

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
February 2, 2016 – 7:00 p.m.

PRESENT:

Bob Feyl, Chairman
George Doohar
Rich de la Rosa
Steve Pirro
Alex Walsh

STAFF PRESENT:

Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:

Tom Price, Code Enforcement Officer
Joy Flood, 3rd Ward Councilor
5 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. Aspen Dental**
3590 W. Genesee Street
Syracuse, NY 13219

TM#: 047.-04-14.1

Area Variance: signage.

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

Michael Loucy, National Sales Director of Image Press, and Deborah Van Patten, Real Estate Manager of Aspen Dental Management, Inc., presented the application.

Chairman Feyl stated that the applicant was asking for a variance for four window signs. Explaining the applicant has maximized the sign on the front of the building, as well as maximizing the free standing sign. Further explaining that the developer has stated that he would change the free standing sign to accommodate other tenants as needed.

Chairman Feyl explained that this request for a variance, in his opinion, is excessive and, if approved, goes with the property, not the business and the Board should take that into consideration.

Mr. Loucy stated that the four window graphic each measure 31.8 sq. ft., totaling 127.3 sq. ft. The window signs will be used to promote oral health and dental services provided by Aspen Dental. Signage itself is perforated window vinyl with 50% of it having holes in it. Mr. Loucy stated that in terms of security or safety this will not be an issue as in his opinion it will not block anything.

Mr. Loucy identified the following neighboring retailers that have window graphics: Party City, Rite Aid, Famous Footwear, and KFC, among others, further pointing out that these window graphics are made from solid vinyl.

Mr. de la Rosa questioned if the applicant would consider a smaller variance. Mr. Loucy stated that he believes his client would consider less square footage of signage.

Mr. Loucy stated that Aspen Dental has over 538 practices all over the country, having 40 within NYS and two locally, one in Cicero and one in DeWitt. Mr. Loucy stated that both of these locations have window graphics as they are requesting to have at this location. Mr. Loucy explained that his applicant is trying to promote good oral health.

Mr. de la Rosa stated the window graphics they are asking for, in his opinion, are advertisement, not informational. Chairman Feyl stated that in his opinion the two window graphics for consideration with images of a male and female smiling serve no purpose. Mr. Loucy explained that perhaps these images are people smiling with good oral health and teeth. Mr. Loucy further explained that perhaps people with bad oral health do not smile.

Chairman Feyl stated that in his opinion 50% of what they are asking for serves no purpose and suggests that the applicant refrain from placing any of the window graphics up until receiving approval to do so.

Chairman Feyl explained that the Zoning Board and Camillus Code Enforcement Officer have received a letter from the property owner stating that 36 sq. ft. of the free standing signage would be split up among all tenants if requested.

Ms. Van Patten stated that she was not able to make a decision that Aspen Dental is willing to give up any of its space on the pylon free standing sign and would need to get authorization. Chairman Feyl stated that the Board could continue the application to the next meeting, giving the applicant time to send the correct individuals who can make decisions on behalf of the applicant.

Mr. de la Rosa moved to continue the Public Hearing to March 1, 2016. Mr. Doohar seconded the motion and it was unanimously approved.

**2. National Grid
4010 Milton Ave.
Camillus, NY 13031**

TM#: 020.-04-015.0

Special Use Permit: add additional transformers and switch gear.

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

Chairman Feyl stated that the Board received a letter from the Camillus Planning Board stating they have no issues with National Grid as it is addressing their landscaping and noise concerns.

Mr. Matthew T. Kerwin, counsel representing National Grid and Gregory S. Liberman, Project Manager, as well as Diana McClane of National Grid, presented the application to the Board.

Mr. Matthew explained that the purpose of the application is to modify the existing substation by adding a second transformer to increase the substation's capacity. The modifications also include metal-clad switchgear, along with necessary ancillary electrical equipment, such as switches, cables and trenches.

Mr. Kerwin stated they appeared before the Camillus Planning Board and did address concerns/issues relating to noise and landscaping. Mr. Kerwin explained that the request for the second transformer is due to this specific facility being at almost maximum capacity.

Mr. Matthew stated that the modifications will improve electric infrastructure and provide reliable service to the Camillus community and surrounding areas. The expansion includes modifications to the pavement and landscaping for the substation. Mr. Matthew stated that the expansion at this location is approximately 9300 square feet. Mr. Matthew stated there will be a 6600 square foot expansion of the driveway, parking area as well as turnaround gravel area located on their property.

Mr. Matthew further stated that there to be mesh-type fencing of approximately 340' to the south and west side of the property. Mr. Matthew explained that they will have to remove some existing buffering, trees and vegetation along the west side of the property to accommodate the expansion. Mr. Matthew also stated that landscaping plans will be put in place to replace the removal of existing trees.

Chairman Feyl questioned if there were to be any changes made to the driveway along Milton Ave. Mr. Kerwin stated it will remain where it is, however, may be widened slightly and will be having discussions with the County DOT should variances be required.

Mr. Liberman stated that approximately 16 trees will be placed along the west side of the property, with leaving a sizeable buffer. Mr. Liberman stated that along Milton Ave. the site disturbance will be less than one acre, well under the threshold. Mr. Liberman also stated that the increase in decibel will result in roughly 1.5 dBA increases, making them well below the impact threshold of 5 dBA's. Mr. Liberman explained that as the waves are released from the transformers they dissipate as they are exposed to the environment.

Ms. McClane stated she doesn't believe the increase in decibel will impact any of the surrounding residences. Additionally, Ms. McClane stated she's not aware of any noise complaints from the existing neighbors.

Mr. Liberman confirmed the closest neighbor to be approximately 120' from the site.

Chairman Feyl recommended that the packet prepared by National Grid and submitted with the application regarding screening and decibel levels be submitted as part of the Special Use Permit if approved.

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

NEW BUSINESS:

None

MINUTES:

Mr. de la Rosa moved to approve the minutes of the January 5, 2016 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS

A detailed voucher was received from Melvin & Melvin for legal services totaling \$705.00.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

2. **National Grid**
4010 Milton Ave.
Camillus, NY 13031

TM#: 020.-04-015.0

Special Use Permit: add additional transformers and switch gear.

Chairman Feyl and the Board conducted the SEQR review.

Mr. Pirro recused himself for this application.

Mr. Dooher moved to grant the applicant a special use permit to allow upgrades at the existing Milton Avenue substation, including an approximately 9,280 square foot expansion of the existing station yard, an approximately 1,200 square foot expansion of the existing substation pad, the installation of an additional transformer and metal-clad switchgear, along with necessary ancillary electrical equipment, the removal of existing security fencing and the installation of approximately 340 linear feet of new security fencing, and an approximately 6,600 square foot expansion of the existing driveway and turnaround area. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:40 p.m. Mr. Dooher seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk