

**Town of Camillus  
Zoning Board of Appeals  
January 03, 2008 - 7:00 p.m.**

**PRESENT:**

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

**ABSENT:**

Donald Borsky

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

John Fatcheric, Planning Board Chairman  
Tom Price, Code Enforcement Officer  
Roger Pisarek, 1<sup>st</sup> Ward Councilor  
Kathy MacRae, 2<sup>nd</sup> Ward Councilor  
Jim Salanger, 4<sup>th</sup> Ward Councilor  
Dave Cooke, 5<sup>th</sup> Ward Councilor  
Mary Ann Coogan, Town Supervisor  
6 Others

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

**Public Hearings:**

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

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

**Area Variance: Signage**

Chairperson Flood explained this was a reopening of the Public Hearing for Christ Community Church. She stated that the Board members present at the December 6<sup>th</sup> meeting voted to reopen the Public Hearing and take any testimony that might contain new evidence that applied to this application.

Pastor Lain and Chris Cammer appeared before the Board to discuss their application. Pastor Lain indicated he did pursue the Board's request of trying to obtain a model of the sign; however, Metropolitan Sign was not able to get the model completed in time. Pastor Lain further explained the details and specifications of the sign, expressing the sign's purpose is to let people know who they are and where they are located.

Michael Conway, of 534 Hinsdale Road, stated his opposition to the applicant's request for a lit sign and feels it is inappropriate for a residential neighborhood. Mr. Conway asked the Board refer to the pictures he submitted showing the sign would face their house as much as it would the highway, requesting the approval be denied and a request for another submission that is less offensive be submitted.

Nancy Conway, of 534 Hinsdale Road, expressed her concerns and that, in her opinion, she believes this application should not be approved.

William Buhl, of 3684 Warners Road, stated he felt the church has been a good neighbor, however, he suggested that the sign be relocated as a sign facing the highway. Mr. Buhl stated that he would like the applicant to stay within the Town Code and feels it is there for a reason.

Kathy MacRae, 2<sup>nd</sup> Ward Councilor, stated her major concern was the sign being lit and appreciated the reopening of the Public Hearing.

Jim Salanger, 4<sup>th</sup> Ward Councilor, stated that he was opposed to the signage and did not see it's necessity. Mr. Salanger expressed his concern with the sign violating the integrity of the neighborhood and that, in his opinion, he feels it would be disruptive to the neighbors. Mr. Salanger requested the Board oppose the granting of the signage.

Mary Ann Coogan, Town Supervisor, stated that while she understands the needs of the church, she does not feel the sign needs to be lit.

Pastor Lain commented that they have tried to make the lighting as unobtrusive as possible and feels if the sign isn't lit it would have little or no value. Pastor Lain asked the Board to treat the church in the same manner as any other business and asked that the church be considered for lit signage.

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.

(A full transcript of this public hearing is attached to these minutes)

### **Comments of the Public**

None

### **Comments of the Board**

Mr. Burke commented that the pictures presented this evening by Michael and Nancy Conway appear to be new evidence that was not presented before.

Mr. Feyl questioned what other evidence the Board had to justify reversing the decision, other than what Mr. Burke already stated. Mr. Feyl stated his opinion that, if the Board does not have solid evidence, there is no point in reversing the decision.

Mr. de la Rosa commented that screening would be beneficial and was not discussed.

### **Old Business**

None

### **New Business:**

None

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

Mr. Burke requested that the following statement be added to page four:

“The Board returned to regular session with no action taken.”

Mr. Feyl moved to approve the minutes of the December 18, 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 \$1,500.00.

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

**Correspondence**

Chairperson Flood commented that the Code Enforcement office issued the end of year Building Reports and if anyone would like a copy to let her know.

Chairperson Flood informed the Board that Charlie Massie passed away.

**Decisions**

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

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

**Area Variance: Signage**

Chairperson Flood moved to modify the previous decision by granting a unlit sign in addition to the existing free standing sign located on Warners Road, not to exceed in total 125 sq. ft. in area. Mr. Dugan 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
George Burke	Voting	YES
Josephine Flood	Voting	YES
Ronald Belle	Voting	NO
Tom Dugan	Voting	YES
Donald M. Borsky	Voting	ABSENT

Chairperson Flood stated that the amended motion has been denied and the original variance granted stays in place.

**Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 7:53 p.m. 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  
January 15, 2008 - 8:00 p.m.**

**PRESENT:**

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

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

1 Other

**ABSENT:**

Donald Borsky

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

**Public Hearings:**

None

**Comments of the Public**

None

**Comments of Town Officials**

None

**Old Business**

None

**New Business:**

None

**Minutes of Previous Meeting:**

Mr. Burke requested that the heading 'Comments of Town Officials' on page two be changed and read as follows:

"Comments of the Board"

Mr. Feyl moved to approve the minutes of the January 3, 2008 meeting as amended. Mr. de la Rosa seconded the motion and it was unanimously approved.

### **Vouchers**

A voucher was received from the Onondaga County Planning Federation for conference dues totaling \$325.00.

A voucher was received from the Onondaga County Planning Federation for conference dues totaling \$65.00.

A voucher was received from John F. Drury for Stenographer fees totaling \$144.50.

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

### **Correspondence**

None

### **Comments of the Board**

Chairperson Flood invited the Board members to attend the Planning & Zoning Committee meeting taking place after the ZBA meeting, since it was dealing with signage issues in the Town.

### **Decisions**

None

### **Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 7:05 p.m. 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  
February 19, 2008 - 8:00 p.m.**

### **PRESENT:**

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

### **STAFF PRESENT:**

Ronald Carr, Esq.

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

None

**ABSENT:**

Donald Borsky

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

**Public Hearings:**

1. **Albert Valerino, Jr.**  
**6006 Newport Road**  
**Camillus, NY 13031**

**TM#: 021.-10-11.0**

**Area Variance: To allow an existing 14' x 20' shed in the front yard.**

Mr. de la Rosa stated that after going to the applicant's home he feels there is enough room in the backyard to place the shed.

Mr. Feyl stated he also went to the applicant's home and feels there is no reason why the shed should not be moved to the backyard as there is plenty of flat land.

Mr. Burke stated he felt there is no hardship as far as he can see and that he agrees the shed should be relocated to the backyard. Mr. Burke noted that when the applicant was fined he stated the purpose of the shed was to be used for the kid's toys and things.

Chairperson Flood stated that the applicant has proven the backyard is flat by placing a Gazebo there, which is typically used much more during the summer months than a storage shed would be used.

Mr. Feyl moved to declare this a negative declaration, under SEQR Type II and continue the public hearing for March 4, 2008. Mr. de la Rosa seconded the motion and it was unanimously approved.

**Comments of the Public**

None

**Comments of Town Officials**

None

**Old Business**

None

**New Business:**

None

**Minutes of Previous Meeting:**

Mr. Feyl moved to approve the minutes of the January 15, 2008 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 \$18.87.

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

**Correspondence**

None

**Comments of the Board**

Mr. Feyl wanted to remind all members of the Board to turn in their 'Certificate of Attendance' from the training conference to the Clerk's office.

Mr. Feyl asked that a log of the Board members schooling hours/credits be kept by the ZBA Clerk so each member would know exactly what he/she had for schooling credits as they are now accumulative.

Chairperson Flood questioned how the Board felt about the overview map provided with each application and asked if it could be a better and/or closer view or to deleted all together.

**Decisions**

None

**Adjournment**

Mr. Feyl made a motion to adjourn the meeting at 7:39 p.m. 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  
March 4, 2008 – 8:00 p.m.**

**PRESENT:**

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

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

1 Other

**ABSENT:**

Donald Borsky  
Joy Flood, Chairperson

The meeting was called to order at 7:02 p.m. by Vice Chairperson Burke, followed by the Pledge of Allegiance.

**Public Hearings:**

**1. Albert Valerino, Jr.  
6006 Newport Road  
Camillus, NY 13031**

**TM#: 021.-10-11.0**

**Area Variance: To allow an existing 14' x 20' shed in the front yard.**

Vice Chairperson Burke apologized to Mr. Valerino for the miscommunication from the Code Enforcement Office who told him not to appear at the last ZBA meeting, which was held on March 4, 2008.

Mr. Valerino, Jr. of 6006 Newport Road appeared before the Board to discuss his application, stating he has lived at Newport Road for about five years and loves being there. Mr. Valerino approached the Board to show pictures of his house and of his disabled son Adam, explaining that during the placement of the shed he took into consideration the functionality his son would have as he goes in and out of the shed for recreational activities.

Mr. Feyl questioned if any of the neighbors were consulted as to the placement of the shed. Mr. Valerino stated that he did not consult any of his neighbors but would be glad to do so and provide a letter from his neighbor stating they did not have any problems.

Mr. Valerino stated that he could move the shed if necessary, however, its placement was chosen for accessibility for his son who walks with sticks and uses a wheel chair. Moving the shed to the backyard would make it difficult for his son as the land appears to be flat, however, for a disabled individual who walks with sticks it is difficult. Mr. Valerino stated that he would gladly move the shed once his son has grown up and moves out of the house. Vice Chairperson Burke questioned how old his son was. Mr. Valerino stated that his son is sixteen years old.

Mr. Feyl questioned the placement of the gazebo. Mr. Valerino stated that the gazebo is located in the backyard, however, is old and falling down and does not know if he will ever fix it.

Vice Chairperson Burke questioned the size of the lot. Mr. Valerino stated that he had just about three acres. Mr. Valerino explained that for him to place a shed in the back yard he would have to bring in a large amount of fill as there is a great deal of wet land. Vice Chairperson Burke stated that the property is not considered a wet land.

Vice Chairperson Burke explained that the lot is zoned R1 and if the property was zoned RR residential then you could have placed the shed in the front yard, however, the fact that they didn't zone it that way was to prevent it from being developed that way. Vice Chairperson Burke commented that placing a shed in the front yard now would be setting a precedent for that area.

Mr. Feyl explained the history of the land surrounding Mr. Valerino's home. He stated the land is not considered a wet land and he feels that if the land has water issues, it is due to the ditches being clogged that run along Newport Road to the Canal. Mr. Feyl commented that he has an issue with this application as the applicant did not contact the neighbor and that placing the shed in the front yard totally goes against code.

Mr. Dugan suggested moving it to the backside of the house. Vice Chairperson Burke stated that the side yard set back would be an issue.

Vice Chairperson Burke commented that the Board could possibly place a sunset clause on the variance and asked Mr. Carr to confirm this could be done. Mr. Carr confirmed that a sunset clause can be set and a variance granted.

Mr. de la Rosa stated that in general he would like to see it in the backyard however, if the variance had a sunset clause he would be in favor.

Mr. Belle questioned how long the shed had been there. Mr. Valerino confirmed about three months. Mr. Belle stated he was in favor of Vice Chairperson Burke's recommendation of the sunset clause.

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

### **Comments of the Public**

None

### **Comments of Town Officials**

None

### **Old Business**

None

### **New Business:**

None

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

Vice Chairperson Burke asked that on page one, third paragraph, second sentence read as follows:

'Vice Chairperson Burke noted that when the application was filed he stated the purpose of the shed was to be used for the kid's toys and things.'

Vice Chairperson Burke asked that on page one, last paragraph read as follows:

'Council was instructed to notify the applicant of the continuance and inform him that the issue would be decided at the next meeting with or without his attendance.'

Vice Chairperson Burke asked that under 'Comments of the Board', second paragraph read as follows:

'Mr. Feyl asked that a log of the Board members schooling hours/credits be kept by the ZBA Clerk so each member would know exactly what he/she had for schooling credits as they are now accumulative.'

Mr. Feyl moved to approve the minutes of the January 15, 2008 meeting as amended. Mr. Dugan seconded the motion and it was unanimously approved.

### **Vouchers**

None

### **Correspondence**

None

### **Comments of the Board**

Mr. Feyl wanted to inform the Board we would be receiving a voucher for flowers as he took it upon himself to order flowers for Joy.

### **Decisions**

Mr. Feyl moved to approve the area variance to allow an existing 14' x 20' storage shed at its present location in the front yard be granted, subject to the limitation that the variance shall automatically, and without the necessity of notice, terminate on March 4, 2013 or upon the applicant's son ceasing to maintain his domicile at the affected property or upon the subject shed being moved behind the rear building line of the primary building located on the subject property, whichever occurs first. Mr. de la Rosa seconded the motion and it was unanimously approved.

### **Adjournment**

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

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
April 1, 2008 – 7:00 p.m.**

**PRESENT:**

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

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

None

**ABSENT:**

Donald Borsky  
Tom Dugan

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

**Public Hearings:**

**1. Cam-Met LLC**

**5320 West Genesee Street  
Camillus, NY 13031**

**TM#: 035.-05-26.0**

**Area Variance: To allow one freestanding 68 sq. feet sign & 11 feet tall.**

Mr. Burke moved to declare this application a SEQR Type II. Mr. Feyl seconded the motion and it was unanimously approved.

Mr. Jim Hagan of 180 Intrepid Lane appeared before the Board to discuss the Cam-Met, LLC application. Mr. Hagan stated he is the architect representing Cam-Met, LLC and they are requesting an Area Variance to permit a monument sign in front of the existing building located at 5320 West Genesee Street.

Chairperson Flood questioned whether the building currently had any tenants. Mr. Hagan stated there are currently no tenants but the intention is to have four tenants in total. Mr. Hagan noted that the owners of the building recently entered into an agreement with a company called Sports PT, which is a physical therapy office. Mr. Burke questioned how many square feet Sports PT will occupy. Mr. Hagan stated that Sports PT would be occupying 1500 to 1600 square feet. Mr. Hagan stated that the owners of the building are in the final stages of negotiations to place an insurance company in one of the spaces, which if successful would leave two vacant spaces.

Mr. Hagan noted that while the mall and new development on the north side of West Genesee Street is good in that it generates more activity, it not so good in that it makes it much more difficult to find the building. Mr. Hagan stated Cam-Met, LLC has potential tenants who are concerned with identification of the building, as the only identification is the number sign on the face of the building.

Mr. Hagan commented that Cam-Met, LLC is also concerned with safety and the speed limit on West Genesee Street. Mr. Hagan approached the Board to discuss photos taken of the building from the east and west side of West Genesee Street, pointing out the fact that as you approach the building there are a number of objects obstructing the view, such as telephone poles, signs from adjacent businesses, landscaping elements and vehicles. He stated that the optimal location and placement of the monument sign is what they are proposing, however it does meet the set back requirements.

Chairperson Flood questioned the distance from the rear of the sign to the edge of the sidewalk. Mr. Hagan stated it is approximately seven feet.

Mr. Hagan referred to the drawing submitted with the application, stating the sign they are asking for is 8 feet 6 inches high, with an area that is 6 feet x 8 feet, having a sign panel 2 feet x 8 feet. He noted this would allow the letter height within each panel to be 14 to 16 inches, making the visibility and building identification while driving down West Genesee Street much clearer.

Mr. Burke commented that while safety and people finding the building is a concern, the proposed sign does not have a street number on it. Mr. Hagan stated it was not added as the number is currently on the building. Mr. Burke recommended placing the street number on the highest point of the sign as doing so would be much safer than forcing people to look two places for the business name and building number, noting that doing so would not be accounted into the sign size. Mr. Burke inquired whether Mr. Hagan had looked at other similar signs in town and Mr. Hagan indicated he had.

Mr. Hagan stated that their opinion that the increased size of the sign would not be an undesirable change and, with the conditions on West Genesee Street, will not detrimentally affect any of the adjacent properties. He further explained that the request is in keeping with what is reasonable, would not have a physical or environmental impact, and is minimal considering it will allow patrons to safely identify the tenant's names & location.

