

**TOWN OF CAMILLUS  
ZONING BOARD OF APPEALS  
February 6, 2007 - 7:00 p.m.**

**PRESENT:**

Robert Feyl, Chairman  
Josephine Flood, Vice Chairperson  
Ronald Belle  
Donald Borsky  
George Burke  
Richard de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC**

Tom Price, Code Enforcement Officer  
One other

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

**PUBLIC HEARINGS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

**Applications:**

1. **Chmara, Sophie  
230 Gillespie Avenue  
Syracuse, NY 13219**

**TM#: 045.-11-22.1**

**Area Variance:      New Home**

Mr. Carr questioned whether this applicant needed to apply for an area variance to allow construction of a new home at 230 Gillespie Avenue. Mr. Carr explained that the lot has a vested right to be considered to be a building lot and has no need for an area variance.

Tom Price, Code Enforcement Officer agreed with Mr. Carr's opinion however stated that our Town zoning ordinance does not make it legitimate. Mr. Price explained to the Board that he does not want to make a discretionary decision to grant a variance. After further discussion, the Board elected to proceed with the application.

Ms. Flood moved to declare this a SEQR type II action and to set a public hearing for February 20, 2007. Mr. de la Rosa seconded the motion and it was unanimously approved.

2. **Somerville, Debbie**  
**104 Oakley Road**  
**Syracuse, NY 13209**

**TM#: 016.-02-08.0**

**Area Variance: Addition – front yard set back.**

Mr. de la Rosa moved to declare this a SEQR type II action and to set a public hearing for February 20, 2007. Ms. Flood seconded the motion and it was unanimously approved.

**Minutes of the Previous Meeting:**

Mr. de la Rosa moved to approve the minutes of the December 5, 2006 meeting. Ms. Flood seconded the motion and it was unanimously approved.

**Vouchers:**

A voucher was received from Melvin & Melvin for legal fees totaling \$468.75.

A voucher was received from Hummel's Office Supply for office supplies totaling \$140.44.

A voucher was received from Hummel's Office Supply for office supplies totaling \$13.45.

Chairman Feyl moved to approve payment of the submitted vouchers. Ms. Flood seconded the motion and it was unanimously approved.

**Correspondence:**

None

**DISCUSSION**

Chairman Feyl welcomed Tom Dugan as a new Board member serving a term of five years.

Chairman Feyl welcomed Ronald Belle for his reinstatement serving a term of 5 years.

Chairman Feyl re-welcomed Krista Kenna to her new position as Deputy Town Clerk/ZBA Clerk.

Chairman Feyl thanked Martha Dickson-McMahon for her past efforts and support as ZBA Clerk.

Chairman Feyl reminded the Board that the ZBA would now be conducting two meetings a month and reviewed the new process for Special Use Permit applications.

**DECISIONS**

None

**COMMENTS OF THE BOARD**

Chairman Feyl thanked the Board for their support with regard to their attendance and participation at the Onondaga County Planning Federation training conference.

Mr. Burke asked for clarification regarding the recent amendments to Chapter 30, §801 (C), which was provided by Chairman Feyl and Mr. Carr.

**ADJOURNMENT**

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

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**TOWN OF CAMILLUS  
ZONING BOARD OF APPEALS  
February 20, 2007 - 7:00 p.m.**

**PRESENT:**

Robert Feyl, Chairman  
Josephine Flood, Vice Chairperson  
Ronald Belle  
Donald Borsky  
George Burke  
Richard de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC**

Bill Davern, Councilman – 3<sup>rd</sup> Ward  
Three others

The meeting was called to order at 7:00 p.m. by Chairman Feyl, followed by the Pledge of Allegiance. Mr. de la Rosa motioned to wave the reading of the public hearing notices. Ms. Flood seconded the motion and it was unanimously approved.

**PUBLIC HEARINGS**

3. **Chmara, Sophie**  
**230 Gillespie Avenue**  
**Syracuse, NY 13219**

**TM#: 045.-11-22.1**

**Area Variance: New Home**

Ms. Chmara appeared before the Board, along with her husband, to seek an Area Variance that would allow them to build a new home on a non-conforming lot.

Chairman Feyl stated that Ms. Chmara's lot located at 230 Gillespie Avenue is grandfathered as part of the old Fairmount Subdivision, however, to ensure there are absolutely no issues, the Board must conduct the public hearing and render an official decision.

Mr. Carr stated that the lot located at 230 Gillespie Avenue is grandfathered as to area and width of the building lot only.

Mr. Borsky questioned whether the placement of the new home would be in line with the existing homes. Mr. Chmara confirmed that the home would be in line with the existing homes.

Chairman Feyl noted that when it comes to the placement of a house on the lot the applicant would apply for a Building Permit from the Code Enforcement Office, who will ensure that all necessary set back requirements are met.

There was no public comment

Mr. Davern, Councilman – 3<sup>rd</sup> Ward, stated he sent out a notice to all of the surrounding properties, including the adjacent neighbors, and did not receive any negative comments. Mr. Davern stated that he would be glad to see this pass and would be happy to see the lots within this area populated.

Chairman Feyl closed the public hearing

**4. Somerville, Debbie  
104 Oakley Road  
Syracuse, NY 13209**

**TM#: 016.-02-08.0**

**Area Variance: Addition – front yard set back.**

Charles O'Neill, son of Debbie Somerville, appeared before the Board to review Ms. Somerville's application. He provided additional information to explain the purpose of the addition.

Mr. Borsky questioned whether there was a sightline issue related to the house located on Westfall Street. Chairman Feyl confirmed that there was no sightline issue.

Mr. Burke agreed with Chairman Feyl that there was not a sightline issue and stated that this set back would be consistent with the neighborhood.

Ms. Flood questioned the reasoning for building the addition. Mr. O'Neill stated that his mother's home was very small and they desired additional living space.

There was no public comment

Chairman Feyl closed the public hearing

## **NEW BUSINESS**

### **Applications:**

5. **Pfeiffer, Fr. J. Timothy**  
**2656 Warners Road**  
**Warners, NY 13164**

**TM#: 016.-02-08.0**

**Special Use Permit: Religious school, open ball fields, student housing, Church and related uses.**

Chairman Feyl moved to declare this an unlisted action under SEQR and set a public hearing for March 06, 2007. Mr. Borsky seconded the motion and it was unanimously approved.

### **Minutes of the Previous Meeting:**

Mr. Burke requested that two corrections be made in the discussion section as follows:

- 'Chairman Feyl welcomed Tom Dugan as a new Zoning Board member filling the remaining term of Joe Kilburg, expiring December 31, 2008.'
- 'Chairman Feyl welcomed Ronald Belle for his reappointed term of 5 years.'

Mr. de la Rosa moved to approve the minutes of the February 6, 2007 meeting as amended. Ms. Flood seconded the motion and it was unanimously approved.

### **Vouchers:**

A voucher was received from Eagle Newspapers for two legal advertisements totaling \$33.44.

Tom Dugan moved to approve payment of the submitted vouchers. Mr. Burke seconded the motion and it was unanimously approved.

## **DECISIONS**

1. **Chmara, Sophie**  
**230 Gillespie Avenue**  
**Syracuse, NY 13219**

**TM#: 045.-11-22.1**

**Area Variance: New Home**

Ms. Flood moved to grant an Area Variance of 3,472 sq.ft. on the Total Lot Area and an Area Variance of 20 ft. Lot Width, to allow this lot to be considered as a legal building lot. Mr. Dugan seconded the motion and it was unanimously approved.

2. **Somerville, Debbie**  
**104 Oakley Road**  
**Syracuse, NY 13209**

**TM#: 016.-02-08.0**

**Area Variance: Addition – front yard set back**

Mr. de la Rosa moved to grant a 4' Area Variance on the front yard set back to allow construction of a home addition. Mr. Borsky seconded the motion and it was unanimously approved.

### **ADJOURNMENT**

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

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

## **TOWN OF CAMILLUS ZONING BOARD OF APPEALS March 6, 2007 - 7:00 p.m.**

### **PRESENT:**

Robert Feyl, Chairman  
Josephine Flood, Vice Chairperson  
Ronald Belle  
Donald Borsky  
George Burke  
Richard de la Rosa  
Tom Dugan

### **STAFF PRESENT:**

Ronald Carr, Esq.

### **GUESTS & MEMBERS OF THE PUBLIC**

Roger Pisarek, 1<sup>st</sup> Ward Councilor  
Kathy MacRae, 2<sup>nd</sup> Ward Councilor  
9 others

The meeting was called to order at 7:05 p.m. by Chairman Feyl, followed by the Pledge of Allegiance. Mr. de la Rosa motioned to waive the reading of the public hearing notices. Mr. Burke seconded the motion and it was unanimously approved.

### **PUBLIC HEARINGS**

**6. Pfeiffer, Fr. J. Timothy  
2656 Warners Road  
Warners, NY 13164**

**TM#: 016.-02-08.0**

**Special Use Permit: Religious school, open ball fields, student housing,  
church and related uses.**

Chairman Feyl commented that he would like to remind the Board that this request for a Special Use Permit did go before the Planning Board first. Chairman Feyl then stated that the

Zoning Board of Appeals received a letter from the Planning Board stating they had no conditions to add to this Special Use Permit.

Fr. Timothy J. Pfeiffer appeared before the Board to address the application. Fr. Pfeiffer stated that the intention was to take the old Warner's school/building, along with the adjacent properties, and use it as a school with student housing/boarding and parochial and educational activities.

Mr. de la Rosa questioned the location of the student housing/boarding. Fr. Pfeiffer stated that the second floor of the old courtyard elementary school, which had once been the old library room, would be ideal for limited student housing. Fr. Pfeiffer stated that they could have up to 30 boys over the next 4 years dependent upon the growth of the school. Currently they have only 12 boys, ranging from 9<sup>th</sup> to 12<sup>th</sup> grade.

Mr. Borsky questioned the current and projected enrollment. Fr. Pfeiffer stated that they currently have 116 students enrolled and are hoping it will double in size over a span of 4 years, possibly increasing to 250 students. Fr. Pfeiffer stated that in the near future they will have a nice big beautiful church and plans to expand the gym that is currently there. Mr. Borsky questioned the grade levels within the school. Fr. Pfeiffer stated that it would be a K-12 school.

Chairman Feyl stated that it was on record to handle between 700 – 750 students in it's former use as a school.

Mr. Borsky questioned the consideration given to parking with relation to the number of people coming for services and programs. Fr. Pfeiffer stated that they have not given any consideration as most students are bussed or driven to school. Fr. Pfeiffer commented that currently there is plenty of parking for their needs. Fr. Pfeiffer explained that he currently has a staff of 15-17 teachers and does not foresee any problems with parking over the next 4 to 5 years.

Mr. Belle questioned the enrollment numbers vs. housing ratio. Fr. Pfeiffer stated that boarding boys would be roughly 10% of the student body. Fr. Pfeiffer noted that it could possibly go higher based on the situation. Fr. Pfeiffer projects over the next 3-4 years there to be roughly 30 boarding students.

Ms. Flood questioned supervision at night for the boarding boys. Fr. Pfeiffer stated that they have 3 supervisors on site at times, but would not have more than 8-10 boys to 1 supervisor. Ms. Flood questioned the initial funding for this project. Fr. Pfeiffer stated they have received about \$350,000 in pledges and are obtaining financing with M&T Bank for the remaining costs. Fr. Pfeiffer noted that they are also in the process of looking into starting non-profit businesses that would provide steady funding. Ms. Flood questioned if there was tuition cost for attending this school. Fr. Pfeiffer stated that there was a \$2,000 tuition cost minus book fees for a high school student. Ms. Flood questioned if the pledge drives, funding and weekly sponsorship would be enough to sustain the funding to keep this facility up and running. Fr. Pfeiffer confirmed that they would have the proper funding. Ms. Flood questioned if they anticipated using the entire property and the location of the future church. Fr. Pfeiffer confirmed that they would need to use every bit of the property and anticipated the church would be built where the ball field is located right now.

Mr. Burke questioned if they were affiliated with the Roman Catholic Diocese and ownership of the property. Fr. Pfeiffer stated that they are in no way affiliated with the Roman Catholic Diocese and will be privately owned. Mr. Burke questioned the years Fr. Pfeiffer's church has been operating. Fr. Pfeiffer stated that the existing church has been operating since 1992, with the school in operation since 1994. Mr. Burke questioned if the school was in any way involved with court assigned students. Fr. Pfeiffer commented that they do not have any students that have been assigned to them by the courts or social services programs. Mr. Burke questioned the number of parking spaces. Fr. Pfeiffer explained he was not sure of the exact number of spaces however, in reviewing the site plan, it was determined to have at least 60 parking spaces.

Chairman Feyl commented that more than 50% of the land is existing farm land that is rented by Rudy Karasek. Chairman Feyl stated that he has received a note from Mr. Karasek asking Fr. Pfeiffer to contact him if or when this land is purchased to assure the farmers and neighborhood that the property will remain "basically farm land". Chairman Feyl expressed Mr. Karasek's concern over the purchase of the land and then subdividing the land into 15 or 20 homes. Fr. Pfeiffer stated that was out of the question and would not happen. Fr. Pfeiffer commented that he could possibly foresee senior housing in the long-term future but was not in the immediate plans. Chairman Feyl asked for whether what has always been and what is presently school property purposely used for the school, will still not have any adverse effect on the other 20+ acres located in the back. Fr. Pfeiffer confirmed by stating "yes, for the near future".

Mr. Belle questioned if Fr. Pfeiffer's existing location will remain open. Fr. Pfeiffer stated that they would maintain the current location as they need to have a church and will take some time to build one at the proposed location.

Ms. Flood questioned if meals would be provided to the students and if they anticipated having an active cafeteria should the enrollment increase. Fr. Pfeiffer confirmed that the students would bring lunches and that the old cafeteria could be utilized for boarding students and staff. Ms. Flood questioned if they would ever anticipate a co-ed boarding facility. Fr. Pfeiffer confirmed that there would not be any co-ed boarding.

Chairman Feyl commented that he felt Fr. Pfeiffer's church would be a welcome addition to the Warner's community.

### **Comments of the Public**

Mr. Denny Kiteveles of 2235 Warners Road stated that there have been rumors going around and questioned if Fr. Pfeiffer would have medical staff on hand. Fr. Pfeiffer answered by stating he had a teacher who was a nurse on hand working 3 days a week.

Mr. Kiteveles suggested that Fr. Pfeiffer put an article in the local paper on what his plans are if purchased. Fr. Pfeiffer noted that they will be hosting a festival on Saturday, March 24<sup>th</sup>, 2007, that will be open to the Warner's community, giving people an opportunity to meet the church community and ask any questions. Fr. Pfeiffer stated that he would also be willing to make himself available to the neighborhood and community answering any questions or concerns they may have. Fr. Pfeiffer extended a free invitation to active members of the Warner's Fire Department and commented that he will be scheduling a meeting with the Fire Chief.

Ms. Bonnie Sheppard of 6464 Newport Road expressed her concern with the outcome of the baseball field located at the old Warner's school, stating it has been a close part of the Warners community. Ms. Sheppard commented that it is currently used for leagues and questioned what would happen to the leagues if purchased. Fr. Pfeiffer commented that he was willing to work with the community so the leagues and/or any other activities could continue.

Ron Clair, owner of the commercial property located at 2640 Warners Road, questioned the boarding for the students and if they had families. Fr. Pfeiffer stated that most of his boarding students do have families and were from other areas such as Canada, Florida and St. Louis.

Debbie Gilmore of 2692 Warners Road questioned if the school would be co-ed. Fr. Pfeiffer stated that it would be a co-ed school with the boarding of boys only. Ms. Gilmore questioned if the mortgage had been approved and what percentage of the mortgage would be financed. Fr. Pfeiffer stated that he was not sure, however, was in the lawyers' hands and commented that he has not received any updated news. Fr. Pfeiffer stated that they currently have raised \$389,000.00, with a loan for \$150,000.00. Ms. Gilmore questioned when the school would open. Fr. Pfeiffer stated that would be in September of this year (2007).

Linda Kiteveles of 2235 Warners Road questioned if the boarding students were troubled children that parents did not want to deal with. Fr. Pfeiffer stated that they were not troubled children and were simply your average student. Fr. Pfeiffer commented that parents often looked to them to continue their children's Catholic education with keeping very close supervision. If the students were caught with any drugs or alcohol, Fr. Pfeiffer confirmed it would be grounds for being kicked out of the school. Ms. Kiteveles suggested that Fr. Pfeiffer make use of the cafeteria for the students.

