Town of Camillus
Zoning Board of Appeals
January 17, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Mike LaFlair, 2nd Ward Councilor
Two others

ABSENT:
Joy Flood

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

PUBLIC HEARINGS:

1. **NextNav, LLC** **TM#: 023.-01-09.2**
   Michael Bortz
   5656 Ike Dixon Road
   Camillus, NY 13031

Special Use Permit: To install (1) one 7' whip antenna and (1) one small equipment cabinet.

Chairman Feyl read a letter into record received from the Camillus Planning Board. A copy of the letter is on file in the Town Clerk's office.

Mr. Allen Hinkley of Network Building & Consulting, LLC presented the application on behalf of NextNav, LLC.

Mr. de la Rosa questioned the applicant's interest in the subject property. Mr. Hinkley stated NextNav is a prospective tenant proposing the installation of (1) one 7' whip antenna and (1) one small equipment cabinet at the existing tower structure located at 5656 Ike Dixon Road.

Chairman Feyl questioned if the proposed alterations of the existing tower has been approved from the tower owner. Mr. Hinkley explained there is a current lease with the owner stating NextNav has the right to install the proposed whip antenna and cabinet.

Mr. Casey asked for a description of the proposed whip antenna. Mr. Hinkley stated the 7' whip antenna will be mounted to the existing cell tower, while referring to the site plan drawings, which provide further detailed explanation.
Chairman Feyl expressed concern with removal of the tower should technology be updated.
Mr. de la Rosa questioned who would be responsible for removal of equipment if no longer in use. Mr. Hinkley stated to his knowledge it would be the responsibility of the tower owner being Crown Castle.

Mr. Casey questioned if a structural analysis was provided. Mr. Hinkley provided explanation and confirmed a licensed engineer had provided the structural analysis.

Chairman Feyl explained that the FCC will not allow the Board to deny this application, however, for the sake of the Town, he feels requiring the applicant to provide contractual agreements and/or supplemental consent from tower owner must be provided to the Board prior to and/or as a condition approval.

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

OLD BUSINESS
None

NEW BUSINESS
None

COMMENTS OF TOWN OFFICIALS
Mr. LaFlair, 2nd Ward Councilor apologized for missing the last ZBA meeting as a member and thanked the members of the Board for their help and support over the past couple of years. Mr. LaFlair suggested that a cover sheet be submitted from the Code Enforcement providing proof of property owner's approval and unless signed by the property owner all applications should be deemed incomplete.

MINUTES OF THE PREVIOUS MEETING
Mr. Casey moved to approve the minutes of the December 20, 2011 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS
A voucher was received from The Post Standard for legal advertising totaling $74.97.

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

CORRESPONDENCE
None

COMMENTS OF THE BOARD
None

DECISION

1. NextNav, LLC **TM#: 021.-03-08.3**
Michael Bortz
5648 Ike Dixon Road
Camillus, NY 13031

Special Use Permit: To install (1) one 7' whip antenna and (1) one small equipment cabinet.

Mr. Casey moved to grant a modification of a previously issued special use permit to allow for the installation of one 7' whip antenna and one 4' x 4' equipment cabinet at the tower structure owned by Crown Castle International at 5656 Ike Dixon Road, Camillus, New York 13031, subject to the applicant's production of a lease agreement, licensing agreement and/or other appropriate documentation establishing (i) NextNav, LLC's authority to install the 7' whip antenna and the 4' x 4' cabinet and (ii) the landlord and/or licensor's consent to the modifications. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT

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

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
February 7, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Dave Callahan, 6th Ward Councilor
One other

ABSENT:
None

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

PUBLIC HEARINGS:

1. **Richard Ungerer** **TM#: 034.-02-07.0**
   110 Hawthorne Drive
   Camillus, NY 13031

Area Variance: To build a 20' x 24.3' addition reducing front yard setback from 35' to 16.9'. Also wanting to reduce the minimum 25' to 16.9'

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for February 7, 2012. Mr. Casey seconded the motion and it was unanimously approved.

Mr. Ungerer appeared before the Board to discuss his application for an Area Variance to build a 20' x 24.3' addition reducing the front yard setback from 35' to 16.9'.

Ms. Flood questioned the purpose of the proposed addition. Mr. Ungerer stated the addition is to accommodate a first floor master bedroom with walk-in closet, workout room and office for him and his wife as they both have medical conditions, which makes using stairs extremely difficult. Mr. Ungerer explained his wife tore her ACL; he had a hip replacement himself and will be undergoing a knee replacement.

Chairman Feyl and Mr. Casey discussed the possibility of only going out 16' from the house instead of 20', reducing the required variance and providing better visibility. Mr. Ungerer stated that while he could make do with reducing the addition to 16', he would prefer that the proposed 20' addition be considered.

Ms. Flood questioned if Mr. Ungerer spoke to any of his neighbors. Mr. Ungerer stated he has a letter from Dan Rizzo residing at 113 Thornton Circle north indicating they have no issues and fully support this request.

Chairman Feyl discussed the placement of the house located at 113 Thornton Circle North and stated he feels there would be no adverse effect on the neighborhood as this house already protrudes out.

Ms. Flood questioned if the second level of the house would be utilized or would be vacated. Mr. Ungerer stated the second level will be utilized by family and guests whom visit.

Ms. Otto stated that she herself sees no issues with this request from a legal standpoint. Stating Mr. Ungerer has shown there is no adverse aesthetic impact on the neighborhood and applicant has proven that he and his wife have real and legitimate health issues and cannot use stairs easily.

Mr. Casey and Mr. de la Rosa expressed their concern with visibility and stated that considering reducing the addition to 16' would be most acceptable compromise.

COMMENTS OF TOWN OFFICIALS

Mr. Callahan, 6th Ward Councilor stated that he did send a letter out to the surrounding neighbors and received no negative feedback. Further stating in his opinion there are no site issues or concerns.

After a detailed discussion among the Board, Ms. Otto and Mr. Ungerer, Mr. Pirro moved to close the Public Hearing. Mr. Casey seconded the motion and it was unanimously approved.

OLD BUSINESS

None

NEW BUSINESS

1. Mark Re **TM#: 028.-05-05.1**
109 Fireside Lane
Camillus, NY 13031

Area Variance: To build a 12' x 14' shed on the west side of the house, 3' from the property line and in front of the rear of the house.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for February 21, 2012. Mr. Casey seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the January 17, 2012 meeting. Ms. Flood seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from The Post Standard for legal advertising totaling $45.14.

A voucher was received from Hummel's Office Plus for supplies totaling $159.60.

A voucher was received from Hummel's Office Plus for supplies totaling $12.00.

A credit was received from Hummel's Office Plus for supplies totaling - $20.00.

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

CORRESPONDENCE
None

COMMENTS OF THE BOARD
None

DECISION

1. Richard Ungerer **TM#: 034.-02-07.0**
110 Hawthorne Drive
Camillus, NY 13031

Area Variance: To build a 20' x 24.3' addition reducing front yard setback from 35' to 16.9'. Also wanting to reduce the minimum 25' to 16.9'

Mr. Pirro moved to grant an 18.1' variance from the requirements of Section 602(B) of the Camillus Code and an 8.1' variance from the requirements of Section 602 (C) (2) of the Camillus Code to accommodate the requested 20' x 24.3' addition. Ms. Flood seconded the motion.

The motion was put to a vote:

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

Motion Carried.

ADJOURNMENT
Mr. de la Rosa moved to adjourn the meeting at 7:41 p.m.. Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
February 21, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
One other

ABSENT:
None

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

PUBLIC HEARINGS:

1. Mark Re **TM#: 028.-05-05.1**
109 Fireside Lane
Camillus, NY 13031

Area Variance: To build a 12' x 14' shed on the west side of the house, 3' from the property line and in front of the rear of the house.

Mr. Re appeared before the Board to discuss his application to build a 14' x 12' shed on the west side of his house, 3' from the property line. Purpose of which will be to store pool furniture and provide shelter during inclement weather. The shed would further serve as a cabana and would feature a sliding glass door.

Mr. Re approached the Board explaining the proposed placement of the shed. Chairman Feyl suggested an alternative location be considered. Mr. Re explained that the property does not lend itself to many areas where a shed could be placed, as the backyard elevation dips and there currently exists an underground electrical line through the backyard with a 14' x 6' fence surrounding the pool.

Mr. Re expressed concern, as there would be additional cost involved if considering an alternative location. Mr. Re explained to minimize cost he would like to remove two sections of the existing pool fence and in its place build the proposed shed. The proposed shed will have 8' walls, ceiling rafters and will not exceed 15' in height. Mr. Re further stated the shed will have white vinyl siding on three sides with upgraded vinyl shingle siding on the front side of the shed.

Mr. Pirro questioned if new fencing would be placed around the shed.
Mr. Casey questioned if the shrubs on the west side of the property would be removed. Mr. Re confirmed that two cedar shrubs would be removed. Mr. Re stated that the neighbor to the west side of his property does not utilize that side of his home, therefore, feels there will not be a negative impact to his neighbor. Mr. Re also stated that he would gladly obtain a letter from his neighbor stating he has no issues or concerns with this application.

Chairman Feyl suggested the meeting be continued, giving the applicant time to provide the following information:

- Measurements from the back corner of the house to the proposed location of the shed and how many feet forward the shed will be placed.
- Dimensions of the shed such as length/height/width.
- How many feet from the property line will the shed be placed.
- Impact to the neighbor on the west side of the property and a letter from the neighbor residing at 111 Fireside Lane stating he has no issues or concerns with the proposed application.
- Measurements of existing underground lighting and posts.

Ms. Flood referred Mr. Re to the hearing guide and indicated to Mr. Re that he should be prepared to answer the questions in the hearing guide.

After a detailed discussion among the Board, Ms. Otto and Mr. Re, Mr. Casey moved to continue the Public Hearing to March 6, 2012. Mr. Pirro seconded the motion and it was unanimously approved.

COMMENTS OF TOWN OFFICIALS
None

OLD BUSINESS
None

NEW BUSINESS
None

MINUTES OF THE PREVIOUS MEETING
Mr. de la Rosa moved to approve the minutes of the February 7, 2012 meeting. Ms. Flood seconded the motion and it was unanimously approved.

VOUCHERS
A voucher was received from The Post Standard for legal advertising totaling $42.08.

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

CORRESPONDENCE
None

COMMENTS OF THE BOARD
None

DECISIONS
None

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:37 p.m.. Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
March 6, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
One other

ABSENT:
Jerry Casey

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

PUBLIC HEARINGS:

1. **Mark Re** **TM#: 028.-05-05.1**
   109 Fireside Lane
   Camillus, NY 13031

Area Variance: To build a 12' x 14' shed on the west side of the house, 3' from the property line and in front of the rear of the house.

Mr. Re appeared before the Board to discuss his application to build a 14' x 12' shed on the west side of his house, 3' from the property line, the purpose of which will be to store pool furniture and provide shelter during inclement weather. The shed would further serve as a cabana and would feature a sliding glass door.

