licensed with New York State, will not be selling retail products, and will not have any employees or independent contractors. Ms. Croom further explained to the Board that she will only have daytime hours, Friday mornings to early afternoons and Saturday mornings.

Ms. Croom stated that her in-home business would not create any odors, fumes or smells that would be detectable, and she does not use any chemicals or explosives. Ms. Croom stated that she does, however, play soothing music at a low relaxing level.

Chairman Feyl explained that the applicant does have the right to have a 2'x2' sign. Ms. Croom stated that she appreciated being informed, however, at this time she does not anticipate use of signage.

The Board questioned parking and any impact this proposed in-home business may have on the neighborhood. Ms. Croom explained that she does not feel it will affect the character of the neighborhood in any way. Ms. Croom further explained that her driveway is adjoined with her neighbors and that she will be looking for her clients to direct them on where to park.

Ms. Flood questioned where the in home business will be conducted. Ms. Croom stated she will be using her converted garage and that her clients will enter and exit through her garage.

Chairman Feyl asked if the applicant was aware of how much of her home could be used for home occupation. Ms. Croom stated that the space she will be using is approximately 10' x 7', only about 5% of her entire home.

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

**3. Benjamin Allznson
(Owner – Cynthia Maggio)
6001 West Genesee Street
Camillus, New York 13031**

TM#: 027.-03-11.1

Special Use Permit: to board dogs in an internal facility with approximately 10 suites

Chairman Feyl stated that he has received a letter from the Camillus Planning Board stating it has no issues with this application. (Letter on file in the Clerk's office.)

Ms. Maggio appeared before the Board to discuss her application for a Special Use Permit. Ms. Maggio stated that she is the property owner and will be running the facility with her son.

Ms. Maggio also explained that this location is an alpaca farm already and would like to expand to other endeavors to stay competitive by diversifying. Ms. Maggio stated that her son

has been working with and training dogs for over 10 years. As property owner and business owner explained to the Board that she would like for it to be as successful as possible and feels expanding her business will help a great deal with future success.

Chairman Feyl questioned who the applicant and property owner were, as the application submitted reads differently. Ms. Otto stated that she spoke with Ms. Maggio and there was some confusion upon submittal, however, any confusion has since cleared up. Ms. Maggio stated that her son's name is Benjamin Allzson.

Ms. Maggio stated that the property was once an old horse farm, which she purchased back in 1999 and turned it into an alpaca farm in 2000. Ms. Maggio confirmed that the farm is currently a functioning alpaca farm which consists of approximately 26 acres.

Ms. Maggio further explained that the main farm area is about 10 acres in size and is completely fenced in with no climb fencing. Ms. Maggio explained that the entire property consists of multiple pastures within the fenced in area, which are also fenced in, having several areas that have double fencing.

Ms. Maggio stated that there are two main buildings within the farm, an 8400 sq ft pole barn which is where the dog facility is proposed to be, as well as the original horse stables. The property is accessed by a large circular gravel driveway which is maintained by her and her son with access and entrance to the property along West Genesee Street.

Ms. Maggio explained that services to be provided will be to only canines at this time and will be constructed within the pole barn. Ms. Maggio stated that she will be using spray insulation to help with temperature and noise control, providing double insulation.

Ms. Maggio stated that the kennels will be closed rooms and will not be chain linked, making it very secure suites for the dogs. Ms. Maggio stated that the dog suites will be 5'x5 or 5x6' in size.

Ms. Maggio explained that the dogs will not have exterior runs as everything will be within the pole barn. Ms. Maggio stated that they will only be let out as necessary and will be supervised. Ms. Maggio explained that the dogs will remain within the fenced in area, will be walked on a leash around the farm, and will always be supervised.

Ms. Maggio stated that a license is not required unless there is breeding and confirmed that they will not be breeding.

Ms. Maggio stated that she will not have any other employees as it will only be her son and herself. Ms. Maggio explained that she will be hiring a contractor or subcontractor to build the suites and has used the Amish in the past.

Ms. Maggio anticipates being open 7 days a week, with hours of operation from 8am – 6pm, Monday through Friday, and allowing clients to drop off and pick up their dogs on Saturday and Sunday from 8am -2pm.

Ms. Maggio further explained to the Board that the property can accommodate the expected traffic, as they have a very large gravel driveway that is graded regularly which can accommodate two-way traffic. Ms. Maggio explained that having a circular drive way makes it easy to enter and exit and that they currently have a good amount of parking already.

Ms. Maggio stated that she does not anticipate any major changes to the farm as it has worked with the current alpaca farm.

Ms. Maggio stated that she does have an existing sign that was permitted back in 2005, which she plans to amend if there are issues with the current code and is willing to make changes as necessary.

Ms. Maggio explained that the property is both residential and business. Further explaining that behind the property is residential, however, it is separated by a good amount of woods, that area is a relatively quiet area of the farm, and she sees no impact as the neighborhood is already use to seeing animals and hearing noises from the alpacas.