Chairperson Flood stated that she measured the building and it is approximately 14 feet in height, so a request for a sign that is approximately 11 feet high is excessive when considering the proportions of the building. Chairperson Flood suggested cutting down the base of the sign to decrease the height as that part of the lawn is on a rise. Mr. Hagan commented that anything is possible, but that he would have some concern about visibility when there is snow on the ground.

Chairperson Flood asked whether Cam-Met, LLC is aware of the town beautification project. Mr. Hagan responded that, while he is aware of the project, Cam-Met, LLC has not had any direct conversation regarding it.

Mr. Feyl stated that to his knowledge, the applicant's building is one of the closest to the road along West Genesee Street. He noted that with the intersection and light in front of the building, it is extremely busy and a number of people have a great deal of time to look around while slowing down. While he believes that the street number on the face of the building does stand out and is obvious, Mr. Feyl stated his belief that a sign of 8 feet x 6 feet on the front lawn would end up to be a nuisance to someone trying to pull out of the building therefore, he could not justify the need for 15, 16, or 17-inch letters on a sign that is only 15 feet from the road at a stop light at a major intersection.

Mr. Hagan remarked that while the posted speed limit on West Genesee Street is 35 mph, in actuality, most people travel the road at 45 mph, which can create problems by reducing the time to look for things.

Mr. Belle asked Mr. Hagan to confirm that the size of the four individual panels on the proposed sign would be 2 feet x 8 feet. Mr. Hagan stated the width was 8 feet. Mr. Belle questioned whether MR. Hagan researched the size and dimensions of the surrounding signs and Mr. Hagan stated he did.

Mr. Burke stated he agreed with Mr. Feyl on the size of the sign being excessive and recommended the applicant give some more thought to the layout of the sign, noting that the intent of the sign laws are to enable identification, not advertising.

Mr. Feyl commented that the Aspen Dental Plaza has seven tenant names displayed on a sign of approximately the same size as what is being proposed. Mr. Hagan questioned what that property was zoned as and the Board was uncertain.

Chairperson Flood asked for elaboration about the size of the individual panel areas and their purpose, which Mr. Hagan provided. Chairperson Flood suggested softening the design of the sign to reduce the "boxy" look and stated that in her opinion, a smaller sign would be appropriate.

Mr. de la Rosa stated that the size of the sign is excessive and the extent of the variance is overwhelming.

Mr. Hagan stated he understood the points the Board was making and inquired whether there was any possibility to increase the sign above the 24 square feet. Chairperson Flood stated the Board would be reasonable on a compromise, however, could not approve the amount currently being requested. Mr. Hagan requested the Board continue the hearing and Chairperson Flood stated it could be continued the next meeting on April 15, 2008 and suggested Mr. Hagan bring samples of the sign and lettering at that time.

Mr. de la Rosa motioned to continue the Public Hearing until April 15, 2008. Mr. Belle seconded the motion and it was unanimously approved.

#### **Comments of the Public**

None

#### **Comments of Town Officials**

None

#### **Old Business**

None

#### **New Business:**

None

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

Mr. Feyl moved to approve the minutes of the March 4, 2008 meeting. Mr. Burke seconded the motion and it was unanimously approved.

#### **Vouchers**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$21.18.

A voucher was received from Hummel's Office Supply for office supplies totaling \$4.78.

A voucher was received from Melvin & Melvin for legal fees totaling \$1,437.50.

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

### **Correspondence**

Chairperson Flood commented she received 'The Zoning Bulletin' and inquired whether it was something that the Board members would like to receive. Mr. Carr stated that, being a national bulletin, it has little local relevance and might not be a wise purchase. Mr. Feyl noted that the local bulletin 'Planning Federation' was more beneficial.

### **Comments of the Board**

Chairman Flood presented some suggestions for changes to the application for variances. These could help with the miscommunication the Board is having with it's applicants. A discussion took place among the board members and Chairperson Flood will alert the codes office and work out a solution with them.

Chairperson Flood had detailed conversation with the Board members regarding the Zoning Application and changes to be made, along with the meeting schedule.

Mr. Burke requested the Zoning Board agenda and meeting minutes be posted as early as possible.

### **Decisions**

None

### **Adjournment**

Mr. Burke made a motion to adjourn the meeting at 8:29 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
April 15, 2008 – 7:00 p.m.**

### **PRESENT:**

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

### **STAFF PRESENT:**

Ronald Carr, Esq.

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

one

### **ABSENT:**

Donald Borsky  
Tom Dugan

The meeting was called to order at 7:01 p.m. by Chairperson Flood, followed by the Pledge of Allegiance. Mr. Burke moved to waive the reading of the public hearing notices. Mr. Feyl seconded the motion and it was unanimously approved.

**Public Hearings:**

**1. Cam-Met LLC  
5320 West Genesee Street  
Camillus, NY 13031**

**TM#: 035.-05-26.0**

**Area Variance: To allow one freestanding 68 sq. ft. sign & 11 ft. tall**

Mr. Burke motioned to continue the Public Hearing to May 6, 2008 and to have council notify the applicant that a decision will be made that evening. Mr. Feyl seconded the motion and it was unanimously approved.

**2. Stan and Joyce Pekala  
309 MacKay Avenue  
Syracuse, NY 13219**

**TM#: 045.-14-01.0**

**Area Variance: To permit the construction of an addition to an existing detached garage**

Mr. Stan Pekala of 309 MacKay Avenue appeared before the Board to discuss his application, stating that he and his wife have lived at this location for twenty years and as the garage is fine for storage, it needs to be expanded to hold their vehicle, therefore proposing a 22' x 26' two-story addition.

Mr. Burke questioned if the proposed addition would touch the existing shed. Mr. Pekala confirmed it would, commenting that the property line veers away from the proposed addition as you travel along Alice Street. Mr. Pekala stated the location of the addition would be 8' ft. behind the existing garage and 28' ft. from the corner.

Mr. Burke questioned the amount of clutter in the front yard. Mr. Pekala asked what is considered the front yard, Alice Street or MacKay Avenue. Chairperson Flood stated that when owning a property located on a corner, the owner has two front yards with two front yard setbacks.

Mr. Feyl questioned if a road cut would be put in along Alice Street and if so had an approval been received. Mr. Pekala stated they were putting another driveway in along Alice Street and that he did receive approval from the Highway Department.

Mr. Pekala approached the Board showing plans of the proposed addition, stating the addition will match the house.

Chairperson Flood questioned if the neighbors behind them had been notified of this proposed addition and if they had any problems with this request. Mr. and Mrs. Pekala said they did have conversations with the neighbors and they did not have any issues with the proposed addition.

Mr. de la Rosa commented that he felt that the proposed addition would be a lot for that property. Mrs. Pekala questioned if Mr. de la Rosa had driven by to see the property. Mr. de la Rosa confirmed he had. Mr. Pekala stated that from the standpoint of clutter the proposed addition would be an improvement.

Mr. Pekala stated that there are three full lots on the property. Mr. Burke stated that there had been three full lots; however, as per Town Code when there is single ownership, the lots must be merged into one conforming lot. Mr. Pekala stated that Mr. Burke was correct; they do have a 150' x 125' lot.

Chairperson Flood questioned if the current driveway would be connected to the proposed driveway. Mr. and Mrs. Pekala stated the two driveways would not be connected as they felt it would be confusing and dangerous to do so.

Mr. Feyl questioned if the pitch of the proposed roof would be the same as the garage. Mrs. Pekala stated she did not know the exact pitch but that it would not be the same as the existing garage as it would be slightly higher.

Chairperson Flood requested that only one person conduct the presentation to the Board, as it gets confusing and does not benefit anyone when two people try.

Mr. Burke stated that the house on the property is approximately 1,800 sq. ft., with an existing garage of 335 sq. ft., and a shed attached to the garage that is 160 sq. ft., with yet another shed on the back of the lot. Mr. Burke questioned why this 572 sq. ft. garage with a second floor was needed with what is known as a reasonable neighborhood house that is consistent with the neighborhood. Mr. Pekala stated that the house is consistent with the neighborhood but the existing garage is not, commenting that the garage is very small and that they cannot easily fit a vehicle in it.

Mr. Burke questioned why building a new sensible garage where the existing garage is currently located was not considered; as it would be very close to legal conformity. Mr. and Mrs. Pekala stated they would like to keep the existing to utilize it for storage. Mrs. Pekala stated that the majority of the homes built today have two full car garages with a side unit to store lawn mowers, riding lawn mowers, etc. and they do not have that, commenting that the existing garage cannot even house their vehicle due to its size. She stated that the proposed garage would be a usable two car garage while keeping the existing for the storage of such items as a riding lawnmower, snow blower, bikes, and mountain bikes, as they currently have no other storage as the home has no attic, and the basement is sub-level, having moisture issues, which make it an inappropriate place to store or save anything. Mrs. Pekala explained that the second floor on the proposed garage would be used for storing items such as holiday decorations, furniture, and so forth, eliminating clutter.

Mr. Burke questioned if they felt they had a need for over 1,000 sq. ft. of storage for their personal use. They stated they most definitely see the need for this storage. Mr. Burke commented that he felt it would be grossly overbuilt for the area.

Chairperson Flood questioned when the house was built. Mrs. Pekala stated it was built in the 1920's or about that time.

Mr. Feyl stated that he tends to lean towards Mr. Burke and feels in his opinion the better approach would be to remove the old garage and build a new one where the existing garage is currently located. He stated that he does not know of any car, with the exception of the applicants, that might have an issue with a 6' garage and therefore, cannot go along with the argument that it is hard to park a vehicle in it. Mrs. Pekala stated that the garage is 6' tall and 7' wide and has support posts coming down that make it almost impossible to get in and out of the car. Mr. Feyl stated again, in his opinion, he would rather see the old garage torn down and a new one built in its place, that would fit on the lot much better.

Mrs. Pekala stated that they have an estimate of \$28,000.00, explaining that tearing down the old garage would cost an additional \$8,000 - \$12,000 for the demolition and hauling, and they simply

cannot justify the expense. Chairperson Flood stated that the monetary expense would be taken into consideration.

Chairperson Flood commented that she, herself lives on Germania Avenue, in a house that was built in 1940 and has the same type of garage, pointing out that even a smaller station wagon would barely fit into her garage, expressing to the Board that one cannot always go by the measurements. She continued that she does understand why the applicant wants to build as she has the same issues with her garage and storage. Mrs. Pekala expressed her concern regarding the need to build a new garage, stating that the existing gazebo and flowerbeds would need to be removed.

Mr. Belle questioned if it would cost more to tear down the old garage and build a new one. Mrs. Pekala stated it would absolutely cost more and cannot assume the additional cost associated with doing so.

Mr. Carr questioned the estimated distance to the side property line. Mr. Pekala stated it was 2' in the beginning of the property, however, expands out the further you go. Mr. Carr stated that the variance, if granted, would need to be based on this distance. Mr. Carr continued a detailed discussion with the Board regarding the distance of the side property line and the requirements of the variance.

Mr. Pekala stated that he felt this was the best design they could come up with for this property.

Chairperson Flood 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.

### **Comments of the Public**

None

### **Comments of Town Officials**

None

### **Old Business**

Chairperson Flood had a detailed conversation with the Board Members regarding the Zoning Variance Application given by the Code Enforcement office and changes that have been made to it and to the application process.

Mr. Burke had detailed discussion with the Board members and council questioning the wording within the Zoning Application. Mr. Burke suggested that the Hearing Guide state the applicant or his/her representative be present at the time of Public Hearing. Mr. Carr stated that he would add a sentence to read as such.

### **New Business:**

None

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

Mr. Burke requested that on page two, the forth paragraph be changed to read as follows:

Mr. Hagan referred to the drawing submitted with the application, stating the sign they are asking for is 8 feet 6 inches high, with an area that is 6 feet x 8 feet, having a sign panel 2 feet x 8 feet.

Mr. Burke requested that on page four, the last sentence, under 'Comments of the Board' to be changed to read as follows:

Mr. Burke requested the Zoning Board agenda and meeting minutes be posted as early as possible.

Mr. de la Rosa moved to approve the minutes of the March 4, 2008 meeting as amended. Mr. Feyl seconded the motion and it was unanimously approved.

### **Vouchers**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$21.56.

A voucher was received from Sam Rao Florist Inc. for flowers sent on behalf of the ZBA totaling \$45.00.

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

### **Correspondence**

None

### **Comments of the Board**

Chairperson Flood thanked the Board for their gesture in sending her flowers while her mom had been ill.

Chairperson Flood commented that Mr. Borsky has not been feeling well and wanted all of the Board members to know.

### **Decisions**

**2. Stan and Joyce Pekala  
309 MacKay Avenue  
Syracuse, NY 13219**

**TM#: 045.-14-01.0**

**Area Variance: To permit the construction of an addition to an existing detached garage**

Chairperson Flood commented that knowing how the older homes are in that area, she herself has suffered and feels granting a variance in her opinion is not out of line and understands the need to do so.

Chairperson Flood motioned to grant a variance for the garage extension building with a variance permitting the encroachment of an accessory structure into the required front yard on Alice Street to a point no closer than 23' from the property line on Alice Street and a property line variance of 5'. Mr. Belle seconded the motion and because it was not unanimous the Board was polled:

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

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

Mr. Feyl motioned to rescind the resolution. Mr. Belle seconded the motion and it was unanimously approved.

Mr. Burke motioned to grant a 6' variance to the west property line setoff requirements and a variance permitting the encroachment of an accessory structure into the required front yard on Alice Street to a point no closer than 35' from the property line on Alice Street in order to permit construction of a 22' x 26', 18' high detached garage over the footprint and on the same location of the existing 18' x 18' detached garage. Mr. Feyl seconded the motion and because it was not unanimous the Board was polled:

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

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

**Adjournment**

Mr. Burke made a motion to adjourn the meeting at 8:29 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
May 6, 2008 - 7:00 p.m.**

**PRESENT:**

Joy Flood, Chairperson  
George Burke, Vice Chairperson  
Ronald Belle  
Tom Dugan  
Bob Feyl

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

one

**ABSENT:**

Rich de la Rosa

The meeting was called to order at 7:03 p.m. by Chairperson Flood, followed by the Pledge of Allegiance. Mr. Burke moved to waive the reading of the public hearing notices. Mr. Feyl seconded the motion and it was unanimously approved.

**Public Hearings:**

**1. Cam-Met LLC**

**TM#: 035.-05-26.0**

**5320 West Genesee Street  
Camillus, NY 13031**

**Area Variance: To allow one freestanding 68 sq. ft. sign & 11 ft. tall**

Chairperson Flood read a letter from James S. Hagan, informing the Board they would like to withdraw their application at this time. (See attached)

Mr. Burke moved to approve the request to withdraw the Cam-Met application without prejudice. Mr. Feyl seconded the motion and it was unanimously approved.

**2. Bernard Straile**

**TM#: 029.-01-19.1**

**5631 West Genesee Street  
Camillus, NY 13031**

**Area Variance: To permit a 5' wide x 2' high mounted sign**

Mr. Straile of Straile Chiropractics appeared before the Board to discuss his application. Mr. Straile stated that his intent for the proposed sign is to make the property look nicer, along with adding landscaping to give the building more character.

Chairperson Flood questioned the size of the proposed sign. Mr. Straile confirmed the requested sign is 5' wide and 2' high. Chairperson Flood questioned if the picture submitted with the application was a replica of what the requested sign would look like. Mr. Straile confirmed it was a replica, using the same type setting, with having the top line be a maximum of 10-12" and the bottom line a maximum of 6". Stating the background color is beige in matching with the building with reddish-brown lettering. Chairperson Flood explained that the Board would need exact measurements of the proposed sign and lettering.

Mr. Burke questioned who the owner of the property was and if any tenants occupied space. Mr. Straile confirmed that he was the owner of the property and that there are other tenants in the building. Mr. Burke noted that the property is zoned LBO not Commercial and does not see a need for the additional signage for identification of the building, stating signage is for identification purposes

not advertisement. Mr. Straile stated that he felt placing additional signage on the building would give the building more character and make it look much nicer.