Mr. Re approached the Board providing a letter from his neighbor Mr. David Sansone of 111 Fireside Lane. The letter states that Mr. Sansone has no problem with Mr. Re's application to build a 14' x 12' shed 3' from his property line between their side yards.

Chairman Feyl suggested once again that an alternative location be considered. Mr. Re explained that the property does not lend itself to many areas where a shed could be placed and the location of the proposed shed is on the side of the house his neighbor does not use. Mr. Re further explained that placing the shed where Chairman Feyl suggested would block the stairway and beautiful view to his backyard and would look terrible.
Chairman Feyl stated that if it is feasible to choose an alternative location, then why would the Board even consider granting this variance, creating more variances than one would technically need. Chairman Feyl further explained that Mr. Re is willing to remove shrubs, therefore breaking down the barrier between his yard and the neighbor's yard and exposing the neighbor to a white wall. Mr. Re stated that if he could place the shed within his backyard and the beauty of the backyard would remain, he would do that, but it would look awful.

Ms. Flood suggested another alternative location. Mr. Re stated that her suggestion would block the flow of his backyard and existing stairway. Mr. Re stated that his neighbor has no problem at all with his request and hopes the Board takes that into consideration.

Chairman Feyl stated that granting this variance would go with the land and if a new neighbor was to move in the new neighbor may have concerns with the proposed placement of the shed. Mr. Re stated that he would never hinder the value of his property or surrounding properties.

Mr. Re stated that he wants to do things the right way and doing so will enhance his property, further explaining placing the shed in the alternative locations would hurt his property value and his enjoyment of his property.

Ms. Flood stated that, in her opinion, that if the neighbor does not have an issue with looking at the back of the shed it should not be taken into consideration as many residents look at the backs of sheds.

Mr. Re provided additional photos and measurements as requested by the Board. Mr. Re stated that the proposed location of the shed would begin 8' forward from the back corner of the house will have 8' walls, ceiling rafters and will be 12' in height. Mr. Re explained in detail the placement of the existing underground lighting and posts.

Ms. Otto questioned the distance of the proposed shed to the neighbor's dining room, or side of the house. Mr. Re stated that the shed would be about 27' to the neighbor's side of the house.

Ms. Flood questioned if the garage would be able to accommodate storage of the lawn furniture. Mr. Re stated that he does not have room within his garage to store the pool furniture because he stores other things in his garage. Ms. Flood suggested, yet another alternative for placement of the furniture, right outside the garage.

There was discussion among the Board and Mr. Re to use the porch for storage of the furniture. Mr. Re indicated he has no room on the porch to store the furniture.

Mr. Re stated that the shed would not even be viewable from the road as it is set back far enough. Mr. Re stated that he hopes the Board take into consideration his request, as it will be beautiful and makes the most sense to him.

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

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

1. Americu Credit Union **TM#: 040.-01-12.1**
5214 West Genesee Street
Camillus, NY 13031

Area Variance: To place aluminum letters on face of the building.

Mr. Pirro moved to declare the application a SEQR Type II and set the Public Hearing for March 20, 2012. Ms. Flood seconded the motion and it was unanimously approved.

2. Honeywell International **TM#: 011.-01-26.1**
Airport Road & Nine Mile Creek **TM#: 011.-01-29.1**
Camillus, NY 13031

Special Use Permit: Fishing & Canoe Launch Access - Outdoor recreation use requires a Special Use Permit if located in an R-3 zone district.

Mr. de la Rosa moved to declare the application an Unlisted Action under SEQR and set the Public Hearing for April 3, 2012, and will be referred to the Camillus Planning Board and County Planning. Ms. Flood seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the February 21, 2012 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from The Post Standard for legal advertising totaling $42.84.

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling $1,762.50.

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

CORRESPONDENCE

Chairman Feyl asked that the Board members make sure they have enough training credit in to meet this year's requirement.

COMMENTS OF THE BOARD

None

DECISIONS

1. Mark Re **TM#: 028.-05-05.1**
109 Fireside Lane
Camillus, NY 13031

Area Variance: To build a 12' x 14' shed on the west side of the house, 3' from the property line and in front of the rear of the house.

Mr. Pirro moved to approve the placement of a 14' x 12' shed, not to exceed 15' in height, 3' from the west property line and 22' in front of the rear corner of the house. Mr. de la Rosa seconded the motion. The motion was not unanimously approved.

The motion was put to a vote:

Ayes:	Mr. de la Rosa, Ms. Flood
Nos:	Mr. Pirro, Chairman Feyl
Absent:	Mr. Casey

Motion Denied

ADJOURNMENT

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

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
March 20, 2012 - 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Steve Pirro
Joy Flood

ABSENT:
Jerry Casey
Richard de la Rosa, Vice Chairman

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Mike LaFlair, 2nd Ward Councilor
Tom Price, Code Enforcement Officer
Five others

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

PUBLIC HEARINGS:

1. Americu Credit Union **TM#: 040.-01-12.1**
5214 West Genesee Street
Camillus, NY 13031

Area Variance: To place aluminum letters on face of the building.

Chairman Feyl stated that the Board had previously provided Americu with an explanation per Sec. 807 of the Camillus Town Code, stating signage is not allowed on the face of the building within an LBO zone. Chairman Feyl explained that there is no property within the town of Camillus that has lettering on the face of the building within an LBO zone and further explained that the town does not want to disturb a residential area with commercial signage.

Chairman Feyl stated that all businesses within an LBO are allowed a 24sqft freestanding sign and that there are a number of LBO businesses that emphasizes the property number on the face of the building. Chairman Feyl also explained that directional signage such as 'in' and 'out' are allowed.

Mr. Michael Britton appeared before the Board to discuss the application for an area variance. Purpose of which would be to place aluminum letters on the face of the building. Mr. Britton stated that most Americu's building will typically have gable ends to allow for lettering which would be highlighted by LED lighting, however, respects Chairman Feyl's statement and does not see how he could convince the Board differently.

Mr. Britton explained that Americu was presented a low profile monument sign that has been approved, which they are extremely happy with. Mr. Britton further explained he was sent here this evening to try to obtain an Area Variance and cannot blame Americu for trying. Mr. Britton stated that Americu has been previously made aware that this most likely would not be approved.

Ms. Flood stated since the property has never ever been developed people will certainly recognize the Americu building. Ms. Flood also stated in her opinion she felt since the intersection is not extremely busy there is no need for lettering on the building.
Ms. Otto questioned if this request was for a second sign in addition to existing signage. Mr. Britton confirmed it was a request for a second sign.

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

2. Honeywell International **TM#: 011.-01-26.1**
Airport Road & Nine Mile Creek **TM#: 011.-01-29.1**
Camillus, NY 13031

Special Use Permit: Fishing & Canoe Launch Access - Outdoor recreation use requires a Special Use Permit if located in an R-3 zone district.

Ms. Flood moved to set the Public Hearing for March 20, 2012. Mr. Pirro seconded the motion and it was unanimously approved.

Chairman Feyl read a letter into record received from the Camillus Planning Board. A copy of the letter is on file in the Town Clerk's office.

Mr. Craig Milburn and Mr. Marc Dent presented the application on behalf of Honeywell International. The purpose of the application is for an environmental improvement project to create a trail that provides public access to the Erie Canal for canoeing and fishing.

Chairman Feyl asked who would be responsible for maintenance on the project. Mr. Milburn stated Honeywell and the DEC would be responsible. Mr. Pirro asked if the facility was planned to be open 24 hours, seven (7) days a week. Chairman Feyl expressed concerns regarding the hours of operation, and encouraged dawn to dusk operation as per the Camillus Planning Boards suggestion and that identifying signage be placed.

Chairman Feyl questioned who would be responsible for the maintenance after Honeywell International fulfills the 5-year agreement. Mr. Milburn stated it would be up to the DEC to make the final determination and would be made later. Chairman Feyl asked for clarification that after the 5-year commitment was fulfilled the Town of Camillus in no way would be responsible for maintenance or upkeep. Mr. Milburn stated that to his knowledge it would not be the responsibility of the Town.

Mr. Milburn explained that Honeywell International has solicited input from a number of groups including the NYS Department of Environmental Conservation (DEC), Nine Mile Creek Conservational Council, Onondaga County Federation Sportsmen Club and the Onondaga County Fisheries Advisory Board which have all provided input to enhance this project for the benefit of the community.

Mike LaFlair, 2nd Ward Councilor stated that he feels this is a great project, which would improve our community's waterways and bring enthusiasts to the community.

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

COMMENTS OF TOWN OFFICIALS
None

OLD BUSINESS
None

NEW BUSINESS
None

MINUTES OF THE PREVIOUS MEETING
Ms. Flood moved to approve the minutes of the March 6, 2012 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS
None

CORRESPONDENCE
None

COMMENTS OF THE BOARD
None

DECISIONS

1. **Americu Credit Union** **TM#: 040.-01-12.1**
   5214 West Genesee Street
   Camillus, NY 13031

Area Variance: To place aluminum letters on face of the building.

Ms. Flood moved to grant additional sign on the face of the building. Mr. Pirro seconded the motion.

The motion was put to a vote:

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

Motion Denied

2. **Honeywell International** **TM#: 011.-01-26.1**
   Airport Road & Nine Mile Creek **TM#: 011.-01-29.1**
   Camillus, NY 13031

Special Use Permit: Fishing & Canoe Launch Access - Outdoor recreation use requires a Special Use Permit if located in an R-3 zone district.

Mr. Pirro moved to grant a Special Use Permit to allow a fishing and canoe launch for a term of five years conditioned upon the Planning Boards requests as outlined. Ms. Flood seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. Pirro moved to adjourn the meeting at 7:26 p.m.. Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
April 17, 2012 - 7:00 p.m.

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

ABSENT:
None

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Mike LaFlair, 2nd Ward Councilor
Bill Davern, 3rd Ward Councilor
Dave Callahan, 6th Ward Councilor
11 others, including Stephen McMahon

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

PUBLIC HEARINGS:

1. **Douglas & Stephanie McCall** **TM#: 005.-03-08.1**
   6429 Newport Road
   Warners, NY 13164

Special Use Permit: Proposed fine arts & education center (P-7) requires a 'Special Use Permit' within an LBO district.

Ms. Flood moved to declare this application an Unlisted Action and set the Public Hearing for April 17, 2012. Mr. Casey seconded the motion and it was unanimously approved.

Chairman Feyl read a letter into record received from the Camillus Planning Board requesting the Public Hearing be continued until correcting the lighting and parking issues. A copy of the letter is on file in the Town Clerk's office.

Mr. and Mrs. McCall appeared before the Board to discuss their application for a Special Use Permit, the purpose of which would be to operate a fine and performing arts center to people of all ages and abilities. The center will provide instruction in the areas of but not limited to quilting, drawing, pottery, vocal instruction, piano instruction, acting and other theatrical instruction.