Ms. Maggio explained that the facility will be constructed to buffer the noise and the dog suites will be entirely enclosed, not allowing the dogs to see each other. Ms. Maggio explained that dogs seeing each other often instigates noise, however, her suites will be constructed specifically to minimize noise.

Chairman Feyl questioned how many dogs would be boarded at any given time. Ms. Maggio stated that she is hoping to have 10-12 units, with one dog in each unit.

Mr. de la Rosa questioned disposal of waste. Ms. Maggio stated she would handle the canine waste the same as she does the alpaca waste. Ms. Maggio stated that the waste will be composted for 12 months. Ms. Maggio explained that she has a 2' x 4' compost bin directly on the farm where the waste is stored for 6 months and then composted in an open area, which is turned over every couple of weeks and then basically turns to dirt.

Mr. Dooher questioned if Ms. Maggio has contacted any of the neighbors. Ms. Maggio stated she has spoken to some of the neighbors and has received only questions as to when she would be opening with no one expressing any concerns, only interest.

Ms. Maggio stated that having each dog enclosed separately will make the dog much more comfortable and secure feeling and less agitated.

Chairman Feyl questioned if Ms. Maggio has notified the closest lot of Pioneer Farms as it is only 50' away from the barn. Ms. Maggio stated that she has spoken to them both, Annie and Robert who reside there and they have not informed her of any issues or concerns, only interest. Chairman Feyl questioned hours of operation. Ms. Maggio provided a detailed explanation of drop off and pick up times for clients.

Ms. Flood questioned if her son has already trained dogs on the property. Ms. Maggio confirmed that her son does currently train dogs on her property.

Ms. Otto questioned if the applicant will have daily boarding of dogs. Ms. Maggio stated while they will not turn clients away, they are going to promote the business as a long term boarding and training facility.

Ms. Otto questioned if they will provide grooming. Ms. Maggio stated that she will not provide grooming at this time but would like the option to do so in the near future.

Chairman Feyl and the Board stated that Ms. Maggio would need to understand and know all the scenarios that she would be providing to the public as services offered.

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

NEW BUSINESS:

1. Ross T. Simons

TM#: 057.-04-05.0

Home Café, Inc.

4401 West Genesee Street

Syracuse, NY 13219

Area Variance: to install a 3' x 6' reader board to existing sign post.

Ms. Flood moved to declare the application a SEQR Type II and set the public hearing for September 1, 2015. Mr. Doohar seconded the motion and it was unanimously approved.

2. Brent & Laurie Zerkle

TM#: 018-07-01.0

309 Pinewood Drive

Camillus, New York 13031

Area Variance: to install a 10' x 12' shed into the required front yard of a corner lot.

Ms. Flood moved to declare the application a SEQR Type II and set the public hearing for September 1, 2015. Mr. Doohar seconded the motion and it was unanimously approved.

MINUTES:

Mr. de la Rosa moved to approve the minutes of the July 7, 2015 meeting. Mr. Doohar seconded the motion and it was unanimously approved.

VOUCHERS:

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling \$3,375.00.

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

COMMENTS OF THE BOARD:

Ms. Flood stated that she has received a letter from the 3rd Ward Councilor Mr. Davern on Ms. Croom's application, stating he has no comment and is leaving it up to the Board to render a decision.

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

**2. Katherine Croom
206 Male Avenue
Syracuse, NY 13219**

TM#: 042.-01-24

Special Use Permit: to operate a part-time massage practice with no employees or retail.

Chairman Feyl and the Board conducted the SEQR review.

Ms. Flood moved to approve a special use permit to allow the applicant to operate a part-time therapeutic massage practice at 206 Male Avenue, Syracuse, New York 13219, which real property is further identified by tax map number 042.-01-24.0, provided that the massage practice is conducted no later than 7 p.m.. Mr. Pirro seconded the motion and it was unanimously approved.

**3. Benjamin Allznson
(Owner – Cynthia Maggio)
6001 West Genesee Street
Camillus, New York 13031**

TM#: 027.-03-11.1

Special Use Permit: to board dog's in an internal facility with approximately 10 suites

Chairman Feyl and the Board conducted the SEQR review.

Mr. Pirro moved to approve a special use permit to allow for the boarding, training and grooming of dogs in an existing pole barn at 6001 West Genesee Street, Camillus, New York 13031, which real property is further identified by tax map number 027.-03-11.1. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT

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

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
October 6, 2015 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
George Doohar
Rich de la Rosa
Steve Pirro
Joy Flood

ABSENT:

None

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Mike LaFlair, 2nd Ward Councilor
Steve James, 4th Ward Councilor
Tom Price, Code Enforcement Officer
Four others

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. Linda McPherron
217 Gulf Road
Camillus, NY 13031

TM#: 052.-03-02.0

Area Variance: to install a 10' x 16' attached carport, reducing 7' minimum sideyard by 2.25' down to 4.75'.

Chairman Feyl asked that the applicant refer to the Hearing Guide when addressing the Board and answering questions.

Ms. Linda McPherron appeared before the Board to discuss her application for an area variance. Ms. McPherron stated that she is the owner of the property and that this is her only residence.