Mr. Belle stated that he understands what Mr. Burke is saying, however, feels the building is very plain and a sign may dress it up.

Mr. Feyl stated that with a variance to the existing sign to include additional text, in his opinion, would be a much smarter idea instead of placing a new sign on the side of the building. Mr. Feyl also commented that planting shrubs and landscaping would improve the look of the building.

Chairperson Flood commented that her understanding of 'total wellness' equates to chiropractic, acupuncture, and massage. Stating the existing sign is very nice, however, there is a great deal of text on the sign, and in her opinion by the time you read the existing sign you will not see or even have time to read the proposed 'Total Wellness' sign on the side of the house. Within this section of West Genesee Street, people have a tendency to drive much faster than the 35mph speed limit and feels the proposed sign is a wasted effort. Chairperson Flood suggested shrubbery and possibly shutters, as it would dress up the building, and stated that she agrees with Mr. Feyl, in adding 'Total Wellness' to the existing sign.

Mr. Feyl requested that a comprehensive drawing be presented showing the Board what the existing sign would look like if considering to place 'Total Wellness' on it. Chairperson Flood reminded Mr. Straile that the drawing presented to the board must contain exact measurements of sign and lettering.

Mr. Feyl moved to continue the Public Hearing to June 3, 2008. Mr. Belle seconded the motion and it was unanimously approved.

**Comments of the Public**

None

**Comments of Town Officials**

None

**Old Business**

None

**New Business:**

1. **Stephen Potosky**  
**215 Horan Road**  
**Syracuse, NY 13209**

**TM#: 013.-03-01**

**Area Variance: To allow a 3' x 5' porch landing off the side of the house**

Mr. Dugan moved to declare this a Type II action under SEQRA and set a public hearing for May 20, 2008. Mr. Feyl seconded the motion and it was unanimously approved.

**2. Walt Provost**  
392 Northfield Way  
Camillus, NY 13031

**TM#: 037.-07-34.0**

**Area Variance: To allow a 12' x 17' shed**

Chairperson Flood read a letter from Tom Price, Camillus Code Enforcement Officer regarding this application. (See attached)

Chairperson Flood moved to declare this a Type II action under SEQR and set a public hearing for May 20, 2008. Mr. Feyl seconded the motion and it was unanimously approved.

**Minutes of Previous Meeting:**

Mr. Feyl moved to approve the minutes of the April 15, 2008 meeting. Mr. Belle seconded the motion and it was unanimously approved.

**Vouchers**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$19.64.

A voucher was received from Melvin & Melvin for legal fees totaling \$1,250.00.

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

**Correspondence**

None

**Comments of the Board**

Chairperson Flood commented that Mr. Don Borsky a dear and cherished Board member and friend passed away last week, and that he will be greatly missed by all on the Board and all within the community.

**Decisions**

None

**Adjournment**

Mr. Feyl made a motion to adjourn the meeting at 7:34 p.m. 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  
May 20, 2008 – 7:00 p.m.**

**PRESENT:**

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

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

one

**ABSENT:**

Bob Feyl

The meeting was called to order at 7:01 p.m. by Chairperson Flood, followed by the Pledge of Allegiance. Mr. Burke moved to waive the reading of the public hearing notices. Mr. de la Rosa seconded the motion and it was unanimously approved.

**Public Hearings:**

- 1. Stephen Potosky  
215 Horan Road  
Syracuse, NY 13209**

**TM#: 013.-03-01**

**Area Variance: To allow a 3 ft. x 5 ft. porch landing off the side of the house**

Mr. Burke moved to continue the Public Hearing to June 3, 2008 and to have council notify the applicant that a decision will be made that evening. Mr. Belle seconded the motion and it was unanimously approved.

- 2. Walt Provost  
392 Northfield Way  
Camillus, NY 13031**

**TM#: 031.-07-34.0**

**Area Variance: 12 ft. x 17 ft. shed**

Walt Provost appeared before the Board to discuss his application stating he would like to put up a shed on the southeast corner of his back yard. Mr. Provost noted that the eastern border would be 5 ½ ft. from the property line and 6 ½ ft. from the West Genesee Street property line.

Mr. Burke questioned the height of the shed. Mr. Provost stated that the shed would not be more than 10 ft. tall.

Chairperson Flood asked Mr. Carr if a variance was required with this being a rear yard. Mr. Carr stated a variance is not required and, in his opinion, it is indeed a rear yard. Mr. Carr stated that with this property, the building line is there to prevent homeowners from building accessory structures closer than 35 ft. off West Genesee Street. Noting that the front yard is clearly Northfield Way with no

doubt that the back yard is where Mr. Provost wants to place the shed and is permitted to do so with no violation remaining within 5 ft. off the property line, he stated his belief that Code Enforcement was interpreting this request within the front yard, when it clearly is within the back yard.

Mr. Belle questioned whether the shed would have a foundation. Mr. Provost stated that it would not however; it would have a 2 ft. x 6 ft. pressure treated wood floor.

Chairperson Flood 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.

### **Comments of the Public**

None

### **Comments of Town Officials**

None

### **Old Business**

None

### **New Business:**

**3. Gary Winters  
120 Male Ave.  
Syracuse, NY 13219**

**TM#: 042.-02-25.0**

**Interpretation: Request for interpretation of an "Open Porch".**

Mr. Burke moved to declare this a Type II action under SEQR and set a public hearing for June 3, 2008. Mr. Dugan seconded the motion and it was unanimously approved.

**4. Peter Donohoe  
5831 Ike Dixon Road  
Camillus, NY 13031**

**TM#: 022.-02-06.2**

**Area Variance: To permit a 4 ft. x 24 ft. garage addition in front of garage.**

Mr. de la Rosa moved to declare this a Type II action under SEQR and set a public hearing for June 3, 2008. 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 6, 2008 meeting. Mr. Belle seconded the motion and it was unanimously approved.

### **Vouchers**

None

## **Correspondence**

None

## **Comments of the Board**

Chairperson Flood noted that she received a letter from Tom Price, Town of Camillus Code Enforcement Officer, informing the Board that Sr. Patricia Mc Cafferty with Immaculate Conception Province in Chicago wish to build a small home for institutional use with sleeping accommodations. This would be located on the southern side of Chapel Drive behind Town & Country. At this time, the store has no objections to this request. This request would involve a Special Use Permit to be issued.

Mr. Carr commented that the Code Enforcement Office should not accept an application until making sure the application is completed in it's entirety with the 'Applicant Information' filled in. We received an application with missing information on the petitioner application.

## **Decisions**

1. **Walt Provost**  
**392 Northfield Way**  
**Camillus, NY 13031**

**TM#: 031.-07-34.0**

**Area Variance: 12 ft. x 17 ft. shed**

Mr. Burke stated that pursuant to Sections 604(D)(1) and 604(E) of the Municipal Code of the Town of Camillus, the applicant is permitted as a matter of right and without the necessity of variance, to place the proposed 12 ft. x 17 ft. storage shed into what is hereby determined to be the rear yard of the applicant's "through lot" located at 392 Northfield Way, Camillus, New York, such storage shed being located no closer than five feet from any property line. Mr. Dugan seconded the motion and it was unanimously approved.

## **Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 7:54 p.m. 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 3, 2008 – 7:00 p.m.**

**PRESENT:**

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

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

Five others

**ABSENT:**

None

The meeting was called to order at 7:01 p.m. by Chairperson Flood, 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. Bernard Straile  
5631 West Genesee Street  
Camillus, NY 13031**

**TM#: 029.-01-19.1**

**Area Variance: To permit a 5' wide x 2' high mounted sign**

Chairperson Flood read a letter from Mr. Bernard Straile, informing the Board that he would like to continue his application until November 2008.

Mr. de la Rosa suggested denying the application without prejudice, which would give the applicant the option to resubmit.

Mr. Belle questioned if the Board could consider the applicants' request, as a withdrawal.

Mr. Carr stated that he feels a motion to deny would be applicable; however, he believes to carry the application out until November stretches credibility. Should the Board deny the application without prejudice, it would be acceptable, as it would still constitute as a denial. Mr. Carr stated that the application should be republished, as it is different from the present application.

Mr. Burke made a motion based on the applicant's letter dated June 2, 2008, stating the Board considers the application withdrawn without prejudice. Mr. Dugan seconded the motion and it was unanimously approved.

Chairperson Flood closed the Public Hearing and asked that Mr. Carr notify the applicant.

**1. Stephen Potosky  
215 Horan Road  
Syracuse, NY 13209**

**TM#: 013.-03-01**

**Area Variance: To allow a 3 ft. x 5 ft. porch landing off the side of the house**

Mr. Potosky and Ms. Luda Matsyuk appeared before the Board to discuss their application, providing pictures to the Board for review. Ms. Matsyuk stated that a few years ago, her uncle (Mr. Potosky) installed a doorway, stairs, and landing on the side of the house, stating that the reason he did this was because a family who rented the property had problems getting their furniture into the house. Mr. Potosky commented that at the time he was not aware a permit was needed.

Chairperson Flood question who owned the house and if the house was being rented. Ms. Matsyuk stated that her uncle (Mr. Potosky) owns the property and does rent it out.

Chairperson Flood questioned the number of families that live within the house. Ms. Matsyuk stated that two families live in the house.

Chairperson Flood commented that she noticed the house had a doorway on the back part of the house and questioned its use. Ms. Matsyuk stated that there is a doorway on the back part of the house; however, with the placement of the stairway inside the house leading to the second floor, it is impossible to bring furniture in through that doorway.

Chairperson Flood questioned the functionality and use of the three doors and who accessed each of them. Ms. Matsyuk explained the use, functionality, and access of the three doors.

Mr. Feyl questioned the entrance door in the back of the house. Mr. Potosky stated that the entrance door with the concrete slab goes to the basement. Mr. Feyl commented that the side entrance would be a benefit from a safety standpoint for the tenants to have as an additional exit.

Chairperson Flood questioned if the side door entrance would be altered in anyway. Ms. Matsyuk stated that the entrance would not be altered in any way.

Mr. Burke commented that he disagrees with Code Enforcement, as this request is not a porch, however, is clearly a landing with a stairway only.

Mr. de la Rosa questioned if in addition to bringing in furniture could the side entrance door also be used as an exit. Ms. Matsyuk confirmed that it could be used as an exit, if the tenants wanted and knows the tenants like having a separate entrance.

Chairperson Flood questioned if one family was using the front entrance and the other family was using the entrance on the side of the house. Ms. Matsyuk stated that the two families do use separate entrances.

Chairperson Flood moved to close 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. Mr. Dugan seconded the motion and it was unanimously approved.

**1. Gary Winters  
120 Male Ave.  
Syracuse, NY 13219**

**TM#: 042.-02-25.0**

**Interpretation: Request for interpretation of an "Open Porch".**

Chairperson Flood commented that on June 24, 2008 at 7:00 p.m., the Town Board will be holding a public hearing to consider amending Chapter 30-Zoning, to restate the following: "Permitted Protrusions Into Front Yards in All Residential Districts-All single-family dwelling structures

constructed prior to July 25, 2000 may, in addition to the protrusions permitted by Section 602E, construct an open porch in the front yard setback. Such an open porch may extend the entire length of the house and may be 8' in width. Such an open porch shall be covered and that cover may be supported by columns and also have an open railing-system. Steps allowing access to such an open porch are additionally permitted". However, she stated that the Board can still go ahead with this application and make a ruling as it was submitted prior to this action.

Mr. Winters and Mr. Balcer appeared before the Board to discuss their application. Mr. Balcer commented that this request should be allowed and interpreted as an open porch, per the wording in the Town Code.

Mr. Balcer pointed out from the Town Code, Chapter-30, §602(F), some of the wording where he believes it is allowed.

Mr. Balcer points out two words from the Town Code, Chapter-30 §602(F), that are important when reading this code, words such as 'open' where it refers to an open porch and the word 'may'. Stating that when reading the code, one interprets the word 'may' as a permissive word, not a word that states you shall or must or that would be a legal requirement.

Chairperson Flood questioned the interest of building an open porch. Mr. Winters stated it would be used as an open porch and would like to bring the porch out 4 feet, running the length of the house.

Mr. Balcer approached the Board providing drawings of what the proposed open porch would look like.

Mr. Feyl questioned council if a variance was required. Mr. Carr stated if the application were interpreted as an 'open porch', there would be no variance required and disagrees with Mr. Price, as it is not meant to reduce the front yard. Continuing this is an allowed protrusion into the front yard if in fact interpreted as an 'open porch'. Mr. Carr commented that by dictionary definition, this application is clearly a deck; however, the code does not follow a strict dictionary definition. Therefore, an open porch under the definition as utilized in Chapter 30 §602(F), of the Code could be a deck, a roofless platform, or a roofed platform.

Mr. Burke commented that he disagrees as one has a cover and one does not.

Chairperson Flood commented that even though that part of the Code may be re-written, for now the Board must deal with how it reads today. Mr. Feyl commented that he agrees with Chairperson Flood in that the Board would need to base their decision upon how the Code is written today.

Mr. Burke stated that he knows part of the Code has a great deal of confusion between open and closed porches, continuing that a porch defined by any dictionary has a roof. Mr. Burke commented that going back on the basis of former decisions, specifically on Feldspar Drive this issue was discussed and was denied on the basis that it was not a porch, it was a patio. He then suggested that since this issue is coming up for legislative action, the Board table this hearing until a decision has been rendered and then act accordingly.

Chairperson Flood questioned if the metal awning, posts and concrete would remain. Mr. Winters stated that the metal awning and posts would be removed.

Chairperson Flood stated that she herself feels the Board needs to make a decision base on the existing law and sees no reason to table the Public Hearing.

Chairperson Flood moved to close 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. Mr. Dugan 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
George Burke	Voting	NO
Josephine Flood	Voting	YES
Ronald Belle	Voting	YES
Tom Dugan	Voting	YES

Chairperson Flood closed the Public Hearing.

**1. Peter Donohoe**  
**5831 Ike Dixon Road**  
**Camillus, NY 13031**

**TM#: 022.-02-06.2**

**Area Variance: To permit a 4 ft. x 24 ft. garage addition in front of garage.**

Mr. Donohoe appeared before the Board to discuss his application, stating he would like to extend his existing garage out 4 feet so he could fit his car in it. Commenting that even though the garage is 24 feet deep, only very short or compact cars fit in there because it is connection to the house.

Mr. Donohoe commented when building the house, he should have done this, however, at that time he did not have the finances to do so, but can now. Mr. Donohoe stated that when he built the house the set back was 50 feet and it has since changed. Commenting that he will be extending the peek of the roof out and it will be very difficult to tell that anything was even done.

Mr. Burke commented that when this house was built it was zoned R1, only requiring a 50 foot setback, however, now the zoning had been changed to RR, which requires a 75 foot setback.

Mr. Burke questioned the intent to move the front wall of the garage 4 feet forward while making no other changes. Mr. Donohoe confirmed that his only intent is to extend the garage out 4 feet. Mr. Burke asked to clarify the dimensions on the drawing. Mr. Donohoe approached the Board and clarified the dimensions for Mr. Burke.

Mr. Feyl commented that this house is always beautifully maintained, having a beautiful yard and even though the house was rezoned, suggested it could go back to the R1 zoning with the request for a zone change. Mr. Donohoe commented that he does appreciate this information.

Chairperson Flood moved to close 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. 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:**

1. Rick Hevier  
Kings Gate West  
8 Kings Court  
Camillus, NY 13031

TM#: 038.-02-32.0

**Area Variance: To permit two signs at the entrance of Kings Gate West off Hinsdale Road.**

Chairperson Flood moved to declare this a Type II action under SEQR and set a public hearing for June 17, 2008. Mr. Feyl seconded the motion and it was unanimously approved.