Mr. McCall explained the property is currently owned by Tomak Lewtak, however, are currently in the process of negotiating a lease agreement with Mr. Lewtak that commences on July 1, 2012 for a period of one year, pending approval of a special use permit and certificate of occupancy. Mr. McCall further explained at the end of their one-year lease they plan to purchase the church and parish hall from Mr. Lewtak.

Ms. McCall stated the center will be managed by the two of them and will employ 5 to 10 independent contractors. Ms McCall explained that the church and parish would be utilized

for instructional purposes. On rare occasions, approximately 3-5 times per year the church will be used to present recitals, art galleries and other theatrical presentations.

Ms. McCall stated the anticipated hours of operation to be Monday through Friday 9am to 7pm with occasional use on Saturdays for instruction.

Mr. McCall explained that Mr. Paul Czerwinski, the Town Engineer came out to the property to assess the parking lot issues. Mr. McCall stated there would not be more than 15 to 20 people using the whole property at any given time. Mr. McCall also stated he spoke with Police Chief Winn and Chief Winn does not anticipate an adverse impact on the traffic within the immediate area.

Ms. McCall stated that the property in question was formerly an active church for over 60 years and believes the fine and performing arts center would provide a meaningful repurposing of an otherwise derelict church. Ms. McCall stated they have spoken to the surrounding neighbors as well as residents in the larger Camillus area and received a great deal of support form the community. Ms. McCall asked the Board consider their request for a Special Use Permit to operate a fine and performing arts center.

Mr. de la Rosa stated he did not see a problem with this request and at this time had no additional questions.
Mr. Pirro questioned the number of employees at any given time.

Ms. Flood and Mr. Casey complimented the applicants on following the hearing guide and answering all of the questions. Ms. Flood stated that she would be happy to see the property being utilized once again.

Mr. Victor Raab, of North Street appeared before the Board reading a letter of support for the applicants and requested the Board consider a positive response in granting the Special Use Permit.

Mr. Bill Davern, 3rd Ward Councilor stated he spoke to surrounding neighbors who were in support of this application and believes this is something the community needs and fully supports this application.

Tia Soliday, a Camillus resident expressed her concerns should the business fail or be sold. Ms. Soliday does not want to see the property become a commercial lot. Chairman Feyl confirmed it would never be zoned commercial.

Mr. LaFlair, 2nd Ward Councilor stated he has spoken to several of the neighbors who were supportive or had no comment. Only one neighbor (in addition to Mr. Kolinski) had concerns and she was there to speak in person.

Mr. LaFlair stated he spoke to former 2nd Ward Councilor Mr. Kolinski, who stated he was against granting this application, as the McCall's are not the current property owner. Mr. LaFlair stated he feels it is a good fit for the property and supports this application.

Mr. de la Rosa moved to continue the Public Hearing to May 1, 2012. Mr. Casey seconded the motion and it was unanimously approved.

2. Americu Credit Union **TM#: 040.-01-12.1**
5214 West Genesee Street
Camillus, NY 13031

Area Variance: As per Town of Camillus Code Enforcement Office an application for three variances is necessary:

1) **Article VIII, Sec. 802 – Signs shall be located on same site as use.**
2) **Article VIII, Sec. 805 – Sign exceeds 3 sqft.**
3) **Sign cannot bear advertising matter**

Mr. Pirro moved to declare this application a SEQR Type II and set the Public Hearing for April 17, 2012. Mr. Casey seconded the motion and it was unanimously approved.

Chairman Feyl stated that he is not sure why this application is in front of the Board, as this was made very clear to both the owner and prospective owners that what they are looking to do is simply not allowed.

Mr. Devin DalPos presented the application on behalf of the applicant Henry Beach Development, LLC. Mr. DalPos stated what they are proposing is 1 ½' x 2 ½' directional sign with a business name and arrow that will be located 10' off the Americu Credit Union property line and 20' from the road.

Chairman Feyl stated that there are very strict rules that apply to businesses within an LBO district and that they must be followed.

Mr. DalPos explained the purpose is from a safety standpoint. Chairman Feyl explained that the proposed sign exceeds 3 sq ft., is considered advertising and will not be located on the same site as the business. Mr. DalPos explained they are asking for consideration and explained the unique layout of the property as to the necessity of this request.

Mr. DalPos expressed he feels this is a small request, does not set a precedent and, if granted, would alleviate any traffic safety concerns.

Chairman Feyl stated the Board has made everyone involved fully aware of the limitations and conditions that went along with this property and that this is a self-inflicted problem.

Mr. DalPos disagreed, stating that it was not self-inflicted. Mr. DalPos further stated that it was upon the request of the neighborhood, the traffic was to be controlled leaving the site so the traffic did not go into the residential neighborhood, prompting the site modifications.

Chairman Feyl stated that there currently exists a directional sign on Henry Beach with Mr. McMahon's name on it and an arrow.
Mr. de la Rosa stated that everyone involved was informed from the beginning that signage must comply and conform to code.

Mr. DalPos stated that this request is solely due to the site modifications and is a safety concern of elderly people.

Mr. Pirro stated that if the request were solely a concern of safety, in his opinion the entrance and exit of the site would be identified differently. Mr. Pirro further stated any individual visiting the law office, would typically call and get directions not to mention the technology we have today with obtaining directions. Mr. Pirro stated the Board is here to protect the Town of Camillus and its residents and does not see a need for the directional sign.

Chairman Feyl reiterated that all involved parties coming into this knew the laws and limitations of having a business within an LBO.

Ms. Flood stated that the law office has been there for several years and sees no need for a sign.

Mr. Casey questioned if there was an existing directional sign for the McMahon Law office. Mr. DalPos confirmed there currently exists a directional sign. Mr. Casey questioned the proposed location of the directional sign. Mr. Casey stated that he does not see a need for granting this sign variance as the law office has been there for twelve years and can be seen from West Genesee Street. Traffic is not redirected, as one must go down Henry Beach to enter the law offices currently.

Mr. Callahan, 6th Ward Councilor stated he does understand the Board's view as well as the concern with traffic safety. Chairman Feyl explained in detail the reasoning behind standing behind the laws and code that is set forth. Mr. Callahan stated that he understood and agreed with Chairman Feyl.

Mr. Davern, 3rd Ward Councilor explained that a consideration for directional signage for remote facilities away from major intersections is up for Town Board consideration. Explaining that the Town Board made an exception for Hulchanski's Funeral Home as they are in a significantly remote location off Belle Isle Road.

Ms. Flood stated that this should not be a comparison as the Hulchanski Funeral Home is in a significantly remote location and the McMahon Law Firm can be seen from West Genesee Street.

Chairman Feyl stated he hopes the Town Board takes total control over the directional signage consideration as in his opinion should not be considered.

Chairman Feyl questioned if a traffic study was conducted, as it was a condition of the Special Use variance. Mr. DalPos stated that a traffic study was conducted and it showed minimal use with no negative impact on West Genesee traffic.

Mr. DalPos questioned the signs located on the county right of way such as the Methodist Church directional sign located across from Parsons Road, Ski Hill signage located at the corner of Parsons Road. Chairman Feyl stated that all of them are exempt under the law.

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

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

1. **Samuel B. Rameas** **TM#: 029.-01-17.1**
   5705 West Genesee Street
   Camillus, NY 13031

Area Variance: Required setback is 15', owner wants to reduce set back to 2', requiring a 13' variance.

Mr. Pirro moved to declare this application a SEQR Type II and set the Public Hearing for May 1, 2012. Mr. de la Rosa seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Ms. Flood moved to approve the minutes of the March 20, 2012 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from The Post Standard for legal advertising totaling $59.67.

Mr. Casey 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

None

DECISIONS

2. Americu Credit Union **TM#: 040.-01-12.1**
5214 West Genesee Street
Camillus, NY 13031

Area Variance: As per Town of Camillus Code Enforcement office an application for three variances necessary:

1) **Article VIII, Sec. 802 – Signs shall be located on same site as use.**
2) **Article VIII, Sec. 805 – Sign exceeds 3 sqft.**
3) **Sign cannot bear advertising matter**

Mr. de la Rosa moved to grant the applicant three variances from the requirements of Sections 802(K) and 805(B) of the Code to allow for the placement of a 3.5 sq ft sign on its property for the purpose of directing clients of the McMahon Law Firm to the physical offices of the law firm. Ms. Flood seconded the motion.

The motion was put to a vote:

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

Motion Denied

ADJOURNMENT

Ms. Flood moved to adjourn the meeting at 8:43 p.m. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
May 1, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Mike LaFlair, 2nd Ward Councilor
5 others

ABSENT:
None

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

PUBLIC HEARINGS:

1. **Douglas & Stephanie McCall** **TM#: 005.-03-08.1**
   6429 Newport Road
   Warners, NY 13164

Special Use Permit: Proposed fine arts & education center (P-7) requires a 'Special Use Permit' within an LBO district.

Chairman Feyl read a letter into the record received from the Camillus Planning Board. A copy of the letter is on file in the Town Clerk's office.

Mrs. McCall appeared before the Board to discuss the application for a Special Use Permit, the purpose of which would be to operate a fine and performing arts center to people of all ages and abilities.

Mrs. McCall stated she understood the requests submitted from the Camillus Planning Board and will gladly conform to its requests.

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

2. **Samuel B. Rameas** **TM#: 029.-01-17.1**
   5705 West Genesee Street
   Camillus, NY 13031

Area Variance: Required setback is 15', owner wants to reduce set back to 2', requiring a 13' variance.

Mr. Rameas appeared before the Board to discuss his application for an area variance, the purpose of which is to reduce the required setback to 2', requiring a 13' variance for placement of a 4' x 6' podiatry sign.

Mr. Rameas stated he believes he is here this evening due to miscommunication among the Camillus Code Enforcement office, himself and his contractors.

Mr. Rameas approached the Board showing a power point presentation of the proposed sign and its location and further explaining the podiatry sign measures 4' x 6' and is currently located 28' from the white line/fog line on West Genesee Street.

Chairman Feyl questioned if wiring was installed. Mr. Rameas stated that wiring had been installed underground from the house to the sign in its current location. Chairman Feyl explained should the wiring need to be relocated moving it back or shortening it should not be an issue.

Chairman Feyl explained that the Camillus Code Enforcement office provided specific instructions on measuring from the corner of the building for placement of the sign and questioned why it was not followed.

Mr. Rameas stated that there was a great deal of miscommunication and that he had requested that the Camillus Code Enforcement office send someone out to place a marker in the exact location the sign was to be placed. Mr. Rameas stated the Camillus Code Enforcement office did not come out and he denied that he was ever told to measure from the corner of the building. Mr. Mike Rocco, General Contractor stated he and Mr. Rameas were dependent upon the sign company and were going off the site plan, unaware there was a doubt for placement of the sign.

Mr. Rameas stated Iannuzzi and Romans designed the driveway entrance and exit island specifically to hold the sign.

Mr. Rameas explained he took photos of surrounding business and their signs showing placement to be 34', 28' and 22' from the fog line.