Ms. McPherron provided an explanation of her property and asked that the Board refer to the survey and photographs provided. Ms. McPherron provided measurements of the existing side yards, stating that the east side yard is 20' and the west side yard to is 165'. Ms. McPherron also explained the topography of the property.

Ms. McPherron described the dimensions of the property to be 225' on the south side of the property, 97' on the east side of the property line with the road frontage at 247' as the property is shaped like a triangle. The property consists of Ms. McPherron's home as well as a small shed located in the lower backyard.

Ms. McPherron stated that she has made several home improvements over the past 7 years of her being there. Ms. McPherron described the improvements to be a new roof, new windows and air conditioning throughout.

Ms. McPherron explained that the purpose of the variance would be to allow a 10' wide x 16' deep attached carport. While referring to the architectural rough drawings, Ms. McPherron explained that there would be a cricket attaching the house to the carport, and the carport would have a peaked roof with architectural shingles to match her home.

Ms. McPherron explained that according to code the setback should be 7'; however, the setback she is asking for would be 4.75'.

Chairman Feyl questioned if the shingles would match the house. Ms. McPherron explained that she was referring to roofing shingles that would match the roof of the house, not house shingles.

Ms. McPherron asked that the Board refer to the application packet and hearing guide when answering question #5 of the 'Hearing Guide'. Ms. McPherron stated the distance to be 20' from the concrete wall to the southeasterly corner of the carport, and the porch to be 5.25' deep.

Ms. McPherron provided photos to the Board displaying the structure of the house, the concrete wall and buffer, as well as side yards.

Ms. McPherron described the concrete wall to be 9" thick and 45' in length.

Ms. Otto questioned if the concrete wall was the only buffer between the two homes. Ms. McPherron explained that in her driveway there is a row of cedar trees that they share, mulch and little fences to separate the two properties.

Ms. Otto questioned the height of the concrete wall. Mr. Adman Kapic, resident of 215 Gulf Road explained that there was a retaining wall between the two properties, which changes in elevation and toward the end measures approximately 9' in height.

Ms. McPherron explained that it was not feasible to place the carport in any other location. Ms. McPherron further explained that it would be cost prohibitive to place the carport on the other side of the house, as there is a 200' spruce tree, no entryway into the house, and three existing windows.

Mr. Pirro questioned the height of the carport peek. Ms. McPherron stated that the height of the carport was approximately 11'.

Mr. Dooher questioned if the neighbors are opposed to this request.

Chairman Feyl questioned if the applicant spoke to her neighbors regarding this application. Ms. McPherron stated that she did speak to her neighbor and was told that they object and expressed concerns if approved.

Ms. Flood stated that she understands why it would be difficult to place the carport on the other side of the house and it would be extremely costly to do so.

Chairman Feyl stated that the applicant could consider modifying the location of the carport. Chairman Feyl suggested placing the carport within the driveway on the side of her home and in doing so would not need a variance.

Ms. McPherron stated that this option was not suggested to her by her architect and would be open for consideration. Chairman Feyl stated that in his opinion this option would fit much better within her neighborhood and would be more beneficial to her overall as she would not be infringing upon the side yard at all.

Chairman Feyl stated that if the applicant would like to consider this option the Board would be willing to continue the public hearing so the applicant had time to think over her options. Ms. McPherron stated that she would like a continuation to allow her time to consider her options.

Adman Kopic, residing at 215 Gulf Road, appeared before the Board expressing his concerns with this application and the request for an area variance. Mr. Kopic explained that while Ms. McPherron has been a great neighbor, he has invested a great deal of money and time into his home and with the homes being so close, he is against this application. Mr. Kopic stated that, in his opinion, carports look junky and will make their homes even closer in proximity. Mr. Kopic also expressed his concerns for the future home owners, once Ms. McPherron isn't there any longer. Mr. Kopic asked that the Board deny Ms. McPherron's request.

Chairman Feyl questioned if Mr. Kopic would have any issue with what he was suggesting Ms. McPherron consider. Mr. Kopic stated that in his opinion it would not look nice. Mr. Kopic stated that he respects what the code states, however, has a concern with the look of the properties. Mr. Kopic questioned if considering what Chairman Feyl is suggesting would the carport be attached to the house. Chairman Feyl confirmed the carport would be attached to her home should she consider his suggestion.

Chairman Feyl explained that he was trying to come up with a solution in compromising what the applicant wanted and what was within code as it would not make the properties any closer.

Mr. Steve James, 4th Ward Councilor stated that he has spoken to both the applicant and the neighbor with concerns, and while Ms. McPherron is a model neighbor he simply cannot support this application for a carport. Mr. James further explained that the close proximity of the proposed carport to Mr. Kopic's home is a concern.

Mr. de la Rosa motioned to continue the Public Hearing to Thursday, November 5, 2015. Mr. Pirro seconded the motion and it was unanimously approved.