David Hurst of 2861 of Warners Road stated that he moved out to Warners for the peace, quiet and beauty of it, expressing his concern with traffic going by his house. Chairman Feyl questioned Mr. Hurst on the number of years living in Warners. Mr. Hurst stated he has lived in Warners for 2 ½ years. Chairman Feyl stated that he had almost 60 years residing in Warners and to his knowledge, it has always been a school, having school buses and was utilized by a number of other school districts that bussed students in and out of that location for years and years. Chairman Feyl commented never to his knowledge has the bussing and/or traffic ever been a problem or had an adverse effect on Warners.

### **Comments of Town Officials**

Chairman Feyl stated that Kathy MacRae, 2<sup>nd</sup> Ward Councilor, living at 3458 Warners Road sent out a letter informing her Ward that a public hearing would be held on this particular property. Ms. MacRae stated that her concern is not about the school but she did have some questions regarding the boarding of students and how they are regulated. Ms. MacRae referred to council for information on boarding regulations.

Mr. Carr, ZBA Attorney, stated that he was not an authority on this subject matter but would think that they need to follow certain certifications and requirements set by the State of New York. Fr. Pfeiffer stated that they are certified by the Board of Regents/Board of Education and that they do follow standards set by New York State under the section for Private Schools. Mr. Carr questioned the level of teaching degree necessary and if certain qualifications are required. Fr. Pfeiffer stated that they do not require special qualifications for a private school.

Mr. Carr commented that he felt the Town regulation begins and ends at the level of deciding if the use is permitted.

Chairman Feyl stated that the Special Use Permit pertains to the existing building only, subject to site plan approval. Ms. MacRae requested that it be made very clear regarding the boarding piece of this request that it be properly regulated. Mr. Carr stated he did not see how barring Health Department involvement or similar, the Town could regulate the controlled supervision of boarding students any more. Fr. Pfeiffer commented that they take great care for the boarding boys with constant supervision following the belief/method of St. John Bosko, which is a philosophy of supervision prevents problems. Fr. Pfeiffer also commented that he hopes they will be a positive influence on the community.

Ms. MacRae questioned what exactly the application is requesting. Chairman Feyl stated that the project description as it appears on the application is as follows: "School, open ball fields, student housing, church and related uses".

Chairman Feyl continued stating, for example, if they decided to utilize the gym for Sunday services/mass, they do have all the right in the world to do so. Chairman Feyl noted that when it was a school, a public entity, we all had a right, however, when it becomes a private entity we do not have a right. Chairman Feyl commented that even though your kids have always played ball there, if the church were to decide not to allow you to play ball then you would not be able to do so, as we cannot control any of it. Chairman Feyl stated that if they decided to build a church in the future, then they would come before the Planning Board for a site plan review and all the issues would be addressed at that time.

Ms. MacRae expressed her concern with the proper regulations along with proper supervision and ratios for boarding students, requesting to hold open this public hearing for one more meeting so she could get more information out to the 2<sup>nd</sup> Ward. Chairman Feyl stated that he could continue the public hearing if there were some unanswered issues and deferred to the ZBA Attorney. Ms. MacRae stated that the ratio was unanswered. Mr. Carr stated that he did not feel this was reason enough to keep open the public hearing as you can impose uses but the use must relate to the use of the land not the endeavor. Ms. MacRae stated that she felt it could be a public safety issue and, while she has no objection to this project, that is her concern and she wants to ensure it is done properly. Fr. Pfeiffer stated that he could make a commitment for a ratio of 1 to 10 as he felt that was reasonable to run the job. Chairman Feyl stated that this is a public hearing that was in the newspaper and the people of Warners knew about it, so if there was a major issue for or against this request then we would see more people here tonight. Chairman Feyl commented to keep this open and to allow more people to possibly say the same thing that these people here tonight have already said is a moot point.

Debbie Gilmore of 2692 Warners Road commented that due to the weather that might be a reason why many people are not present.

Chairman Feyl stated that the Zoning Board of Appeals has a right to place reasonable conditions on a special use permit if necessary.

David Hurst of 2861 of Warners Road questioned who currently owned the building and property. Chairman Feyl stated that West Genesee School District currently owned the land and building and that Mr. Hurst would need to contact the school with any questions.

Chairman Feyl closed the public hearing stating that a decision would most likely be made tonight and noted that Fr. Pfeiffer would be notified within 62 days of the decision. Chairman Feyl welcomed Fr. Pfeiffer along with attending members of the public to stay should they want to hear the decision.

## **NEW BUSINESS**

### **Applications:**

1. **Joe Livingston** **TM#: 021.-02-10.0**  
**2569 Rolling Hills Road**  
**Camillus, NY 13031**

**Area Variance: Addition enlarging a non-conforming building.**

Chairman Feyl commented that he visited this property in person with Roger Pisarek, 1<sup>st</sup> Ward Councilor and wanted to point out to the Board that the modification to the garage the way it reads is to impose an addition to a non-conforming building. Chairman Feyl stated that the existing garage was built in 1930 before there was any zoning or codes to follow. Chairman asked that the Board members go and take a look at the property.

Chairman Feyl moved to declare this Type II action under SEQR and set a public hearing for March 20, 2007. Ms. Flood seconded the motion and it was unanimously approved.

### **Minutes of the Previous Meeting:**

Mr. de la Rosa moved to approve the minutes of the February 20, 2007 meeting. Mr. Belle seconded the motion and it was unanimously approved.

### **Vouchers:**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$20.79.

A voucher was received from Melvin & Melvin for legal fees totaling \$ 1,125.00.

Mr. Burke moved to approve payment of the submitted vouchers. Mr. Dugan seconded the motion and it was unanimously approved.

## **DECISIONS**

1. **Pfeiffer, Fr. J. Timothy** **TM#: 016.-02-08.0**  
**2656 Warners Road**  
**Warners, NY 13164**

**Special Use Permit: Religious school, open ball fields, student housing, Church and related uses.**

Mr. de la Rosa stated that with the correct supervision he was in favor of this request. Mr. Dugan felt it was a well thought out proposition and was in favor. Mr. Burke stated that he was in favor of this request provided that the Special Use Permit be limited to the existing site plan as reviewed by the Planning Board and that the uses meet any and all state/local codes and requirements.

Mr. de la Rosa moved to grant a Special Use Permit for a school, open ball field, church and related uses conditioned on the current site plan as submitted to the Planning Board and that all state and local laws and codes are met. Mr. Belle seconded the motion and it was unanimously approved.

### **ADJOURNMENT**

Mr. de la Rosa moved to adjourn the meeting at 8:50 p.m. Mr. Borsky seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
March 20, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairman  
Ronald Belle  
Donald Borsky  
George Burke  
Rich de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC**

Joe Livingston

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

**PUBLIC HEARINGS:**

1. **Joe Livingston**  
**2569 Rolling Hills Road**  
**Camillus, NY 13031**

**TM#: 021.-02-10.0**

**Area Variance: Addition enlarging a non-conforming building.**

Chairman Feyl stated that the Board has reviewed the property located at 2569 Rolling Hills Road by aerial view and physically as well.

Joe Livingston appeared before the Board to address the application. Mr. Livingston stated that his intention is to add a 10' addition to his existing 10' x 20' garage, which will be situated on what is currently driveway space that will be converted to garage.

Chairman Feyl questioned the location of the garage doors. Mr. Livingston confirmed that the existing garage doors would move out 10' making the end now the entry and the current entry will be a wall. Mr. Livingston stated that in doing this the garage doors will rotate from the 10' side to proposed 30' section.

Ms. Flood question which direction the garage will be facing. Mr. Livingston stated that the garage would face south, facing the road.

Mr. Borsky questioned if the finished addition will be completely new and remain as one style, covering the entire garage. Mr. Livingston confirmed that it would be new with one exception the roof of the garage. Mr. Livingston noted that the existing roof is in good shape and he will be purchasing material that would be a close match to the existing.

Chairman Feyl closed the public hearing stating that a decision would most likely be made tonight and noted that Mr. Livingston would be notified within 62 days of the decision

**Public Comment:**

None

**Minutes of Previous Meeting:**

Mr. Burke requested that two corrections be made on page two, fourth paragraph down as follows:

- Mr. Burke questioned if they were affiliated with the Roman Catholic Diocese and ownership of the property.
- Fr. Pfeiffer stated that they are in no way affiliated with the Roman Catholic Diocese and will be privately owned.

Ms. Flood moved to approve the minutes of the March 6, 2007 meeting as amended. Mr. Dugan seconded the motion and it was unanimously approved.

**Vouchers:**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$20.41.

A voucher was received from Hummel's Office Plus for office supplies totaling \$27.00.

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

**Comments of the Board:**

Mr. Burke noted that our next ZBA meeting is scheduled for April 5<sup>th</sup> which is the first Thursday of the month.

**Decisions:**

1. **Joe Livingston  
2569 Rolling Hills Road  
Camillus, NY 13031**

**TM#: 021.-02-10.0**

**Area Variance:     Addition enlarging a non-conforming building.**

Chairman Feyl stated that, although the Board doesn't feel this matter should have been referred to the ZBA, to avoid further issues obtaining a permit from Code Enforcement, he moved to grant an Area Variance to allow for a 10' addition on the east end of an existing non-conforming building for the purposes of creating a two-car garage. Mr. Dugan seconded the motion and it was unanimously approved.

**ADJOURNMENT:**

Mr. de la Rosa made a motion to adjourn the meeting at 7:17 pm. Mr. Burke seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
April 17, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairman  
Ronald Belle  
Donald Borsky  
George Burke  
Rich de la Rosa

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC**

John Fatcheric, Planning Board Chairman  
Three others

**ABSENT:**

Tom Dugan

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

**PUBLIC HEARINGS:**

7. **John Dunham  
6559 Winchell Road  
Warners, NY 13164**

**TM#: 010.1-01-07.0**

**Area Variance: 5' variance on the front yard (Corner Lot), to build a 22 x 20 addition on the back of the house.**

John Dunham appeared before the Board to address the application. Mr. Dunham stated that he would like to build a 22 ft. (length) x 20 ft. (wide) addition on to the back of the existing home to accommodate their growing family. Mr. Dunham noted that he would be adding two bedrooms, one bathroom and four closets.

Chairman Feyl asked Mr. Dunham for clarification on the dimensions of the addition. Mr. Dunham confirmed the addition would be 20 ft. back x 22 ft. wide. Chairman Feyl question if Winchell was a dead end road. Mr. Dunham confirmed that it was a dead end road.

Mr. de la Rosa commented that he visited the site and noted that the addition would not interfere with line of sight in any direction and relative to an item of safety, there is not an issue. Mr. de la Rosa questioned if Mr. Dunham spoke to any of his neighbors. Mr. Dunham stated that he did speak with Al Michaels and that Mr. Michaels was excited for him.

Mr. Borsky questioned what the sanitary system was. Mr. Dunham stated that it was on septic and that the Health Department will be coming to inspect the septic system.

Mr. Borsky expressed his concerns about possible destruction of the leach field during construction dependant upon the location/extension. Mr. Dunham stated that the leach field is located in the front corner of the yard going toward Winchell Road.

Chairman Feyl commented that the leach field septic system was based upon the existing house and that there is feasibility that the County may require it to be made bigger.

Mr. Borsky stated that he wanted to be assured that upon completion of the addition that the siding will match the existing. Mr. Dunham confirmed that it would absolutely match.

Mr. Burke questioned what was marked off in the center of the back yard. Mr. Dunham stated that it was an old septic system. Mr. Burke wanted confirmation that the old septic system would not be used to assure that the addition would not be built on top of it. Mr. Dunham confirmed that it was an old septic system that would be filled in and would not be used. Mr. Burke questioned the future of Winchell Lane and stated that the Chairman of the Planning Board was present and directed the question to him. Chairman Fatcheric stated that currently there was only one five-acre lot slated for one parcel. Mr. Burke commented that there was a good chance the road would never then be developed. Chairman Fatcheric confirmed that it would most likely not become developed.

Ms. Flood questioned if there were wetlands at the end of Winchell Lane. Chairman Fatcheric commented that there was a creek coming out of the subdivision of Country Creek that was approved by the Planning Board last year. Ms. Flood questioned if that would prohibit some additional build out. Chairman Fatcheric stated it would not.

There was no public comment.

Chairman Feyl closed the public hearing.

**8. Christopher Ucen  
6143 Van Alstine Road  
Camillus, NY 13031**

**TM#: 006.-04-12.4**

**Special Use Permit and/or Area Variance: Construction of a 81' x 36' barn. (Which does not contain principal building.)**

Christopher Ucen appeared before the Board to address the application. Chairman Feyl stated that Mr. Ucen's original application for a 24' x 60' barn was approved by the Zoning Board of Appeals in 2006. Chairman Feyl read section 600-I of the Code which states:

Accessory Buildings on Lots Which Do Not Contain Principal Buildings-An accessory building on a lot of at least five acres which does not contain a principal building shall be allowed subject to the same yard requirements as a principal building provided that the accessory building is used solely for the housing of farm animals or equipment or the storage of crops. However, if the principal use of the lot is other than agriculture, such an accessory building may be allowed only upon approval of the Zoning Board of Appeals as a Special Use Permit.

Chairman Feyl stated that Mr. Ucen is now asking for a larger building of 81' x 36' and that all the Board needs to do is amend the Special Use Permit so that it is not classified as an Area Variance and referred to Mr. Carr for confirmation. Chairman Feyl commented that, if the

Zoning Board of Appeals was to amend the Special Use Permit, the only issue would be the setbacks and Mr. Uezen must maintain the exact same setbacks originally recommended by the Planning Board and approved by the Zoning Board.

Mr. Carr commented that the Board may wish to consider whether the change in dimension is such that it makes the structure so large now as to be not accessory in nature and so the Board may not want to entertain it beyond what has already been approved. If it does not do that and is within the required size for accessory use than what the Board is dealing with is an application for a modification of the previously granted Special Use Permit allowing for a modest extension. Chairman Feyl stated that he agrees with Mr. Carr that this is an amendment to the existing Special Use Permit.

Mr. Carr stated that, even though this is a modification to the existing Special Use Permit, it needs to be referred to the Planning Board per the Municipal Code. Chairman Feyl stated that due to the size and the total design of the building now being completely different than the original application, the application must go in front of the Planning Board for review and referral to the Zoning Board of Appeals to possibly amend the Special Use Permit.

Ms. Flood questioned the dimensions of the barn as it was stated two different ways. Mr. Uezen confirmed the barn to be 80' x 36'.

Mr. Burke made a motion to refer this applicant to the Town Planning Board. Ms. Flood seconded the motion and it was unanimously approved.

## **NEW BUSINESS**

### **Applications:**

- 1. Marilyn Beadling  
107 Robinhood Lane  
Camillus, NY 13031**

**TM#: 058.-04-18.0**

**Area Variance: Addition to add living space on side of house. Converting existing porch to heated space, reducing the required side yard from 19ft. to 15ft. Needing a 4ft. reduction of the total 25ft. side yard.**

Mr. Bell moved to declare this an unlisted action under SEQRA and set a public hearing for May 01, 2007. Mr. Borsky seconded the motion and it was unanimously approved.

### **Minutes of Previous Meeting:**

Mr. Borsky requested that one correction be made on page one, last paragraph down as follows:

“Mr. Borsky questioned if the finished addition will be completely new and remain as one style, covering the entire garage.”

Ms. Flood moved to approve the minutes of the March 20, 2007 meeting as amended. Mr. Bell seconded the motion and it was unanimously approved.

**Vouchers:**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$41.20.

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

**Correspondence:**

Chairman Feyl stated that Pat McIntyre’s retirement party will be scheduled for Thursday, May 3<sup>rd</sup>.

Chairman Feyl noted receiving the ward update from Bill Davern 3<sup>rd</sup> Ward Councilman.

**Comments of the Board:**

Chairman Feyl noted that Mr. Dugan would not be attending the Zoning Board of Appeals meeting scheduled for May 1, 2007.

**Decisions:**

1. **John Dunham  
6559 Winchell Road  
Warners, NY 13164**

**TM#: 010.1-01-07.0**

**Area Variance: 5’ variance on the front yard (Corner Lot), to build a 22 x 20 addition on the back of the house.**

Mr. de la Rosa moved to grant an Area Variance to allow for an additional 6ft. encroachment into the existing front yard on Winchell Lane. Ms. Flood seconded the motion and it was unanimously approved.