Chairman Feyl stated that he has checked out the surrounding locations signs and explained that the podiatry sign is much farther forward than the neighboring signs. Chairman Feyl offered that Med Center West was originally built as a commercial property and several things have changed over the years. West Genesee Street is now wider and some things are grandfathered making comparison difficult, as now new construction or businesses must conform to 2012 code

Mr. Rameas questioned if the sign could be moved back and remain within the island.

Mr. Rameas and Mr. Rocco reiterated that it was due to miscommunication that the sign was placed in its current location. Mr. Rameas expressed his concern that requiring the placement of the sign where Mr. Price suggests would result his patients not being able to see the sign and they would pass right by the building.

Mr. de la Rosa questioned the sign company's method used for measuring for placement of the sign and suggested moving the sign back further on the island. Ms. Otto questioned the dimensions of the island. Mr. Rameas stated he did not know the island's exact dimensions.

Mr. Rocco stated that there is an extremely large stump within the island, which may make it difficult to anchor the sign.

Ms. Flood questioned the exact location of the stumps within the island. Mr. Rocco stated that they may be possibly 2' back from the existing location of the sign.

Chairman Feyl questioned the site plan presented to the Camillus Planning Board. Ms. Flood questioned why the site plan presented to the Planning Board did not depict the sign.

Chairman Feyl stated that the Board cannot set a precedent and must try to get the applicant to conform as close to code as possible. Chairman Feyl explained that in order to be as close to the current Code as possible, the applicant must go back 6'. Chairman Feyl questioned if the stump would be in the way if the sign is moved back 6'. Chairman Feyl also suggested considering placing the sign on either side of the driveway.

Mr. Pirro questioned if any of the burden or liability would fall upon the signage company. Mr. Rameas stated they would be covering some of the costs but that it would cost him $1,000 to move.

Mr. Rameas stated that Sign-O-Rama was the sign company used for installation of the sign. Explaining it would be a financial burden to move the sign as it would cost about $1,000 to move it.

Ms. Flood stated she is familiar with the sign company and, in her opinion, the applicant as well as the sign company must assume responsibility.

Chairman Feyl questioned if the driveway would be paved. Mr. Rameas stated that the driveway would be paved; however, they are waiting until the sign issue is resolved should the underground wiring need to be relocated.

Mr. Casey questioned the conversation Ms. Otto had with Mr. Price. Ms. Otto explained her conversation in detail.

Ms. Otto questioned if the sign could be moved to the location now identified on the site plan that was provided to the Zoning Board. Mr. Rameas stated it could but would be hidden behind the tree line in the middle of the yard.
Ms. Otto asked if the location of the sign, as identified in the site plan, is where the Camillus Code Enforcement Office told him to place the sign. Mr. Rameas responded "yes".

Ms. Otto questioned if Mr. Price told him to place the sign in that location in the middle of the yard behind the tree line. Mr. Rameas confirmed that the Camillus Code Enforcement office told him to place the sign up in the middle of his yard where from the road his patients would not be able to see the sign. Mr. Rameas stated that he has received several compliments on his existing sign and would like to keep it as close to the existing location as possible.

Chairman Feyl suggested continuing the Public Hearing until getting exact measurements and dimensions of the island as well as the exact location of the stump.

Mr. Casey moved to continue the Public Hearing to May 15, 2012. Mr. de la Rosa seconded the motion and it was unanimously approved.

Mr. Rameas left and later re-entered the Board room announcing that he had left to take measurements of the island and existing stump and was now back to provide the Board with additional information. Chairman Feyl asked Mr. Rameas to wait and speak once the Public Hearing was reopened.

Mr. de la Rosa motioned to reopen the Public Hearing and to not continue. Ms. Flood seconded the motion and it was unanimously approved.

After a detailed discussion among the Board and Mr. Rameas, Chairman Feyl questioned if the applicant understood exactly what needed to be done. Mr. Rameas confirmed he did understand.

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

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

1. **Greg Tearney** **TM#: 017.-04-02.1**
   3730 Milton Avenue
   Camillus, NY 13031

Area Variance: Proposed 52 sqft sign mounted on the back of the building, facing 695.

Mr. Pirro moved to declare this application a SEQR Type II and set the Public Hearing for May 15, 2012. Mr. de la Rosa seconded the motion and it was unanimously approved.

2. **Roman Catholic Diocese of Syracuse** **TM#: 056.-04-01.0**
   Holy Family Church
   127 Chapel Drive
   Syracuse, NY 13219

Special Use Permit: Church is proposing modifications to land to include a parking lot with access off Shrineview Drive and handicap accessible walkways and stairs.

Mr. Pirro moved to declare this application a SEQR Type II and set the Public Hearing for May 15, 2012. Mr. de la Rosa seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Ms. Flood moved to approve the minutes of the April 17, 2012 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from The Post Standard for legal advertising totaling $61.20.

Mr. Casey 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
None

DECISIONS

1. **Douglas & Stephanie McCall** **TM#: 005.-03-08.1**
   6429 Newport Road
   Warners, NY 13164

Special Use Permit: Proposed fine arts & education center (P-7) requires a 'Special Use Permit' within an LBO district.

Chairman Feyl moved to grant a Special Use Permit for the purpose of conducting a fine arts and education center, conditioned upon compliance with items 1) and 2) of the planning Board recommendations. Mr. de la Rosa seconded the motion and it was unanimously approved.

Mr. Casey moved to grant a 1' variance to modify the 10' x 18' to 9' x 18' parking spaces. Ms. Flood seconded the motion and it was unanimously approved.

2. **Samuel B. Rameas** **TM#: 029.-01-17.1**
   5705 West Genesee Street
   Camillus, NY 13031

Area Variance: Required setback is 15', owner wants to reduce set back to 2', requiring a 13' variance.

Mr. de la Rosa moved to grant a 7' variance for a 4' x 6' sign, set back 8' from the existing street right of way line. Ms. Flood seconded the motion and it was unanimously approved.

ADJOURNMENT
Mr. Pirro moved to adjourn the meeting at 8:23 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 15, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
One other

ABSENT:
Steve Pirro

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

PUBLIC HEARINGS:

1. **Greg Tearney** **TM#: 017.-04-02.1**
   3730 Milton Avenue
   Camillus, NY 13031

Area Variance: Proposed 52 sqft sign mounted on the back of the building, facing 695.

Chairman Feyl stated the Camillus Code Enforcement Office pulled the application, as with further review the applicant did not require a variance.

Mr. de la Rosa moved to rescind and dispose of the Public Hearing set for May 15, 2012. Ms. Flood seconded the motion and it was unanimously approved.

2. **Roman Catholic Diocese of Syracuse** **TM#: 056.-04-01.0**
   Holy Family Church
   127 Chapel Drive
   Syracuse, NY 13219

Special Use Permit: Church is proposing modifications to land to include a parking lot with access off Shrineview Drive and handicap accessible walkways and stairs.

Chairman Feyl explained the applicant failed to appear at the May 14, 2012 meeting of the Camillus Planning Board. Further explaining the Camillus Planning Board had major issues with drainage that must be addressed.

Chairman Feyl stated the applicant must first appear in front of the Camillus Planning Board on May 30, 2012 to discuss and resolve the drainage issues. Once resolved a referral letter must be received from the Camillus Planning Board to the Zoning Board of Appeals in order to move forward.

Mr. de la Rosa moved to continue the Public Hearing to June 5, 2012. Mr. Casey seconded the motion and it was unanimously approved.

COMMENTS OF TOWN OFFICIALS

None

OLD BUSINESS

None

NEW BUSINESS

1. **Tree Landers** **TM#: 007.-03-05.7**
   6429 VanBuren Road
   Syracuse, NY 13209

Special Use Permit: Amend Special Use Permit to build another building modifying original permit.

Mr. de la Rosa moved to declare this application an Unlisted Action and set the Public Hearing for June 5, 2012. Mr. Casey seconded the motion and it was unanimously approved.

2. **Joseph Jackson** **TM#: 042.-01-21.0**
   200 Male Ave.
   Syracuse, NY 13219

Area Variance: To construct an 8' x 12' shed in the front of the building line by 4'.

Mr. Casey moved to declare this application a SEQR Type II and set the Public Hearing for June 5, 2012. Ms. Flood seconded the motion and it was unanimously approved.

3. **Joanne Bently** **TM#: 061.-03-08.0**
   3 Carol Drive
   Camillus, NY 13031

Area Variance: owner wants to have an enclosed porch on the front of the house, encroaching into the front yard reducing the front yard to 29'.

Ms. Flood moved to declare this application a SEQR Type II and set the Public Hearing for June 5, 2012. Mr. de la Rosa seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. Casey moved to approve the minutes of the May 1, 2012 meeting. Ms. Flood seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from The Post Standard for legal advertising totaling $44.37.

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling $2,562.50.

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

CORRESPONDENCE
None

COMMENTS OF THE BOARD
None

DECISIONS
None

ADJOURNMENT
Mr. de la Rosa moved to adjourn the meeting at 7:24 p.m. Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
June 5, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Six others

ABSENT:
Joy Flood

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

PUBLIC HEARINGS:

1. **Roman Catholic Diocese of Syracuse** **TM#: 056.-04-01.0**
   Holy Family Church
   127 Chapel Drive
   Syracuse, NY 13219

Special Use Permit: Church is proposing modifications to land to include a parking lot with access off Shrineview Drive and handicap accessible walkways and stairs.

Chairman Feyl stated that the applicant's engineer met with the Town of Camillus engineer and decided the initial application would not work and did not meet ADA standards and had several drainage issues that must be addressed.

Chairman Feyl further explained the applicant did not go in front of the Planning Board as they must re-apply and submit a new application once they have come up with a new plan. Mr. Casey moved to deem the application withdrawn without prejudice to renewing it at a subsequent date, without a fee having to be paid. Mr. Pirro seconded the motion and it was unanimously approved.

2. **Tree Landers** **TM#: 007.-03-05.7**
   6429 VanBuren Road
   Syracuse, NY 13209

Special Use Permit: Amend Special Use Permit to build another building.
Chairman Feyl read a letter into record received from the Camillus Planning Board. A copy of the letter is on file in the Town Clerk's office.

Frederick Albiker appeared before the Board to discuss his application to amend the existing Special Use Permit to allow the construction of a 72' x 150' building.

Chairman Feyl questioned the purpose of the proposed building. Mr. Albiker stated it would be used to house cold storage for palletized packaged firewood.

Mr. de la Rosa stated in his opinion the proposed building would be less visible than the other buildings currently on the property.

Mr. Pirro questioned the previous Special Use Permit that had been granted specifically, the condition that the applicant was to pave and line the parking lot. Mr. Pirro questioned why that had not been completed. Mr. Albiker stated that Ruston Paving is scheduled to do the paving and it will be using millings and has been difficult to get the millings but will be completed in August.

Mr. Casey questioned if the parking lot is scheduled already to be paved and lined. Mr. Albiker confirmed it is scheduled and will be completed in late August.