**2. Douglas Baule
6171 Airport Road
Syracuse, New York 13209**

TM#: 012-01-33.0

Special Use Permit: for allowance of a light industrial use that produces printing and signage, including large signs of vinyl, using laminating and plotting equipment; which is applicant's main business known as IDS Custom Graphics

Chairman Feyl asked that the applicant refer to the Hearing Guide when addressing the Board and answering questions.

Mr. Baule, potential new owner, and Ms. Jamie Lynn Sutphen, representing attorney, appeared before the Board to discuss the application for a special use permit. Ms. Sutphen explained she is here this evening as there is a purchase contract on this property that is contingent upon receiving necessary approvals from the town for light industrial use. Ms.

Sutphen explained that they were in front of the Camillus Planning Board last week and did receive a positive recommendation to move forward, as there are no anticipated changes to this site.

Mr. Baule explained that the purpose of this application is to move his growing business to this location and operate a light industrial multi-facet business.

Mr. Baule further explained that most of his business is operating a large format graphic printing sign shop and he is excited that this location has office space as well.

Mr. Baule stated that there will be no unusual noise, vibration or radiation as most of the tools they use is what one would find in most garages.

Mr. Baule further explained that the digital side of the business is conducted in a very clean, environmentally controlled environment. Mr. Baule confirmed that no fabrication will be conducted outside as a clean environment is needed.

Mr. Baule stated that the hours of operation will be 8 am to 6 pm or 5 pm, dependent upon what that they are doing. There will be no night time traffic.

Mr. Pirro questioned the number of days of operation. Mr. Baule explained he would like for it to be 5 days per week, however, dependent upon demand, it may be 6 days per week. Mr. Baule would work some Saturdays, operating a half day, if necessary.

Mr. Baule stated that they will take in orders over the phone or by meetings, will conduct work and deliver or ship by means of FedEx or UPS, with some drop shipments.

Mr. Pirro questioned materials used and how they would be brought in. Mr. Baule stated he purchases product himself as well as receiving shipment by cargo van. Further explaining that the deliveries will be unloaded down below and will not be seen. Mr. Baule stated that there would be no outdoor storage of raw materials.

Mr. Baule explained that four to five cars, at most, would be parked at the property to accommodate himself, an employee or two, and perhaps a customer on occasion. Auxiliary parking exists down below should it be needed.

Mr. Baule stated they will keep the landscaping looking nice with some minor updated landscaping.

Mr. Baule explained that they will have a sign as he is allowed to do so and will make the sign be an example of what they can do. Mr. Baule explained that they currently do not have a design for a sign, however, will maintain a historical feel.

Mr. Baule stated that they do not use dumpsters and will use large cans that will be kept down below in the garage area.

Mr. Baule described the character of the neighborhood as a mixed neighborhood, with a carnival company across the street, a church nearby and residential properties. Mr. Baule stated that he is looking to make the neighborhood a more energetic and enjoyable place.

Mr. Baule stated that he is looking to maintain the historical value of the building and what is already there as they are not looking to make any severe changes. Ms. Flood stated that she is happy to see this building come back to life.

Chairman Feyl questioned what the plan on the other building will be used for. Mr. Baule stated that right now he has no immediate plans and will be used for auxiliary space and may look to rent it out or possibly use it to do graphics on vehicles.

Chairman Feyl read a letter received from the Camillus Planning Board receiving a positive recommendation with no site specific issues.

Chairman Feyl mentioned that the state posted a historical sign on the stone building and expressed concerns as to making sure the applicant contact the state historical society before moving forward with any changes or plans.

Mr. Tom Price, Camillus Code Enforcement Office expressed his support, stating the he feels this is a perfect use for this building and wishes him a long time of success.

Mike LaFlair, 2nd Ward Councilor stated that he spoke to the surrounding residents of the area and received no opposition to this request. Councilor LaFlair would encourage the applicant to spruce up the site as much as possible and is glad this is being utilized as it is a challenging location.

Councilor LaFlair stated that with regards to the historical marker, the applicant would need to check the registration list to see if it has been deemed a historical building. Councilor LaFlair further stated that if making any changes to the exterior of the building, the applicant would have to go through the state office of parks and recreation.

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

**3. Roberta A. Krichbaum
3790 Warners Road
Syracuse, NY 13209**

TM#: 016-03-11.1

Area Variance: to install a 12' x 18' enclosed porch.

Chairman Feyl asked that the applicant refer to the Hearing Guide when addressing the Board and answering questions.

Ms. Krichbaum appeared before the Board to discuss her application. Ms. Krichbaum stated that she is the owner of this property and resides there. Ms. Kirchbaum provided explanation as to measurements of the existing porch. The purpose of the porch is for her enjoyment, is utilized three seasons, and was located there specifically by her.

Ms. Krichbaum confirmed there is no heat or air conditioning. Ms. Krichbaum provided a detailed explanation of the porch and described the existing porch to be 12' x 18'in size.

Chairman Feyl stated that Ms. Kirchbaum received a permit that was approved from the Town of Camillus Code Enforcement Office and built the porch.