**ADJOURNMENT:**

Mr. de la Rosa made a motion to adjourn the meeting at 7:48 pm. Mr. Burke seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
May 1, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairman  
Ronald Belle  
Donald Borsky  
George Burke  
Rich de la Rosa

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC**

Christopher Ucen  
Marilyn Beadling

**ABSENT:**

Tom Dugan

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

**PUBLIC HEARINGS:**

**9. Christopher Ucen  
6143 Van Alstine Road  
Camillus, NY 13031**

**TM#: 006.-04-12.4**

**Special Use Permit and/or Area Variance: Construction of a 80' x 36' barn. (Which does not contain principal building.)**

Chairman Feyl stated that the Zoning Board of Appeals did receive a referral back from the Planning Board. The Planning Board letter states the following:

*During the course of the Planning Board meeting held on April 23, 2007, the above referral that was previously made by the Zoning Board of Appeals was reviewed. After a detailed analysis of the application the Planning Board has asked me to advise you that it has determined that there are no adverse site plan issues that have been identified by the Board.*

*Given the size of the parcel in question and the location of the proposed improvements, it has also been determined that this project may not have an adverse impact on any of the surrounding properties.*

Chairman Feyl also stated that he received an email from 2<sup>nd</sup> Ward Councilperson Kathy MacRae indicating that she has no argument with what Mr. Ucen wants to do and has heard nothing from the neighbors to the contrary.

Mr. Burke questioned whether the driveway location would remain the same. Chairman Feyl stated that the plot is the same and, with the exception of the size of the building, that nothing else was changed. Chairman Feyl commented that Joy Flood and he attended the Planning Board meeting and answered any questions the Planning Board had at that time. Mr. Ucen

satisfied all the wishes of the Planning Board and it is now the Zoning Board of Appeals requirement to amend the Special Use Permit based on a larger building in the same location.

Mr. de la Rosa questioned Mr. Uezen on the time frame of building a house. Mr. Uezen stated that he planed on building a house by the end of next year and needed first to complete one project at a time.

Chairman Feyl closed the public hearing.

**2. Marilyn Beadling  
107 Robinhood Lane  
Camillus, NY 13031**

**TM#: 058.-04-18.0**

**Area Variance: Addition to add living space on side of house. Converting existing porch to heated space, reducing the required side yard from 19ft. to 15ft. Needing a 4ft. reduction of the total 25ft. side yard.**

Ms. Beadling appeared before the Board to address her application. Ms. Beadling clarified the location of her property and stated that she would like to rebuild the existing porch/building, putting a foundation under it, and plans to utilize it as heated living space.

Mr. Carr asked Ms. Beadling when the house was built. Ms. Beadling stated the house was built in 1954. Mr. Carr commented that the porch is most likely non-conforming. Mr. Carr noted that if one destroys the legal non-conforming structure that one can construct on the same footing and still maintain the legal status. Mr. Carr stated that if Ms. Beadling was to reconstruct the porch only on its exact same footing then nothing would be required. Chairman Feyl stated that the Zoning Board of Appeals would like to legitimize her request to prevent any issues in the future.

Mr. de la Rosa questioned whether the roofline was to remain the same or if it would be changing. Ms. Beadling stated that she would probably follow the roofline of her home, changing it to a raised roofline instead of flat.

Mr. Borsky questioned what was on Ms. Beadling's roof. Ms. Beadling stated it was an old radio antenna that is no longer in use. Mr. Borsky asked Ms. Beadling to assure the Board that the siding and color of the roof would match the existing siding and roof. Ms. Beadling stated that her contractor suggested to take the siding off the side of her house and move it to the front of her house as the siding would not be able to be purchased to match exactly as the original siding was purchased in 1985. Ms. Beadling stated that the roof would match.

Mr. Burke questioned what was on the backyard of Ms. Beadling's property. Ms. Beadling stated that there were two working sheds and a water garden located in the back yard. Mr. Burke commented that there were two structures there now along with an over built driveway, house and now this addition. Mr. Burke questioned if Ms. Beadling exceeded the 35% of the total area build out. Ms. Beadling stated she did not know and would she have to have it measured, as she could not answer that question. Mr. Burke stated there was a concern of over building the property but felt that it probably did not exceed the 35% of total area build out. Mr. Burke questioned if Ms. Beadling had any plans to change the over paved front yard area. Ms. Beadling commented that she would like to make it smaller.

Ms. Flood questioned whether the windows would be replaced. Ms. Beadling stated that casement windows would be installed.

Mr. Belle inquired whether the addition and the porch would be completed at the same time. Ms. Beadling stated it would be completed at the same time making it one living space. Mr. Belle suggested removing the antenna from the roof of the house.

Mr. Burke suggested that a 5 ft. variance be granted so Ms. Beadling would not run into any issues with Code Enforcement in the future.

Chairman Feyl closed the public hearing.

### **NEW BUSINESS**

None

### **Minutes of Previous Meeting:**

Mr. Burke requested that one correction be made on page three, fifth paragraph down as follows:

'Mr. Burke made a motion to refer this applicant to the Town Planning Board.'

Mr. de la Rosa moved to approve the minutes of the March 20, 2007 meeting as amended. Mr. Borsky seconded the motion and it was unanimously approved.

### **Vouchers:**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$19.25.

A voucher was received from Melvin & Melvin for legal fees totaling \$1,456.25.

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

### **Correspondence:**

None

### **Comments of the Board:**

Chairman Feyl noted that Mr. Borsky would not be attending the Zoning Board of Appeals meeting scheduled for Tuesday, May 15, 2007.

**Decisions:**

1. Christopher Ucen  
6143 Van Alstine Road  
Camillus, NY 13031

TM#: 006.-04-12.4

**Special Use Permit and/or Area Variance: Construction of a 80' x 36' barn. (Which does not contain principal building.)**

Mr. de la Rosa moved to amend the Special Use Permit for Mr. Ucen to allow for an ancillary structure of 80' x 36' without the principal structure, as submitted to and reviewed by the Planning Board. Mr. Burke seconded the motion and it was unanimously approved.

2. Marilyn Beadling  
107 Robinhood Lane  
Camillus, NY 13031

TM#: 058.-04-18.0

**Area Variance: Addition to add living space on side of house. Converting existing porch to heated space, reducing the required side yard from 19ft. to 15ft. Needing a 4ft. reduction of the total 25ft. side yard.**

Mr. Belle moved to approve a 5 ft. total side yard Area Variance. Ms. Flood seconded the motion and it was unanimously approved.

**ADJOURNMENT:**

Mr. de la Rosa made a motion to adjourn the meeting at 7:48 pm. Mr. Borsky seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
June 5, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairman  
Ronald Belle  
Donald Borsky  
George Burke  
Rich de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC**

Dave Callahan, 6<sup>th</sup> Ward Councilor  
Jim Salanger, 4<sup>th</sup> Ward Councilor

**ABSENT:**

None

The meeting was called to order at 6:55 p.m. by Chairman Feyl, followed by the Pledge of Allegiance.

**PUBLIC HEARINGS:**

None

**NEW BUSINESS**

1. **Kevin and Robin Flynn**  
111 Southwest Way  
Camillus, NY 13031

**TM#: 030.-02-06.0**

**Area Variance: 20' variance for allowance of a pool and deck.**

Chairman Feyl noted that this property is a corner lot. Mr. Burke moved to declare this a SEQR Type II action and set a public hearing for June 19, 2007 with no referral required. Mr. de la Rosa seconded the motion and it was unanimously approved.

2. **St. Pauly Textile, Inc. / The Elks Lodge 2367**  
6117 Newport Road  
Camillus, NY 13031

**TM#: 006.-01-25.0**

**Special Use Permit: To modify a Special Use Permit for an 8'x16' storage shed for clothing drop-off.**

Chairman Feyl moved to set a public hearing for July 3, 2007 and refer to the Planning Board for recommendations. Ms. Flood seconded the motion and it was unanimously approved.

**3. St. Pauly Textile, Inc. / Immanuel Church**  
**3644 Warners Road**  
**Syracuse, NY 13031**

**TM#: 017.-04-48.1**

**Special Use Permit: To modify a Special Use Permit for an 8'x16' storage shed for clothing drop-off.**

Chairman Feyl moved to set a public hearing for July 3, 2007 and refer to the Planning Board for recommendations. Ms. Flood seconded the motion and it was unanimously approved.

**4. Tom Kshyna**  
**128 Goldenrod Lane**  
**Camillus, NY 13031**

**TM#: 040.-09-16.0**

**Area Variance: 2' variance**

Mr. de la Rosa moved to declare this a SEQR Type II action and set a public hearing for June 19, 2007 with no referral required. Mr. Dugan seconded the motion and it was unanimously approved.

**5. James Shope**  
**5014 West Genesee Street**  
**Syracuse, NY 13219**

**TM#: 040.-09-16.0**

**Area Variance: Sign - 802N/Article VIII, Parking - 904B/Article IX and Area Variance on the total lot size - Table of Dimensional Requirements/Article VI.**

Mr. Burke moved to consider this application incomplete and to hold this application until the next Zoning Board of Appeals meeting scheduled for June 19, 2007 so it could be clarified. Mr. Dugan seconded the motion and it was unanimously approved.

After further discussion among Chairman Feyl, Mr. Carr, Mr. Burke and the Board it was determined that Mr. Shope's application was complete. Mr. Burke withdrew his motion.

Mr. Burke moved to declare this a SEQR Type II action and set a public hearing for June 19, 2007 with no referral required. Mr. Dugan seconded the motion and it was unanimously approved.

### **Minutes of Previous Meeting:**

Mr. de la Rosa moved to approve the minutes of the May 1, 2007 meeting. Mr. Borsky seconded the motion and it was unanimously approved.

### **Vouchers:**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$7.70.

A voucher was received from Melvin & Melvin for legal fees totaling \$843.75.

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

**Correspondence:**

None

**Comments of the Board:**

Mr. Burke requested a new zoning map.

**ADJOURNMENT:**

Ms. Flood made a motion to adjourn the meeting at 7:41 pm. Mr. Belle seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
June 19, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairman  
Ronald Belle  
Donald Borsky  
Rich de la Rosa  
Tom Dugan

**ABSENT:**

George Burke

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC**

Dave Callahan, 6<sup>th</sup> Ward Councilor  
Diane Dwire, 5<sup>th</sup> Ward Councilor  
Roger Pisarek, 1<sup>st</sup> Ward Councilor  
Paul Curtain, Esq., Planning Board Attorney  
John Fatcheric, Chairman-Planning Board

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

**PUBLIC HEARINGS:**

**6. Kevin and Robin Flynn  
111 Southwest Way  
Camillus, NY 13031**

**TM#: 030.-02-06.0**

**Area Variance: 15' variance for allowance of a pool and deck.**

Mr. Flynn appeared before the Board to address his application. Mr. Flynn stated with the given size and layout of the lot that the requested location was most optimal. Mr. Flynn commented that he could not place the pool and deck off to the left side of that house, as he would be closer than 5' from the chain link fence.

Mr. Borsky expressed his concern with the fence location being so close to the pool and the height of the fence with kids being able to jump the fence. Chairman Feyl clarified that Mr. Flynn is required to put up a fence around the pool proper and the concern for the property fence has no bearing on the pool. Chairman Feyl stated that the minimal requirement is 4' and if the pool has a stairway that he must lock it. Mr. Flynn confirmed that his fence is 4' in height and informed the Board that he will be installing a new sensor system that will detect activity around the pool. Mr. Borsky questioned if the remaining trees would stay. Mr. Flynn confirmed that very few trees would be removed and that most of the trees would remain as they are.

Mr. Dugan questioned if any neighbors were opposed to the addition of a pool and deck. Mr. Flynn stated that he had no real opposition from his neighbors other than one neighbor commenting that her late husband never wanted a pool to be placed there.

Ms. Flood questioned the depth of the pool and if the deck would have a railing. Mr. Flynn stated that the deck would have a railing all the way around the deck and that it was a standard 4' above the ground pool.

Mr. Belle questioned the layout of the deck and asked if it would be a continuous walk around deck. Mr. Flynn confirmed that it would be a continuous walk around deck.

Mr. Callahan, 6<sup>th</sup> Ward Councilor, stated that he would be glad to see this pass as he felt Mr. Flynn has done the best he could do with the location of the pool and deck. Mr. Callahan also commented that he felt keeping the remaining trees would keep the property very unobtrusive.

Chairman Feyl closed the public hearing stating that a decision would most likely be made tonight and noted that Mr. Flynn would be notified within 62 days of the decision.

**7. Tom Kshyna  
128 Goldenrod Lane  
Camillus, NY 13031**

**TM#: 040.-09-16.0**

**Area Variance: 2' front yard variance to permit the construction of a 24' 6" x 7' open porch.**

Mr. Kshyna appeared before the Board to review and discuss his application as he would like to add a porch onto the front of his house.

Mr. de la Rosa questioned if the porch was an after thought since the house is fairly new. Mr. Kshyna stated that he did think about adding a porch to the original building plans however, Ryan Homes said they would not allow him to have that option.

Mr. Borsky questioned if the existing shrubs would be used and put back once the porch was added. Mr. Kshyna commented that the shrubs would be salvaged and put back once the porch was completed.

Ms. Flood questioned if the picture of the porch provided would look the same as the porch Mr. Kshyna plans to build. Mr. Kshyna stated that it would look just like the sample picture provided.

Chairman Feyl closed the public hearing stating that a decision would most likely be made tonight and noted that Mr. Kshyna would be notified within 62 days of the decision.

**8. James Shope  
5014 West Genesee Street  
Syracuse, NY 13219**

**TM#: 040.-09-16.0**

**Area Variance:**

- 1.) Variance of the total lot area requirements under Section 601 of the Code of the Town of Camillus from 20,000 square feet to 12,800 square feet.**
- 2.) Variance of the required on-site parking requirements of Section 904(B) of the Code of the Town of Camillus from nine parking spaces to six parking spaces.**
- 3.) 14' Variance of the set back requirements for freestanding signs of Section 802(N) of the Code of the Town of Camillus.**

Mr. Shope appeared before the Board to review and discuss his application. Chairman Feyl stated that Mr. Shope was appearing before the Board for three Area Variances and described to the Board what they were for.

Mr. de la Rosa expressed his concern with the signage and the substantial degree of variance, questioning Mr. Shope about possible alternatives. Mr. Shope indicated that there were other alternatives; however, there were concerns with those alternatives. Mr. Shope stated that if he were forced to place the sign back 15' that one of the big problems is where the parking lot is currently located. If doing so he would not have enough room to place the sign and would be forced to encroach on the business property located to the West. In addition, he would be forced to remove some of the screening from both the East and West sides of the property. Mr. Shope expressed his concern on his clients not being able to see the sign until they were almost on top of it causing an additional concern for safety.

Chairman Feyl asked Mr. Shope if he would be willing to compromise on the sign variance. Mr. Shope stated that he would be willing to compromise and would work with what the Board granted but did want to note that most of the existing properties located on the run of West Genesee Street where his business is located already have signs on the property line.

Mr. Borsky questioned whether the placement of Mr. Shope's sign would block the sign located at 5016. Mr. Shope indicated that his sign would be smaller than the sign located at 5016 and did not feel his sign would block the current view of thier sign. Mr. Borsky questioned how the

drive way would be placed. Mr. Shope presented the layout and explained the driveway layout to Mr. Borsky.

Ms. Flood questioned if Mr. Shope had any samples of what the sign would look like. Chairman Feyl commented that new law promotes monument signs and recommends Mr. Shope work with Code Enforcement on what the sign requirements are. Ms. Flood stated that this is just comment however did want to suggest that less is more regarding his sign and felt Mr. Shope may want to re-think what he has on the sign. Ms. Flood stated that she cannot tell him what to put on the sign and was simply making comment. Ms. Flood questioned if the overgrown shrubs would be trimmed and cleaned up. Mr. Shope stated that he would be trimming some of the shrubs but wanted to keep as many as possible. Mr. Shope commented that he would be doing a great deal of work in cleaning up the property as it was a direct reflection of and represented the image of the business.

Mr. Belle questioned if Mr. Shope's sign would be in line with the other existing signs located along West Genesee Street. Mr. Shope confirmed that it would be placed according to existing signs and would be within the same proximity.

Chairman Feyl stated that he did measure the distance on the sign and came up with 23' back from the edge of the shoulder or 35' from the white shoulder line on edge of pavement. Chairman Feyl wanted to make sure people understood that it is not one foot off the side of the road.

Dave Callahan, 6<sup>th</sup> Ward Council commented that he was very appreciative on the explanation of the location of where the sign would be and how far back exactly the sign would be placed. Mr. Callahan stated he was glad to see someone doing something with that house and is no longer concerned.

### **Public Comment**

Diane Dwire, 5<sup>th</sup> Ward Council stated that she has worked with Mr. Shope in the past on other things and that he has always been great to work with following all requirements and encouraged the Board to grant his request.

Mary Ann Macarthur of 5012 West Genesee Street appeared before the Board to express her concern if not granting Mr. Shopes request. Ms. Macarthur stated that she was concerned with removal of screening and the sign being located right outside her door.