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

3. Joseph Jackson **TM#: 042.-01-21.0**
200 Male Ave.
Syracuse, NY 13219

Area Variance: To construct an 8' x 12' shed in the front of the building line by 4'.

Chairman Feyl read a letter into record received from the office of the Supervisor, Mary Ann Coogan. A copy of the letter is on file in the Town Clerk's office.

Mr. Jackson appeared before the Board to discuss his application for an Area Variance to construct an 8' x 12' shed.

Mr. de la Rosa stated he visited the location and, in his opinion, the shed is not oversized and is aesthetically pleasing.

Mr. Pirro questioned if the shed would match the house. Mr. Jackson stated he would not be painting the shed but will polyurethane the shed to protect it against inclement weather. Mr. Pirro stated that the property is not conducive of placing the shed in any other location.

Mr. Casey questioned the distance from the shed to the property line. Mr. Jackson stated the distance from the property line is 4 ½ '.

While referring to the Hearing Guide, Chairman Feyl and the Board considered and answered the five questions required by the Supreme Court, Appellate Division.

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

4. Joanne Bently **TM#: 061.-03-08.0**
3 Carol Drive
Camillus, NY 13031

Area Variance: owner wants to enclose the porch on the front of the house, encroaching into the front yard and reducing the front yard setback to 29'.

Ms. Bently and Mr. Richard Luckette appeared before the Board to discuss the application for an area variance, purpose of which is to construct an enclosed 8' x 6' enclosed entryway/porch on the front of the house.

Ms. Bently stated that this would allow her a little more room and would like to improve the look of the front of her house.

Mr. de la Rosa stated that while he has no issues with this request he did not see any surrounding properties within the neighborhood that had this type of porch but did not feel it would be a negative impact.

Mr. Pirro questioned if the existing air-conditioning unit would pose a problem. Ms. Bently stated that it would not. Mr. Pirro stated that he did not see this request being an issue as there is a considerable amount of room from her house to her neighbor's house.

Mr. Casey questioned if the enclosed entryway/porch would be used as an entry and exit way. Ms. Bently confirmed it would be used to enter and exit her home as well as have a seating area where she could read a book.

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

COMMENTS OF TOWN OFFICIALS

Mr. Davern, 3rd Ward Councilor stated he supports this application and spoke to Supervisor Coogan and the Code Enforcement office, both having no issues with placement of the shed regarding the Jackson application. Mr. Davern also stated that while Mr. Callahan was not able to be here this evening, he, does support Mrs. Bently's application.
Mike LaFlair, 2nd Ward Councilor stated his support of the Tree Landers application.

OLD BUSINESS

None

NEW BUSINESS

None

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the May 15, 2012 meeting. Mr. Casey seconded the motion and it was unanimously approved.

VOUCHERS

Two vouchers were received from The Post Standard for legal advertising totaling $40.55 and $65.79.

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

CORRESPONDENCE
None

COMMENTS OF THE BOARD
None

DECISIONS

1. **Tree Landers** **TM#: 007.-03-05.7**
   6429 VanBuren Road
   Syracuse, NY 13209

Special Use Permit: Amend Special Use Permit to build another building.

Chairman Feyl and the Board completed the Impact Assessment form.

Mr. de la Rosa moved to approve the modification of the Special Use Permit to allow a 72' x 150' coverall building on the west side of the property as submitted on the drawings provided. Mr. Pirro seconded the motion and it was unanimously approved.

2. **Joseph Jackson** **TM#: 042.-01-21.0**
   200 Male Ave.
   Syracuse, NY 13219

Area Variance: To construct an 8' x 12' shed in the front of the building line by 4'.

Mr. Casey moved to approve the construction of an 8' x 12' shed providing a 4.5' variance from front of building line. Mr. de la Rosa seconded the motion and it was unanimously approved.

3. **Joanne Bently** **TM#: 061.-03-08.0**
   3 Carol Drive
   Camillus, NY 13031

Area Variance: owner wants to enclose the porch on the front of the house, encroaching into the front yard and reducing the front yard setback to 29'.

Mr. Pirro moved to approve an 8' x 6' enclosed porch providing a 6.5' variance, with a result of the front yard setback being reduced to 28.5'. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT
Mr. de la Rosa moved to adjourn the meeting at 7:32 p.m. Mr. Casey seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
July 17, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Six others

ABSENT:
None

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

PUBLIC HEARINGS:

1. **Stephan Pototsky** **TM#: 013.-03-01.0**
   215 Horan Road
   Syracuse, NY 13219

Area Variance: Owner wants a chicken coop. Harboring animals on less than 3 acres is prohibited (Except housed within house at all times). Side and rear yard setbacks cannot be met.

Mr. Stepan Pototski and son Sergey Pototski appeared before the Board to discuss their application for an area variance. Purpose of which is to have a 6' x 8' x 8' chicken coop with a fenced in area.

Mr. Stepan Petotski stated he is the sole owner of 3 consecutive properties, 211, 213 and 215 Horan Road, which equates to approximately four acres. Chairman Feyl questioned the layout of the three properties.

Mr. Stepan Petotski approached the Board and explained the location and layout of the three properties as well as the proposed location of the chicken coop.

Chairman Feyl explained that what the applicant is showing the Board this evening is not what was presented in the application to the Camillus Code Enforcement office, as there is no mention of additional properties.

Chairman Feyl explained that the applicant is in front of the Board this evening as the property as described on the application consists of only a ½ acre, therefore, requires a variance.
Chairman Feyl questioned the amount of acreage of the two additional properties.
Chairman Feyl further explained if the applicant was to combine/hook the three properties

and in total could prove to have more than three acres, a permit would not be required as the applicant would be in compliance with the current code requirements of set backs.

Mr. de la Rosa questioned if the three properties are all under separate deeds. Mr. Pototsky confirmed that the three properties are all under separate deeds and pays three separate tax bills.

Ms. Flood stated that the applicant would still need to prove that they have enough land and meet the setbacks requirements by providing a new survey showing the properties being hooked and the proposed location of the coop.

Ms. Otto noted that the coop currently exists and that the applicant is in violation of the code set forth by the Town of Camillus. Ms. Otto further stated that the applicant should be the one to verbalize what they are willing to do and state their plans moving forward.

Chairman Feyl explained that the applicant would need to go to the Assessor's office to apply to have the properties hooked. After the applicant has complied with meeting the requirements of the code set forth by the Town of Camillus, the applicant would go to the Code Enforcement office to apply for a permit.

Ms. Flood questioned why the applicant wanted a chicken coop. Mr. Sergey Pototsky stated he attended culinary school and would like to maintain the coop for the food it would provide by means of eggs and chickens. Mr. Sergey Pototsky stated they will raise black cooper maran chickens (brown eggs) and feels this will be a valuable learning experience for the younger members of his family.

Ms. Flood questioned the size of the proposed coop. Mr. Stepan Pototsky stated the chicken coop would be 6' x 8' x 8' coop with a 10' fenced in area.

Ms. Flood questioned if the applicant currently had chickens. Mr. Sergey Pototsky stated they currently have three roosters and twelve chickens in a fenced in area that was previously gardens.

Chairman Feyl explained the 150' setback requirements from the property line must be met and that the code is written to protect the neighbors.

Mr. Pototsky questioned if choosing to hook the three properties created a problem should he decide to sell one of the parcels off down the road. Chairman Feyl did not believe so but referred the applicant to speak to the Town of Camillus Assessor's office.

Ms. Otto stated that if the applicant has intentions in the near future to sell off one of the parcels, the applicant should disclose that information to the Board this evening, as in doing so the applicant would not meet the minimum requirements.

Several members of the Board explained the process to the applicant if choosing to hook the properties.

Mr. Pirro questioned why the applicant mentioned selling off one of the parcels. Mr. Sergey Pototsky stated that they have no plans to do so but would just like to know there would not be any issues.

COMMENTS OF TOWN OFFICIALS

Mike LaFlair, 2nd Ward Councilor stated that he himself is a close neighbor and he as well as several surrounding neighbors are all opposed to this request. Councilor LaFlair stated that Mr. Pototsky made no effort in speaking to the surrounding neighbors regarding this application. Councilor LaFlair asked that the Board take close consideration to the young children in the immediate area, as well his concerns with noise and smell.

Councilor LaFlair stated that he is opposed to granting variances in access of 86% and that there is a house as close as 15'. Respectfully requests that a licensed surveyor provide an updated survey showing the properties being hooked should the applicant choose to do so.

Ms. Jane Komuda residing at 301 Horan Road expressed her concern with the surrounding properties decreasing in value should this request be granted. Ms. Komuda also stated she feels it would draw out the coyote population and in doing so is concerned with public safety.

Ms. Otto stated the applicant has not made any statement confirming their intentions and feels a decision by the Board can be made this evening as the applicant can still proceed forward should they choose to do so.

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

OLD BUSINESS

1. Roman Catholic Diocese of Syracuse **TM#: 056.-04-01.0**
Holy Family Church
127 Chapel Drive
Syracuse, NY 13219

Special Use Permit: Church is proposing modifications to land to include a parking lot with access off Shrineview Drive and handicap accessible walkways and stairs.

Ms. Flood moved to declare this application a SEQR Type II and set the Public Hearing for August 7, 2012. Mr. Casey seconded the motion and it was unanimously approved.

NEW BUSINESS

None

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the June 5, 2012 meeting. Ms. Flood seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from The Post Standard for legal advertising totaling $41.31.

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling $1525.00.

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

CORRESPONDENCE
None

COMMENTS OF THE BOARD
None

DECISIONS

1. Stephan Pototsky **TM#: 013.-03-01.0**
215 Horan Road
Syracuse, NY 13219

Area Variance: Owner wants a chicken coop. Harboring animals on less than 3 acres is prohibited (Except housed within house at all times). Side and rear yard setbacks cannot be met.

Chairman Feyl and the Board completed the Impact Assessment form.

Mr. de la Rosa moved to grant a 2 ½ acres variance to have chicken coop on less than 3 acres of land. Mr. Casey seconded the motion.

The motion was put to a vote:

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

Motion DENIED.

Mr. Pirro moved to grant rear set back variance of 128' variance from the north sideline and 112' variance from the south sideline. Ms. Flood seconded the motion.

The motion was put to a vote:

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

Motion DENIED.
Mr. Casey moved to approve an 85' variance from the rear line requirements to accommodate the chicken coop. Mr. de la Rosa seconded the motion.

The motion was put to a vote:

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

Motion DENIED.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:02 p.m. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
August 7, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Thomas Bezigian, Jr., Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Bill Davern, 3rd Ward Councilor
One other

ABSENT:
None

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

PUBLIC HEARINGS:

1. **Roman Catholic Diocese of Syracuse** **TM#: 056.-04-01.0**
   Church of the Holy Family
   127 Chapel Drive
   Syracuse, NY 13219

Special Use Permit: Church is proposing modifications to land to include a parking lot with access off Shrineview Drive and handicap accessible walkways and stairs.