## **Minutes of Previous Meeting:**

Mr. Feyl moved to approve the minutes of the May 20, 2008 meeting. Mr. Belle seconded the motion and it was unanimously approved.

## **Vouchers**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$26.57.

A voucher was received from Eagle Newspapers for legal advertisements totaling \$27.72.

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

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

## **Correspondence**

None

## **Comments of the Board**

None

## **Decisions**

1. Stephen Potosky  
215 Horan Road  
Syracuse, NY 13209

TM#: 013.-03-01

**Area Variance: To allow a 3 ft. x 5 ft. porch landing off the side of the house**

Mr. de la Rosa motioned to approve the 3 ft. x 5 ft. landing with stairway, as it currently exists, granting an area variance of 4 feet. Mr. Feyl seconded the motion and it was unanimously approved.

**1. Gary Winters  
120 Male Ave.  
Syracuse, NY 13219**

**TM#: 042.-02-25.0**

**Interpretation: Request for interpretation of an “Open Porch”.**

Mr. Burke stated that he personally feels a porch is a porch and the representation here in this application is a deck. Stating that the code is remised in not addressing deck is separately but believes the intent within the code is limited to a porch namely a covered surface.

Mr. Feyl commented that one cannot make the correlation of what is in the dictionary because it has nothing to do with this application. Stating that there is nothing in our Code, indicating a porch must have a roof over it.

Chairperson Flood motioned that the Board interpret this protrusion into the front yard as an open porch as that term is provided for and utilized under Sec. 602F of the Code.

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

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

**1. Peter Donohoe  
5831 Ike Dixon Road  
Camillus, NY 13031**

**TM#: 022.-02-06.2**

**Area Variance: To permit a 4 ft. x 24 ft. garage addition in front of garage.**

Chairperson Flood commented that this application was very sloppy having several of things left open and missing information with no number requested for the variance.

Mr. Feyl motioned to grant a 14 foot front yard area variance. Mr. Burke seconded the motion and it was unanimously approved.

**Adjournment**

Mr. de la Rosa made a motion to adjourn the meeting at 8:16 p.m. 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 17, 2008 – 7:00 p.m.**

**PRESENT:**

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

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

John Fatcheric, Planning Board Chairman  
Bill Davern, 3<sup>rd</sup> Ward Councilor  
Two others

**ABSENT:**

None

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

**Public Hearings:**

**1. Rick Hevier  
Kings Gate West  
8 Kings Court  
Camillus, NY 13031**

**TM#: 038.-02-32.0**

**Area Variance: To permit two signs at the entrance of Kings Gate West off Hinsdale Road.**

Mr. Hevier appeared before the Board to discuss his application, providing additional drawings for review.

Mr. Hevier pointed out two comparisons with more than one sign, Elm Hill Plaza and Starlight Estates.

Chairperson Flood thanked Mr. Hevier, stating that the presentation was very detailed.

Mr. Burke pointed out that the only request pertaining to this application in front of the Zoning Board of Appeals is for the sign, stating the Elm Hill Plaza sign comparison is not a valid comparison as it is a commercial shopping center; noting that the Town Code does not recognize individual comparisons made between residential and commercial locations. Mr. Burke also stated that nothing in the Town Code specifically allows for double signage on two different road fronts; except in the case of a corner lot. He noted that while this piece of property is unique in that it has two road fronts, he agrees with the Code Enforcement Office's interpretation to allow the double signage for this application.

Mr. Burke noted that the Planning Board would need to take the required action pertaining to the proposed major landscaping improvements by way of a site plan application and the Town Board would need to take the required action pertaining to the proposed five-foot fence exception. He commented that the overall proposal would make a tremendous improvement to the site.

Mr. Hevier stated that they are only looking to get an Area Variance for the sign and simply to create a gated community concept that would improve the overall look of the property, understanding the requirements of involving other Boards for the landscape and fence proposals.

Chairperson Flood questioned if the square footage would be cut down from the existing 40 sq. ft. to 30 sq. ft. Mr. Hevier confirmed the square footage would be reduced.

Mr. Hevier commented that because the Code Enforcement Office stated that within Section 806© of the Camillus Town Code, particularly the part pertaining to multiple family building uses, the terminology 'signage' was not clear to Tom Price; therefore, the sign permit denial was prepared. Mr. Burke commented that he did not understand what within the code was unclear. Mr. Feyl explained that under Section 806© of the Town Code, the issue is the interpretation of the word 'signage' not limiting it to a single sign, stating the applicant has a right in their belief to have multiple signs.

Mr. Burke stated that if Section 806© of the code is confusing to some, that the issue should be addressed with the Town Board to make the wording understood and clear.

Mr. Carr noted that the code is further confusing by the use of the language entitled 'multiple family building sign'. He stated that the text 'a multiple family building use' may identify itself by the name of the project sight, however, there are a number of multiple family buildings on the sight otherwise referred to as a complex and the code does not refer to or deal with complexes.

Mr. Hevier commented that based on the frontage, 32.9 sq. ft. is allowed and the variance request is for a total of 61.2 sq. ft.

Mr. Carr clarified that on an established subdivision, one could have a sign with the subdivision name on both entry sides, and the confusion is that this is not a subdivision but a complex and the frontage of a property is the front upon which you are placing the sign.

Chairperson Flood commented that she interprets the main entrance as being on Hinsdale Road as this entrance leads directly to the rental office and is more of an entrance way.

Mr. de la Rosa stated that he does not have any issues with this request and feels it is good looking acceptable sign and would be an improvement and an asset concerning safety as one would be able to clearly read the sign.

Mr. Dugan stated he feels the project looks very clear and is decent.

Mr. Bell stated he has no questions and commented he thinks the sign looks good.

Chairperson Flood questioned the size of the lettering on the existing sign. Mr. Hevier stated he did not know the size of the existing lettering. She commented the paperwork is very clear and to the point stating she has no other questions.

Mr. Carr clarified that part of the application is for an additional sign so they have a sign on both sides of the entrance and should be a variance to the overall signage on the street frontage area.

Chairperson Flood questioned if the proposed sign would match the existing. Mr. Hevier stated it did not match exactly but that they do anticipate some time in the future replacing the existing sign on Milton Avenue and the directional signs within the complex to match.

Mr. Davern stated he liked what they are trying to do in making it look like a gated community and feels it will make a nice improvement to the property. Commenting he appreciates Mr. Burkes comment regarding changing the Code to get rid of any ambiguity within the code.

Mr. Fatcheric commented that if the applicant wanted to move the project forward the Planning Board has a meeting on June 23<sup>rd</sup> and technically the deadline is June 18<sup>th</sup> but they could hold it open if the applicant could get the information to the Planning Board Clerk this week. Mr. Hevier sated while he appreciates this offer he is in the process of gathering information on specifics and is looking to the first meeting in July, which would give him time to prepare.

Chairperson Flood moved to close 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. Mr. Dugan seconded the motion and it was unanimously approved.

### **Comments of the Public**

None

### **Comments of Town Officials**

Mr. Davern commented that Dunn Tire is going into that location down by Staples. He also commented that the Kinney's property sold, however, Kinney's has a long-term lease and will remain and that the Gillespie Road extension is going forward.

### **Old Business**

None

### **New Business:**

None

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

Mr. Feyl moved to approve the minutes of the June 3, 2008 meeting. Mr. Belle seconded the motion and it was unanimously approved.

### **Vouchers**

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

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

### **Correspondence**

None

### **Comments of the Board**

Chairperson Flood stated that she is still seeking a replacement for Don Borsky.

## Decisions

1. Rick Hevier  
Kings Gate West  
8 Kings Court  
Camillus, NY 13031

TM#: 038.-02-32.0

**Area Variance: To permit two signs at the entrance of Kings Gate West off Hinsdale Road.**

Mr. Burke motioned to confirm Code Enforcements decision as to the applicant being entitled to two street location signs in accordance with Section 806© and 806(E). Agreeing to allow two freestanding signs measuring 31 sq. ft. each in area to be located on both sides of the entrance to the apartment complex located on Hinsdale Road, with said variance subject to site plan and fence approval by other respective Town agencies, seconded by Mr. Feyl and unanimously approved.

## Adjournment

Mr. Feyl made a motion to adjourn the meeting at 8:46 p.m. 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  
July 15, 2008 – 7:00 p.m.**

### PRESENT:

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

### STAFF PRESENT:

Ronald Carr, Esq.

### GUESTS & MEMBERS OF THE PUBLIC:

Dave Cooke, 5<sup>th</sup> Ward Councilor  
Four others

### ABSENT:

None

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

## Public Hearings:

1. Shirley Wegerski  
200 Stonehedge Road  
Camillus, NY 13031

TM#: 059.-02-02.0

**Area Variance: To permit a 7' x 7' 6" enclosed Front Porch.**

Mr. Belle moved to declare this application a SEQR Type II. Mr. Dugan seconded the motion and it was unanimously approved.

Mr. Mark Flafaver, Nancy Wegerski, and Shirley Wegerski appeared before the Board to discuss Shirley Wegerski's application. Mr. Flafaver stated the addition that Shirley Wegerski is proposing is a 7 ft. x 7 ft. 6 inch enclosed porch to the front of the house.

Chairperson Flood questioned who was the owner of the property, and the relationship between Shirley and Nancy. Mr. Flafaver stated that Nancy is Shirley's daughter and that they are both owners of the property.

Mr. Flafaver stated that the enclosed porch would not be heated and will act as an entranceway into the home serving the purpose of a weather and security barrier.

Mr. Flafaver commented that he had a letter from Shirley's neighbor, Kathleen J. Whiting stating that she has no opposition to the proposed porch. Mr. Flafaver noted that the home is on a corner lot and that there is no neighbor to the right of them and the only neighbor to the left of them supports the project.

Chairperson Flood read into the record a letter from Kathleen J. Whiting, residing at 202 Stonehedge Road. (See attached letter)

Chairperson Flood commented that the application request is for an enclosed front porch, however, questioned whether the request isn't actually for an enclosed entranceway. Mr. Flafaver stated that Chairperson Flood was correct in that this is an enclosed entranceway. He commented that he did not know how to word it on the application for the town. Mr. Flafaver noted that if this request were denied, Shirley Wegerski would like permission to go ahead with a deck and columns only.

Chairperson Flood questioned whether the porch would match the home. Mr. Flafaver stated that the porch would match the home and would be insulated but not heated.

Mr. Feyl questioned whether this was to serve as a weather barrier and where the placement of the exterior door would be. Mr. Flafaver stated it would act as a weather barrier and that the exterior door will face south.

Mr. Feyl questioned whether the enclosed entrance would have chairs or seating and if the door facing south would be used as an entrance to the home. Shirley Wegerski stated it would not have chairs or seating and that the door would serve as the main entrance into the home. Nancy Wegerski commented that they also have a small child who lives in the house and having this enclosed entrance way would act as a security and privacy barrier, commenting that right now anyone could walk up to the front door and look directly into the house and her bedroom.

Mr. Belle commented that the application is for a 6ft. variance and questioned who the contractor would be. Mr. Flafaver stated that he would be the contractor working on this project.

Mr. Dugan commented that this application raises some concern, as he has not seen any enclosed porches on Stonehedge Road.

Chairperson Flood questioned whether the trees in the front yard were on their property. Nancy Wegerski stated that the trees were not on their property and were the property of Kathleen J. Whiting. Chairperson Flood stated that she also went up and down the street and observed no other properties with an enclosed porch.

Mr. Burke questioned why one needs such a large enclosed porch as opposed to a more moderate 4ft x 7ft porch if it will only be used to protect one's entrance. Mr. Flafaver stated that the additional space is needed and did not want the porch to look like a box on the front of the house.

Mr. Burke commented that this is one of the nicest, well-kept organized subdivisions around town, very orderly and there is not one penetration into the front yard setback. In granting a variance the Board would be setting a precedent and he is not in favor of doing so for such a well-maintained neighborhood.

Mr. Burke questioned whether there was an entrance from the garage into the house. Nancy Wegerski stated that they do have a door in the garage with access into the house; however, people tend to come to the front of the house.

Mr. Burke expressed his concern with this exception and stated that the applicant could place an open porch with a roof, not enclosed and containing windows and that would be legal.

Mr. de la Rosa questioned whether the storm door was needed if the porch would be enclosed. Mr. Flafaver stated that the storm door would be used on the outside of the enclosed entranceway.

Mr. Feyl commented that when these homes were built there was no consideration given to energy or heating costs, however, today people reinsulate their homes placing a second area in the front of their homes to shield from direct weather. He stated he does not have an issue with this request and that in his opinion similar projects have not been a detriment to the neighborhoods and are well kept.

Mr. de la Rosa stated he was in agreement with Mr. Feyl and his belief that it would save on energy costs to the homeowners and is a legitimate request.

Nancy Wegerski stated that the enclosed porch would also be used for placing boots, coats, and shoes along with serving the purpose of a weather barrier and for security/safety reasons with having a small child in the home.

Chairperson Flood moved to close 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. Mr. Dugan seconded the motion and it was unanimously approved.

### **Comments of the Public**

None

### **Comments of Town Officials**

Dave Cooke, 5<sup>th</sup> Ward Councilor, appeared before the Board stating he did go to the property and reviewed the requested variance, but did not further discuss this request with any of the neighbors. He stated he is leaving the decision up to the Board whether he should contact the neighbors to ensure that there is no opposition of this request.

## **Old Business**

None

## **New Business:**

None

## **Minutes of Previous Meeting:**

Mr. Burke requested that the first sentence on page four be changed to two separate sentences and read as follows:

Mr. Burke motioned to confirm Code Enforcement's decision as to the applicant being entitled to two street location signs in accordance with Section 806(C) and 806(E). Agreeing to allow two freestanding signs measuring 31 sq. ft. each in area to be located on both sides of the entrance to the apartment complex located on Hinsdale Road, with said variance subject to site plan and fence approval by other respective Town agencies, seconded by Mr. Feyl, and unanimously approved.

Mr. de la Rosa moved to approve the minutes of the June 17, 2008 meeting as amended. Mr. Feyl seconded the motion and it was unanimously approved.

## **Vouchers**

A voucher was received from Melvin & Melvin for legal fees totaling \$1,718.75

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

## **Correspondence**

None

## **Comments of the Board**

Chairperson Flood mentioned that a notification regarding Onondaga County Planning Federation Conference was received and that the conference will be held August 14<sup>th</sup> should any Board members want to attend.

Mr. Burke commented that he felt the January conference was not very good and useful to the Zoning Board as it was geared more towards Planning than Zoning issues.

Chairperson Flood noted that letters were received from Honeywell, which included the Onondaga Lake Cleanup Report and a survey to be completed by the members.

Chairperson Flood stated that the personnel committee upon her recommendation has offered the open Zoning Board of Appeals position to Keith DiBello of 615 Skyview Terrace. On July 22<sup>nd</sup> the position will be up for approval by the Town Board. This appointment will run until December of 2009.

## **Decisions**

1. Shirley Wegerski  
200 Stonehedge Road  
Camillus, NY 13031

TM#: 059.-02-02.0

**Area Variance: To permit a 7' x 7' 6" enclosed Front Porch.**

After a detailed conversation among the Board members, Mr. Carr and Mr. Cooke, a decision was postponed on the variance requested. Mr. Feyl motioned to continue this matter until the next Zoning Board of Appeals meeting scheduled for August 5, 2008, allowing Mr. Cooke time to contact the surrounding neighbors. Mr. de la Rosa seconded the motion and it was unanimously approved.

It was noted that there was no one present from the neighborhood to oppose this variance at the meeting.