Chairman Feyl read into record the Planning Board referral letter (*Attached*) stating the Planning Board has recommended a positive treatment for granting an Area Variance reducing the requirement from 20,000 square feet to the existing 12,800 square feet as well as a variance for the reduction of parking.

Ms. Flood questioned the number of cars in and out during business hours. Mr. Shope indicated that he and his brother are the only employees and feels the proposed parking would be sufficient to his business.

Chairman Feyl closed the public hearing stating that a decision would most likely be made tonight and noted that Mr. Shope would be notified within 62 days of the decision.

**OLD BUSINESS:**

1. **St. Pauly Textile, Inc. / The Elks Lodge 2367**  
**6117 Newport Road**  
**Camillus, NY 13031**

**TM#: 006.-01-25.0**

**Special Use Permit: To modify a Special Use Permit for an 8'x16' storage shed for clothing drop-off.**

Chairman Feyl stated that an issue came up in the Planning Board meeting where in order to make this request legal the land/property owners will need to present a legal letter giving permission to St Pauly Textile, Inc. The legal letter must state that the land/property owners have no objection to the shed being put on there property and/or they would need to come before the Board with a representative of one of the two entity explaining they have no issues.

Chairman Feyl indicated that the Planning Board sent two letters (*Attached*) regarding minor modifications to the form of the application.

Chairman Feyl stated the applicant is requesting for the Public Hearing that was set for July 3, 2007 be changed to July 17, 2007.

2. **St. Pauly Textile, Inc. / Immanuel Church**  
**3644 Warners Road**  
**Syracuse, NY 13031**

**TM#: 017.-04-48.1**

**Special Use Permit: To modify a Special Use Permit for an 8'x16' storage shed for clothing drop-off.**

Chairman Feyl stated that an issue came up in the Planning Board meeting where in order to make this request legal the land/property owners will need to present a legal letter giving permission to St Pauly Textile, Inc. The legal letter must state that the land/property owners have no objection to the shed being put on there property and/or they would need to come before the Board with a representative of one of the two entity explaining they have no issues.

Chairman Feyl indicated that the Planning Board sent two letters (*Attached*) regarding minor modifications to the form of the application.

Chairman Feyl stated the applicant is requesting for the Public Hearing that was set for July 3, 2007 be changed to July 17, 2007.

**NEW BUSINESS**

None

**Minutes of Previous Meeting:**

Ms. Flood moved to approve the minutes of the May 1, 2007 meeting. Mr. Belle seconded the motion and it was unanimously approved.

**Vouchers:**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$40.81.

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

**Correspondence:**

Chairman Feyl noted receiving the Town announcement for the Town Picnic Friday July 13<sup>th</sup> located at Gillie Lake indicating the offices will be closing at noon.

**Comments of the Board:**

Ms. Flood indicated that it was nice to see some of the applications are followed through and done. Ms. Flood went by a few applicants' properties that were previously approved by the Zoning Board of Appeals and was pleased to see the completion of these projects.

**DECISIONS:**

1. **Kevin and Robin Flynn**  
**111 Southwest Way**  
**Camillus, NY 13031**

**TM#: 030.-02-06.0**

**Area Variance: 15' variance for allowance of a pool and deck.**

Mr. Dugan made a motion to grant a variance in the amount of 19' to allow for the construction of a deck and an above ground swimming pool. Mr. Borsky seconded the motion and it was unanimously approved.

2. **Tom Kshyna**  
**128 Goldenrod Lane**  
**Camillus, NY 13031**

**TM#: 040.-09-16.0**

**Area Variance: 2' front yard variance to permit the construction of a 24' 6" x 7' open porch.**

Mr. de la Rosa made a motion to grant Mr. Kshyna a 2' variance to construct a porch 7' x 24'6". Mr. Belle seconded the motion and it was unanimously approved.

3. **James Shope**  
**5014 West Genesee Street**  
**Syracuse, NY 13219**

**TM#: 040.-09-16.0**

**Area Variance:**

- 4.) Variance of the total lot area requirements under Section 601 of the Code of the Town of Camillus from 20,000 square feet to 12,800 square feet.
- 5.) Variance of the required on-site parking requirements of Section 904(B) of the Code of the Town of Camillus from nine parking spaces to six parking spaces.
- 6.) 14' Variance of the set back requirements for freestanding signs of Section 802(N) of the Code of the Town of Camillus.

Ms. Flood mad a motion to grant Mr. Shope the following variances:

1. A variance of the total required lot area from 20,000 square feet to 12,800 square feet and the property width from 100 feet to 80 feet;
2. A variance reducing the number of required on-site parking spaces from nine to six spaces, as recommended by the Planning Board; and
3. Subject to the property's continued use and occupancy as a LBO business office use, a 14 foot variance as to the set back requirements for free standing signs to permit the location of a free standing sign one foot off the front property line on West Genesee Street.

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

**ADJOURNMENT:**

Ms. Flood made a motion to adjourn the meeting at 8:26 pm. Mr. Belle seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
July 17, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairman  
Ronald Belle  
George Burke  
Rich de la Rosa  
Tom Dugan

**ABSENT:**

Donald Borsky

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC**

3 Others

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

## **PUBLIC HEARINGS:**

**1. St. Pauly Textile, Inc. / Immanuel Church  
3644 Warners Road  
Syracuse, NY 13031**

**TM#: 017.-04-48.1**

Joe DeGeorge appeared before the Board asking for a continuance of the Public Hearing. Mr. DeGeorge stated that he was waiting on the church getting the right people in place to work with them.

Ms. Flood questioned if they were continuing because they still had not settled on an agreement with the Church. Mr. DeGeorge stated that was not the case and that they require someone from the organization to work with them on the drop-off and wants to be sure the church is committed to doing this the right way.

Mr. Burke motioned to continue the Public Hearing setting a date for September 4, 2007. Mr. de la Rosa seconded the motion and it was unanimously approved.

**2. St. Pauly Textile, Inc. / The Elks Lodge 2367  
6117 Newport Road  
Camillus, NY 13031**

**TM#: 006.-01-25.0**

Joe DeGeorge appeared before the Board to discuss his application for a Special Use Permit for an 8'x16' clothing drop-off storage shed. James Roe, Officer of the Elks Club, appeared before the Board on behalf of the Elks Club giving permission to St. Pauly Textile, Inc. to place an 8' x 16' structure on the Elks property.

Mr. Burke questioned the location of the drop-off shed and set back requirements. Mr. Burke stated that section 10002-A requires a 25ft. buffer and with the natural growth there currently they will not need to buffer it, however, section 603F1 requires an R1 area to have an additional 10ft. setback.

Chairman Feyl questioned if Mr. DeGeorge and Mr. Roe would agree to place the drop-off shed 35ft. off the property line. Mr. DeGeorge and Mr. Roe agreed and will place the drop-off shed 35ft. off the property line.

Mr. Burke questioned the total signage and indicated that the Elks Club has several signs located in the front of the building and does not want to see more. Mr. Roe indicated that he will bring it up at the next Elks meeting and assured that the only signage will be placed on the shed. Chairman Feyl indicated that this was discussed at the Planning Board meeting and that the only signage will be physically placed on the shed itself.

Ms. Flood questioned if anyone would be working at the drop-off site. Mr. DeGeorge indicated that there is a receipt box attached to the shed, which has been approved by the IRS, however, there was not anyone operating it like the Rescue Mission. Mr. DeGeorge stated

that the responsibility of the Elks and whom they partner with is to take the donations once a day and move them from where donations come in to the other side of the shed for storage. Mr. DeGeorge commented that this was it keeps everything clean and dry and to ensure nothing is left outside of the building. Ms. Flood questioned if he had some type of contract with the Elks to keep this drop-off location neat and orderly. Mr. Roe assure that they do and that this location will be looked after and kept up. Mr. DeGeorge confirmed that he does have an understanding with the Elks Club and assured that they will make sure it is maintained properly. Ms. Flood questioned how often a pick-up would be scheduled. Mr. DeGeorge stated that it was dependent upon how many contributions are given but will be monitored to determine pick-ups.

Tom Dugan expressed his concern for St. Pauly's interest. Mr. DeGeorge stated that they have over six million dollars liability coverage and have been very fortunate not having any vandalism.

Ms. Flood questioned if the sign on the shed stated that they accept clothing only. Mr. DeGeorge stated that the sign says they accept clothing, shoes, belts and purses.

Mr. Bell questioned if an attendant was there or if it was a drop and drive off location. Mr. DeGeorge stated that an attendant would not be there and that it was a drop and drive location.

Mr. Dugan questioned if the site was weather proofed. Mr. DeGeorge stated it was.

Chairman Feyl closed the public hearing stating that a decision would most likely be made tonight and noted that Mr. DeGeorge would be notified within 62 days of the decision.

### **Public Comment**

None

### **OLD BUSINESS:**

None

### **NEW BUSINESS**

- 1. St. Michaels Lutheran Church / William Kunkle  
110 Hinsdale Road  
Camillus, NY 13031**

**TM#: 040.-10-25.1**

### **Area Variance: Allowance of a second freestanding sign.**

Mr. Burke moved to declare this a SEQR type II and set a Public Hearing for August 7, 2007. Mr. Dugan seconded the motion and it was unanimously approved.

### **Minutes of Previous Meeting:**

Ms. Flood requested that the second sentence be changed within 'Comments of the Board' section reading as follows:

Ms. Flood went by a few applicants' properties that were previously approved by the Zoning Board of Appeals and was pleased to see the completion of these projects.

Mr. Burke requested on page one second paragraph down under the Flynn Public Hearing section that the third sentence be changed and read as follows:

Chairman Feyl stated that the minimal requirement is 4' and if the pool has a stairway that he must lock it.

Mr. Dugan moved to approve the minutes of the June 19, 2007 meeting as amended. Mr. de la Rosa seconded the motion and it was unanimously approved.

### **Vouchers:**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$30.42.

A voucher was received from Hummel's Office Plus for supplies totaling \$139.41.

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

### **Correspondence:**

None

### **Comments of the Board:**

Mr. Burke would like to thank everyone for the flowers and phone calls. He informed everyone that he is on a mend and breathing much better.

Chairman Feyl commented that he believes he will not be able to attend the August 7th ZBA meeting and that his Vice Chairperson will be taking over.

### **DECISIONS:**

**1. St. Pauly Textile, Inc. / The Elks Lodge 2367  
6117 Newport Road  
Camillus, NY 13031**

**TM#: 006.-01-25.0**

Chairman Feyl motioned to grant the revision of the existing Special Use Permit for an 8' x 16' storage shed to be used for a clothing drop-off, which will be maintained by not only St. Pauly Textile, Inc. but also the Elks Lodge proper. The buffer will be at 35' with no additional signage

other than on the shed proper. Mr. Dugan seconded the motion and it was unanimously approved.

**ADJOURNMENT:**

Mr. de la Rosa made a motion to adjourn the meeting at 7:46 pm. Mr. Dugan seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
August 7, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairman  
Ronald Belle  
Donald Borsky  
George Burke  
Rich de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC**

1 Other

The meeting was called to order at 7:00 p.m. by Chairman Feyl, 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 HEARINGS:**

- 1. St. Michaels Lutheran Church / William Kunkle  
110 Hinsdale Road  
Camillus, NY 13031**

**TM#: 040.-10-25.1**

Mr. Kunkle appeared before the Board to discuss his application. Mr. Kunkle stated the application is for a sign that will identify the Lutheran Synod offices, which was once the old parsonage. The existing sign located on West Genesee Street identifies St. Michaels Lutheran Church.

Mr. Carr questioned if the Lutheran Synod building was located on a separate piece of property from the church. Mr. Kunkle confirmed it was not a separate piece of property.

Chairman Feyl stated that while both are on one continuous piece of property, they are separate entities. Mr. Burke noted that he did check with the Code Enforcement office, there is only one Tax ID number and the whole lot is LBO. Mr. Carr referred to Section 807 of the Zoning Regulations as listed below.

**Section 807: Signs Permitted in Limited Business Office Districts**

*One freestanding sign, not exceeding twenty-four square feet in area, shall be allowed for each building in the LBO District. Such sign shall not exceed six feet in height from finished grade.*

Chairman Feyl explained that council is stating Mr. Kunkle has every right to place a second sign on the property and there is no need for a variance based on Section 807 of the Zoning Regulations.

Chairman Feyl questioned the size of the sign. Mr. Kunkle stated that it was a 4' x 8' sign. Mr. Burke stated 32sq feet is too large and that code only allows 24sq feet. Mr. Kunkle confirmed he would make the sign 24sq feet to comply with code.

Mr. Borsky questioned if the sign would be lit. Mr. Kunkle stated that within the quote from the sign manufacturer there is no mention of lighting. Mr. Borsky questioned the color of the sign. Mr. Kunkle approached the Board to show them a color copy of the sign.

Mr. Burke questioned the height of the sign. Mr. Kunkle stated that there was no mention of height however, he is aware of the 6' restriction.

Ms. Flood questioned the hours of operation. Mr. Kunkle stated that the regular working hours are from 8 am to 5 pm and there is no one scheduled to work there on the weekends or after hours unless working late. Ms. Flood questioned if there would be any plantings under the sign. Mr. Kunkle said it was the responsibility of the Church and nothing was to be planted at this time.

Chairman Feyl closed the public hearing stating that a decision would most likely be made tonight and noted that Mr. Kunkle would be notified within 62 days of the decision.

**Public Comment**

None

**OLD BUSINESS:**

None

**NEW BUSINESS**

- |   |                          |
|---|--------------------------|
| <b>1. Syracuse SMSA Limited Partnership d/b/a Verizon Wireless<br/>Belle Isle Road<br/>Camillus, NY 13031</b> | <b>TM#: 015.-01-07.1</b> |
|---|--------------------------|

**Special Use Permit and Area Variance: Allowance of Cell Tower.**

Mr. de la Rosa motioned to the following:

- a.) Refer this application to the Town Planning Board
- b.) Refer this application to the County
- c.) Set a Public Hearing for September 18<sup>th</sup>
- d.) Declared an unlisted SEQR action requiring a long form

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

### **Minutes of Previous Meeting:**

Ms. Flood requested that the first sentence of second paragraph, be changed within 'Public Hearings' on page one and to read as follows:

*Ms. Flood questioned if they were continuing it because they still had not settled on an agreement with the Church.*

Mr. Burke moved to approve the minutes of the July 17, 2007 meeting as amended. Mr. Dugan seconded the motion and it was unanimously approved.

### **Vouchers:**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$23.10.

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

### **Correspondence:**

Chairman Feyl noted receiving the Onondaga County Planning Federation Training Session Schedule and was happy to announce to the Board they have all fulfilled there training and do not have to attend.

### **Comments of the Board:**

Mr. Burke questioned if anything new was scheduled for the next ZBA meeting. Chairman Feyl stated that nothing new has come in and that it is possible that the meeting will be cancelled.

Chairman Feyl commented that the Vice Chair of the ZBA was willing to jump in and take over if necessary and wanted to thank her for her enthusiasm and support.

Mr. de la Rosa noted that he would not be present for the August 21<sup>st</sup> meeting.

**DECISIONS:**

1. **St. Michaels Lutheran Church / William Kunkle**  
**110 Hinsdale Road**  
**Camillus, NY 13031**

**TM#: 040.-10-25.1**

Mr. Burke stated that a decision was rendered by this Board that a variance is not required as requested, as this property is an LBO property and as such, the applicant is entitled to two freestanding signs in accordance with the LBO requirements, Section 807. Mr. Burke motioned to recognize the small 2' x 2' existing directional sign for St. Michaels Church approved as such, a secondary sign to there West Genesee principal sign. Mr. Dugan seconded the motion and it was unanimously approved.

**ADJOURNMENT:**

Mr. de la Rosa made a motion to adjourn the meeting at 7:46 pm. Mr. Borsky seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus**  
**Zoning Board of Appeals**  
**September 4, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairman  
Ronald Belle  
Donald Borsky  
George Burke  
Rich de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

1 Other

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

**PUBLIC HEARINGS:**

1. **St. Pauly Textile, Inc. / Immanuel Church**  
**3644 Warners Road**  
**Syracuse, NY 13031**

**TM#: 017.-04-48.1**

Chairman Feyl read a letter from St. Pauly Textile, Inc. informing the Board that they would like to withdraw their application at this time.

Mr. Burke moved to withdraw the St. Pauly Textile, Inc. application for a Special Use Permit without prejudice at the request of the applicant. Mr. Borsky seconded the motion and it was unanimously approved.