Chairman Feyl read a letter into record received from the Camillus Planning Board. A copy of the letter is on file in the Town Clerk's office.

Chairman Feyl and Board members referred to the Hearing Guide while asking questions.

Mr. Bruce MacKnight, representing Holy Family, presented the application. Mr. MacKnight explained the purpose of the application is for the renovation of the existing shrine, to replace existing walkways, and make the shrine more accessible to the elderly and handicapped.

Mr. MacKnight stated there would be designated handicapped accessible parking and a concrete pathway up to the shrine, both of which will meet the ADA guidelines and approval.

Mr. MacKnight further explained the proposed modification will serve the needs of the church and parishioners for accessibility to the shrine, improving its use and sees no negative impact on the neighborhood or community.

COMMENTS OF TOWN OFFICIALS
Bill Davern, 3rd Ward Councilor stated, as he is a parishioner of the church he would like to speak in favor of this application and fully supports this project.

After a brief discussion among the Board, Mr. Casey moved to close the public hearing. Ms. Flood seconded the motion and it was unanimously approved.

OLD BUSINESS

1. Eric Cooper **TM#: 025.-02-05.0**
2757 Lyons Road
Camillus, NY 13031

Special Use Permit: Would like to obtain a home occupation permit in order to operate an internet-based business as a licensed State and Federal firearms dealer.

Mr. Pirro moved to dismiss the application without prejudice. Ms. Flood seconded the motion and it was unanimously approved.

NEW BUSINESS

1. Karl Caputo **TM#: 041.-01-51.0**
205 Danbury Drive
Syracuse, NY 13219

Area Variance: Would like to have a shed located at the end of the driveway. As per Town of Camillus Code Article: VI, Sec.600-H: No accessory building may be situated in front of the rear of the principal building.

Mr. Casey moved to declare the application a SEQR Type II and set the Public Hearing for August 21, 2012. Ms. Flood seconded the motion and it was unanimously approved.

2. Carie Robson **TM#: 058.-03-08**
108 Robinhood Lane
Camillus, NY 13031

Area Variance: Would like to build a 6' x 12' Mudroom on south side of the house.

Ms. Flood moved to declare the application a SEQR Type II and set the Public Hearing for August 21, 2012. Mr. Casey seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the July 17, 2012 meeting. Ms. Flood seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from The Post Standard for legal advertising totaling $40.55.
Mr. Casey moved to approve payment of the voucher. Mr. Pirro seconded the motion and it was unanimously approved.

CORRESPONDENCE

None

COMMENTS OF THE BOARD
None

DECISIONS

1. **Roman Catholic Diocese of Syracuse** **TM#: 056.-04-01.0**
   Church of the Holy Family
   127 Chapel Drive
   Syracuse, NY 13219

Special Use Permit: Church is proposing modifications to land to include a parking lot with access off Shrineview Drive and handicap accessible walkways and stairs.

Chairman Feyl and the Board completed the Impact Assessment form.

Mr. Pirro moved to approve a modification of the special use permit previously granted to Church of the Holy Family conditioned upon meeting the following Planning Board requirements: (1)Low-level bollard lights will be used on walkways for illumination. (2)The drainage will be modified to accommodate the changes in topography as specified by the report provided to the Planning Board by MacKnight Architects. (3)Use of 6" piping rather than 4" piping will be used to alleviate concerns relating to any overflow from a large storm. Ms. Flood seconded the motion and it was unanimously approved.

ADJOURNMENT
Mr. de la Rosa moved to adjourn the meeting at 7:55 p.m. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
August 21, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Bill Davern, 3rd Ward Councilor
Mike LaFlair, 2nd Ward Councilor
Five others

ABSENT:
None

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

PUBLIC HEARINGS:

1. **Karl Caputo** **TM#: 041.-01-51.0**
   205 Danbury Drive
   Syracuse, NY 13219

Area Variance: Would like to have a shed located at the end of the driveway. As per Town of Camillus Code Article: VI, Sec.600-H: No accessory building may be situated in front of the rear of the principal building.

Mr. Karl Caputo appeared before the Board to discuss his application. Purpose of which is to place a 10' x 16' Dutch barn style shed near the end of his driveway and would be used to store garbage cans recycling bins, kids pool, bikes, snow blower, camping equipment along with other miscellaneous items.

The Board referred to the hearing guide while questioning Mr. Caputo.

Mr. Caputo further explained the shed would have white vinyl siding and grey shingles to match the house. Stating the total property is only .24 acres with a sloped backyard making it difficult for placement. Mr. Caputo explained that additional costs would be incurred if he had to place the shed in the backyard, as it is not level.

Mr. Caputo stated that the distance from the corner of his house to the proposed shed is 5' and it is 5' from the west property line.

Ms. Otto inquired if there was a garage on the property. Mr. Caputo stated there is no garage nor is there any outdoor storage.

Bill Davern, 3rd Ward Councilor spoke in favor of the application and does not feel it would affect the neighborhood in a negative way.

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

2. Carrie Robson **TM#: 058.-03-08**
108 Robinhood Lane
Camillus, NY 13031

Area Variance: Would like to build a 6' x 12' Mudroom on south side of the house.

Ms. Robson and Mr. Shawn Smith appeared before the Board to discuss their application for an area variance, purpose of which would be to construct a 6' x 12' addition that would be used as a mudroom.

Mr. Smith explained the layout of the addition and stated the addition would set back and would match the existing house and style.

Ms. Robson stated the proposed location in her opinion is the most optimal for its proposed use.

Ms. Flood noted that many houses in the area have additions and questioned if anyone spoke to the neighbors. Ms. Robson stated the house is currently vacant and for sale.

After a brief discussion, Mr. Pirro moved to close the Public Hearing. Mr. de la Rosa seconded the motion and it was unanimously approved.

3. Pam Woollis **TM#: 015.-04-12.2**
5998 Belle Isle Road
Syracuse, NY 13209

Interpretation: Article XI, Sec. 1101 - Reviewing Mr. Price's interpretation of code. Applicant would like to add a fifth apartment in a vacant space.

Mr. Casey moved to correct the address listed within the legal advertisement, specifically, the number. The street was properly identified, and the tax map number was accurate. Mr. Pirro seconded the motion and it was unanimously approved.

Ms. Pam Woollis appeared before the Board to discuss her application for interpretation.

Chairman Feyl explained that he has had a discussion with the Camillus Code Enforcement Officer and the applicant is here this evening for interpretation only.

Chairman Feyl stated in his opinion the applicant is making an apartment out of vacant space within the existing footprint with no structural change, therefore, is a non-conforming use.
Mr. de la Rosa and Mr. Pirro stated they felt it had no adverse effect on the surrounding neighbors or community and was not increasing the non-conformity.

Ms. Flood questioned how many apartments were currently in the building. Ms. Woollis stated that she currently had four one-bedroom apartments with one individual in each apartment.

Mr. LaFlair, 2nd Ward Councilor asked that the Board support the applicant's interpretation.

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

OLD BUSINESS
None

NEW BUSINESS
None

MINUTES OF THE PREVIOUS MEETING
Mr. Casey moved to approve the minutes of the August 7, 2012 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

VOUCHERS
None

CORRESPONDENCE
None

COMMENTS OF THE BOARD
None

DECISIONS

1. Karl Caputo **TM#: 041.-01-51.0**
205 Danbury Drive
Syracuse, NY 13219

Area Variance: Would like to have a shed located at the end of the driveway. As per Town of Camillus Code Article: VI, Sec.600-H: No accessory building may be situated in front of the rear of the principal building.

Ms. Flood moved to allow the construction of a 10' x 16' shed, 13' in front of the rear of the house, provided the shed is 5' from the furthestmost west side of the house and 5' from the west property line. Mr. de la Rosa seconded the motion and it was unanimously approved.

2. Carrie Robson **TM#: 058.-03-08**
108 Robinhood Lane
Camillus, NY 13031

Area Variance: Would like to build a 6' x 12' Mudroom on south side of the house.

Mr. Casey moved to reduce by 5' the total side yardage to accommodate the construction of a 6' x 12' addition on the south side of the house. Ms. Flood seconded the motion and it was unanimously approved.

3. Pam Woollis **TM#: 015.-04-12.2**
5998 Belle Isle Road
Syracuse, NY 13209

Interpretation: Article XI, Sec. 1101 - Reviewing Mr. Price's interpretation of code. Applicant would like to add a fifth apartment in a vacant space.

Mr. de la Rosa moved to resolve that it is the determination and the interpretation of the Board that the apartment proposed to be added by the applicant within the existing footprint of the apartment building, does not constitute an increase in the apartment building's nonconformity under Section 1101(A) of the Code of the Town of Camillus, and the construction or addition of the subject apartment is permitted under zoning laws of the Town of Camillus without the necessity of a variance. Ms. Flood seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:30 p.m. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
September 18, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Bill Davern, 3rd Ward Councilor

ABSENT:
None

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

PUBLIC HEARINGS:
None

OLD BUSINESS
None

NEW BUSINESS

1. Rich Aupperle **TM#: 005.-04-08.1**
2396 Canal Road
Camillus, NY 13031

Area Variance: Would like to build a 36' x 50' freestanding garage in front of the rear of the house.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for October 2, 2012. Mr. Casey seconded the motion and it was unanimously approved.

2. Anne Marie & Mark Dantuono **TM#: 047.-06-16**
114 Sunnybrook Drive
Syracuse, NY 13219

Area Variance: Would like to convert a 5' x 10' porch into living space.
Ms. Flood moved to declare the application a SEQR Type II and set the Public Hearing for October 2, 2012. Mr. Pirro seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. Casey moved to approve the minutes of the August 21, 2012 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from The Post Standard for legal advertising totaling $69.62.

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling $1,837.50.

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

CORRESPONDENCE

None

COMMENTS OF THE BOARD

Chairman Feyl reviewed and discussed with the members of the Board, the 2013 Budget as submitted to the Camillus Comptroller.

Chairman Feyl asked the members of the Board to review the new law regarding A-Frame Signs - Chapter 30, Sec. 809A.

DECISIONS

None

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:15 p.m. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
October 2, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Bill Davern, 3rd Ward Councilor
Eric Hammerle, 1st Ward Councilor

ABSENT:
None

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

PUBLIC HEARINGS:

1. Rich Aupperle **TM#: 005.-04-08.1**
2396 Canal Road
Camillus, NY 13031

Area Variance: Would like to build a 36' x 50' freestanding garage in front of the rear of the house.

Mr. Aupperle appeared before the Board to discuss his application for an Area Variance. Mr. Aupperle approached the Board providing a prepared response to the questions within the hearing guide.

The Board asked questions pertaining to the applicant's interest in the subject property, a description of the subject property as well as proposed accessory building or structure, intended function/use, as well as placement of the proposed structure and unique features of the property and/or special circumstances to be considered.

Mr. Aupperle referred to the documentation provided to the Board while answering the hearing guide questions.