**Adjournment**

Mr. Feyl made a motion to adjourn the meeting at 8:46 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
August 5, 2008 - 7:00 p.m.**

**PRESENT:**

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

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

Roger Pisarek, 1<sup>st</sup> Ward Councilor  
Dave Cooke, 5<sup>th</sup> Ward Councilor  
one other

**ABSENT:**

None

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

Chairperson Flood welcomed Mr. Keith DiBello as a new member of the Board and commented that the Board looks forward to his comments and wisdom.

## Public Hearings:

1. Tom Murphy  
1101 Barnwood Lane  
Camillus, NY 13031

TM#: 021.-03-21.0

**Area Variance: To permit the placement of a storage shed in front of the rear building line of the home.**

As Mr. Murphy failed to appear, Mr. Burke questioned if the applicant was aware that they needed to attend the meeting. Mr. Carr stated that the applicant was sent several documents notifying them of the Public Hearing and that he would send out another notice to the applicant if the Public Hearing was continued.

Mr. Burke questioned the covenants placed upon this development and if they had any impact upon this request. Mr. Carr stated that the private covenants have no bearing against the Town or any impact on this application, nor does the Town have the ability to enforce them.

Mr. de la Rosa moved to continue the Public Hearing until August 19, 2008 and to have Mr. Carr notify the applicant. Mr. Belle seconded the motion and it was unanimously approved.

Mr. Murphy entered the Board room at 7:20 pm. Mr. Burke motioned to rescind the previous motion. Mr. Dugan seconded the motion and it was unanimously approved.

Mr. Murphy approached the Board to show pictures of his house explaining each photo in detail.

Mr. Murphy stated he has a bad back and is proposing to build a shed off the end of his driveway that would allow him to store equipment such as the snowblower and lawnmower inside so it can be accessed easily. Mr. Murphy informed the Board that the property has a steep drop off to the backyard and placing the shed in the backyard would not serve that purpose.

Mr. Burke questioned if the property had sewers. Mr. Murphy stated that the property did not have sewers, however, does have a leachfield that would need to be taken into consideration.

Mr. Feyl questioned the size of the garage and if there was room for the snowblower in addition to two vehicles parked inside. Mr. Murphy stated that the garage is 22' deep and there was not enough room to house the snowblower.

Chairperson Flood questioned if the garage is a two car garage. Mr. Murphy confirmed that the garage is a two car garage.

Mr. Feyl commented that it should be understood that the property to the north of this property has over 60' to the property line along with a sizeable amount of land before you get to the neighbor's driveway and he also requested that some type of evergreens be planted for screening. Mr. Feyl suggested the shed be placed in the back corner of the driveway where the two snowmobiles are currently located.

Mr. de la Rosa noted that placing the shed back further on the property would be a challenge as the land drops off and a deck or some type of foundation would be necessary.

Chairperson Flood questioned the type of foundation to be placed under the shed. Mr. Murphy stated the shed does not need a foundation if placed where he is requesting to do so, but would have a gravel base.

Mr. Burke questioned the size of the shed. Mr. Murphy stated that the shed is 12' x 18' and would match the existing house. Mr. Burke commented that he finds the snowmobiles more annoying than anything else and suggests doing something about them. Mr. Burke questioned if the snowmobiles would be sitting along the driveway all winter. Mr. Murphy stated the snowmobiles will be put into storage for the months not used, but would most likely be sitting in the driveway during the winter season.

Mr. Feyl commented that placing the shed on the end of the 'T' in the driveway where the snowmobiles are currently located might be a better location for the shed; as it would be less noticeable to have the smaller portion of the shed facing the road.

Mr. Pisarek stated that he did speak to the next-door neighbor and there were no objections to this request, however, one resident of Fox Chapel did make a comment that other neighbors who had a shed were required to locate them far back in their yards. Mr. Pisarek stated that he personally does not like issuing variances as it opens up things among neighbors but does see some issues with the grading of the property.

Chairperson Flood noted that both neighbors have their sheds far back in the backyards. Mr. Murphy stated he was aware of this, however, to serve the purpose he is proposing, placing it in the backyard did not make any sense.

Mr. Feyl motioned to close the Public Hearing, seconded by Mr. Belle and it was approved unanimously. Chairperson Flood stated that a decision will be made within 62 days and the applicant will be notified, but it most likely would be decided tonight if he would like to stay.

### **Comments of the Public**

None

### **Comments of Town Officials**

None

### **Old Business**

None

### **New Business:**

1. **Richard Dukat**  
**109 Flint Path**  
**Syracuse, NY 13219**

**TM#: 067.-03-14.0**

**Area Variance: To permit a 8' x 16' shed 6" off the side yard property line.**

Mr. DiBello moved to declare this a Type II action under SEQRA and set a public hearing for August 19, 2008. Mr. Belle seconded the motion and it was unanimously approved.

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

Chairperson Flood requested page three be changed and read as follows.

'Mr. de la Rosa stated he was in agreement with Mr. Feyl and his belief that it would save on energy costs to the homeowners and is a legitimate request.'

Mr. de la Rosa moved to approve the minutes of the July 15, 2008 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 Eagle Newspapers for legal advertisements totaling \$21.66.

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

A voucher was received from Hummel's Office Plus for supplies totaling \$7.17.

A voucher was received from the Onondaga County Planning Federation for conference dues totaling \$65.00.

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

### **Correspondence**

None

### **Comments of the Board**

Chairperson Flood stated that the Planning Board has approached her that they are upgrading their equipment and have offered some of their equipment to the Zoning Board. Chairperson Flood stated that there is money in the budget for equipment. A lap top computer would need to be available to be used with the projector. She will be looking into this and will get back to the Board with details.

### **Pending Decision**

**1. Shirley Wegerski  
200 Stonehedge Road  
Camillus, NY 13031**

**TM#: 059.-02-02.0**

**Area Variance: To permit a 7' x 7' 6" enclosed Front Porch.**

Mr. Feyl requested that, since this decision was delayed primarily for Councilor Cooke, that the Board let Mr. Cooke speak first.

Mr. Cooke stated that he did a random sampling of the neighborhood, spoke to eight families on Stonehedge Road, there were no objections to the applicant's request, and he feels a decision should be based on that.

Chairperson Flood commented that the Board did receive a letter from the neighbor directly south of the property supporting the applicant's request.

Mr. Burke stated that he did not see any uniqueness as to why this request should be granted. Mr. Burke stated that if granted, this would be the very first in the area and he is not in favor of setting a precedent in such a well maintained area. He commented that if the applicant wants an additional room that there is plenty of room in the back of the house to build one. Mr. Burke stated that the definition the applicant gave for protecting their entrance did not make sense to him, as there is convenient accessibility through the garage to the house which would provide weather protection.

Mr. Feyl commented that the garage entrance to the house does not allow anyone access through that door as it is in the garage and one would not commonly go through someone's garage to enter a house.

Mr. Feyl stated fifty-seven years ago, cape homes did not allow the homeowner any privacy and what the applicant is asking for is a protection of the front door so when someone comes to the front door they are not looking directly into the bedroom.

Mr. Feyl stated that this house has minimal insulation and granting this variance would improve the efficiency of the house. Mr. Feyl noted that the applicant never stated it was to be used for storage.

Mr. Feyl noted that he fully agrees with the applicant's request and, as Mr. Cooke stated, no neighbors have any objections to this request and feel it is a benefit to the neighborhood. Mr. Feyl noted that he hopes more homes in the area will want to protect their entrance and feels as long as they do it in a very definitive smooth clean manner he finds nothing wrong with such a request.

Mr. Dugan stated that he feels that there is a need for the additional entry porch.

Mr. DiBello asked Mr. Cooke if he spoke to both long-term and short-term neighbors, as most long-term neighbors may have issues with this request.

Mr. Cooke stated he did speak to both long-term and short-term neighbors and no one he spoke to had any objections to this request.

Mr. de la Rosa stated that in his opinion the benefit of this request is to serve as weather barrier, improving energy efficiency and lowering costs to the homeowners.

Chairperson Flood noted that there were several pines located on the property more or less secluding the south side of the house.

Chairperson Flood commented that she tends to agree with Mr. Feyl, stating that people years ago were not as security conscious as they are today and she does feel this request has as much to with making their home more secure as it does for creating an enclosed entranceway.

Mr. Belle motioned to approve the application for a variance to include a 7' x 7' 6" enclosed porch, which requires a 6' variance. Mr. Feyl seconded the motion.

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

Josephine Flood	Voting	YES
Robert Feyl	Voting	YES
Ronald Belle	Voting	YES

Keith DiBello	Voting	YES
Richard de la Rosa	Voting	YES
George Burke	Voting	NO
Tom Dugan	Voting	YES

Chairperson Flood stated that the variance is granted.

**Decision**

**2. Tom Murphy**  
**1101 Barnwood Lane**  
**Camillus, NY 13031**

**TM#: 021.-03-21.0**

**Area Variance: To permit the placement of a storage shed in front of the rear building line of the home.**

Mr. Feyl made a motion to grant an accessory building subject to the following conditions: (1) that the shed be placed in the far northwest corner of the driveway with the 12 foot side of the shed facing Barnwood Lane; (2) that screening in the nature of plantings be provided along the north side of the shed; and (3) that the side of the shed facing Barnwood Lane have a stone finish similar to that of the applicant's house. Seconded by Mr. Dugan and it was unanimously approved.

**Adjournment**

Mr. Feyl made a motion to adjourn the meeting at 8:06 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus**  
**Zoning Board of Appeals**  
**August 19, 2008 – 7:00 p.m.**

**PRESENT:**

Joy Flood, Chairperson  
George Burke, Vice Chairperson  
Tom Dugan  
Rich de la Rosa  
Bob Feyl  
Keith DiBello

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

John Friske, Water Department Superintendent  
one other

**ABSENT:**

Ron Belle

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

**Public Hearings:**

**1. Richard Dukat  
109 Flint Path  
Syracuse, NY 13219**

**TM#: 067.-03-14.0**

**Area Variance: To permit a 8' x 16' shed 6" off the side yard property line.**

Mr. Dukat appeared before the Board to discuss his application, stating he has lived at Flint Path for thirteen years and loves being there. Mr. Dukat approached the Board explaining that he took into consideration the shed functionality he would have, as over the last three years he has had several illnesses and medical conditions. Mr. Dukat stated that having a shed would allow him to store equipment such as a snowblower, lawnmower and patio furniture inside so it can be accessed easily.

Mr. Dukat noted that the property does not lend itself to many areas where a shed could be placed, as an easement runs through the backyard. Mr. Dukat did note he tried to obtain permission from National Grid to place the shed on top of the easement; however, his request was denied.

Mr. Burke questioned the location of the fence with relation to the property line and easement. Mr. Dukat stated that the fence is 2' off the property line.

Mr. DiBello questioned if the fence would butt up against the shed. Mr. Dukat stated that the fence would butt up against the shed on both sides.

Mr. Dugan stated that the applicant's back yard is the nicest backyard he has seen in a long time and would be in favor of granting this request.

Mr. Feyl noted that the Board previously had an applicant who wanted to place a shed on an easement and Niagara Mohawk approved the applicant's request, so he questions why this request was denied.

Mr. Dukat stated he would love to place the shed in the backyard over the easement, however, is not able to do so as he contacted National Grid and spoke to an individual from the Real Estate Department, and was told his request would never be approved and was denied.

Mr. Feyl questioned if Niagara Mohawk was aware of the fence being placed over the easement. Mr. Dukat stated that Niagara Mohawk did come out to his house and approved of the fence, however, did not receive anything in writing.

Mr. de la Rosa questioned how Mr. Dukat planned to maintain the shed. Mr. Dukat stated that the shed would have vinyl siding with little need for maintenance, however, as needed he would make every attempt to maintain the shed.

Chairperson Flood questioned who owned the 20' of property along side of the proposed shed. Mr. Dukat stated that the Town of Camillus owns the property that runs along side of the proposed shed.

Mr. DiBello questioned what the base of the shed would consist of. Mr. Dukat stated that the base of the shed would be run-a-crush.

Mr. Burke commented that he feels this property is a unique piece of ground as National Grid has over 2,600 square feet of this property tied up with the easement and feels the requested location of the shed would be the best place for it.

Chairperson Flood questioned the height of the shed. Mr. Dukat stated that he did not know the exact height of the shed, however, does know it will be a cottage style shed. Chairperson Flood questioned if the neighbor to the north of this property were contacted and if they had any objections. Mr. Dukat stated that he did contact his neighbor to the north of him and that there were no objections.

Mr. Feyl motioned to close the Public Hearing, seconded by Mr. de la Rosa and it was approved unanimously. Chairperson Flood stated that a decision will be made within 62 days and the applicant will be notified, but it most likely would be decided tonight if he would like to stay.

### **Comments of the Public**

None

### **Comments of Town Officials**

Mr. Friske stated that he could understand why National Grid may have concerns with a shed being placed on a gas line, as this is a gas line easement.

### **Old Business**

None

### **New Business:**

None

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

Mr. Feyl moved to approve the minutes of the August 5, 2008 meeting. Mr. Dugan seconded the motion and it was unanimously approved.

### **Vouchers**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$21.66.

A voucher was received from Hummel's Office Plus for supplies totaling \$28.00.

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

### **Correspondence**

Chairperson Flood noted that the Camillus Agricultural Advisory Committee Picnic will be held on September 20, 2008 at the Sims Store, Erie Canal Park.

### **Comments of the Board**

Chairperson Flood stated that she did speak to Councilor Salanger regarding this application and noted that Councilor Salanger spoke to the applicant; stating he has no objections to this request and would be in favor of the Board granting this request.

### **Decision**

1. **Richard Dukat**  
**109 Flint Path**  
**Syracuse, NY 13219**

**TM#: 067.-03-14.0**

**Area Variance: To permit a 8' x 16' shed 6" off the side yard property line.**

Mr. DiBello made a motion to grant a 4.5 foot variance permitting the construction of a storage shed six (6) inches from the north side property line of the above-referenced property. Seconded by Mr. de la Rosa and it was unanimously approved.

### **Adjournment**

Mr. Feyl made a motion to adjourn the meeting at 7:37 p.m. 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**  
**September 16, 2008 - 7:00 p.m.**

#### **PRESENT:**

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

#### **STAFF PRESENT:**

Ronald Carr, Esq.

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

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

#### **ABSENT:**

Keith DiBello

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

## Public Hearings:

2. **Arnold Schmidt (Project Owner)**  
6687 Beach Road  
Syracuse, NY 13209

TM#: 010.-04-08.1

**Area Variance: To permit the construction of a 40' x 60' detached garage/barn that is situated in front of the rear of the principal building located on the same property.**

Mr. Schmidt appeared before the Board to discuss his application, stating he would like to place his garage/barn on the side of his house where it would not be visible from the road. Mr. Schmidt approached the Board handing out additional photos of the proposed garage/barn placement, stating the driveway splits in two directions, one going to the house and one going to the garage/barn with a paved area between the two buildings.

Chairperson Flood questioned why the house and garage/barn is so far back on the property. Mr. Schmidt stated that he likes his privacy and the beautiful view from the proposed location. Mr. Schmidt also noted that the house is a solar home that will face directly south, having electric collectors in the surrounding field.

Chairperson Flood questioned the intention of the additional building shown on the drawings. Mr. Schmidt stated that in the future he would like to sub-divide the property and build a house for his daughter. Chairperson Flood questioned if any commercial business endeavors are planned for this property. Mr. Schmidt confirmed that he does not have any commercial endeavors, informing the Board that he owns a building in Lakeland and runs a business out of it.

Mr. Burke commented that in his opinion, the applicant is in front of the Board because of the property being incorrectly zoned and feels with having thirty-two acres it should be zoned RR.

Chairperson Flood questioned what would be placed in the garage/barn. Mr. Schmidt stated that he would place his tractor, motor home, and other yard/household items in the garage/barn.

