TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
January 5, 2016 – 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
George Dooher
Rich de la Rosa
Steve Pirro

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
None

ABSENT:
None

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

PUBLIC HEARING:
None

NEW BUSINESS:

1. **Aspen Dental** **TM#: 047.-04-14.1**
   3590 W. Genesee Street
   Syracuse, NY 13219

Area Variance: signage.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the public hearing for February 2, 2016. Mr. Dooher seconded the motion and it was unanimously approved.

2. **National Grid** **TM#: 020.-04-015.0**
   4010 Milton Ave.
   Camillus, NY 13031

Special Use Permit: add additional transformers and switch gear.

Mr. Dooher moved to declare the application an Unlisted Action SEQR and set the public hearing for February 2, 2016. Mr. de la Rosa seconded the motion and it was unanimously approved.

MINUTES:
Mr. de la Rosa moved to approve the minutes of the December 1, 2015 meeting. Mr. Dooher seconded the motion and it was unanimously approved.

VOUCHERS:
A voucher was received from Syracuse Media for legal advertising totaling $42.63.

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

COMMENTS OF THE BOARD:
None

CORRESPONDENCE:
None

OLD BUSINESS:
None

DECISIONS:
None

ADJOURNMENT
Mr. de la Rosa moved to adjourn the meeting at 7:03 p.m. Mr. Dooher seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

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

PRESENT:
Bob Feyl, Chairman
George Dooher
Rich de la Rosa
Steve Pirro
Alex Walsh

ABSENT:
None

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Tom Price, Code Enforcement Officer
Joy Flood, 3rd Ward Councilor
5 Others

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

PUBLIC HEARING:

1. Aspen Dental **TM#: 047.-04-14.1**
3590 W. Genesee Street
Syracuse, NY 13219

Area Variance: signage.

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

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

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

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

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

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

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

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

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

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

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

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

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

2. National Grid **TM#: 020.-04-015.0**
4010 Milton Ave.
Camillus, NY 13031

Special Use Permit: add additional transformers and switch gear.

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

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

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

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

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

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

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

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

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

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

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

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

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

NEW BUSINESS:

None

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

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

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

COMMENTS OF THE BOARD:
None

CORRESPONDENCE:
None

OLD BUSINESS:
None

DECISIONS:

2. National Grid **TM#: 020.-04-015.0**
4010 Milton Ave.
Camillus, NY 13031

Special Use Permit: add additional transformers and switch gear.

Chairman Feyl and the Board conducted the SEQR review.

Mr. Pirro recused himself for this application.

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

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

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
March 1, 2016 – 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Rich de la Rosa
Steve Pirro
Alex Walsh

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Four Others

ABSENT:
George Dooher

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

PUBLIC HEARING:

1. Aspen Dental **TM#: 047.-04-14.1**
3590 W. Genesee Street
Syracuse, NY 13219

Area Variance: signage.

Chairman Feyl explained that the application in front of the Board this evening is a continuation of the February 2, 2016 meeting of the Zoning Board of Appeals.

Michael Loucy, National Sales Director of Image Press, and Todd Phillips, Vice President of Real Estate and Construction of Aspen Dental Management, Inc., presented the application.

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

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

Mr. Loucy stated that, at the last meeting, the pylon sign was discussed and Aspen Dental was asked if it would be willing to change or negotiate the pylon sign. Mr. Loucy stated that he has discussed this with Aspen Dental. Mr. Loucy informed the Board that Aspen Dental is not willing to negotiate/share the usage of the pylon sign.

Chairman Feyl asked if the applicant was aware that an email had been sent to the Town of Camillus stating that, upon request from the other tenants, the existing pylon sign would be

shared and therefore changed from what currently exists. Chairman Feyl stated that he has never heard of a business that does not want a sign.

Mr. Phillips stated that he was not aware of this information and that it did not make any sense to him as the way the deal was explained to him was that each stand-alone building would have its own pylon sign and that the multi building would have its own sign to share among tenants. Further explaining that he was told by the property owner that Panda Express would have its own pylon sign, Chipotle would have its own pylon sign, Aspen Dental would have its own pylon sign, and the multi building would share a pylon sign. Mr. Phillips stated that the sign was all ready to go, bought and paid for by the property owner and does not understand the issue with the pylon sign and for requesting to have window graphics.

Chairman Feyl explained that window graphics are not allowed within the Town of Camillus according to the Town Code. Chairman Feyl also stated that the applicant went in front of the Camillus Planning Board, and as a result, a resolution was made, numbered #44, which was read into the record.

Chairman Feyl stated that no ancillary signage is allowed according to the resolution, only primary signage as depicted on the building is allowed. Chairman Feyl reiterated that this request for a variance, in his opinion, is excessive and, if approved, goes with the property, not the business and the Board should take that into consideration.