Mr. de la Rosa stated that to take down the porch would be a hardship to the applicant as she followed the Code and received a permit to build it.

Tom Price, Camillus Code Enforcement Officer stated that the applicant is here this evening because the Town of Camillus Code Enforcement Office made a mistake in issuing the permit to build the porch, however, is asking the Board not to penalize Ms. Krichbaum in any way as it was the fault of his office, which made a mistake.

Mr. LaFlair, 2nd Ward Councilor stated that he fully supports this application and is in agreement with Mr. Price.

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

NEW BUSINESS:

1. Jan Raczka

TM#: 016.-01-06.0

**East of 3717 Warners Road
Syracuse, NY 13209**

Area Variance: owner would like to reduce the required front yard 70' setback down to 35'.

Mr. de la Rosa moved to declare this a SEQR Type II action and set the public hearing for Thursday, November 5, 2015. Ms. Flood seconded the motion and it was unanimously approved.

2. Ronald Clare

TM#: 012-01-33.0

**6171 Airport Road
Syracuse, New York 13209**

Area Variances: to allow the erection of a 20' x 40' freestanding garage in the rear yard, three feet from the rear property line and within the buffer strip abutting a residential lot.

Mr. Pirro moved to declare this a SEQR Type II action and set the public hearing for Thursday, November 5, 2015. Mr. de la Rosa seconded the motion and it was unanimously approved.

3. Morgan Genesee Street, LLC

TM#: 047-04-3316.0

**Panda Express
3604 W. Genesee Street
Syracuse, New York 13219**

Area Variance: to allow the following signage at the Panda Express to be constructed at 3604 West Genesee Street, Syracuse, and New York 13219: a freestanding sign 7 feet from the east property line; a 28.28 square foot sign on the east side of the building; and a 65.15 square foot sign on the front of the building.

Ms. Flood moved to declare this a SEQR Type II action and set the public hearing for Thursday, November 5, 2015. Mr. Dooher seconded the motion and it was unanimously approved.

MINUTES:

Ms. Flood moved to approve the minutes of the September 1, 2015 meeting. Mr. Dooher seconded the motion and it was unanimously approved.

VOUCHERS:

A voucher was received from Syracuse Media for legal advertising totaling \$58.07.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

Mr. Pirro commented on Berkshire Hathaway

OLD BUSINESS:

None

DECISIONS:

**1. Douglas Baule
6171 Airport Road
Syracuse, New York 13209**

TM#: 012-01-33.0

Special Use Permit: for allowance of a light industrial use that produces printing and signage, including large signs of vinyl, using laminating and plotting equipment; which is applicant's main business known as IDS Custom Graphics

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to grant the applicant a special use permit to operate a sign fabrication business at 6171 Airport Road, Syracuse, New York 13209. Mr. Dooher seconded the motion and it was unanimously approved.

**2. Roberta A. Krichbaum
3790 Warners Road
Syracuse, NY 13209**

TM#: 016-03-11.1

Area Variance: to install a 12' x 18' enclosed porch.

Chairman Feyl and the Board conducted the SEQR review.

Ms. Flood moved to approve an 8' variance to permit the maintenance of a 12' x 18' enclosed porch on the rear of the house located at 3790 Warners Road, Syracuse, New York 13209, approximately 13' from the rear property line. Mr. Pirro seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:23 p.m. Mr. Dooher seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
November 5, 2015 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
George Doohar
Rich de la Rosa
Steve Pirro
Joy Flood

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Two 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:

1. Linda McPherron
217 Gulf Road
Camillus, NY 13031

TM#: 052.-03-02.0

Area Variance: to install a 10' x 16' attached carport, reducing 7' minimum side yard by 2.25' down to 4.75'.

Chairman Feyl stated that the applicant Ms. McPherron submitted an email stating that she would like to rescind her application as her proposed carport will now be within code.

Adman Kopic, residing at 215 Gulf Road, appeared before the Board, expressing his concerns.

Chairman Feyl explained that he was trying to come up with a solution that was within code and it would not make the properties any closer.

Mr. Kopic exited the meeting.

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

2. Ronald Clare
6171 Airport Road
Syracuse, New York 13209

TM#: 012-01-33.0

Area Variances: to allow the erection of a 20' x 40' freestanding garage in the rear yard, three feet from the rear property line and within the buffer strip abutting a residential lot.

Chairman Feyl asked that the applicant refer to the Hearing Guide when addressing the Board and answering questions.

Mr. Ronald Clare appeared before the Board to discuss his application for an area variance. Mr. Clare stated that he is the owner of this property and provided explanation of the subject property. Mr. Clare stated that the property was approximately ¼ of an acre of C-1 property with the depth of the rear yard to be approximately 35' to his existing building. Mr. Clare further stated if he wants to build a garage to replace the trailers.

Mr. Clare explained that his daughter has come into business with him which has grown considerably and they need more space. Mr. Clare stated that M & R Motors as well as Draperies Etc. are the businesses running from within the existing building and trailers. Mr. Clare explained to the Board that their supplies are just getting ruined due to inclement weather and the condition of the deteriorating trailers.