Mr. Feyl questioned if any of the property was designated as wet lands. Mr. Schmidt stated that possibly some of his land is wet lands, however he was not sure. Mr. Feyl questioned the purpose of the stakes laid out on the property. Mr. Schmidt stated that at some point he would like to subdivide the land for his daughter's house and was just playing around with where the house would be located. Mr. Feyl questioned the location of the driveway and if a driveway permit was obtained. Mr. Schmidt explained the location of the driveway and stated that he did obtain a driveway permit.

Kathy MacRae, 2<sup>nd</sup> Ward Councilor, stated she sent out notices to the neighboring homes and did receive one response, asking she ensure the proposed building would remain residential and would not be used for commercial use. Councilor MacRae commented that she does not foresee any issues with this request before us today.

Chairperson Flood questioned if there would be windows on the north side of the house or a deck. Mr. Schmidt stated that the north side of the house would have few windows in the kitchen area..

Mr. Burke motioned to close the Public Hearing, seconded by Mr. de la Rosa and it was approved unanimously. Chairperson Flood stated that a decision will be made within 62 days and the applicant will be notified, but it most likely would be decided tonight if he would like to stay.

## Comments of the Public

None

## **Comments of Town Officials**

None

## **Old Business**

None

## **New Business:**

None

## **Minutes of Previous Meeting:**

Mr. Belle pointed out that his name was left out under 'Absent' of the August 5, 2008 minutes.

Mr. Feyl moved to approve the minutes of the August 5, 2008 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 \$20.52.

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

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

## **Correspondence**

Chairperson Flood noted that the Camillus Agricultural Advisory Committee Picnic will be held on September 20, 2008 at the Sims Store, Erie Canal Park.

## **Comments of the Board**

Chairperson Flood noted that the Zoning Board of Appeals budget was submitted to the Town Board for review and approval with some line items changes. This would account more accurately the Board's expenses, but contained no increase to the budget.

Mr. Feyl requested that our clerk order the appropriate computer supplies for the members.

## **Decision**

- 1. Arnold Schmidt (Project Owner)  
6687 Beach Road  
Syracuse, NY 13209**

**TM#: 010.-04-08.1**

**Area Variance: To permit the construction of a 40' x 60' detached garage/barn that is situated in front of the rear of the principal building located on the same property.**

Mr. de la Rosa motioned to approve the location of a 40' x 60' detached garage/barn as submitted on the survey map dated 08/02/08 and at a point no closer to the front property line than 656' with permissible deviation of 10'. Mr. Burke seconded the motion.

Mr. Feyl stated he has an issue with this request, as the applicant should have been informed from day one when he received his permit of the rules and regulations. Mr. Feyl also noted he could see granting the applicant's request if there was a serious terrain problem, however in his opinion this is not the case. Mr. Feyl stated that now knowing there will be no windows on the north side of the house there would not be an issue as to one looking at the garage/barn from one's home. Mr. Feyl commented that a previous applicant living on Route 5 appeared before the Board to request a variance for a garage in front of his home due to the terrain and the amount of fill needed, the Board denied him. Mr. Feyl commented that the applicant then came back in front of the Board for a second time, meeting the Board half way by bringing half of the garage forward, which would require less fill and that is what the Board passed.

Chairperson Flood reminded the Board that Mr. Schmidt stated that windows would be facing out from the kitchen area located on the north side of the home.

Mr. Burke stated that the applicant did address why the garage/barn variance is being requested. Mr. Burke pointed out that having a driveway with a particular layout for easy access is the applicant's choice and he has the land to do so and the variance is for positioning only, not for an area variance due to lack of proper frontage.

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

Josephine Flood	Voting	YES
Robert Feyl	Voting	NO
Ronald Belle	Voting	YES
Keith DiBello	Voting	ABSENT
Richard de la Rosa	Voting	YES
George Burke	Voting	YES
Tom Dugan	Voting	YES

Chairperson Flood stated that the variance is granted.

### **Adjournment**

Mr. Feyl made a motion to adjourn the meeting at 7:40 p.m. 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  
October 07, 2008 - 7:00 p.m.**

**PRESENT:**

Joy Flood, Chairperson  
George Burke, Vice Chairperson  
Tom Dugan  
Rich de la Rosa  
Bob Feyl  
Ron Belle  
Keith DiBello

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

Two others

**ABSENT:**

None

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

**Public Hearings:**

None

**Comments of the Public**

Devin DeMao stated that he is a senior at West Genesee Senior High School taking part in a 'Participation in Government' class and is here to observe this evenings meeting.

**Comments of Town Officials**

None

**Old Business**

None

**New Business:**

**3. Aaron Manor**

**TM#: 044.-01-32.0**

**Michael Silberberg – Project Manager  
1 Gordon Parkway  
Camillus, NY 13031**

**Area Variance: To permit the construction of a second freestanding sign.**

Mr. Carr and the members of the Board had a detailed discussion regarding this application and the interpretation of §806-C of Chapter 30 of the Municipal Code.

Mr. Feyl questioned if this application needed to be referred to the County for review. Mr. Carr stated that this application did not need to be referred, as area variances are exempt.

Mr. de la Rosa moved to declare this a Type II action under SEQR and set a public hearing for October 21, 2008. Mr. DiBello seconded the motion and it was unanimously approved.

**4. Joe and Mary Browne  
94 Simmons Terrace  
Syracuse, NY 13219**

**TM#: 055.-08-14.0**

**Area Variance: To permit the construction of a 8' x 16' vestibule and porch to the front of the house.**

Mr. DiBello moved to declare this a Type II action under SEQR and set a public hearing for October 21, 2008. Mr. Burke seconded the motion and it was unanimously approved.

**Minutes of Previous Meeting:**

Chairperson Flood requested that a correction to a word be made on page three, under 'Comments of the Board'.

Mr. Feyl moved to approve the minutes of the September 16, 2008 meeting as amended. Mr. Belle seconded the motion and it was unanimously approved.

**Vouchers**

A voucher was received from Hummel's Office Plus for supplies totaling \$147.03.

A voucher was received from Melvin & Melvin for legal fees totaling \$687.50.

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**

Chairperson Flood noted that Election Day is Tuesday, November 4, 2008; therefore, the ZBA meeting will be moved to Thursday, November 6, 2008. Chairperson Flood also stated that as the year comes to an end, the ZBA will be having an organizational meeting and to keep in mind any suggestions or requests one might have.

**Decision**

None

**Adjournment**

Mr. Feyl made a motion to adjourn the meeting at 7:30 p.m. 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  
October 21, 2008 - 7:00 p.m.**

**PRESENT:**

Joy Flood, Chairperson  
George Burke, Vice Chairperson  
Tom Dugan  
Rich de la Rosa  
Bob Feyl  
Ron Belle  
Keith DiBello

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

Approximately 12 others

**ABSENT:**

None

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

**Public Hearings:**

**5. Aaron Manor**

**TM#: 044.-01-32.0**

**Michael Silberberg (Project Owner)  
1 Gordon Parkway  
Camillus, NY 13031**

**Area Variance: To permit the construction of a second freestanding sign.**

Mr. Steve Werner appeared before the Board stating he was appointed to represent Aaron Manor by the project owner, Michael Silberberg, as he could not make it this evening. Mr. Werner then proceeded to hand out additional pictures pertaining to this request.

Mr. Werner stated that Mr. Silberberg acquired the property in 2008 and is in the process of trying to spruce the place up, making it more presentable and appealing to residents, guests and the general public.

Mr. Werner stated that the property consists of 688ft. on Milton Ave. and about 254ft. on Gordon Parkway, of which is made up of 7 individual buildings, a garage and a large grassy common area for residence use.

Mr. Werner stated that the primary entrance is on Gordon Parkway. It is essentially for one way traffic as there is an exit off of Milton Ave. Mr. Werner also stated that if the additional signage is approved the existing sign will be removed.

Mr. Werner displayed photos of the proposed sign along Gordon Parkway and Milton Avenue as well as a photo of Timberlane Estates, to be used as a comparison, similar in nature of what they wish to do.

Mr. Werner noted that the second proposed sign is at the easterly end of the property along Milton Avenue and would replace the sign that is currently located on the shed.

Mr. Werner stated that the proposed signs would be two sided, made of wood, while keeping with the character of the neighborhood. He stated that no ground lighting pointing upwards or down, internally or externally would be used at all, as they would be strictly non-lit signs. These signs are meant to be more effective and will be used to identify the property for residents and guests.

Chairperson Flood questioned if the existing landscaping would stay. Mr. Werner stated that he was not aware of what Mr. Silberberg would do and thinks he is waiting until spring to make that decision.

Mr. Feyl questioned the size difference of the two signs and does not understand why one would need two different size signs with the proximity of both signs being so close. Mr. Werner stated that the traffic drives a little speeder even though there is a posted speed limit, along with the length of the property on Milton Avenue. The larger sign gives individuals more exposure to it and a chance to see it as they are approaching, opposed to passing the sign and having to turn around and come back.

Mr. Feyl stated that he does not agree with two different size signs as 600 feet is not a tremendous distance with posted speed limit signs in both directions.

Mr. Belle questioned if the sign along Gordon Parkway along with the sign on the shed would be removed. Mr. Werner stated that if the new signage was approved, both signs will be removed.

Mr. Dugan commended to Mr. Werner, that it is a nice effort to upgrade the property.

Mr. Burke stated that he finds fault with the Code Enforcement Office, as when referring to the Camillus Town Code, Sec. 802-E, which states that 'Buildings situated upon lots with frontage on more than one street are allowed the permitted signs for each street frontage'. Which means in his opinion the applicant is allowed 25.4 sq. ft. on Gordon Avenue and 40 sq. ft. on Milton Avenue and feels the applicant should not be here for a variance for two signs.

Mr. Carr stated that clearly the sign located on the corner of Milton Avenue and Gordon Parkway represents signage on Milton Avenue. Mr. Burke disagreed and feels it represents signage on Gordon Parkway, stating he does not feel a variance is needed for two signs as long as they stay within the size required by code.

After a detailed conversation among the Board and Mr. Carr regarding signage representation, it was stated that the two proposed freestanding signs are on Milton Avenue.

Mr. Burke questioned why the applicant feels a variance for set back relief is needed and why they are trying to place the signs so close to the street. Mr. Werner stated if they place the signs in the correct set back one sign would be within the parking area. Mr. Burke stated that during the winter one can have two feet of snow build up and does not know how visible the sign would be if placing it in the desired location.

Mr. DiBello questioned how long the sign would last being placed so close to Milton Avenue with the adverse weather conditions and the snow plows hitting the signs, as he would hate to have the signs look in poor condition come spring. Mr. Werner stated that he did not have a concern with the snow and snow plows.

Mr. de la Rosa stated that he thought about placing the sign closer to the pavement/parking lot, however, one might run into a problem with plowing the parking lot. Mr. de la Rosa questioned the

difference in size for the two signs. Mr. Werner stated the signs are two different sizes because that is what is allowed, commenting they will be identical in every other context except size.

Mr. Carr questioned how far away the first sign was from the entrance on Gordon Parkway. Mr. Werner stated it was approximately 6 ft. from the entrance. Mr. Carr confirmed that the sign on Gordon Parkway was 6 ft. from the entrance but the sign would be positioned 2.8 ft. off of Milton Avenue. Mr. Werner stated that that was correct and was innocently using the sign across the street as a comparison in wanting to do the same thing.

Mr. Feyl stated that sign number two is positioned where there is an exit and not an entrance and as the entrance to the complex is located where the sign on the west is, and as neither sign identifies 'entrance', one would assume that one looking for an apartment would come down Milton Avenue and pull into what is not an entrance but the exit. Mr de la Rosa stated that there is a directional sign informing drivers 'Do Not Enter'. Mr. Feyl questioned where the sign is located that states 'entrance' as so much emphasis is placed upon the sign, but the larger of the two signs is on Milton Avenue. Mr. Belle questioned where the rental office was on the property. Mr. Werner stated that he does not believe there is a rental office. Mr. Belle stated that he does not feel there is a problem with an entrance.

Chairperson Flood stated that she tends to agree that the stand alone sign will look larger with no distractions around it and suggests that both signs should be the same size.

Chairperson Flood questioned if moving the sign to extend the landscaping to bring it in would be a problem. Mr. Werner stated that he does not believe that would be an issue.

Chairperson Flood motioned to close the Public Hearing, seconded by Mr. Feyl and it was approved unanimously. Chairperson Flood stated that a decision will be made within 62 days and the applicant will be notified, but it most likely would be decided tonight if he would like to stay.

**6. Joe and Mary Browne  
94 Simmons Terrace  
Syracuse, NY 13219**

**TM#: 055.-08-14.0**

**Area Variance: To permit a 8' x 16' vestibule and porch to the front of the house.**

Mr. and Mrs. Browne, owners of this property appeared before the Board to discuss their application, stating the house is a small cape cod and they would like to build a vestibule and porch in front of it, which will take up the same area, not going any closer to the road. They would like to do this to serve as a weather barrier as it would help with energy conservation and also giving them a good size closet and a place for individuals to place their coats and shoes before coming into the house proper. Mrs. Browne submitted a document containing signatures from her neighbors that stated they have no objections to this proposed variance, noting that there was one neighbor that she was unable to contact and has no way of contacting him as he is in a nursing home.

Chairperson Flood questioned if the existing porch would be enlarged or remain the same size. Mrs. Browne stated it would include where the steps are now but remain the same size.

Mr. Belle questioned if part of the deck would remain. Mrs. Browne stated that the current deck would come down completely as a new foundation will be created and a new vestibule/porch built.

Mr. Feyl stated that he is a strong supporter of energy conservation and thinks it is a very smart move, while noting that in his opinion it makes perfect sense and commends the applicant for coming up with the idea.

Chairperson Flood motioned to close the Public Hearing, seconded by Mr. Feyl and it was approved unanimously. Chairperson Flood stated that a decision will be made within 62 days and the applicant will be notified, but it most likely would be decided tonight if he would like to stay.

**7. Daughters of Saint Mary's of Providence**

**TM#:056.-09-10.0**

**Joseph Scuderi (Project Owner)**

**Identified as lots 19, 20, 21 and 22 of Block 16, Lakelawn Tract**

**Special Use Permit: To build a convent with living quarters for the Sisters and rooms for ministry (Religious Education for Developmentally Disabled).**

Mr. Feyl moved to declare this application a Type II action under SEQR and set a public hearing for October 21, 2008. Mr. Dugan seconded the motion and it was unanimously approved.

Mr. Burke stated that the property in question had an encumbrance on it right now, going back to 1995 where a variance was granted by the Zoning Board of Appeals to allow parking for the then known Fay's Plaza Shopping Center, which included five properties on the south side of the center including the Scuderi property. Mr. Burke stated that before any action is taken upon by this Board as to a Special Use Permit, the open issues on this application would need to be resolved before any decisions are made. Mr. Burke referred to council for comment.

Mr. Tom Huges appeared in front of the Board representing his wife Mary Scuderi-Huges and Joe Scuderi, owners of the property, which was purchased in 1995 in their name and is now under the name Apple Drive Properties. He also stated that he along with Joe Scuderi is a co-owner of Town & Country and in no way do they own that lot as it is a separate entity owned by Joe Scuderi and Mary Scuderi-Huges and does not know how that would be encumbered by any parking for the plaza.

Mr. Burke stated that five properties were involved and encumbered back in 1995 pertaining to parking for the development. Mr. Burke expressed his concern regarding an Article-78 and recommended that the Planning Board get involved regarding this application for clarity.

After a detailed discussion among the Board regarding the ownership of the named property and the agreement pertaining to ancillary parking, Mr. Carr concurred that the application be sent back to the Planning Board for their review, along with being sent to the Onondaga County Planning Board for their review.