Mr. Aupperle stated that he and his wife Maria reside at 1003 Janol Way and own a business located at 6000 West Genesee Street in the Town of Camillus. Mr. Aupperle explained that they recently purchased the Canal Road property as an investment, which will be rented out as a rental property.

The lot size is approximately 180' x 250' equating to a little over one acre of land. Dimensions of the residence are roughly 36' x 30', 80' from the western property line, 50' from the front property line, and 55' from the eastern property line and is centered within the property.

Mr. Aupperle explained the reason for the proposed location of the structure as the unique layout and extreme topography of the lot makes it very difficult.

Mr. Aupperle stated the intended function of the garage would be for personal cold storage. The proposed building will not be included with the rental of the residence. Further explaining a second 2-car garage exists off the driveway of the residence and will be included with the rental of the residence.

Chairman Feyl questioned if the proposed garage would blend in with the house. Mr. Aupperle confirmed that the garage would be of masonry material, will blend in and be painted to match the siding of the residence.

Mr. Hammerle, 1st Ward Councilor stated he sent out letters to the surrounding neighbors and received no negative feedback. Mr. Hammerle stated he fully supports this application and asks for the Boards consideration in approving this request.

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

2. Anne Marie & Mark Dantuono **TM#: 047.-06-16**
114 Sunnybrook Drive
Syracuse, NY 13219

Area Variance: Would like to convert a 5' x 10' porch into living space.
Ms. Anne Marie Dantuono appeared before the Board to discuss her application. Purpose of which is to convert a 5' x 10' porch into living space.

Ms. Dantuono stated the same footprint would be utilized and converted into a foyer. The proposed foyer would serve as a place where her daughter could wait for the bus, a place to take items off before coming into their home and most of all would maintain energy efficiency.

Ms. Dantuono sated she felt most of the homes in the area track homes and with the cost of energy the proposed foyer would be a benefit.

Ms. Flood stated that she travels the area several times and questioned if any of the neighbors have been notified. Ms. Dantuono stated that she did speak to the neighbor directly next to her, however, did not see the neighbor across from her within the submission of this application.

Ms. Flood stated approving this request would not change the look of the neighborhood, as there currently are several homes with enclosed porches.

Mr. Davern, 3rd Ward Councilor explained he did speak to the surrounding neighbors and received no concerns or negative feedback. Mr. Davern stated he fully supports this application and hopes the Board considers approval of this request.

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

OLD BUSINESS
None

NEW BUSINESS

1. Town of Camillus – Octagon House **TM#: 035.-02-20**
5420 West Genesee Street
Camillus, NY 13031

Area Variance: Would like a sign permit as proposed sign does not meet the required setback of 15'.

Mr. Pirro moved to waive the application fee. Mr. de la Rosa seconded the motion and it was unanimously approved.

Mr. de la Rosa moved to declare this application a SEQR Type II and set the Public Hearing for October 16, 2012. Mr. Pirro seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Ms. Flood moved to approve the minutes of the September 18, 2012 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

VOUCHERS

None

CORRESPONDENCE

None

COMMENTS OF THE BOARD

Chairman Feyl asked the Board members to make sure they are all set with required training hours for the 2012 calendar year.

DECISIONS

1. Rich Aupperle **TM#: 005.-04-08.1**
2396 Canal Road
Camillus, NY 13031

Area Variance: Would like to build a 36' x 50' freestanding garage in front of the rear of the house.

Mr. de la Rosa moved to grant a 50' variance to allow for the construction of a 36' x 50' freestanding garage in front of the rear of the building line of the house. Ms. Flood seconded the motion and it was unanimously approved.

2. Anne Marie & Mark Dantuono **TM#: 047.-06-16**
114 Sunnybrook Drive
Syracuse, NY 13219

Area Variance: Would like to convert a 5' x 10' porch into living space.

Ms. Flood motioned to grant a 5' variance to reduce the front yard set back to 30' for allowance of an enclosed porch. Mr. Pirro seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:43 p.m. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
November 20, 2012 - 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Richard de la Rosa, Vice Chairman
Joy Flood

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Tom Price, Code Enforcement Officer
Eric Hammerle, 1st Ward Councilor

ABSENT:
Steve Pirro
Jerry Casey

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

PUBLIC HEARINGS:

1. William Werth **TM#: 026.-04-03.0**
2806 Lyons Road
Camillus, NY 13031

Area Variance: Would like to build a 16' x 12' shed, 16' in front of the rear of the house.

Mr. de la Rosa moved to declare this application a SEQR Type II and set the Public Hearing for November 20, 2012. Ms. Flood seconded the motion and it was unanimously approved.

Mr. Werth appeared before the Board to discuss his application for a 12' x 16' shed. Mr. Werth explained the proposed location of the shed is due to the lots unique topography.

Mr. Werth stated the shed will be located 100' from the road and approximately 58' from the west side of the house. Mr. Werth further explained the shed will have vinyl siding and match the house.

Ms. Flood questioned the use of the shed. Mr. Werth confirmed it would be used for storage of garden tools and small-motorized items such as lawnmowers and snow blowers.

Eric Hammerle, 1st Ward Councilor stated he sent letters to the surrounding neighbors and received no opposition to this application. Mr. Hammerle stated he fully supports this application and asks the Board to consider Mr. Werth's request for an area variance.

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

2. William Cleary **TM#: 057.-04-05.0**
4401 West Genesee Street
Syracuse, NY 13219

Special Use Permit and Use Variance: To allow for a small restaurant and drive through pickup service.

Mr. de la Rosa moved to declare this application an unlisted action under SEQR and set the Public Hearing for November 20, 2012. Ms. Flood seconded the motion and it was unanimously approved.

Chairman Feyl stated that Mr. Cleary appeared in front of the Camillus Planning Board and has received a letter expressing their concerns and conditions.

Chairman Feyl, the Board and Mr. Cleary had a detailed conversation regarding the letter of concerns submitted by the Camillus Planning Board, referencing their meeting dated November 14, 2012. Concerns regarding required parking spaces, dumpster location, installation of directional signage and curbing, snow removal as well as landscaping plans were addressed.

Ms. Flood stated that she was happy to see an existing building being utilized.

Chairman Feyl reiterated the applicant must comply and meet the conditions set forth by the Camillus Planning Board.

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

OLD BUSINESS

None

NEW BUSINESS

1. Stepan & Vitaly Pototsky **TM#: 015.-03-10.1**
Vacant property on Horan Road
Syracuse, NY 13209

Interpretation & Area Variance: Would like to maintain a chicken coop on his property, which is less than 5 acres and does not meet 150' setback requirements.

Mr. de la Rosa moved to declare this application a SEQR Type II and set the Public Hearing for December 4, 2012. Ms. Flood seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Mr. de la Rosa moved to approve the minutes of the October 2, 2012 meeting. Ms. Flood seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from The Post Standard for legal advertising totaling $56.61.
The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling $962.50.

Ms. Flood 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

Chairman Feyl discussed the 2013 ZBA meeting schedule. Chairman Feyl and the Board members agreed to the first and third Tuesday of each month with exception to the following dates: January 3rd and 15th, as well as November 7th. Ms. Flood moved to approve the 2013 meeting dates as discussed. Mr. de la Rosa seconded the motion and it was unanimously approved.

DECISIONS

1. William Werth **TM#: 026.-04-03.0**
2806 Lyons Road
Camillus, NY 13031

Area Variance: Would like to build a 16' x 12' shed, 16' in front of the rear of the house.

Mr. de la Rosa moved to grant the installation of the 16' x 20' shed sixteen feet in front of the rear of the house. Ms. Flood seconded the motion and it was unanimously approved.

2. William Cleary **TM#: 057.-04-05.0**
4401 West Genesee Street
Syracuse, NY 13219

Special Use Permit and Use Variance: To allow for a small restaurant and drive through pickup service.

Ms. Flood moved to grant a special use permit and use variance to operate a small restaurant with a drive through pickup service, subject to the conditions of the Town of Camillus Planning Board, as identified by the Planning Board and as agreed to by the applicant at the November 14, 2012 Planning Board meeting, and provided that the applicant satisfy all conditions of the Zoning Board of Appeals and obtain the approval of the Town of Camillus Code Enforcement Officer to the color of the modifications to the façade of the building, as pre-approved by the Planning Board. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:56 p.m. Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
December 4, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Tom Price, Code Enforcement Officer
Mike LaFlair, 2nd Ward Councilor
11 others

ABSENT:
None

Chairman Feyl called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notice. Ms. Flood seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

1. Stepan & Vitally Pototsky **TM#: 015.-03-10.1**
Vacant property on Horan Road
Syracuse, NY 13209

Interpretation & Area Variances: Would like to maintain a chicken coop on his property, which is less than 5 acres and does not meet 150' setback requirements.

Ms. Dana Grillo, Esq. appeared in front of the Board to discuss her client's request for an interpretation and area variance. Ms. Grillo referred to the hearing guide while addressing the Board.

Ms. Grillo stated Mr. Stepan Pototsky is the owner of the parcel identified as TM#: 015.-03-10.1. Ms. Grillo further explained there are three (3) consecutive parcels that the family owns. Together, the three (3) parcels are approximately 3.5 acres, with much of the topography being brush, trees and hills.

Ms. Grillo identified the southwest parcel or Lot-1/Block-A to be approximately .44 acres; the north parcel or Lot–1 where the primary dwelling is located is approximately 0.757acres; and the parcel to the east, Lot-2, is 2.894 acres, in all totaling over of 3.4097 acres.

Ms. Grillo referred to Chapter 30, where it discusses agricultural use on five acres. Ms. Grillo stated in reading the code it allows parcels to be joined in order to make up the five (5) acres. Chairman Feyl stated that the three parcels identified by Ms. Grillo are currently not hooked or merged. Ms. Grillo asked the Board to take the common sense approach as all three parcels are owned by one individual.

Chairman Feyl questioned the size of the parcel/lot with the utility's right of way on them. Chairman Feyl further explained that Lot-1could not be discussed as it is not merged with

the parcel being considered in front of the Board this evening. Ms. Grillo stated that with taking the utility's right of way out there still would remain over three acres.

Ms. Grillo reiterated that the Board should use the 'common sense approach' as all the parcels/lots discussed are owned by the same individual. Chairman Feyl stated that it is the Town of Camillus Municipal Code that should be followed. Ms. Grillo again restated that the Board should take the common sense approach in her opinion.

Ms. Grillo referred to another provision of the law Chapter 30, Sec. 405-E of the Town of Camillus Municipal Code and Local Law.

Section 405: Prohibited Uses

E. The harboring of animals, other than dogs or cats, is prohibited upon a parcel less than three acres. However, pet animals of any species may be kept provided that such animal is housed at all times within a principal building.

Ms. Grillo argued that in her opinion, the law states a principal building such as a kennel would serve as a principal building.

Ms. Flood questioned if these animals were pets or if they were harvested for food. Ms. Grillo stated that her client does not slaughter his animals and confirmed that the animals are not harvested. Ms. Otto stated that the applicant stated for the record at the last meeting that the chickens were harvested for food and replaced along with eating the eggs.