**Public Comment:**

None

**OLD BUSINESS:**

1. **St. Pauly Textile, Inc. / Immanuel Church**  
**3644 Warmers Road**  
**Syracuse, NY 13031**

**TM#: 017.-04-48.1**

Chairman Feyl read a letter from St. Paul Textile, Inc. informing the Board that they would like to withdraw their application at this time.

Mr. Burke moved to withdraw the St. Paul Textile, Inc. application for a Special Use Permit without prejudice at the request of the applicant. Mr. Borsky seconded the motion and it was unanimously approved.

**NEW BUSINESS:**

1. **W.F. Saunders & Son, Inc.**  
**4993 Limeledge Road**  
**Camillus, NY 13031**

**TM#: 024.-02-20.0**

**Use Variance: Allowance of an extension of an Equipment Repair Building into the Town of Camillus.**

Chairman Feyl moved to declare this an unlisted action under SEQR and set the Public Hearing for September 18, 2007. Mr. Belle seconded the motion and it was unanimously approved.

**Minutes of Previous Meeting:**

Mr. de la Rosa moved to approve the minutes of the August 7, 2007 meeting as amended. Mr. Dugan seconded the motion and it was unanimously approved.

**Vouchers:**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$21.33.

A voucher was received from Hummel's Office Plus for office supplies totaling \$17.70.

A voucher was received from Melvin & Melvin for legal fees totaling \$2,593.75.

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

**Correspondence:**

Chairman Feyl read a letter from Code Enforcement addressed to Mr. William Duke regarding the violation of the Special Use Permit that was granted on 3/7/2005 for the property located at 5987 Belle Isle Road, Town of Camillus, Tax Map #'s 015.-01-07.1 & -15.-01-11.0.

Chairman Feyl read a letter from Tom Dugan addressed to Mr. Donovan Pieterse, Easy To Own Homes, Inc. regarding rezoning of the property located at 109 Hinsdale Road. Chairman Feyl stated that this issue would be strictly up to the Camillus Town Board.

**Comments of the Board:**

Mr. Belle questioned how long it would take Tom Price/Code Enforcement office to take further action regarding the Duke property. Chairman Feyl stated that the letter did not give a time frame, however it does state the violations are to be corrected immediately.

Chairman Feyl noted that this Saturday, September 8<sup>th</sup> the Agricultural Advisory Committee will be hosting their annual picnic.

Chairman Feyl announced to the Board that he is a new Great-Grandfather.

Chairman Feyl encouraged all American Legion members to attend the meeting tomorrow night September 5, 2007.

**DECISIONS:**

None

**ADJOURNMENT:**

Mr. de la Rosa made a motion to adjourn the meeting at 7:48 pm. Mr. Borsky seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
September 18, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Ronald Belle  
Donald Borsky  
George Burke  
Rich de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**ABSENT:**

Joy Flood, Vice Chairman

**GUESTS & MEMBERS OF THE PUBLIC:**

1 Other

The meeting was called to order at 7:06 p.m. by Chairman Feyl, followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the public hearing notices. Mr. Borsky seconded the motion and it was unanimously approved.

**Public Hearings:**

1. **Syracuse SMSA Limited Partnership d/b/a Verizon Wireless** **TM#: 015.-01-07.1**  
**Belle Isle Road**  
**Camillus, NY 13031**

**Special Use Permit and Area Variance: Allowance of Cell Tower.**

Chairman Feyl read a letter from Nixon Peabody, LLP informing the Board that they would like to table their application at this time. (See attached)

Mr. Burke moved to table the Syracuse SMSA Limited Partnership d/b/a Verizon Wireless application for a Special Use Permit and Area Variance at the request of the applicant. Mr. Dugan seconded the motion and it was unanimously approved.

2. **W.F. Saunders & Son, Inc.** **TM#: 024.-02-20.0**  
**4993 Limeledge Road**  
**Camillus, NY 13031**

**Use Variance: Allowance of an extension of an Equipment Repair Building into the Town of Camillus.**

Michael Burt appeared before the Board to discuss his application for a Use Variance. Mr. Burt presented a photograph to the Board showing the existing building and explained where the extension would be located.

Mr. Burke questioned what the use of the existing building was. Mr. Burt stated that it is an equipment repair building and will remain an equipment repair building with the proposed extension.

Chairman Feyl commented that it would be the Boards interpretation to decide whether or not a variance is required, at which time the determination would go back to the Town of Camillus Code Department.

Mr. Carr commented that the Board would be making a decision upon interpretation. Mr. Carr stated that this application in his opinion is a continuation of a legal non-conforming use and no variances are necessary.

Chairman Feyl closed the public hearing stating that a decision would most likely be made tonight and noted that Mr. Burt would be notified within 62 days of the decision.

### **Comments of the Public**

None

### **Comments of Town Officials**

None

### **Old Business**

None

### **New Business:**

- 1. Dave Chemotti  
5252 Bennetts Corners Road  
Elbridge, NY 13060**

**TM#: 024.-01-09.2**

**Use Variance and Area Variance: For allowance of housing six horses in a 35' x 60' barn.**

Chairman Feyl asked the Board members to check the codes for Section #405 and #603.

Chairman Feyl moved to declare this an unlisted action under SEQR and set the Public Hearing for October 2, 2007. Mr. Burke seconded the motion and it was unanimously approved.

### **Applications**

### **Minutes of Previous Meeting: September 4, 2007**

Mr. Burke requested that St. Pauly Textile, Inc. / Immanuel Church be removed under the 'Old Business' section on page one as it is redundant.

Mr. Burke moved to approve the minutes of the September 4, 2007 meeting as amended. Mr. de la Rosa seconded the motion and it was unanimously approved.

**Vouchers**

None

**Correspondence**

Mr. Feyl commented that Mr. John Fatcheric has been nominated for one of the positions for County Planning.

**Comments of the Board**

None

**Decisions**

1. **W.F. Saunders & Son, Inc.**  
**4993 Limeledge Road**  
**Camillus, NY 13031**

**TM#: 024.-02-20.0**

**Use Variance: Allowance of an extension of an Equipment Repair Building into the Town of Camillus.**

Chairman Feyl motioned that it is the determination and the interpretation of the Board that the building proposed to be constructed by the applicant does not constitute an expansion of a legal non-conforming use existing on the subject property but rather constitutes merely an addition to a permissible, legal non-conforming, accessory structure on the subject property and therefore is permitted under the zoning laws of the Town of Camillus without the necessity of variance. Mr. Dugan seconded the motion and it was unanimously approved.

**Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 7:46 pm. Mr. Borsky seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
October 2, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairperson  
Ronald Belle  
Donald Borsky  
George Burke  
Rich de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

None

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

**Public Hearings:**

**2. Dave Chemotti  
5252 Bennetts Corners Road  
Elbridge, NY 13060**

**TM#: 024.-01-09.2**

**Use Variance and Area Variance: For allowance of housing six horses in a 35' x 60' barn.**

Chairman Feyl noted that Mr. Chemotti could not be present and read into the record a letter Mr. Chemotti submitted that outlined the details requested by the Board as follows:

1. *“Describe applicant’s interest in the subject property:  
We are interested in lessening our tax burden*
2. *Describe subject property including dimensions:  
Barn is 65 x 30, we have fixed roof and foundation*
3. *Describe development and present operation of subject property:  
4 bedroom home with 1 barn*
4. *Describe barn located on property including barn setback from all property lines:  
Nearest neighbor across street approximately 300 feet from barn*
5. *Describe nature of use intended for barn?  
We will be using for personal use and rentals. The neighbor has horse stables  
600 feet from our property as well.”*

Ms. Flood asked for confirmation that by “rentals” the applicant means he will be boarding horses. Mr. Carr inquired whether he would be renting stall space or renting horses. Chairman Feyl clarified that the applicant will be renting stall space for horses, which is a commercial activity.

Mr. Burke noted that such a business is classified as a P4 Use-Riding Stable in the Municipal Code and requires five acres of land. The applicant is basing their application on a need for three acres.

Chairman Feyl stated his belief that required acreage for animals cannot be varied. Further, because future development is planned for the property adjacent to Mr. Chemotti, varying the distance from the property line for the barn would be inadvisable.

Mr. Carr added that the commercial boarding of horses is subject to a Special Use Permit. He stated that to grant a variance in this matter would be to vary a legislative act and this cannot be done as the dimensional guidelines in the law go to the object of the use itself, not just dimensional aspects. Further, he stated that the applicant's request would all be deniable on the basis that they are self-created hardships.

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

**Comments of the Public**

None

**Comments of Town Officials**

None

**Old Business**

None

**New Business:**

**Applications**

- 1. Christ Community Church  
3644 Warners Road  
Syracuse, NY 13209**

**TM#: 017.-04-48.1**

**Area Variance: Signage**

Mr. de la Rosa moved to declare this a Type II action under SEQR and set a Public Hearing for October 16, 2007. Ms. Flood seconded the motion and it was unanimously approved.

- 2. Christ Community Church  
3644 Warners Road  
Syracuse, NY 13209**

**TM#: 017.-04-48.1**

**Special Use Permit: Accessory Building**

Chairman Feyl reviewed that the Board had previously issued a Special Use Permit to construct a church with attached educational facilities, offices and ancillary building on this property and that the applicants appeared before the Planning Board for a Site Review at that time. Now they wish to modify the approved Site Plan by changing the location of a proposed accessory building.

Mr. Carr noted that since the applicant is not requesting any modification of the Special Use Permit, this matter requires no further action of the Board. The applicant must instead go before the Planning Board to request an Amended Site Plan.

Chairman Feyl moved to refer the applicant to the Camillus Planning Board for an Amended Site Plan approval as the Board has determined that this application doesn't require ZBA action because no modification of the Special Use Permit is being sought. Mr. Dugan seconded the motion and it was unanimously approved.

#### **Minutes of Previous Meeting:**

Mr. de la Rosa moved to approve the minutes of the September 18, 2007 meeting. Chairman Feyl seconded the motion and it was unanimously approved.

#### **Vouchers**

A voucher was received from Melvin & Melvin for legal fees totaling \$1,156.25

A voucher was received from Eagle Newspapers for legal advertisements totaling \$22.91.

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

#### **Correspondence**

None

#### **Comments of the Board**

Ms. Flood commented that she attended the wedding of Planning Board Chairperson John Fatcheric and Supervisor's Secretary Terri Davis and it was beautiful and romantic.

Ms. Flood also remarked that she had occasion to be at Shove Park recently and had the opportunity to view the property of Margaret Timofy, to whom the Board granted a Special Use Permit in 2006. She stated the property is very attractive and well kept with no outward signs of the business within.

Mr. Borsky commented that, in viewing the Chemotti property for tonight's Public Hearing, he noticed that the house number posted on the home is the same color as the house itself and so not very visible and could create a problem should emergency services need to locate the house.

Mr. Burke commented that the Store-America building on Bennett Road & Milton Avenue is very nice but the property surrounding it is a mess. Chairman Feyl stated that Code Enforcement and the Planning Board would be addressing compliance issues with Store

America, including the fact that there is no clock in the clock tower, that rental trucks are placed on the Milton Avenue side of the facility, and that open storage isn't facing Route 5.

Chairman Feyl noted that he just returned from a vacation to North Carolina to meet his new great-granddaughter, & it was phenomenal!

### **Decisions**

**1. Dave Chemotti**  
**5252 Bennetts Corners Road**  
**Elbridge, NY 13060**

**TM#: 024.-01-09.2**

**Use Variance and Area Variance: For allowance of housing six horses in a 35' x 60' barn.**

Chairman Feyl moved to approve a Use Variance to vary the three acre minimum land requirement to house animals to 2.45 acres and an Area Variance to allow vary the distance of the barn from the property line from the required 150' to 80'. Mr. de la Rosa seconded the motion and because it was not unanimous the Board was polled:

Ayes: Mr. Dugan

Nos: Mr. de la Rosa, Mr. Borsky, Chairman Feyl, Mr. Burke, Ms. Flood, Mr. Belle

The motion was defeated on the following basis:

- The proposed use is commercial and the applicant would require a Use Variance from a minimum of five acres, not three
- The Board cannot vary a legislative act, which issuing a Use Variance would do in this case
- The commercial boarding of horses is subject to a Special Use Permit
- The Area Variance being sought is directly related to the housing of animals and so would need to be a Use Variance, not an area variance

### **Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 7:45 pm. Mr. Borsky seconded the motion and it was unanimously approved.

Respectfully submitted,

Martha Dickson-McMahon, Interim Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
October 16, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairperson  
Ronald Belle  
Donald Borsky  
George Burke  
Rich de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

1 other

The meeting was called to order at 7:00 p.m. by Chairman Feyl, 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 Hearings:**

- 3. Christ Community Church  
3644 Warners Road  
Syracuse, NY 13209**

**TM#: 017.-04-48.1**

**Area Variance: Signage**

Pastor Donald Lane of Christ Community Church appeared before the Board to discuss their application for an Area Variance. Pastor Lane commented that they would like to place signage on the face of the building facing the Route-5 Bypass. Indicating the reason for the request is that many people see the building but do not know what it is. Pastor Lane stated the size of the lettering on the sign would be 36" in height as recommended by Metropolitan Sign and that LED channel lighting would be used. Pastor Lane feels that an exception to the rule is warranted and is asking that a variance be granted, as a sign placed on the ground would be a waste of money due to the fact it would not be seen.

Mr. de la Rosa questioned if the church discussed this request with any of the neighbors. Pastor Lane stated that they have not and felt if it was of any importance that they would be here tonight. Chairman Feyl commented that he did not feel the distance to the neighboring homes having the amount of screening and growth should not have an adverse effect.

Mr. Borsky questioned the color of the lights and letters. Pastor Lane stated that the sides of the letters are white aluminum and the face of each letter has white trim with the face of each letter being blue. Mr. Borsky questioned if the lights would be on a timer or if they would be on all night long. Pastor Lane stated that he had not thought about it but is assuming like other businesses he would leave them on all night long. Mr. Borsky expressed his concern with neighboring homes being bothered by the sign being lit all night long.

Mr. Dugan questioned if it was necessary to light the sign. Pastor Lane stated the only way people would see the sign at night would be to have it lit.

Mr. Burke questioned if the person who prepared this request looked at the code regarding signs for the Town of Camillus and took into account when asking for 300 sf of signage that there isn't a sign in the Town of Camillus that big and stated his opinion that this request is an unreasonable one. Pastor Lane commented that he did not fill out the application nor did he read all of the code. Nevertheless, he feels they are in a unique situation in that there is no place close to the building to place a sign that anyone would see. Pastor Lane stated that it would be an exception as the only way a sign could be seen over the bypass a half mile away is to have it be the proposed size and dimensions. Mr. Burke noted that one needs to take into account the church is in a residential district and that the principal road, Warners Road, has identification there.

Mr. Burke stated he felt the concept for identification on the back of the building is a very reasonable request having minimal impact on the immediate neighbors, however, does not feel he personally could grant a variance for a 300 sf sign. Mr. Burke commented that he felt the size of the sign is totally out of character for a church and feels it is a very unreasonable request. Pastor Lane commented that the word 'Community' alone is bigger than Home Depot and that their name is what it is. Pastor Lane also commented that the only way to identify themselves is to put the entire name up. Mr. Burke recommended reducing the size of the letters to a 100 sf sign. Pastor Lane noted that they have tried 24" letters on the building for their grand opening and it looked like a postage stamp. Pastor Lane explained if they are going to spend \$20,000 on a sign then it needs to be readable from the highway otherwise it would be a waste of money.

Ms. Flood questioned the size of the congregation and the reason for the sign. Pastor Lane stated that they are not to capacity, there is room for growth, and he is hoping the sign would help build the congregation. Ms. Flood questioned the number of nightly functions. Pastor Lane stated that every Sunday night they have events of about 75 people, Thursday nights they have rehearsals of about 10 cars and occasionally will have a Saturday or Tuesday event. Ms. Flood inquired why the church has not considered a symbol instead of a name. Pastor Lane commented that their symbol is not well known in the Northeast, so putting a symbol up would be foreign to most people and it would not be recognized as a church.

Ms. Flood commented that she did agree with Mr. Burke and felt the request for the size of the sign was a little over the top and asked for clarification on what type of lighting would be used. Pastor Lane stated that LED lighting would be used. Ms. Flood questioned if the building was prone to vandalism and the sign could be costly if needing to be replaced. Pastor Lane said that they are facing vandalism on this property and hopes the sign would not be vandalized. Ms. Flood inquired if the church had any type of security system on the property. Pastor Lane said they did not. Ms. Flood stated they may want to consider compromising on the size of the sign and using some of that money to purchase a security system or surveillance system. Pastor Lane stated that they have looked into a surveillance system, however, the area to cover is 27,000 sf and much too great, being that they are vandalizing in all different areas of the building. Ms. Flood questioned if panic lights were on the building. Pastor Lane stated there were not.

Mr. Belle questioned the size of the letters. Pastor Lane stated that the letters proposed are 36" in height. Mr. Belle questioned if the logo would be lit. Pastor Lane commented that they would not be placing the logo on the sign.

Mr. de la Rosa questioned the dimensions of the sign and suggested it should be computed a different way. Chairman Feyl commented that if they knew what the width of the letters and

the spacing was, the requirement could be cut down in computing the measurements differently.

Chairman Feyl commented that in his opinion he does have an issue with three feet as it is pushing the limits and believes there are many different angles to view the sign rather than placing all of the emphasis on coming down Hinsdale Road.

Mr. de la Rosa motioned to continue the Public Hearing setting a date for November 8, 2007. Mr. Borsky seconded the motion and it was unanimously approved.

**Comments of the Public**

None

**Comments of Town Officials**

None

**Old Business**

None

**New Business:**

1. **John Garofalo**  
**171 Golden Meadows Way**  
**Warners, NY 13164**

**TM#: 010.-08-05.0**

**Area Variance: Allowance to build an open front porch.**

Mr. de la Rosa moved to declare this a SEQR Type II action and set the Public Hearing for November 8, 2007. Mr. Borsky seconded the motion and it was unanimously approved.

**Minutes of Previous Meeting:**

Mr. Burke asked that on page two under 'New Business', a change be made to the first sentence of application number two as follows:

Chairman Feyl reviewed that the Board had previously issued a Special Use Permit to construct a church with attached educational facilities, offices and ancillary building on this property and that the applicants appeared before the Planning Board for a Site Review at that time.

Chairman Feyl moved to approve the minutes of the October 2, 2007 meeting. Mr. Dugan seconded the motion and it was unanimously approved.

**Vouchers**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$42.27.

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

**Correspondence**

None

**Comments of the Board**

Chairman Feyl noted that he attended the Planning Board meeting with his Vice Chair and commented that the Zoning Board of Appeals discussed a couple of issues at our last meeting one having to do with Duke's Plumbing. Chairman Feyl was happy to announce that Duke's Plumbing is complying with all necessary changes and that Mr. Duke has planted at least 25 new evergreens that are 10-12 feet in height. Chairman Feyl made note that he suggested Planning and Code Enforcement work together on getting the clock tower completed that is located at the storage Facility on Milton Ave.

Ms. Flood commented that she discussed the Chemotti application with a neighboring farmer who has horses, and was told that if Mr. Chemotti was to let the horses out of the barn and graze for any small amount of time the property would be a dust bowl as there just isn't enough property to house them.

**Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 8:13 pm. Mr. Borsky seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
November 08, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairperson  
Ronald Belle  
Donald Borsky  
George Burke  
Rich de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

John Fatcheric, Planning Board Chairman  
Kathy MacRae, 2<sup>nd</sup> Ward Councilperson  
2 others

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

### **Public Hearings:**

**4. Christ Community Church  
3644 Warners Road  
Syracuse, NY 13209**

**TM#: 017.-04-48.1**

#### **Area Variance: Signage**

Pastor Lane and Chris Cammer appeared before the Board to discuss their application. Pastor Lane indicated he approached Metropolitan Sign notifying them of the Boards concerns. Metropolitan Sign adjusted the lettering as requested down in size to 31", which brought the lettering itself to 147.38 sq. ft. Pastor Lane noted that an additional 9 sq. ft. logo located above the lettering would not be lit, while still recognizing they would like the letters to be as large as possible for the vehicles traveling along Route 695 to read it.

Vice Chairperson Flood questioned if the calculated 147.38 sq. ft. was just the letters themselves and had the white space been removed from the calculation. Pastor Lane stated the white space was removed and if they had taken all of the white space out of the previous submittal, 100 sq. ft. would have been removed from the original calculations. Vice Chairperson Flood questioned if the proposed logo was the same logo as the one currently on the sign located on Warners Road. Pastor Lane stated that it was not the same logo, as it is the Church of the Nazarene's seal, which will not be lit. Vice Chairperson Flood questioned if Pastor Lane had a picture of this seal to show the Board. Pastor Lane stated he did not.

Mr. de la Rosa questioned how the calculations were configured to come up with 147.38 sq. ft. Pastor Lane approached the bench to discuss and point out how the sign calculations were configured, stating that three boxes was drawn around each word, and then the configurations calculated. Mr. de la Rosa commented that the calculations should have been calculated differently, as the spacing between the letters and words must be calculated along with the seal/logo, and they were not. He also commented that the dimensions should have been placed on the drawing indicating the spacing of the letters and words. Vice Chairperson Flood stated that the 147.38 sq. ft. is not an accurate measurement or calculation. Mr. Burke asked for the distance between the letters and words. Mr. Cammer responded that the distance between the letters was 1ft., to which Mr. Burke recommended recalculating the measurement after removing the seal/logo. Pastor Lane stated that the church has to abide by the governing national legislative body, which requires the church include the seal/logo on signage. Mr. Burke began to calculate the sign dimensions, while Mr. de la Rosa asked if Pastor Lane had a picture of what a letter would look like when lit. Pastor Lane stated that as these questions were not asked at the last meeting, he did not.

Vice Chairperson Flood asked Pastor Lane if a representative of the sign company could have appeared before the Board to answer specific questions. Pastor Lane stated that he did not think he needed to bring a representative, as the only thing the Board asked him to do was reduce the size of the sign. He was not aware of any additional concerns and stated that if he had known what was expected he would have brought all of the requested information. Vice Chairperson Flood questioned the coloring of the letters on the sign. Pastor Lane confirmed that the signs were translucent blue facing with white sides that do not light up.

Chairman Feyl joined the Board at 7:22pm.

Mr. Borsky asked if the church was a "National Church" and if Pastor Lane had any pictures of a church with a similar sign. Pastor Lane stated the church was an "International Church" and that he did not have any pictures to present to the Board.

Mr. Burke commented that the total square footage of the requested sign is 187 sq. ft. He noted that although he does not have an issue placing a sign on the back of the church because of its location being unusual, he does however have an issue with the rational on wanting people to read the sign from a half mile ahead, from the top of the hill coming down Hinsdale Road into a high traffic area with a traffic light and a railroad crossing. Mr. Burke noted he drove Route 5 several times and there are very clear sight lines on the building from both the eastbound and westbound lanes of Route 5. He stated that he could not understand why anyone would need a 150-200 sq. ft. lighted sign for people to read and feels the maximum square foot allowed should not exceed 100 sq ft.

Pastor Lane wanted to point out that there are other signs in Camillus that are larger. He noted that he went onto the Planning Board minutes from September 24<sup>th</sup>, 2007, and Bed Bath & Beyond was just approved with not one but two signs that are 196 sq. ft. with 7ft. tall lettering. Pastor Lane continued to express that the church just wants to be seen and that there is precedence in Town where there are much larger signs than the one they are asking for.

Mr. Burke questioned if this was located in a commercial or residential zoned district. Pastor Lane stated the property was located in an LBO zone. Mr. Burke questioned if the Planning Board approved a 7ft. sign in an LBO district. Chairman Feyl confirmed that the aforementioned sign was located in a Commercial District not a LBO District. Pastor Lane stated that regardless of the zoning district of Bed Bath & Beyond, he is requesting the Board see value in the size of the sign and in attracting attention to the sign. He also stated that he believes churches are not recognized as a business and the truth be known, they are a business and do not just cater to the people who walk into their doors. As they attempt to advertise to the general public to encourage attendance, signage is equally important to churches as to businesses and should be given the same consideration for the signage.

Chairman Feyl commented that at the last meeting, the Board asked for the church to stay somewhere between 100-150 sq ft. Pastor Lane stated that he thought they did but evidentially they did not measure it the way the Board does. They went to Metropolitan Sign, who measured it according to how they measure signs.

Chairman Feyl tried explaining how the dimensions and measuring should have been computed and questioned what devastating effect would it have if the church reduced the spacing between lines down from 12" to 6" between lines. Mr. Cammer stated the he felt it would tend to make the letters blurred.

Pastor Lane commented that if it were the Boards decision to grant only 150 sq. ft. than they would be glad to comply. They would notify the sign company what the requirements are and ensure that they stay within those requirements. Chairman Feyl explained that LBO zoned districts located within residential areas have regulations that need to be adhered to and cannot be compared with LBO and Commercial establishments such as Bed Bath & Beyond. Mr. Cammer questioned if it would make a difference where the sign is visible from, as the sign is only visible from a Commercial zoned area. Chairman Feyl stated it would not and it has no bearing.

Vice Chairperson Flood stated that she understood from the last meeting that the church would like to use this sign as an advertisement, in order to build up the congregation. She noted that traditionally churches were placed within residential communities, as they serviced the residential areas near them. She commented that she does understand things have changed, demographics have changed, and people no longer go to the church within their community. However, traditionally, churches have been part of the community and made to look non-obtrusive and when driving into any residential area in any part of the country, whether it is in the daylight or darkness, you can tell you are driving by a church.

Vice Chairperson Flood commented that as discussed at the last meeting, the church has had vandalism due to being in such a remote area and questioned if the church was at all concerned that by placing that kind of money into a sign, they could continually be in need of repairing it month by month. Mr. Cammer stated that the sign was lit with LED lighting and needed very low maintenance. Vice Chairperson Flood stated that she was referring to replacement and breakage due to vandalism, as they do not have any panic lighting, surveillance or security system on the outside of the building to prohibit vandalism.

Vice Chairperson Flood questioned if the church published a bulletin and if they encouraged their parishioners to bring family and friends to the congregation, the meetings, and the services. Pastor Lane stated that a bulletin is published, but not every week. Vice Chairperson Flood asked if the church advertised in the newspapers religious section, inviting future parishioners. Pastor Lane responded that they do some advertising but not in the religious section because they feel it would only be advertising to people who are already religious. They are looking to advertise to those who are not already established in a church. Vice Chairperson Flood asked if the church published newsletters, pamphlets, etc. for distribution within the church and/or if the church ever considered a billboard. Pastor Lane stated that he feels billboards are much more unattractive. Vice Chairperson Flood stated that she did some investigating and the cost to rent a billboard is between \$850 and \$950 per/month. The production of a sign, which they call a poster board type of sign, which would last about two months for a high-end billboard, is estimated at \$950/per month. She continued to state that for approximately \$20,000, the church could get about 14 months of advertising on a billboard, in a main stream thoroughfare or where ever allowable and would reach a lot more people than a sign to be viewed from Route 5 or Hinsdale Road and asked if the church had ever considered that. Pastor Lane stated that they have considered it and as was said at the last meeting, not many people know that this specific building is Christ Community Church. Vice Chairperson Flood stated that although many people may not know the location of a specific place, they would make the effort to find the location. She personally knows of people out of town that have attended Christ Community Church, who have specifically looked for that church.

Vice Chairperson Flood then stated that she has never seen a lit sign on a church, anywhere, and feels it is a very unusual request. Pastor Lane then questioned if it would be an acceptable thing for Sam Rao not to have a sign for people to be able to find them. Vice Chairperson Flood stated that she gets several calls daily; however, the regulations are very different when the location is located in a retail area vs. when the location is located in an LBO district; it would be comparing apples to oranges.

Vice Chairperson Flood stated that another concern is that there are about five or six homes on Hinsdale Road and at night, the lit sign would have an adverse effect on those homes, stating that if those homeowners are in their backyard, the sign would be visible and it would affect their way of life. She continued that she could assume the residents on Hinsdale Road

spend a lot of time in their backyards as Hinsdale Road is a busy road and feels some homes would be affected by the sign, no matter the size, as it would be lit 24/7. Pastor Lane confirmed the sign would be definitely lit at night and whenever needed. Chairman Feyl noted that LED's are not lights per say and does disagree with Vice Chairperson Flood, as the spillage would be minimal. Vice Chairperson Flood commented that she was not referring to spillage but rather your eye catching it. She commented the sign in front of the church has quite a bit of white space where their name could be much larger.

Mr. Belle commented that as the lighting the church has proposed is a soft blue, it is his opinion that it would not be distracting.

### **Comments of the Public**

None

### **Comments of Town Officials**

Kathy MacRae, 2<sup>nd</sup> Ward Councilor, residing at 3458 Warners Road stated that she was very happy to hear that this Public Hearing was held open. She noted that she did not have an opportunity to send out notices to every resident on Warners Road that may be affected, however, did notify the majority of the residents on Hinsdale Road. Councilor MacRae stated she received six responses, via-email from the residents on Hinsdale Road that are concerned about maintaining the integrity of their neighborhood. The residents have expressed to her that while happy the church is in their backyards vs. what is proposed across the street, they feel that a lit sign on the backside of the church would be an intrusion into their neighborhood.

Councilor MacRae stated that one reason the Town grants LBO zoning, is to create a transitional place for someone/something who is not commercial but fits well within a neighborhood. She commented that she received in the first draft, the request a 36" letter lighted sign, which the neighbors were extremely upset about. She stated that she has been driving up and down Hinsdale Road, as well as Route 5 and honestly feels a lit sign would detract from the very pretty cross and steeple that you see from around town. She expressed that she feels it is very apparent that it is a church and does not think that a lit sign is a good recruitment tool. She cannot personally envision what a 150 sq. ft. sign, lit with blue letters is going to look like and respects the ZBA's opinion, however is asking the Board to consider that this sign is not appropriate for the backside of this church.

Pastor Lane commented that times have changed and Protestant churches are different from Roman Catholic churches. Roman Catholic churches, from his understanding are area churches and everyone in that area goes to those churches, while some may go to other churches due to dissatisfaction, however, that is not true with Protestant churches. They do not have territories, neighborhoods, or a group of people they lay claim to as members of their congregation, as it also applies to several other, 30 to 40 different protestant denominations.

Pastor Lane stated that the fact is, as a protestant church within this area, it is critical for the survival of the church to get their name out. Expressing that they need signage in order for people to know who they are, and as a non-profit organization, the only way people come and monies are generated is by people attending and being in the building, so it is their attempt and belief to do what ever is required to let the public and community know who they are. The church business is rather competitive and it is not that they are competing, one church against another, but rather they are competing with all the churches collectively, to lure those who are

not into a church in. Pastor Lane commented that until people know it is a church, they will not know to come into the building and that signage is critical and is appealing on that behalf.

Vice Chairperson Flood closed the public hearing stating that a decision would most likely be made tonight and noted that the church would be notified within 62 days of the decision.

**2. John Garofalo**  
**171 Golden Meadows Way**  
**Warners, NY 13164**

**TM#: 010.-08-05.0**

**Area Variance: Allowance to build an open front porch.**

Mr. Garofalo appeared before the Board to discuss his application and asked the Board if they received a picture of the proposed porch. The Board indicated they did. Mr. Garofalo indicated that the porch would be 8' x 23' wide with an open porch that they do not plan on closing. The only difference between his house and the one in the picture is that his house has a peak on the overhang of the existing stoop.

Mr. Dugan questioned if the porch was an extension of what is presently there. Mr. Garofalo confirmed that it was, with the current stoop measuring around 3' from the front of the house and that he would like to go 2 ½' beyond. He indicated that he has two small children and that he would like to have a porch on the front of the house so his wife could watch the children while playing out front.

Mr. Garofalo stated that the gentlemen that is going to construct this porch suggested that he ask for a 3' variance, that way they would have some leeway.

Mr. Belle questioned if the dimensions of the proposed porch would be the same as the one in the picture presented to the Board. Mr. Garofalo confirmed that it would be exactly the same dimensions.

Chairman Feyl commented that with the overhang on the roof to the front of the porch, a larger variance would be needed. Mr. Garofalo stated that Code Enforcement Officer stated that a 2' overhang is allowed.

Mr. Burke commented that he does have a problem giving variances in the front yard on a straight away and comparing it to the other porch in the same neighborhood that was given, he did not have a problem with that one, as it was on a curve. He stated that Mr. Garofalo's home is on an absolute straight line and the thing that is concerning is the sightlines of the houses along side in either direction. However, stated that this request was minimal as it is for an open porch.

Mr. Borsky questioned if Mr. Garofalo discussed this request with his neighbors. Mr. Garofalo stated that he did talk to the person across the street and at the time of submitting this application his neighbor's next door had not moved in, but does plan to inform them. Mr. Borsky questioned if everything would match. Mr. Garofalo stated that he has already contacted the contractors to get all the same material so everything will look the same.

Mr. Dugan questioned if a railing would be used. Mr. Garofalo stated that it would be something he would have to consider but did not want to rule it out.

## **Comments of the Public**

None

## **Comments of Town Officials**

Kathy MacRae, 2<sup>nd</sup> Ward Councilor, residing at 3458 Warners Road, stated that she did not send notification as she usually does when there is a Public Hearing, however, has no issues with this request.