Mr. Carr stated that the way to go with this application would be in his opinion, to modify the present application and the 1995 Special Use Permit, as to ancillary parking restrictions set forth on this property and recommend they be released.

Sister Theresann Gehringer appeared before the Board stating that the purpose would be for religious education teachings, noting that the second floor would be for the two sisters residence with the first floor used for teachings of adult individuals with disabilities.

Mr. Burke questioned the number of students the facility would handle. Sister Theresann stated that it would more than likely be no more than eight. Mr. Burke also questioned the hours of operation. Sister Theresann stated that the hours of operation would be evening hours from 5:00 to 8:00 p.m..

Mr. Greg Sgromo appeared before the Board as project engineer providing pictures of the proposed convent for review.

Chairperson Flood motioned to continue the Public Hearing to November 18, 2008. Mr. Feyl seconded the motion and it was unanimously approved.

**Comments of the Public**

None

**Comments of Town Officials**

None

**Old Business**

None

**New Business:**

1. **Vavoline Oil / Fred Spicer**  
**4105 West Genesee Street**  
**Syracuse, NY 13219**

**TM#: 056.-02-04.0**

**Area Variance: To remove two existing mounted signs along with a freestanding sign and add three new signs that will be mounted on the building.**

Mr. DiBello moved to declare this a Type II action under SEQR and set a public hearing for November 06, 2008. Mr. Dugan seconded the motion and it was unanimously approved.

2. **W.G. Athletic Club, Inc. / Domenic Mazza**  
**6415 Pottery Road**  
**Camillus, NY 13031**

**TM#: 007.-01-14.2**

**Modification of an existing Special Use Permit: To allow use of the proposed trailer structure.**

Mr. de la Rosa moved to declare this a Type II action under SEQR and set a public hearing for November 06, 2008. Mr. Feyl seconded the motion and it was unanimously approved.

**Minutes of Previous Meeting:**

Mr. Feyl moved to approve the minutes of the October 7, 2008 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

**Vouchers**

A voucher was received from Eagle Newspapers for legal advertisements totaling \$52.75.

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

## Correspondence

None

## Comments of the Board

Chairperson Flood noted that anyone having pension hours must be submitted to the Comptroller by the week of November 18, 2008 before annual payroll is completed.

## Decision

### 1. Aaron Manor

TM#: 044.-01-32.0

Michael Silberberg (Project Owner)

1 Gordon Parkway

Camillus, NY 13031

**Area Variance: To permit the construction of a second freestanding sign.**

Mr. de la Rosa made a motion to approve an Area Variance for (1) a variance to permit two free standing signs on Milton Avenue, each measuring 24 square feet in area; (2) an eight foot variance as to the total area of signage permitted on Milton Avenue; and (3) a set back variance permitting one sign on the east side of the property to be setback 2.5 feet from Milton Avenue and the other sign on the west side of the property to be set back 2.8 feet off Milton Avenue and 2 feet from Gordon Parkway on the subject property. Mr. Belle seconded the motion.

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

Josephine Flood	Voting	YES
Robert Feyl	Voting	NO
Ronald Belle	Voting	YES
Keith DiBello	Voting	YES
Richard de la Rosa	Voting	YES
George Burke	Voting	NO
Tom Dugan	Voting	YES

Chairperson Flood stated that the variance is granted.

### 2. Joe and Mary Browne

TM#: 055.-08-14.0

94 Simmons Terrace

Syracuse, NY 13219

**Area Variance: To permit a 8' x 16' vestibule and porch to the front of the house.**

Mr. Feyl made a motion to approve an Area Variance to construct a 8 foot x 16 foot enclosed vestibule/porch to the front of the applicants' house, as well as an 8 foot front yard variance resulting in a 17 foot front yard set back on Simmons Terrace. Mr. Dugan seconded the motion. The variance requested was unanimously approved.

## Adjournment

Mr. Feyl made a motion to adjourn the meeting at 8:56 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
November 6, 2008 - 7:00 p.m.**

**PRESENT:**

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

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

Kathy MacRae, 2<sup>nd</sup> Ward Councilor  
Approximately four others

**ABSENT:**

Keith DiBello

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

**Public Hearings:**

**1. Valvoline Oil / Fred Spicer  
4105 West Genesee Street  
Syracuse, NY 13219**

**TM#: 056.-02-04.0**

**Area Variance: To remove two existing mounted signs along with a freestanding sign and add three new signs that will be mounted on the building.**

Chris Calabrese appeared before the Board representing Vavoline Oil to discuss this application, as Mr. Spicer was unable to attend. Mr. Calabrese handed out color photos of the proposed signs to the Board for review, stating Vavoline is looking to pursue a nation wide re-image to update their brand. Mr. Calabrese stated that they are looking to change the total square footage and the three new signs would be adding an additional 8 sq. ft.

Chairperson Flood questioned the location of the proposed signs. Mr. Calabrese stated that the existing signs facing the road will be removed and one of the proposed signs will be located to the left of the rear of the building, with the other two signs located on the top front of the building on the east

side. Mr. Calabrese noted they currently have two directional signs. He would like to remove one of them and relocate it further back so customers know where to enter the building bays. Mr. Burke commented that directional signs are not regulated by size under code so the Board should not be concerned.

Chairperson Flood stated that if a customer were heading west no one would see the sign until approaching the back of the building and so he may want to reconsider the location of the entrance sign.

Mr. de la Rosa stated that he had no objections to the proposed signs.

Mr. Burke questioned whether Valvoline had problems with customers getting onto the property. Mr. Calabrese stated that they do not have problems with customers pulling onto the property; however, they do have issues with customers knowing to go around to the back of the building to enter. Mr. Burke commented that 95% of Valvoline's customers are repeat business and so he does not see a need.

Mr. Buke questioned whether the proposed sign on the back and front of the building were going to be the same size and if the sign on the back was changeable. Mr. Calabrese explained that they would not be the same size and noted that the sign on the back of the building would be a changeable 32 sq. ft. sign with the sign on the front would be 43 sq. ft.

Mr. Belle questioned the existing directional signs in comparison to what was being proposed. Mr. Calabrese explained the current directional signs and what was being proposed.

Mr. Feyl questioned the size of the existing signage. After a detailed discussion between Mr. Feyl and Mr. Burke, Chairperson Flood stated that what Mr. Feyl is trying to state is that the applicant does not need a variance for 75 ft.

Mr. Burke stated that the applicant is not placing the sign on the front of the building which is the only building sign that is allowed, therefore, they need a variance to cover the east and west signage. Mr. Carr stated that a 31 ft. variance is needed for total signage with a variance allowing signage on both the east and west side of the building along with a statement that the total number of signage will be three signs.

Chairperson Flood motioned to close the Public Hearing, seconded by Mr. Feyl and unanimously approved. Chairperson Flood stated that a decision will be made within 62 days and the applicant will be notified, but it most likely would be decided tonight if he would like to stay.

**2. W.G. Athletic Club, Inc. / Domenic Mazza**  
**6415 Pottery Road**  
**Camillus, NY 13031**

**TM#: 007.-01-14.2**

**Modification of a Special Use Permit: To allow use of the proposed trailer structure.**

Mr. Domenic Mazza appeared before the Board to discuss the club's application for a Special Use Permit modification.

Chairperson Flood read into record a recommendation letter received from the Town of Camillus Planning Board with reference to this application (attached).

Mr. Mazza provided pictures to the Board for review, stating the proposed trailer is one of the trailers that is currently on site at Pensabene's Restaurant and it measures 45 ft. long by 9 feet wide.

Chairperson Flood questioned if the trailer was already gutted and requested confirmation that it will be used for storage. Mr. Mazza stated that the trailer currently had plumbing which will be removed and confirmed that it would be used strictly as a storage unit.

Mr. Feyl questioned the location with regard to Sandy McCarty's property. Mr. Mazza stated that he has not spoken to Ms. McCarty about this request. Mr. Feyl noted that he has no objections to this application as long as Ms. McCarty has no objections as it borders her property.

Mr. Belle questioned whether the trailer would be placed next to the blue shed on site and if the shed would be removed. Mr. Mazza stated that the small blue shed about 3 ft. wide x 6 ft. long will be removed. Mr. Belle questioned whether a concrete slab would be used. Mr. Mazza confirmed that it would be used and would comply with what ever the Code Enforcement office required.

Mr. Burke stated that in his opinion it is an ancillary use consistent with the use of what has been granted before.

Chairperson Flood stated that one of her concerns is that she does not want it to look like a trailer. Mr. Mazza stated that they plan to clean it up and paint it to make it look more presentable.

Chairperson Flood questioned the time line in getting the trailer over to the Warners Road location if the application is granted. Mr. Mazza stated that if the Coppertop Restaurant goes through, the trailer would need to be removed immediately and he does not have any other place to store the trailer until cleaning it up and painting it in the spring.

Mr. Carr stated that the Zoning Board would not deal with the parking/storage of the trailer and that it would be something the Code Enforcement office would regulate.

Mr. Mazza stated that this opportunity came up and it would save the Athletic Club a great deal of money if the board would allow the modification.

Mr. de la Rosa questioned whether the trailer would be anchored. Mr. Mazza stated that he was not sure.

Ms. MacRae, 2<sup>nd</sup> Ward Councilor stated that she did not get an opportunity to send out notices to the neighbors, but did speak to the Town Attorney regarding this as she was concerned about having a manufactured building. She stated that the key is to have it anchored on a slab adding that she does not have an issue with what they are proposing, however, she would request that Tom Price from the Code Enforcement office keep an eye on this request for possible deterioration of the structure.

Mr. Burke questioned Ms. MacRae whether there had been any complaints about the general appearance or complaints from the neighbors. Ms. MacRae stated that there has been nothing other than positive feedback.

Chairperson Flood motioned to close the Public Hearing, seconded by Mr. Feyl and it was approved unanimously. Chairperson Flood stated that a decision will be made within 62 days and the applicant will be notified, but it most likely would be decided tonight if he would like to stay.

### **Comments of the Public**

None

## Comments of Town Officials

None

## Old Business

None

## New Business:

1. **AT&T /Richard Buckley (Project Owner)** **TM#: 006.-01-05.1**  
**6118/6720 Devoe Road**  
**Camillus, NY 13031**

**Special Use Permit: For a 20' extension to an antenna with modifications.**

Mr. Dugan moved to declare this an unlisted action under SEQR and set a Public Hearing for November 18, 2008. Mr. Feyl seconded the motion and it was unanimously approved.

2. **Coppertop Restaurant** **TM#: 046.-01-01.1 &**  
**3380 & 3384 Milton Avenue** **TM#: 046.-01-01.2**  
**Syracuse, NY 13219**

**Area Variance: For new parking spaces 9' 6" x 18'.**

Mr. de la Rosa moved to declare this a SEQR type II and set a Public Hearing for November 18, 2008. Mr. Belle seconded the motion and it was unanimously approved.

## Minutes of Previous Meeting:

Mr. Feyl requested that the first sentence of the fifth paragraph, be changed and to read as follows:

*'Mr. Feyl stated that he does not agree with two different size signs as 600 feet is not a tremendous distance with posted speed limit signs in both directions.'*

Mr. Feyl moved to approve the minutes of the October 21, 2008 meeting as amended. Mr. de la Rosa seconded the motion and it was unanimously approved.

## Vouchers

A voucher was received from Melvin & Melvin for legal fees totaling \$1,500.00

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

## Correspondence

None

## Comments of the Board

Chairperson Flood noted that this year's organizational meeting would most likely be held on December 1, 2008.

### **Decision**

**1. Valvoline Oil / Fred Spicer  
4105 West Genesee Street  
Syracuse, NY 13219**

**TM#: 056.-02-04.0**

**Area Variance: To remove two existing mounted signs along with a freestanding sign and add three new signs that will be mounted on the building.**

Mr. Feyl motion to approve three signs; one sign measuring 33 ft., second sign measuring 32' and the third sign measuring 10 ft.; with in doing so replacing two signs on the east side of the building and one on the west is granted with the condition of having no freestanding sign. Mr. de la Rosa seconded the motion and it was unanimously approved.

**2. W.G. Athletic Club, Inc. / Domenic Mazza  
6415 Pottery Road  
Camillus, NY 13031  
Special Use Permit: To allow use of the proposed trailer structure.**

**TM#: 007.-01-14.2**

Mr. de la Rosa motion to approve the modification of the Special Use Permit to allow the placement of an accessory building on the property as indicated on the map and to be used for storage only use; with the conditions of meeting all recommendations set by the Town of Camillus Planning Board. Mr. Belle seconded the motion and it was unanimously approved.

### **Adjournment**

Mr. Feyl made a motion to adjourn the meeting at 8:06 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
November 18, 2008 - 7:00 p.m.**

**PRESENT:**

Joy Flood, Chairperson  
George Burke, Vice Chairperson  
Tom Dugan  
Rich de la Rosa  
Bob Feyl  
Ron Belle  
Keith DiBello

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

Jim Salanger, 4<sup>th</sup> Ward Councilor  
John A. Fatcheric , Planning Board Chairman  
Approximately 8 others

**ABSENT:**

None

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

**Public Hearings:**

**8. Daughters of Saint Mary’s of Providence**

**Joseph Scuderi (Project Owner)**

**Identified as lots 19, 20, 21 and 22 of Block 16, Lakelawn Tract**

**TM#:056.-09-10.0**

**Special Use Permit: To build a convent with living quarters for the Sisters and rooms for ministry (Religious Education for Developmentally Disabled).**

Sister Theresann Gehringer appeared before the Board to discuss her application. Sister Theresann Gehringer commented that the program will be geared towards religious education for developmentally disabled. Stating the program will run once every six weeks, which has currently been on Saturday evenings.

Chairperson Flood read into record the Onondaga County Planning Board and Town of Camillus Planning Board’s positive referral letters, as well as a letter from Mary E. Scuderi-Hughes. (See attachments)

Mr. Carr stated that upon researching the cross parking easements on this property, they do not exist and never did exist in record; therefore, these properties are not imposed with any parking restriction.

Mr. Carr stated that the record should show that both the architectural drawings and site plans have the approval and recommendations of both The Town of Camillus Planning Board as well as the County Planning Board with no conditions.

Jim Salanger, 4<sup>th</sup> Ward Councilor, stated for the record the Town Board meet with the sister’s back over the summer and at that time sent out a newsletter to the 4<sup>th</sup> ward and did not hear any objections from any resident. Mr. Salanger stated that the properties are zoned R-3 and that this request is acceptable for religious use with it’s close proximity to the church and it’s limited use and would be in favor of this request.

Mr. John Shults of 314 Hillbrook Road questioned why this application is in front of the Board, thinking it was for a zone changes.

Chairperson Flood stated that the reason the sisters are in front of the Board this evening is because they will need a special use permit for their use of the house but the zoning will remain R-3, noting this Board does not make change zones.

Mr. Shults expressed his concern that this did not set a precedence moving forward.

Mr. Feyl commented that if the sisters should move, the Special Use Permit would not remain with the property and is specific to the sister's special use.

Chairperson Flood motioned to close the Public Hearing, seconded by Mr. Feyl and it was approved unanimously. Chairperson Flood stated that a decision will be made within 62 days and the applicant will be notified, but it most likely would be decided tonight if she would like to stay.

**2. AT&T /Richard Buckley (Project Owner)  
6118/6720 Devoe Road  
Camillus, NY 13031**

**TM#: 006.-01-05.1**

**Special Use Permit: For a 20' extension to an antenna with modifications.**

Richard Buckley representing AT&T appeared before the Board to discuss this application stating they currently lease the property located on Devoe Road where the antenna is located. Mr. Buckley handed out documents showing the location of the property and tower stating the purpose for this request is to have coverage around 173 towards I-90, as it is currently a drop call zone.