Mr. Clare explained the dimensions of the proposed garage and provided a detailed explanation of the materials to be used to build the proposed garage.

Chairman Feyl questioned the dimensions from the southeast corner of the building to the school property. After a detailed discussion among the Board, Mr. Clare and Ms. Otto it was determined that the distance from the southeast corner of the building to the school property was approximately 2'.

Mr. Clare stated that there will be a fire rated wall along the north side of the building.

Ms. Otto stated that several variances would be required. Ms. Otto stated that an 8' variance would be required from the rear yard requirements to allow a rear yard to be 2'. Ms. Otto also stated that a 16% variance would be required to allow lot coverage of 46%, and a 25' variance would also be required to allow no buffer strip on the south side of the property, as well as a variance to release the applicant of the buffer strip landscaping requirements.

Mr. Clare stated that the height of the proposed garage would be 14' at the peak and 10' at the bottom.

Ms. Flood questioned if the blue house next to the property was vacant. Mr. Clare stated it was currently occupied.

After a detailed discussion regarding drainage among the Board and Mr. Clare, Ms. Flood motioned to close the public hearing. Mr. Pirro seconded the motion and it was unanimously approved.

**3. Morgan Genesee Street, LLC
Panda Express
3604 W. Genesee Street
Syracuse, New York 13219**

TM#: 047-04-3316.0

Area Variance: to allow the following signage at the Panda Express to be constructed at 3604 West Genesee Street, Syracuse, and New York 13219: a freestanding sign 7 feet from the east property line; a 28.28 square foot sign on the east side of the building; and a 65.15 square foot sign on the front of the building.

Chairman Feyl asked that the applicant refer to the Hearing Guide when addressing the Board and answering questions.

Ms. Cristina Caceres from Kassis Sign Company appeared before the Board to discuss the application for several area variances.

Chairman Feyl stated that the Town prefers monumental style signs.

Ms. Caceres questioned if keeping the proposed size of the sign with using a pole cover would be acceptable. Ms. Caceres approached the Board providing examples of what the proposed sign would look like. Ms. Caceres stated the measurements of the proposed free standing sign would be 7' 6" from the bottom of drive-thru part of the sign down and constructed of aluminum.

Chairman Feyl stated that the signs in the Town of Camillus are monumental in appearance or style, not just covering the pole. Chairman Feyl provided several examples of acceptable monumental style signs.

Ms. Caceres stated that she has a 15' setback for the front, however, the side yard is the issue because if it met the 15' set back side yard requirement, the freestanding sign would be within the parking lot.

Chairman Feyl stated unless a property is located on a corner lot, signs are not allowed on the side of the building. Chairman Feyl provided examples of businesses having to remove signs located on the side of their buildings as they do not follow town code.

Ms. Caceres approached the Board and provided explanation of the proposed sign on the east side of the building.

Ms. Otto stated that within the Town of Camillus, signs are only allowed on the front of the building.

Chairman Feyl questioned why they needed a sign on the side of the building. Ms. Caceres stated the applicant felt that with the entrance being located on the side of the building, patrons would know where to enter by the sign's location.

Chairman Feyl explained that directional signs such as 'Entrance' are allowed, however, no other signage is allowed on the side of the building.

Ms. Otto stated that the front of a building is a defined term, with the front of this building facing West Genesee Street. Ms. Otto explained that a free standing sign plus a sign facing West Genesee Street is allowed.

Ms. Caceres stated that the free standing sign would have identical faces both east and west, measuring 31.28 sq. feet. She is seeking an 8' variance.

After a detailed discussion among the Board, Ms. Otto and Ms. Caceres, Ms. Caceres stated that the front of the building measures 38ft from side to side, however, the applicant is looking to have a 65.15 sq. ft. sign on the front of the building. Chairman Feyl stated that the proposed sign on the face of the building was too excessive and questioned why the sign located on the front of the building needed to be any larger than the free standing sign.

Ms. Caceres stated that Panda Express is a national brand and that they would like to keep everything the same. Ms. Flood stated that with the proposed sign being that large and being so close, that it would be difficult to read.

Ms. Caceres stated that the sign on the front of the building would be internally illuminated LED with the bottom part of the sign having cut out letters illuminated white as well.

Ms. Flood suggested that the applicant place the sign they are proposing to have on the side of the building on the front of the building facing West Genesee Street. Ms. Flood further explained that in doing so no variance would be needed.

Ms. Caceres questioned if the Board would consider a smaller freestanding sign, not exceeding 11' in height, and whether the Board would require a brick base or would it consider the pole being covered with aluminum, dressed up, however, to look like a monumental sign. She offered that its base could be encased or shrouded.

Chairman Feyl provided several examples of acceptable monumental signs.

Ms. Caceres stated that she understands that they will not be allowed to have anything on the west or east side of the building, and understands that the sign on the front of the building should not exceed 38 sq. ft.