Ms. Flood stated if testing this section of the law, her opinion was that people do not eat their pets. Again, Ms. Flood questioned if the animals were pets or used for food. Ms. Grillo stated the answer would be 'yes' to both as they do not slaughter, however, do eat the eggs that are produced for food. Mr. Sergey Pototsky stated that there is no slaughtering of any animals.

Chairman Feyl stated that if referring to the section of the law relating to 5 acres, the applicant would need a substantially large variance. Ms. Grillo stated that she was referring to that section of the law rather the section relating to three (3) acres.

Ms. Grillo described the chicken coop as a 10' x 8' x 16' building. Chairman Feyl questioned if the applicant obtained a permit to build the chicken coop. Ms. Grillo confirmed that the applicant did not obtain a permit and was currently in violation. Ms. Otto questioned if the chicken coop was in the same location as when the applicant last appeared in front of the Board. Ms. Grillo stated the structure was moved.

Ms. Grillo and Mr. Sergey Pototsky approached the Board showing pictures of the property with debris and trash and how the Pototskys are in the process of cleaning up the property. Ms. Grillo stated that her client is doing everything they can to clean up the property.

Ms. Flood questioned why one would buy the property with all the debris remaining on the property. Ms. Grillo stated that it was hidden by the brush. The applicant purchased the property in 1997.

Ms. Grillo confirmed seven chickens, seven turkeys and one rooster would be housed in the coop. Ms. Grillo stated that the nearest dwelling is over hundreds of feet away.

Ms. Flood questioned the intended use and or function. Ms. Grillo stated that her client's intention is a hobby and that they eat the eggs. Mr. Sergey Pototsky confirmed that Ms.

Grillo was correct in stating that they intend to keep the animals as a hobby and intend to eat the eggs.

Ms. Flood explained that this is zoned a residential area, R-3 property and that the Board must deal with it as such and not as an agricultural parcel. Ms. Grillo argued Chapter 30, Sec.405-E of the law stating that her client's animals are housed at all times in a principal building.

Mr. Pirro questioned if the animals would ever be outside of the confined area. Mr. Sergey Pototsky confirmed that they would be confined at all times in the chicken coop.

Chairman Feyl stated in his opinion the definition of a principal building is where one lives, for example, one cannot build a barn on a vacant lot without a principal building/house.

Ms. Grillo stated in her opinion Chairman Feyl's interpretation of the law is incorrect as one can build a barn before a principal building and referred to Sec. 600-I, Dimensional Regulations.

Mr. de la Rosa stated that an agricultural use becomes principal and the barn becomes accessory to the use. As an agricultural operation is the principal use and the barn is accessory to that use.

Ms. Flood referred to the Code, stating that Ms. Grillo did not read the entire law.

Section 600: General Dimensional Regulations

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

Ms. Grillo stated that her interpretation of Chapter 30, Sec. 405-E does apply to this application, as the code does not require a principal use to be a residence or dwelling.

Ms. Grillo stated that she felt a sense of hostility from the Board even before giving her presentation and questioned why the Board was hostile against having a chicken coop. Chairman Feyl stated that the Board has no issues or problem with any application that is presented in front of them. Chairman Feyl explained that he does not agree with her interpretation of the municipal code, explaining why, and that other Board members have their own opinions and right to vote.

Chairman Feyl provided a detail explanation of Chapter 30, Sec. 405-E and Sec. 600-I of the Town of Camillus Municipal Code. Chairman Feyl also explained that the survey provided was not up to date and specifics are required as to the actual measurements.

Mike LaFlair, 2nd Ward Councilor stated that he is opposed to this application. Further stating the applicant has been taken to court as the coop was placed there illegally and that there has been no attempt to work with him or the neighbors to come to some middle ground. Mr. LaFlair stated he feels if approved that it would be a detriment to the neighborhood.

Ms. Jane Komuda stated her opposition to the application as it is a residential area, not agricultural. She feels a variance should not be granted.

Mr. Stepan Pototsky stated he did not understand the problem with the chicken coop as the nearest neighbor is 350 feet away. Mr. Pototsky stated that he is doing what he can to clean up the property, agreed to pay for permit and Zoning Board application fee, and still does not understand the problem. Mr. Pototsky stated he never had a neighbor complain to him and asked the Board to consider approving this permit, however, if not he understands he cannot go against government.

Ms. Flood explained the problem with the application is that the property is in a residential area, not agricultural, and certain setbacks cannot be met.

Mr. Stepan Pototsky stated that he 100% understands that this is a residential area and is still asking the Board to please consider approving his variance request.

Chairman Feyl explained that the applicant is asking for a variance of almost 50%, which is an enormous request.

Ms. Otto explained that the degree of the variance is a legitimate concern of the Board, as it is a factor if the application is granted or denied.

Chairman Feyl read a letter into the record received from Town Supervisor, Mary Ann Coogan.

Tom Price, Code Enforcement Officer stated that he is not in favor or against this request. Mr. Price further explained that he submitted a letter to the Board explaining his interpretation of the Town of Camillus Municipal Code and that the application simply does not meet code.

Chairman Feyl read a letter into record received by Mr. Tom Price, Camillus Code Enforcement Officer.

After a detailed conversation among the Board members and Ms. Grillo, Mr. Casey motioned to close the Public Hearing. Ms. Flood seconded the motion and it was unanimously approved.

OLD BUSINESS

None

NEW BUSINESS

1. Michael Halko **TM#: 007.-02-27.1**
6533 Lawrence Street
Warners, NY 13164

Area Variance: Would like to build a 24' x 32' pole barn in front of the rear line of the principal building.

Mr. de la Rosa moved to declare this application a SEQR Type II and set the Public Hearing for December 18, 2012. Ms. Flood seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING

Ms. Flood moved to approve the minutes of the November 20, 2012 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS

A voucher was received from The Post Standard for legal advertising totaling $58.14.

The board reviewed a detailed voucher from Melvin & Melvin for legal services totaling $1,875.00.

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

CORRESPONDENCE

None

COMMENTS OF THE BOARD

Organizational Meeting:

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

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

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

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

DECISIONS

1. Stepan & Vitally Pototsky **TM#: 015.-03-10.1**
Vacant property on Horan Road
Syracuse, NY 13209

Interpretation & Area Variance: Would like to maintain a chicken coop on his property, which is less than 5 acres and does not meet 150' setback requirements.

Chairman Feyl and the Board completed the Impact Assessment form.

Mr. Casey moved to declare and interpret that Sec.402-P3, applicable to agricultural land uses, applies, not Sec.405-E, as the applicant does not have a principal building, is on less than three (3) acres, and does not meet other criteria of Sec.405-E as well the requested variances are substantial, some approaching or totaling 50%. Mr. Pirro seconded the motion.

The motion was put to a vote:

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

Motion GRANTED.

Mr. de la Rosa moved to grant a variance under Sec.402-P3 to allow a chicken coop to raise hens, turkeys and roosters. Mr. Casey seconded the motion.

The motion was put to a vote:

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

Motion DENIED.

Mr. de la Rosa moved to grant a side yard set back variance of 80' from the north property line, a 70' variance from the south sideline, and a 35' variance from the west property line. Ms. Flood seconded the motion.

The motion was put to a vote:

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

Motion DENIED.

Ms. Flood moved to allow the inclusion of adjacent parcels and to grant an area variance of at least 2.106 acres to have chicken coop. Mr. de la Rosa seconded the motion.

The motion was put to a vote:

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

Motion DENIED.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:30 p.m. Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

Town of Camillus
Zoning Board of Appeals
December 18, 2012 - 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Mike LaFlair, 2nd Ward Councilor
1 other

ABSENT:
None

Chairman Feyl called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance. Mr. de la Rosa moved to waive the reading of the Public Hearing notice. Ms. Flood seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

1. Michael Halko **TM#: 007.-02-27.1**
6533 Lawrence Street
Warners, NY 13164

Area Variance: Would like to build a 24' x 32' pole barn in front of the rear line of the principal building.

Mr. Michael Halko appeared before the Board to discuss his application for an area variance to construct a 24' x 32' pole barn 5' back from the front of the house. Mr. Halko stated the proposed pole barn to be approximately 48' from the house. Further explaining although on a three acre 140' deep parcel the location of the pole barn was extremely difficult to determine as the parcel is not usable due to the topography of the land and the wooded marshy conditions.

Chairman Feyl questioned the distance from the proposed pole barn to the addition. Mr. Halko confirmed the distance from the pole barn to the addition to be 23.1'. Chairman Feyl questioned the distance to the pole barn from the property line. Mr. Halko confirmed the distance on the right side of the pole barn to the property line to be 46' and 39' from the left side of the pole barn to the property line.

Mr. Halko stated that the proposed pole barn would be used for cold storage with plans to store his trailer and snowmobiles. Mr. Halko explained the proposed location is due to the topography of the backyard and the location of the septic system.

Mr. de la Rosa and Mr. Pirro both questioned if the construction of the pole barn had begun and questioned the structural material to be used. Mr. Halko stated that footing had begun; however, construction of the pole barn had not yet begun. The building materials will consist of asphalt roofing with metal siding.

Ms. Flood questioned if the surrounding neighbors had been informed. Mr. Halko stated he spoke to his neighbor Mr. Bohemian who lives directly across from him, and that he has not heard of any conflict or issues.

Mr. Casey questioned if lighting would be used. Mr. Halko stated that lighting would not be used at this time.

Chairman Feyl questioned the direction of the pole barn door. Mr. Halko stated that the door would face the street.

Ms. Otto questioned the distance the pole barn sat from Lawrence Street and the amount of variance needed. Mr. Halko confirmed the pole barn sat 52.2' back from Lawrence Street and that he would need a 42' variance.

Mr. LaFlair, 2nd Ward councilor, stated he was in support of this application and that he spoke to surrounding neighbors and received no opposition. Mr. LaFlair stated that the topography of the parcel makes it difficult to locate the barn and asks for the Boards consideration to approve this request.

After a detailed conversation regarding the amount of variance required, Mr. Casey moved to close the Public Hearing. Ms. Flood seconded the motion and it was unanimously approved.

OLD BUSINESS
None

NEW BUSINESS
None

MINUTES OF THE PREVIOUS MEETING
Mr. Casey moved to approve the minutes of the December 4, 2012 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS
A voucher was received from The Post Standard for legal advertising totaling $43.61.

Ms. Flood 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
None

DECISIONS

1. Michael Halko **TM#: 007.-02-27.1**
6533 Lawrence Street
Warners, NY 13164

Area Variance: Would like to build a 24' x 32' pole barn in front of the rear line of the principal building.

Mr. de la Rosa moved to approve a 42' variance from the rear line of the house. Ms. Flood seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:23 p.m. Ms. Flood seconded the motion and it was unanimously approved.

Respectfully submitted,
Krista Kenna, Clerk
Zoning Board of Appeals

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