Chairperson Flood stated while technology is difficult to understand, one would think that with new technology and satellites, the antennas would not have to be bigger and would be able to be used more efficiently. Mr. Buckley stated that as the number of usage and traffic carried over the network area increases this is needed. Mr. Buckley also pointed out, as there is always a public safety issue within this area as one knows it snows heavily and coverage is an issue. Mr. Buckley noted that Europe is all the way up to 80-85% levels.

Mr. Feyl questioned if Europe is up to 85% levels, why one does not see the cell towers all over the place and questioned what they were doing differently with technology that the United States is not. Mr. Buckley stated that he could not answer that as he did not know, however, has seen many towers.

Mr. Feyl questioned who would do the additional construction of the tower and if it would only benefit AT&T. Mr. Buckley stated that American Tower would hire it's own construction firm within their limitations and commented that it will benefit AT&T for the height extension, however, will also benefit the co-location because there will be another area in there and another carrier such as Pocket Communications, Metro PCS as well as other carriers that will need a co-locatable power to go on also.

Mr. Feyl noted that the existing tower has a clause in it, stating if and when one starts using satellite the existing company will remove the tower from the site and would not leave it abandoned and asks that the Board consider the 20' extension be included with the original tower so that it all would be removed at the same time.

Mr. Belle questioned if other existing towers are in need of extensions as well. Mr. Buckley stated that it is dependant upon the topography, area, and density.

Mr. Dugan questioned the current numbers of working towers for this area. Mr. Buckley stated he would guess anywhere from 70 to 120 along with several rooftop sites. Mr. Dugan questioned the number of towers for the Camillus area. Mr. Buckley stated that he believed there were about 4-5 towers throughout the whole area but does not know the exact number.

Mr. Burke questioned the location of alternate sites to be evaluated by the Board. Mr. Buckley stated that he did not have the alternate sites on the map. Mr. Burke commented that the applicant was not prepared to present the application, as the alternate sites must be reviewed by the Board prior to making a decision.

Mr. Burke stated that the legally non-conforming tower was put in before the code was revised back in 1991, and was placed in a rural area as it was a cornfield and is now a developing subdivision of the Town of Camillus. Stating that the subdivision of the property was made as such that this site is immediately adjacent to the subdivision and is right in the back yard of a one acre home site being built there and does not have enough room to do so. Mr. Buckley stated that the parcel owner's land is large enough for the set backs. If allowing for a landowner to do a subdivision of the property than one would need to consider a grandfather clause on the property as it was built prior to the subdivision of the property.

Mr. Burke stated that for every one-foot increase it would be a two-foot set back as the leased property is adjacent to a subdivision. Mr. Burke noted that what is currently there is legally there and questions how the applicant plans to expand the non-conformity. Mr. Buckley stated that the new portion would obviously not be grandfathered in and is something that would be addressed and need to look at.

Mr. DiBello questioned the elevations and tower dimensions with the proposed extension. Mr. Buckley corrected his statement as a miss read indicating it was a 97 ft tower to the proposed 118 ft with having the 21 ft extension.

Mr. de la Rosa commented that when reviewing the maps it seems that coverage really does not change but the increase would be for capacity more than coverage. Mr. Buckley stated that was correct as the existing capacity was over loaded right now and was more for capacity than coverage. Mr. de la Rosa questioned if it would require just new antennas rather than an increased height extension as the height is to get coverage not capacity as such, noting that new antennas could give capacity without height increase. Mr. Buckley stated that tests were conducted with existing antennas as the base line and with having; new antennas would still have an issue with capacity if not increasing the height. Mr. Buckley noted that AT&T did not want to propose an additional tower for increased coverage, thus is why they are asking for a minor extension to an existing tower. Mr. Buckley stated that customers are demanding coverage in and around the 173 and I-90 area.

Mr. Feyl stated that the individuals who would gain the most would be individuals who are on and using I-90 the Thruway. Mr. Feyl questioned if AT&T was trying to do the same thing Verizon is doing as they just put up a new tower in Warners, primarily for the Thruway coverage. Mr. Feyl stated that he has no objection to doing this but is just trying to understand and must go along with what Mr. Burke says, as when it has an adverse effect on a neighborhood one would have an issue with it. Mr. Feyl states what is existing there now is there and people who purchase a house know the cell tower is there, however, with a 20 ft. extension that they were not expecting would be an issue. Mr. Feyl notes that he does not see a benefit for the towns cell phone use, however, does see a benefit for the people that travel on the Thruway.

Chairperson Flood questioned the engineer's drawings and the number of antennas currently on site now.

Mr. Buckley noted that there are 12 antennas currently and would be brought down to 6 antennas with the extension, reducing the number of antennas.

Mr. Burke commented that the applicant come prepared to discuss this application with providing the alternate sites.

Mr. Burke questioned council on Section-1303 and if the Zoning Board had legal right to give a variance on the set backs. Mr. Carr confirmed the Board is totally vested and has the power to grant a variance should they choose to do so.

Chairperson Flood requested a motion to continue the Public hearing. Mr. Burke motioned to continue the Public Hearing to December 2, 2008. Mr. Dugan seconded the motion and it was unanimously approved.

**3. Coppertop Restaurant  
3380 & 3384 Milton Avenue  
Syracuse, NY 13219**

**TM#: 046.-01-01.1 &  
TM#: 046.-01-01.2**

**Area Variance: For new parking spaces 9' 6" x 18'.**

Robert J. Seigart representing Coppertop Restaurant appeared before the Board explaining the area variance request stating the major reason they are hear this evening is for parking needs of the restaurant.

Mr. Seigart met last week with the county Department of Transportation and Paul Czerwinski, the Town Engineer to review and discuss the county's comments. Noting they have come up with addressing the drainage issue along with changing the entrance with having two way traffic throughout the site.

Mr. Seigart commented that the current parking spaces are 9 ½ feet and are looking to match the existing size of parking spaces.

Chairperson Flood reminded the Board that the only thing the Board should focus on is the variance for the size of the parking spaces, which the existing spaces are that same size now.

Mr. de la Rosa stated he has a pickup truck and is difficult enough now getting in and out of parking spaces and as they get narrower, it gets more difficult

Mr. Burke stated that this is a unique application and though he has been a long advocate of 10' x 18' parking spaces, particularly because of the snowy weather, he will concede in a case like this with a bar/restaurant, one does not have customers coming in and out with packages. The use is only for the restaurant.

Mr. Feyl commented that if the Board can do it for Target, the Board could do it for Coppertop Restaurant.

Mr. Dugan commented that he was at the location today and did not see any concerns with the size of the current parking spaces.

Chairperson Flood noted that the site is being cleaned up considerably and feels the Town will be appreciative of that.

Chairperson Flood motioned to close the Public Hearing, seconded by Mr. Feyl and it was approved unanimously. Chairperson Flood stated that a decision will be made within 62 days and the applicant will be notified, but it most likely would be decided tonight if he would like to stay.

### **Comments of the Public**

None

### **Comments of Town Officials**

None

### **Old Business**

None

### **New Business:**

None

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

Chairperson Flood requested that under 'Comments of the Board' the organizational meeting should read December 2, 2008 not December 1, 2008.

Mr. Feyl moved to approve the minutes of the November 6, 2008 meeting as amended. Mr. de la Rosa seconded the motion and it was unanimously approved.

### **Vouchers**

Two vouchers were received from Eagle Newspapers for legal advertisements each totaling \$29.26.

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

### **Correspondence**

Chairperson Flood commented that the Town of Camillus Christmas party will be held on Saturday, December 6, 2008 at the Camillus Fire House and will be ten dollars per person.

Chairperson Flood also noted receiving the 2009 County Planning Board calendar.

### **Comments of the Board**

Chairperson Flood noted that this year's organizational meeting will be held on December 2, 2008.

### **Decision**

- 1. Daughters of Saint Mary's of Providence  
Joseph Scuderi (Project Owner)  
Identified as lots 19, 20, 21 and 22 of Block 16, Lakelawn Tract**

**TM#:056.-09-10.0**

**Special Use Permit: To build a convent with living quarters for the Sisters and rooms for ministry (Religious Education for Developmentally Disabled).**

Mr. Feyl motioned to approve the request for a Special Use Permit to operate and maintain a convent with living quarters and with rooms for ministry (religious education for developmentally disabled) on the above referenced property. Mr. DiBello seconded the motion and it was unanimously approved.

**2. Coppertop Restaurant  
3380 & 3384 Milton Avenue  
Syracuse, NY 13219**

**TM#: 046.-01-01.1 &  
TM#: 046.-01-01.2**

**Area Variance: For new parking spaces 9' 6" x 18'.**

Mr. Feyl motioned to approve the request for an Area Variance permitting the reduction of the minimum parking space size from 10' x 18' to 9'6" x 18' for the addition of new parking spaces to be added to the above mentioned property. Mr. Dugan seconded the motion and it was unanimously approved.

**Adjournment**

Mr. Feyl made a motion to adjourn the meeting at 8:06 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**Town of Camillus  
Zoning Board of Appeals  
December 2, 2008 - 7:00 p.m.**

**PRESENT:**

Joy Flood, Chairperson  
George Burke, Vice Chairperson  
Tom Dugan  
Rich de la Rosa  
Bob Feyl  
Ron Belle  
Keith DiBello

**STAFF PRESENT:**

Ronald Carr, Esq.

**GUESTS & MEMBERS OF THE PUBLIC:**

Roger Pisarek, 1<sup>st</sup> Ward Councilor  
One other

**ABSENT:**

None

Chairperson Flood called the meeting to order at 6:58 p.m., followed by the Pledge of Allegiance.

**Public Hearings:**

1. **AT&T /Richard Buckley (Project Owner)**  
**6118/6720 Devoe Road**  
**Camillus, NY 13031**

**TM#: 006.-01-05.1**

**Special Use Permit: For a 20' extension to an antenna with modifications.**

Chairperson Flood read into record an email received from Richard Buckley regarding the AT&T application for a special use permit, informing the Board that they would like to to continue the Public Hearing scheduled for this evening to the next meeting date. (See attached)

Chairperson Flood motioned to continue the Public Hearing to January 6, 2008. Mr de la Rosa seconded the motion and it was unanimously approved.

**Comments of the Public**

None

**Comments of Town Officials**

None

**Old Business**

None

**New Business:**

None

**Minutes of Previous Meeting:**

Chairperson Flood requested that the third paragraph be changed to read as follows:

*'Chairperson Flood stated that the reason the Sisters are in front of the Board this evening is because they will need a Special Use Permit for their use of the house but the zoning will remain R-3, noting this Board does not make zone changes.'*

Mr. Burke requested that fourth paragraph under Coppertop Restaurant be changed to read as follows:

*'Chairperson Flood reminded the Board that the only thing the Board should focus on is the variance for the size of the parking spaces, which the existing spaces are that same size now.'*

Mr. Feyl moved to approve the minutes of the November 18, 2008 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 \$1,062.50.

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

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

## **Correspondence**

Chairperson Flood read a letter she received from Mr. Dugan informing the Board that he has decided to retire from the Town of Camillus Zoning Board of Appeals once his term is completed in December of 2008.

Chairperson Flood thanked Mr. Dugan for his years of service on the Zoning Board.

## **Comments of the Board**

Mr. Dugan thanked the Board members and stated it has been a pleasure working with everyone.

Mr. Belle questioned if any members of the Board have received any information regarding the annual training seminars.

Chairperson Flood requested that Mr. Belle get on board with using the computer and email by February 1, 2009.

## **Organizational**

Mr. de la Rosa motioned to go into executive session. Mr. Feyl seconded the motion and it was unanimously approved.

Chairperson Flood motioned to return to regular session. Mr. Belle seconded the motion and it was unanimously approved.

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

Mr. Feyl made a motion to recommend Ms. Flood as Chairperson for 2009. Mr. de la Rosa seconded the motion and it was unanimously approved.

Mr. de la Rosa made a motion to recommend Mr. Feyl as Vice Chairperson for 2009. Mr. Belle seconded the motion and it was unanimously approved.

Chairperson Flood provided a proposed 2009 ZBA meeting schedule as listed below:

January 6<sup>th</sup> and 20<sup>th</sup>  
February 3<sup>rd</sup> and 17<sup>th</sup>  
March 3<sup>rd</sup> and 17<sup>th</sup>  
April 7<sup>th</sup> and 21<sup>st</sup>  
May 5<sup>th</sup> and 19<sup>th</sup>  
June 2<sup>nd</sup> and 16<sup>th</sup>

July 7<sup>th</sup> and 21<sup>st</sup>  
August 4<sup>th</sup> and 18<sup>th</sup>  
September 1<sup>st</sup> and 15<sup>th</sup>  
October 6<sup>th</sup> and 20<sup>th</sup>  
November 5<sup>th</sup> and 17<sup>th</sup>  
December 1<sup>st</sup> and 15<sup>th</sup>

Chairperson Flood requested that the recommendations as well as the 2009 ZBA schedule be provided to the Town Board.

**Adjournment**

Mr. Feyl made a motion to adjourn the meeting at 8:06 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, Clerk  
Zoning Board of Appeals

**A**

Aaron Manor	
Area Variance	51, 53, 58
AT&T - Richard Buckley	
Special Use Permit	62, 65, 70

**B**

Barnwood Lane #1101	
Area Variance	40, 44
Beach Road #6687	
Area Variance	48, 49
Browne, Joe and Mary	
Area Variance	52, 55, 58

**C**

Cam-Met LLC	
Area Variance	11, 15, 20
Christ Community Church	
Area Variance	1, 3
Coppertop Restaurant	
Area Variance	62, 67, 69

**D**

Daughters of Saint Mary's of Providence	
Special Use Permit	56, 64, 68
Devoe Road #6118/6720	
Special Use Permit	62, 65, 70
Donohoe, Peter	
Area Variance	24, 29, 31
Dukat, Richard	
Area Variance	41, 45, 47

**F**

Flint Path #109	
Area Variance	41, 45, 47

**G**

Gordon Parkway #1	
Area Variance	51, 53, 58

**H**

Hevier, Rick – Kings Gate West	
Area Variance	30, 32, 35
Horan Road #215	
Area Variance	21, 23, 26, 30

**I**

Identified as lots #19, 20, 21 and 22 of Block 16, Lakelawn Tract	
Special Use Permit	56, 64, 68
Ike Dixon Road #5831	
Area Variance	24, 29, 31

**K**

Kings Court #8	
Area Variance	30, 32, 35

**M**

MacKay Avenue #309	
Area Variance	15, 18
Male Ave #120	
Interpretation	24, 27, 31
Milton Avenue #3380 & 3384	
Area Variance	62, 67, 69
Murphy, Tom	
Area Variance	40, 44

**N**

Newport Road #6006	
Area Variance	6, 8
Northfield Way #392	
Area Variance	22, 23, 25

**P**

Pekala, Stan and Joyce	
Area Variance	15, 18
Potosky, Stephen	
Area Variance	21, 23, 26, 30
Pottery Road #6415	
Modifications of a Special Use Permit	60
Special Use Permit	63
Provost, Walt	
Area Variance	22, 23, 25

**S**

Schmidt, Arnold	
Area Variance	48, 49
Simmons Terrace #94	
Area Variance	52, 55, 58
Stonehedge Road #200	
Area Variance	36, 39, 42
Straile, Bernard	
Area Variance	20, 26

**V**

Valerino, Albert Jr.	
Area Variance	6, 8
Vavoline Oil	
Area Variance	57, 59, 63

**W**

W.G. Athletic Club, Inc.	
Modifications of a Special Use Permit	60
Special Use Permit	63
Warners Road #3644	
Area Variance	1, 3

Wegerski, Shirley	
Area Variance	36, 39, 42
West Genesee Street #4105	
Area Variance	57, 59, 63
West Genesee Street #5320	
Area Variance	11, 15, 20
West Genesee Street #5631	
Area Variance	20, 26
Winters, Gary	
Interpretation	24, 27, 31