After much discussion back and forth among the Board, Ms. Caceres and Ms. Otto, Ms. Caceres agreed to withdraw and did withdraw the request for signage on the east side of the building, she agreed that the sign on the front of the building will not exceed what the code allows, therefore, the only variance requiring consideration is one for the free standing sign.

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

NEW BUSINESS:

1. Jan Raczka

**East of 3717 Warners Road
Syracuse, NY 13209**

TM#: 016.-01-06.0

Area Variance: owner would like to reduce the required front yard 70' setback down to 35'.

Mr. de la Rosa moved to continue the public hearing for Tuesday, December 1, 2015. Mr. Dooher seconded the motion and it was unanimously approved.

MINUTES:

Mr. Pirro moved to approve the minutes of the October 6, 2015 meeting. Ms. Flood seconded the motion and it was unanimously approved.

VOUCHERS:

A voucher was received from Syracuse Media for legal advertising totaling \$72.03.

A detailed voucher was received from Melvin & Melvin for legal services totaling \$3,975.93.

A voucher was received from Crystal Rock for supplies totaling \$21.89.

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

COMMENTS OF THE BOARD:

Mr. Pirro commented that he was happy to see that the Berkshire sign has been removed. Ms. Flood commented that the December Zoning Board meeting will be her last official meeting as a Board member as new challenges await her. She has been given the opportunity to take a position on the Town Board as 3rd Ward Councilwoman and she thanked the Board for allowing her to serve her time among them.

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

**1. Ronald Clare
6171 Airport Road
Syracuse, New York 13209**

TM#: 012-01-33.0

Area Variances: to allow the erection of a 20' x 40' freestanding garage in the rear yard, three feet from the rear property line and within the buffer strip abutting a residential lot.

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to grant the applicant an 8' variance to allow a rear yard of 2'. Ms. Flood seconded the motion and it was unanimously approved.

Mr. de la Rosa moved to grant a lot coverage variance of 16% to allow lot coverage of 46%. Mr. Pirro seconded the motion and it was unanimously approved.

Mr. de la Rosa moved to grant a 25' variance to allow no buffer strip on the south side of the building. Ms. Flood seconded the motion and it was unanimously approved.

Mr. de la Rosa moved to grant a variance to permit a building within the buffer strip that was eliminated. Ms. Flood seconded the motion and it was unanimously approved.

Mr. de la Rosa moved to relieve the applicant of the buffer strip landscaping requirements. Mr. Pirro seconded the motion and it was unanimously approved.

**2. Morgan Genesee Street, LLC
Panda Express
3604 W. Genesee Street
Syracuse, New York 13219**

TM#: 047-04-3316.0

Area Variance: to allow a freestanding sign at 3604 West Genesee Street, Syracuse, New York 13219, 7 feet from the east property line.

Chairman Feyl and the Board conducted the SEQR review.

Ms. Flood moved to grant an 8' variance to allow the placement of a 31.28 sq. ft. freestanding sign 7' from the east side property line provided that the free standing sign does not exceed 11' in height and further provided that the base of the sign is encased or shrouded. Mr. Dooher seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:12 p.m. Mr. Dooher seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
December 1, 2015 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
George Doohar
Rich de la Rosa
Steve Pirro
Joy Flood

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Three 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. Doohar seconded the motion and it was unanimously approved.

PUBLIC HEARING:

1. Jan Raczka

**East of 3717 Warners Road
Syracuse, NY 13209**

TM#: 016.-01-06.0

Area Variance: owner would like to reduce the required front yard 70' setback down to 35'.

Mr. Adam Raczka, son of Mr. Jan Raczka presented the application to the Board. Mr. Adam Raczka stated that his father Jan Raczka is the owner of the property; however, he and his wife currently live in the home with their daughter. Adam Raczka further explained that he and his wife have a rent to own agreement with his father with plans to purchase the property in the near future.

Mr. Raczka stated that the purpose of the application is to subdivide the 1.528 (+/-) parcel into two (2) lots. Mr. Adam Raczka further explained that his father currently lives in Liverpool, NY in a raised ranch and has difficulties with stairs, therefore, would like to build his parents a new one level residence on the .528 parcel.

Chairman Feyl provided an explanation as to the 70' setback requirement.

Mr. Adam Raczka described the topography of the back yard to be extremely steep, stating that the cost would be very expensive to build a house 70' back with having an uphill incline.

Ms. Flood stated that along Warners Road it is not uncommon to have homes with a 35' setback and would not be out of character.

Chairman Feyl and Mr. Adam Raczka discussed Starlight Estates and its zoning requirements. Ms. Otto stated that per Town of Camillus Code the setback requirements are based upon the

district one lives in, stating that the applicant lives within an R3 district, therefore, the front yard setback requirements of 35' must be doubled.

Mr. Adam Raczka, Mr. Jan Raczka and Chairman Feyl discussed the applicant's property per the survey provided. Chairman Feyl explained how measurements are determined as their property is identified as a flag lot.

Chairman Feyl noted that the applicants appeared in an earlier meeting with the Camillus Planning Board relative to their application to subdivide the lot and that the application was submitted to the Onondaga County DOT for setback review.

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

NEW BUSINESS:

None

MINUTES:

Ms. Flood moved to approve the minutes of the November 5, 2015 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS:

A voucher was received from Syracuse Media for legal advertising totaling \$66.89.

A detailed voucher was received from Melvin & Melvin for legal services totaling \$780.00.

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

COMMENTS OF THE BOARD:

Chairman Feyl stated that the Zoning Board will soon have a vacancy as Ms. Flood will be stepping into the 3rd Ward Councilor position the first of the year. Chairman Feyl wished everyone a safe and Happy Holiday.

Organizational Meeting:

Ms. Flood motioned to appoint Krista Kenna as Clerk to the Zoning Board of Appeals. Mr. Dooher seconded the motion and it was unanimously approved.

Ms. Flood motioned to appoint Susan Otto of Melvin & Melvin, PLLC as Zoning Board of Appeals Attorney at the prevailing Town rates. Mr. Dooher seconded the motion and it was unanimously approved.

Ms. Flood recommended the re-appointment of Mr. Rich de la Rosa as Vice Chairman of the Zoning Board of Appeals. Mr. Dooher seconded the motion and it was unanimously approved.

The Zoning Board of Appeals will make the following recommendations to the Town Board:

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

1. **Jan Raczka**
East of 3717 Warners Road
Syracuse, NY 13209

TM#: 016.-01-06.0

Area Variance: owner would like to reduce the required front yard 70' setback down to 35'.

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to grant the applicant a 35' front yard setback, conditioned upon written subdivision approval from the Camillus Planning Board. Ms. Flood seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:22 p.m. Mr. Dooher seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

A

Airport Road, 6171	
Area Variance	49, 52, 56
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Allnson, Benjamin	
Special Use Permit	36, 38, 42
Archstone Way, 105	
Area Variance	23, 26, 30

B

Baule, Douglas	
Special Use Permit	46, 50
Bennetts Corners Road, 5690	
Amended Special Use Permit	28, 30
Berkshire Hathaway Home Services	
Area Variance	34, 37
Brigati, Matt & Colleen	
Area Variance	22, 24

C

Camillus Country Club	
Amended Special Use Permit	28, 30
Clare, Ronald	
Area Variance	52, 56
Area Variance	49
Croom, Katherine	
Special Use Permit	35, 37, 42

E

Empower F C U	
Area Variance	22, 24

F

Franceschetti, Carol	
Area Variance	4, 9, 12

G

Golden Meadows Way, 174	
Area Variance	22, 24
Grobsmith, Richard	
Area Variance	16, 19
Gulf Road, 217	
Area Variance	44, 52

H

HD Development of Maryland, Inc.	
Area Variance	4, 6, 12
Home Cafe, Inc.	
Area Variance	41
Home Depot USA, Inc.	
Area Variance	4, 6, 12

I

Iasnik, Jaclyn	
Special Use Permit	27, 33, 36

K

Kasson Road, 309	
Special Use Permit	27, 33, 36
Kirchbaum, Roberta A.	
Area Variance	48, 50

M

Male Avenue, 206	
Special Use Permit	35, 37, 42
McPherron, Linda	
Area Variance	44, 52
Milton Ave. 3756	
Area Variance	4, 6, 12
Morgan Genesee Street, LLC	
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N

New York Spine & Wellness	
Area Variance	16, 21, 25, 32

P

Panda Express	
Area Variance	49, 53, 57
Pinewood Drive, 309	
Area Variance	41

R

Raczka, Jan	
Area Variance	49, 55, 58, 60

S

Sagneri, Angela	
Area Variance	5, 10, 14, 19
Simons, Ross T.	
Area Variance	41
Syracuse Orthopedic Specialists	
Area Variance	16
Area Variance	21, 25, 32
Syracuties Child Care	
Special Use Permit	27, 33, 36

T

The Fairmount Company, LLC	
Area Variance	1, 2
Timofy, Margaret	
Special Use Permit	11, 15, 19

Trent Lane 103
Special Use Permit 11, 15, 19

V

Venus Path 5919
Area Variance 5, 10, 14, 19

W

Warners Road 3717
Area Variance 58, 60
Warners Road, 3637
Area Variance 16, 19
Warners Road, 3790
Area Variance 48, 50
Warners Road, East of 3713
Area Variance 55
Warners Road, East of 3717
Area Variance 49
West Genesee Street 3514
Area Variance 1, 2

West Genesee Street 3800
Area Variance 4
Area Variance 9, 12
West Genesee Street, 3604
Area Variance 49, 53, 57
West Genesee Street, 3700
Area Variance 22, 24
West Genesee Street, 4401
Area Variance 41
West Genesee Street, 5099
Area Variance 34, 37
West Genesee Street, 5417
Area Variance 16, 21, 25, 32
West Genesee Street, 6001
Special Use Permit 36, 38, 42

Z

Zeck Builders/Waterbridge Development Corp.
Area Variance 23, 26, 30
Zerkle, Brent & Laurie
Area Variance 41