John Fatcheric, Planning Board Chairman, residing at 6544 Van Buren Road, commented that the Golden Meadows subdivision is a Ryan Home track with a minimal build line and to his understanding Ryan Homes has built homes on the lines and that is why the ZBA is now receiving variances for porches. Chairman Fatcheric stated that the Planning Board has no say in that and that it is a minimal line.

Vice Chairperson Flood commented that to her understanding, the last applicant that appeared in front of the Board was a gentleman who appeared before the house was even built to request a porch on the front of the home, and Ryan Homes refused. Chairman Fatcheric noted that it was his understanding that certain homes wanting to be modified through Ryan Homes are not allowed.

Vice Chairperson Flood closed the public hearing stating that a decision would most likely be made tonight and noted that the church would be notified within 62 days of the decision.

## **Old Business**

None

## **New Business:**

**1. Thomas S. Kehoskie  
3804 Warners Road  
Warners, NY 13164**

**TM#: 016.-04-03.0**

**Area Variance: Request for a minor two lot subdivision.**

Mr. de la Rosa moved to declare this a SEQR Type II action and set the Public Hearing for November 20, 2007. Chairman Feyl seconded the motion and it was unanimously approved.

**2. Thomas S. Kehoskie  
120 Westfalls Street  
Warners, NY 13164**

**TM#: 016.-04-24.0**

**Area Variance: Request for a minor two lot subdivision.**

Mr. de la Rosa moved to declare this a SEQR Type II action and set the Public Hearing for November 20, 2007. Chairman Feyl seconded the motion and it was unanimously approved.

### **Minutes of Previous Meeting:**

Vice Chairperson Flood asked that on page two, paragraph three, fifth sentence read as follows:

Ms. Flood questioned if the building was prone to vandalism and the sign could be costly if needing to be replaced.

Mr. de la Rosa asked that on page, last sentence read as follows:

Pastor Lane feels that an exception to the rule is warranted and is asking that a variance be granted, as a sign placed on the ground would be a waste of money due to the fact it would not be seen.

Vice Chairperson moved to approve the minutes of the November 16, 2007 meeting as amended. Mr. Dugan seconded the motion and it was unanimously approved.

### **Vouchers**

A voucher was received from Melvin & Melvin for legal fees totaling \$1,062.50.

A voucher was received from the New York Planning Federation for 2008 membership dues totaling \$75.00.

A voucher was received from Eagle Newspapers for legal advertisements totaling \$19.63.

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

### **Correspondence**

None

### **Comments of the Board**

Mr. Burke questioned why and when we can get up to date maps for the Board. Vice Chairperson Flood commented that we are waiting for the Comprehensive Plan to be completed.

### **Decisions**

Mr. de la Rosa made the motion to grant a variance for a second lit LED sign on the back of the building not to exceed 100 sq. ft. , and the blue color lights not to be obtrusive. Mr. Dugan seconded the motion and it was unanimously approved.

Chairman Feyl ask that we consider 140 sq. ft. instead of 100 sq. ft. Mr. Borsky commented that he feels the applicant left tonight under the impression that the Board was going to grant 150 sq. ft.

Mr. Dugan noted that he feels we should stick with what we promised during the discussion. Vice Chairperson Flood stated the we the Board did not promise anything.

Vice Chairperson Flood commented that in her opinion, the Board needs to think about this as a “forever” action. Stating we will not get a good reaction from the neighborhood on this as there is not one church that has a lit sign on the building, no matter which direction it faces or where it is located. Vice Chairperson Flood stated that she is fundamentally against a lit sign, helping this gentlemen advertise and grow his congregation, as it is with all churches we are not obligated to help them. We have to follow the laws and the codes, just like they do, regardless if they are a religious organization or not. She noted that comparing the church to the Home Depot is like comparing apples to oranges and does not enter into this discussion. Stating traditionally everyone knows that a church has a steeple and cross and you know it’s a church no matter the color or location.

The neighborhood is already up in arms because the church has not come through with being a good neighbor. We have had the best fall and summer as far as plantings, we have seen Target do their plantings as of a month ago and every other retailer, organization and/or group and they have fulfilled their obligations. The church has not fulfilled their obligation and therefore those neighbors on the back of Hinsdale Road are up in arms as they are still looking for their buffer. If the landscaping was all warranted why would they not look into it. Vice Chairperson Flood does not feel the church is putting their best foot forward. Stating if we go ahead and give them this lit sign for them to advertise it would be sending the wrong message out to this community and we will end up having everyother church in here to do this. No matter the denomination people find churches.

As Councilperson MacRae indicated people do not drive down Route-5 and say “Oh theres a church I want to go in there”. Christ Community Church does not say what kind of denomination it is, it does not say what the hours of service are and strongly feels it sending the wrong message to the neighborhood as they will not be happy.

Vice Chairperson Flood stated the she is fundimentaly against a lit sign on the church building no matter if it’s 100 sq. ft., 150sqft. or even 300sq. ft. and this should not be compared to Bed, Bath & Beyond. Stating if Pastor Lane wanted a retail church then it should have bought his land some place else.

Mr. de la Rosa made a motion in addition to the existing free standing sign located on Warners Road to place a lit LED, channel lighted identification sign on the southern face of the applicant’s Church building identifying the Church’s name and logo, not to exceed in total 100sq. ft. in area and the blue color lights not to be obtrusive. Mr. Belle seconded the motion.

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

Robert Feyl	Voting	NO
Richard de la Rosa	Voting	YES
Donald M. Borsky	Voting	NO
George Burke	Voting	YES
Josephine Flood	Voting	NO
Ronald Belle	Voting	NO
Tom Dugan	Voting	YES

Mr. de la Rosa made a motion in addition to the existing free standing sign located on Warners Road to place a lit LED, channel lighted identification sign on the southern face of the applicant’s Church building identifying the Church’s name and logo, not to exceed in total 150sq. ft. in area and the blue color lights not to be obtrusive. Mr. Belle seconded the motion.

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

Robert Feyl	Voting	NO
Richard de la Rosa	Voting	NO
Donald M. Borsky	Voting	NO
George Burke	Voting	NO
Josephine Flood	Voting	NO
Ronald Belle	Voting	YES
Tom Dugan	Voting	YES

Mr. de la Rosa made a motion in addition to the existing free standing sign located on Warners Road to place a lit LED, channel lighted identification sign on the southern face of the applicant's Church building identifying the Church's name and logo, not to exceed in total 125sq. ft. in area and the blue color lights not to be obtrusive. Mr. Belle seconded the motion.

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

Robert Feyl	Voting	YES
Richard de la Rosa	Voting	YES
Donald M. Borsky	Voting	YES
George Burke	Voting	NO
Josephine Flood	Voting	NO
Ronald Belle	Voting	YES
Tom Dugan	Voting	YES

**2. John Garofalo**  
**171 Golden Meadows Way**  
**Warners, NY 13164**

**TM#: 010.-08-05.0**

**Area Variance: Allowance to build an open front porch.**

Mr. de la Rosa made a motion to approve a 3 1/2ft. variance on the setback for the construction of a front porch. Chairman Feyl seconded the motion and it was unanimously approved.

**Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 8:51 pm. Mr. Borsky seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
November 20, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairperson  
Ronald Belle  
George Burke  
Rich de la Rosa  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

Tom Price, Code Enforcement Officer

**ABSENT:**

Donald Borsky

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

**Public Hearings:**

- 1. Thomas S. Kehoskie  
3804 Warners Road  
Warners, NY 13164**

**TM#: 016.-04-03.0**

**Area Variance: Request for a minor two-lot subdivision.**

Chairman Feyl moved the Public Hearing to December 6, 2007, as there was not sufficient public notice.

- 2. Thomas S. Kehoskie  
120 Westfalls Street  
Warners, NY 13164**

**TM#: 016.-04-24.0**

**Area Variance: Request for a minor two-lot subdivision.**

Chairman Feyl moved the Public Hearing to December 6, 2007, as there was not sufficient public notice.

**New Business:**

- 1. Charles David Jordan  
102 Eagle Crest Drive  
Camillus, NY 13031**

**TM#: 022.1-02-01.0**

**Area Variance: Request for an existing shed 10' x 16'.**

Chairman Feyl moved to declare this a SEQR Type II action and set the Public Hearing for December 6, 2007. Mr. Dugan seconded the motion and it was unanimously approved.

### **DISCUSSION**

Chairman Feyl asked Ms. Flood to provide a proposed 2008 ZBA meeting schedule for the next meeting.

Chairman Feyl stated that he is at the end of his term as ZBA Chairman and recommendations for nominations must be made to the Town Board for Chairman, Vice Chairperson, Attorney and Clerk.

Mr. de la Rosa made a motion to nominate Ms. Flood as Chairperson. Mr. Belle seconded the motion and it was unanimously approved.

Mr. Dugan made a motion to nominate Mr. Burke as Vice Chairperson. Mr. Belle seconded the motion and it was unanimously approved.

Mr. Belle made a motion to recommend Mr. de la Rosa to serve another five-year term. Mr. Dugan seconded the motion and it was unanimously approved.

Mr. de la Rosa made a motion to recommend Mr. Carr as ZBA Attorney. Mr. Dugan seconded the motion and it was unanimously approved.

Mr. Burke made a motion to recommend Krista Kenna as ZBA Clerk. Mr. Dugan seconded the motion and it was unanimously approved.

### **Minutes of Previous Meeting:**

Chairman Feyl asked that the Board carefully review the minutes from the November 08, 2007 ZBA meeting to ensure they are correct. Any necessary changes will be presented and discussed at the December 6, 2007 meeting.

### **Comments of the Board**

Chairman Feyl stated that Don Borsky was in the hospital and is now home dealing with leg problems.

Chairman Feyl commented that he received an email from Kathy MacRae, 2<sup>nd</sup> Ward Councilperson asking for information regarding the Kehoskie property and he discussed the application with her.

Mr. Burke noted that our next ZBA meeting would be held on a Thursday, December 6, 2007.

### **Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 8:07 pm. Mr. Dugan seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
December 6, 2007 - 7:00 p.m.**

**PRESENT:**

Joy Flood, Vice Chairperson  
Ronald Belle  
George Burke  
Donald Borsky  
Rich de la Rosa

**ABSENT:**

Bob Feyl, Chairman  
Tom Dugan

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

Dirk J. Oudemool, Town Attorney  
Roger Pisarek, 1<sup>st</sup> Ward Councilor  
Kathy MacRae, 2<sup>nd</sup> Ward Councilor  
Dave Callahan, 6<sup>th</sup> Ward Councilor  
2 Others

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

**Public Hearings:**

**1. Thomas S. Kehoskie  
3804 Warners Road  
Warners, NY 13164**

**TM#: 016.-04-03.0**

**Area Variance: Request for a minor two-lot subdivision.**

Vice Chairperson Flood stated for the record that Mr. Kehoskie is an acquaintance and friend however does not see a reason to recuse herself.

Mr. Kehoskie of 302 Myron Road, appeared before the Board to discuss his application. Mr. Kehoskie handed out supporting documentation to the Board stating that he purchased this property back in October and that the property came with two separate lots. He noted to the Board that the same family had owned both properties for several years then sold it three years ago to a man who let it fall into a state of disrepair, after which he in turn bought it. Mr. Kehoskie stated that the original family who owned it built a deck 14 feet off the back of the house, which encroached upon the adjacent Westfall Street property.

Mr. Kehoskie stated that what he wants to realign the property so that it would give someone the opportunity to have a backyard. Mr. Kehoskie explained that he would like to take 19 feet off the Westfall Street property and add it onto Warners Road property, which would allow for a 50 x 144 foot lot, allowing the deck to stay and an opportunity to have a back yard.

Vice Chairperson Flood questioned if the deck was cement. Mr. Kehoskie stated that it was pressure treated wood and removable if need be.

Mr. de la Rosa stated that he received an email from Kathy MacRae, 2<sup>nd</sup> Ward Councilor requesting that we keep the Public Hearing open until the next ZBA meeting as Ms. MacRae tried to send out letters to the neighbors and would like to give them an opportunity to respond.

Vice Chairperson Flood questioned if there had been any correspondence with the neighbors. Mr. Kehoskie stated that he did speak to three neighbors: Jim Hiltbrand of 3796 Warners Road and Dorothy Sutton of 3808 Warners Road, who also owns 118 Westfall Street, and Kim Jenkins who lives on the corner of Maple Grove and Westfall Street, all of whom provided positive feedback and expressed no concerns.

Mr. Borsky questioned whether there would be other development of properties in the immediate area. Mr. Kehoskie stated no, not to his knowledge. Vice Chairperson Flood questioned whether Ms. Sutton was considering building on the open lot east of the Kehoskie Property. Mr. Kehoskie stated that Ms. Sutton had mentioned that in the past she wanted to build, but has not given any indication she plans to build on the open lot in the near future.

Mr. Burke questioned if the properties were purchased as two lots under single ownership. Mr. Kehoskie stated that he did purchase it as two lots with two separate tax parcels under single ownership. Mr. Burke questioned whether the previous owner used the property as a single parcel for several years even though it is two separate parcels. Mr. Kehoskie stated that, to his knowledge, the previous owner did use it as one parcel.

Mr. Burke questioned the dimensions of the proposed house and the positioning of the house. Mr. Kehoskie stated the proposed house would be 40 feet wide and 26 feet deep, with two parking places and a front yard set back of 35 feet. Mr. Burke questioned Mr. Carr whether the applicant would run into saturation if putting that much on the property. Mr. Carr stated that allowable lot coverage is 35% for an R-3 zoned property. Mr. Burke noted that several variances would be needed before building the house. Mr. Burke stated that what the applicant is asking the Board to do is to create a building lot that is approximately 60% of what is currently required today, so it is a difficult decision. Mr. Carr questioned whether there were any inconsistencies of the lots in the area developed or undeveloped. Mr. Kehoskie stated that he feels that they are consistent in size.

### **Comments of the Public**

None

### **Comments of Town Officials**

Mr. Oudemool, Town Board Attorney, questioned why this was being treated as two separate lots as they are subject to a mandatory merge into a single lot under the Municipal Code, despite the fact that there are two tax numbers. Mr. Oudemool continued, stating that presumably the applicant was at the Planning Board to undo the merger, however, the

Planning Board stated they could not do it because the lots do not conform to the present standard. In essence, the applicant is asking to vary “everything in the book” and as a citizen, as well as Town Attorney, he feels that goes beyond the Town’s current efforts to develop some type of modern standard.

Mr. Oudemool noted that the neighborhood is modest in nature and the amount of variances required would be enormous and so should be looked at very carefully as to their impact on what the Town is trying to do by slowly upgrading. He stated that some minor variances to accommodate development in that neighborhood would most always be appropriate, however, placing a new house on a lot is an enormous stretch and the high degree of variance required is very outstanding and needs to be looked at very carefully. Deleted sentence – made no sense and Dirk already made his point)

Kathy MacRae, 2<sup>nd</sup> Ward Councilor, stated that she planned to send notices to the neighborhood however, they did not get out due to an email problem. Due that, and the fact that significant variances are being sought, she requested that the Public Hearing be kept open until the next meeting so the notices can get out. Ms. MacRae noted that she did not think that there would be any contention, but is not certain of that.

After extensive discussion regarding Sec.1101 and Sec.1104 of the Municipal Code, Mr. Carr stated the merger provision does away with legal non-conformity of adjacent lots that are in common ownership. The alternative to the non-conforming status is applying for a variance to the lot area size and all that is relevant. The trouble with the alternative is, when assessing or evaluating the application, you must take into consideration all of the elements that would normally be taken into balancing this out. Additionally the size and/or degree of the type of variance that is required could be substantial and needs to be considered.

Vice Chairperson Flood questioned whether there was another home blueprint that could be used that would omit some of the required variances and asked the applicant to consider coming up with plans on a smaller home that would conform better to the neighborhood. Mr. Kehoskie stated that he would research some more surveys in comparison to other homes within the neighborhood and would provide additional blueprints. Mr. Kehoskie stated that the intention for the new home on Westfall Street is to move in and live at this property.

Mr. de la Rosa stated that having additional information on the size of the home in comparison to other homes in the neighborhood would be helpful along with minimizing the number of variances required.

Mr. de la Rosa motioned to continue the Public Hearing until December 18, 2007. Mr. Borsky seconded the motion and it was unanimously approved

**2. Thomas S. Kehoskie  
120 Westfalls Street  
Warners, NY 13164**

**TM#: 016.-04-24.0**

**Area Variance: Request for a minor two-lot subdivision.**

Mr. de la Rosa motioned to continue the Public Hearing until December 18, 2007. Mr. Borsky seconded the motion and it was unanimously approved.

**New Business:**

**1. Charles David Jordan  
102 Eagle Crest Drive  
Camillus, NY 13031**

**TM#: 022.1-02-01.0**

**Area Variance: Request for an existing shed 10' x 16'.**

Mr. Jordan residing at 102 Eagle Crest Drive appeared before the Board to discuss his application for an Area Variance that would allow him to keep an existing 10' x 16' shed. Mr. Jordan noted that they purchased the house about one year ago and since received a letter from the Town Code Enforcement Office indicating that they needed to obtain a permit for the shed. Mr. Jordan stated that he had a survey showing the shed is located on an easement, however, did have a letter from National Grid stating they had no issue with the shed and would provide five days notice should they need to access the easement.

Vice Chairperson Flood questioned whether the shed was part of the property when it was purchased and Mr. Jordan reiterated that it was. Vice Chairperson Flood questioned whether the shed was a permanent structure and Mr. Jordan stated that it was not. Vice Chairperson Flood questioned why the shed couldn't be relocated and why it needs to stay where it is. Mr. Jordan stated that he felt that was the best location and less obtrusive than other locations on the property.

Mr. Burke questioned whether the building was level, as it was placed on a drainage swale and stated that he fails to understand why it cannot be placed in a legally conforming section of the backyard. Mr. Burke stated he cannot favor granting a variance when there are other locations it could be placed and that he would like to see it placed on a more level legal spot.

Mr. Borsky stated he agreed with Mr. Burke and he is concerned with the possibility of National Grid needing access. He noted that he was concerned that the color of the shed did not match the house. Mr. Jordan stated that the color of the shed would be changed to match the house.

Mr. de la Rosa stated that he does not see any hardship in moving the shed to a conforming space. Mr. Jordan stated that he does not know what is involved in moving it and is concerned about ruining the shed. Mr. Jordan stated that he did get one quote for moving it, which was for \$300.00.

Mr. Jordan asked for suggestions on relocating the shed, as requested by Mr. Burke.

Roger Pisarek, 1<sup>st</sup> Ward Councilor, stated he was aware of the shed's location and in viewing the neighborhood feels that the more it is moved to the east, the more visible it would be. Mr. Pisarek noted that it was only visible to two or three neighbors at it's current location.

Vice Chairperson Flood questioned whether the shed had ever been moved. Mr. Jordan stated it had never been moved.

Mr. Pisarek remarked that he felt it was in an unobtrusive place right now and minimally impacting the side or front yard of the property. Vice Chairperson Flood questioned whether the foliage on the trees located next to the shed was fully leafed in the summer. Mr. Jordan stated that it was and so the shed cannot be seen from the road.

Mr. Jordan stated that he does not know what the monetary amount would be to move the shed to the recommended location and requested some time to research and obtain pricing.

Vice Chairperson Flood closed the Public Hearing stating that a decision would most likely be made tonight and noted that he would be notified within 62 days of the decision.

### **Comments of the Public**

None

### **Comments of Town Officials**

Kathy MacRae, 2<sup>nd</sup> Ward Councilor, stated she would like to respectfully request that the Board consider the possibility of reconsidering a decision made a few weeks ago about the sign for the Church of the Nazarene (Christ Community Church). In particular looking for specificity as to the luminaries and/or wattage of the LED lighting regarding how bright the lights are, as it was very vague in the decision.

Vice Chairperson Flood commented she was aware that the Church applied for a permit for the sign, which was granted this past Tuesday, so reopening the hearing could impact the applicant financially if they have ordered materials. Vice Chairperson Flood noted that she had additional information provided by Chairman Feyl pertaining to LED lighting and would be glad to provide copies to whomever requested, however, the best example of LED lighting would be to see a sample of the LED lighting lit.

Vice Chairperson Flood questioned Ms. MacRae whether she was speaking as 2<sup>nd</sup> Ward Councilor or on behalf of the Town Board. Ms. MacRae noted that she was only speaking for herself however, she believes she has the support of the majority of the Board.

Vice Chairperson Flood questioned Mr. Carr whether it was required to wait for the full Board to consider re-hearing the application and Mr. Carr stated that it was not but before the consideration for a re-hearing, the applicant needs to be put on notice. He stated the Board needs to consider whether or not there is any relevant consideration present to verify or justify a re-hearing.

Mr. Oudemool stated that the law requires that the vote to reconsider must be unanimous, therefore every member of the Board present must vote in favor of it. Not only must the Board unanimously agree to reconsider, the Board must also unanimously agree to change the decision otherwise the initial decision stands. Mr. Oudemool added that the Town Board is concerned with the decision the Zoning Board made as is very concerned with the fact that the lighting is too loose, not allowing delegation to a Code Enforcement Officer any discretion when it comes to luminaries.

Mr. Belle stated that, as a courtesy to the two Board members who weren't present, he believed the matter should not be discussed until there the full Board is present.

Mr. de la Rosa commented that he agreed with Mr. Belle, however, there could be no point if the applicant invests anything into the sign.

Mr. Carr stated that lighting is not consideration for internal sign lighting in this Town, as it is not regulated and it is never even reviewed. He also noted that typically a third party does not

apply for a re-hearing; usually it is the applicant themselves who has been denied or the Board that came across information that was not present when making the initial decision.

Mr. Burke moved to re-open the Public Hearing on the basis that there was lack of consideration of the Town Comprehensive Master Plan in the determination and set the Public Hearing for January 3, 2008. Mr. de la Rosa seconded the motion and it was unanimously approved.

**Minutes of Previous Meeting: November 08, 2007**

Vice Chairperson Flood asked that on page one, within the second paragraph, the third sentence be changed and read as follows:

“Vice Chairperson Flood questioned if the proposed logo was the same logo as the one currently on the sign located on Warners Road.”

Vice Chairperson Flood asked that on page three, within the first paragraph a word be changed and read as follows:

“Mr. Cammer stated the he felt it would tend to make the letters blurred.”

Vice Chairperson Flood asked that on page three, within the fifth paragraph a word be changed and read as follows:

“Pastor Lane stated that they have considered it and as was said at the last meeting, not many people know that this specific building is Christ Community Church.”

Mr. Burke asked that on page five, last paragraph a word be changed and read as follows:

“Mr. Burke commented that he does have a problem giving variances in the front yard on a straight away and comparing it to the other porch in the same neighborhood that was given, he did not have a problem with that one, as it was on a curve.”

Vice Chairperson Flood asked that on page eight, within the third paragraph a word be changed and read as follows:

“Vice Chairperson Flood stated that she is fundamentally against a lit sign, helping this gentlemen advertise and grow his congregation, as it is with all churches we are not obligated to help them.”

Mr. Burke moved to approve the minutes of the November 08, 2007 meeting as amended. Mr. Belle seconded the motion and it was unanimously approved.

**Minutes of Previous Meeting: November 20, 2007**

Vice Chairperson Flood asked that the opening of the meeting statement be changed and read as follows:

“The meeting was called to order at 7:00 p.m. by Chairman Feyl, followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the public hearing notices. Mr. Belle seconded the motion and it was unanimously approved.”

Mr. Burke asked that on page two under discussion the following changes be made and read as follows:

“Chairman Feyl stated that he is at the end of his term as ZBA Chairman and recommendations for nominations must be made to the Town Board for Chairman, Vice Chairperson, Attorney and Clerk.”

Mr. Burke moved to approve the minutes of the November 20, 2007 meeting as amended. Mr. Belle seconded the motion and it was unanimously approved.

**Vouchers**

A voucher was received from Melvin & Melvin for legal fees totaling \$2,062.50.

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

**Correspondence**

None

**Comments of the Board**

Vice Chairperson Flood announced the dates for the 2008 ZBA meetings.

**Decisions Pending**

Vice Chairperson Flood stated that Mr. Jordan asked that the Board to delay its decision pertaining to his application.

**Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 9:32 pm. Mr. Burke seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
December 18, 2007 - 7:00 p.m.**

**PRESENT:**

Bob Feyl, Chairman  
Joy Flood, Vice Chairperson  
Ronald Belle  
George Burke  
Donald Borsky  
Rich de la Rosa

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

Roger Pisarek, 1<sup>st</sup> Ward Councilor  
Kathy MacRae, 2<sup>nd</sup> Ward Councilor  
5 Others

**ABSENT:**

Tom Dugan

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

**Public Hearings:**

- 1. Charles David Jordan  
102 Eagle Crest Drive  
Camillus, NY 13031**

**TM#: 022.1-02-01.0**

**Area Variance: Request for an existing shed 10' x 16'.**

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

Chairman Feyl stated that he could not find any reason to move the shed, noting that Mr. Jordan should not have to go through any greater expense for something that has been there for almost six years.

Mr. de la Rosa stated that Mr. Jordan was to provide an estimate to the Board on the cost of relocating the shed. Mr. Jordan stated that the estimate he received was a minimum of \$300.00 dependent upon the level of the land the shed was situated on.

Chairman Feyl closed the Public Hearing stating that a decision would most likely be made tonight and noted that the applicant would be notified within 62 days of the decision.

2. **Thomas S. Kehoskie**  
3804 Warners Road  
Warners, NY 13164

**TM#: 016.-04-03.0**

**Area Variance: Request for a minor two-lot subdivision.**

3. **Thomas S. Kehoskie**  
120 Westfall Street  
Warners, NY 13164

**TM#: 016.-04-24.0**

**Area Variance: Request for a minor two-lot subdivision.**

Mr. Kehoskie appeared before the Board to discuss his application. Mr. Kehoskie handed out supporting documentation related to corresponding properties to show his property conforms to the existing properties.

After reviewing the provided information, Mr. de la Rosa stated that he felt the proposed home would be consistent with the neighborhood.

Mr. Burke noted that selecting the alternate house plan provided would reduce the number of variances required and stated he is in favor of making a recommendation to the Planning Board to reposition the two lots.

Ms. Flood questioned whether there would be a building cost difference between the two homes. Mr. Kehoskie stated the alternate house plan is 40 square feet more than the originally proposed house and so would cost more.

Mr. Carr questioned whether the supporting information provided pertains to the lots and surveys, all being 50-foot wide lots, all 125-foot in depth. Mr. Kehoskie stated that was correct, with the exception of 116 Westfall.

Ida Hill of 3796 Warners Road and Dorothy Sutton of 3808 Warners Road stated their support of the applicant's request.

Kathy MacRae, 2<sup>nd</sup> Ward Councilor, stated she sent out notices to 18 neighboring homes and did not receive a response, therefore, is assuming there is no opposition to this project. Ms. MacRae stated that Mr. Kehoskie has her support.

Chairman Feyl closed the Public Hearing stating that a decision would most likely be made tonight and noted that the applicant would be notified within 62 days of the decision.

**New Business:**

None

### **Minutes of Previous Meeting:**

Mr. Belle asked that "Comments of Town Officials", paragraph six be reworded as follows:

"Mr. Belle stated that, as a courtesy to the two Board members who weren't present, he believed the matter should not be discussed until the full Board is present."

Mr. Burke requested that the following headings be removed from page four:

"Comments of the Public"

"Comments of Town Officials"

Mr. Burke requested that heading of "Decisions" be changed to "Decision Pending" and include the header information for the Jordan application.

Mr. de la Rosa moved to approve the minutes of the December 06, 2007 meeting as amended. Mr. Borsky seconded the motion and it was unanimously approved.

### **Vouchers**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$18.48.

A voucher was received from Eagle Newspapers for legal advertisements totaling \$25.68.

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

### **Correspondence**

Chairman Feyl stated that he received information regarding the Onondaga County Planning Federation training Conference.

### **Comments of the Board**

Mr. Borsky thanked Chairman Feyl on behalf of the Board for doing such a great job as Chairman for the past three years.

Chairman Feyl thanked the Board for allowing him to be Chairman for the past three years and wished everyone a wonderful holiday.

Mr. Burke requested that the Town Board look at the consolidation clause as it is not clear and causes a great deal of unnecessary hardship.

### **Decisions**

**1. Charles David Jordan  
102 Eagle Crest Drive  
Camillus, NY 13031**

**TM#: 022.1-02-01.0**

**Area Variance: Request for an existing shed 10' x 16'**

Mr. Burke stated his opinion that, by granting a variance the Board would be setting a precedent to allow utility buildings in the front yard on top of a utility easement and, since he does not believe it is wise to grant this variance, he would vote against it. Chairman Feyl stated that Ike Dixon Road could never be widened unless Eminent Domain took over the property, which is now at its maximum, and reiterated that National Grid provided consent for a shed easement.

Chairman Feyl moved to grant a variance to allow the existing 10' x 16' shed to remain where it is currently located in the front yard of the subject property. Ms. Flood seconded the motion.

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

Robert Feyl	Voting	YES
Richard de la Rosa	Voting	YES
Donald M. Borsky	Voting	NO
George Burke	Voting	NO
Josephine Flood	Voting	YES
Ronald Belle	Voting	YES
Tom Dugan	Voting	Absent

**2. Thomas S. Kehoskie  
3804 Warners Road  
Warners, NY 13164**

**TM#: 016.-04-03.0**

**Area Variance: Request for a minor two-lot subdivision.**

Mr. de la Rosa moved to grant a variance as to lot area located on Warners Road with a 5300 square foot lot; 50 feet wide with two five-foot side yards and ten feet total side yards. Chairman Feyl seconded the motion and it was unanimously approved.

**3. Thomas S. Kehoskie  
120 Westfalls Street  
Warners, NY 13164**

**TM#: 016.-04-24.0**

**Area Variance: Request for a minor two-lot subdivision.**

Mr. de la Rosa moved to grant a variance as to lot area located on Warners Road with a 7200 square foot lot; 50 feet wide with one side yard of two feet and the other of five feet; and seven feet total side yards and 19 foot rear yard. Chairman Feyl seconded the motion and it was unanimously approved.

Vice Chairman Flood moved to go into executive session to discuss a personnel matter. Mr. de la Rosa seconded the motion and it was unanimously approved.

The Board returned to regular session with no action taken.

**Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 8:11 p.m. Mr. Burke seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**B**

Beadling, Marilyn  
Area Variance 17, 21, 23  
Belle Isle Road 42  
Bennetts Corners Road #5252 44, 45, 48

**C**

Chemotti, Dave  
Use Variance and Area Variance 44, 45, 48  
Chmara, Sophie  
Area Variance 1, 3, 5  
Christ Community Church  
Area Variance 47, 50, 53  
Special Use Permit 47

**D**

Dunham, John  
Area Variance 15, 18

**E**

Eagle Crest Drive #102 63, 67, 72, 74

**F**

Flynn, Kevin and Robin  
Area Variance 24, 27, 31

**G**

Garofalo, John  
Area Variance 52, 57, 62  
Gillespie Avenue #230 1, 3, 5  
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**H**

Hinsdale Road #110 35, 37, 39

**J**

Jordan, Charles David  
Area Variance 63, 67, 72, 74

**K**

Kehoskie, Thomas S.  
Area Variance 59, 63, 65, 67, 73, 75  
Kshyna, Tom  
Area Variance 25, 27, 31

**L**

Limeledge Road #4993 43, 44  
Livingston, Joe  
Area Variance 11, 13, 14

**N**

Newport Road #6117 24, 30, 33, 36

**O**

Oakley Road #104 2, 4

**P**

Pfeiffer, Fr. J. Timothy  
Special Use Permit 5, 6, 11

**R**

Robinhood Lane #107 17, 21, 23  
Rolling Hills Road #2569 11, 13, 14

**S**

Shope, James  
Area Variance 25, 28, 32  
Somerville, Debbie  
Area Variance 2, 4, 6  
Southwest Way #111 24, 27, 31  
St. Michaels Lutheran Church / William Kunkle  
Area Variance 35, 37, 39  
St. Pauly Textile, Inc. / Immanuel Church  
Special Use Permit 25, 30, 33, 40  
St. Pauly Textile, Inc. / The Elks Lodge  
Special Use Permit 24, 30, 33, 36  
Syracuse SMSA Limited Partnership d/b/a Verizon Wireless  
Special Use Permit and Area Variance 38, 42

**U**

Uczen, Christopher  
Special Use Permit and/or Area Variance 16, 20, 23

**V**

Van Alstine Road #6143 16, 20, 23

**W**

W.F. Saunders & Son, Inc.  
Use Variance 40, 43, 44  
Warners Road #3644 40  
Warners Road #2656 5, 6, 12  
Warners Road #3644 25, 30, 33, 40, 47, 50, 53  
Warners Road #3804 59, 63, 65, 73  
West Genesee Street #5014 25, 28, 32  
Westfalls Street #120 59, 63, 67, 75  
Winchell Road #6559 15, 18