Mr. Phillips stated that the owner gave Aspen Dental the right to the entire pylon sign in the lease that they signed.

Mr. Phillips stated that the developer must have appeared in front of the Camillus Planning Board as no one from Aspen Dental appeared.

Chairman Feyl stated that in his opinion the request for variance is astronomical in size and he has concerns because the variance would go with the property should it be granted.

Mr. Phillips stated that Aspen Dental is a CNY company based in Syracuse, having over 550 locations over the country and in 36 states and window graphics are a part of their branding. Stating they are committed to central New York and provided drawings to the Board referring to the Cicero, NY stand-alone building. What they are asking for in Camillus, NY is far less.

Mr. Phillips approached the Board providing flyers showing what their location in Cicero, NY looks like.

Mr. Phillips explained that what they are asking of the Town of Camillus to consider is minimal in comparison to other Aspen Dental locations. Respectfully asks for kindness and consideration in keeping their branding. Mr. Phillips questioned why at their other Camillus location they could have window graphics and does not understand why they cannot have them at this location.

Chairman Feyl stated that the town simply does not allow window signage. Explaining that he himself has no objection to the building or the sign on the front of the building or the sign located out in front of the building, however, feels what they are asking for is an enormous variance for a few pictures to be displayed in the windows.
Mr. Philips questioned the Panda Bear image on the front of the Panda Express building.
Chairman Feyl stated that the applicant never showed the Board the Panda Bear image and it

appeared illegally. Chairman Feyl stated that they have no permission to put it in there and are currently being issued a citation for having the Panda Bear in the window.

Ms. Otto explained that the building occupied by Aspen Dental only allows 50.66 sq. ft. of signage on the front of the building. Aspen Dental has already used up all of that except 2.16 sq. ft. and is seeking a variance of 127.3 sq. ft., therefore, the Board has to look at the magnitude of the variance that Aspen Dental is requesting and has to consider what the Planning Board did with placing a condition on what the Planning Board approved.

Chairman Feyl stated that the request for variance will be put to vote and that a decision would be made.

Mr. Phillips stated that Aspen Dental wants more signage, explaining that a great number of its clients are seniors needing signage and visibility to make it easier for them to see, stating the more signs the better. Mr. Phillips also stated that he does understand the town wants the signage scaled down a bit and is just looking for some consideration and compromise from the Board.

Mr. Pirro stated that the applicant as far as he can see has not scaled down any signage from the last meeting. Mr. Loucy stated that they would consider scaling down the window signage.

Ms. Otto noted that the copy of the abstract the Board has pertaining to this applicant's lease only allows it to have signage on the upper or top part of the pylon free standing sign.

Mr. Phillips stated that the landlord built the building, the sign for them and is baffled as to why if going to be a multi-tenant sign he was not informed.

Mr. Loucy confirmed that the four window graphics each measure 31.8 sq. ft., totaling 127.3 sq. ft. The window signs will be used to promote oral health and dental services provided by Aspen Dental. Signage itself is perforated window vinyl with 50% of it having holes and will not block anything as to a safety concern.

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

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

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

Mr. de la Rosa stated the window graphics they are asking for, in his opinion, are advertisement, not informational. Chairman Feyl stated that in his opinion the two window graphics for consideration with images of a male and female smiling serve no purpose.

Mr. Loucy explained that perhaps the images of people smiling promote good oral health and teeth. Mr. Loucy further explained that perhaps people with bad oral health do not smile.

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

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

NEW BUSINESS:
None

MINUTES:
Mr. de la Rosa moved to approve the minutes of the February 2, 2016 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS
A voucher was received from Syracuse Media for legal advertising totaling $77.91.

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

COMMENTS OF THE BOARD:
None

CORRESPONDENCE:
Mr. Pirro questioned the signage located on the side of the Green Planet building and that the Board asks that Camillus Code Enforcement look into this further as a variance for signage located on the side of the building was never granted.

OLD BUSINESS:
None

DECISIONS:

1. Aspen Dental **TM#: 047.-04-14.1**
3590 W. Genesee Street
Syracuse, NY 13219

Area Variance: signage.

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to grant Aspen Dental a 64 sq. ft. variance for two window signs, each sign being 31.8 sq. ft., with the verbiage depicted in the drawings but no photos or pictures as depicted in the application. Mr. Pirro seconded the motion.

The Board was polled, which resulted as follows:

Richard de la Rosa	Voting	YES
Steve Pirro	Voting	NO
Robert Feyl	Voting	NO
George Dooher		ABSENT
Alex Walsh	Voting	YES

Motion DENIED.

There was some question whether, given the split, another vote had to be made. The Board and Ms. Otto again discussed the application, and the condition of the Planning Board decision.

Mr. de la Rosa moved a second time to grant Aspen Dental a 64 sq. ft. variance for two window signs, each sign being 31.8 sq. ft., with the verbiage depicted in the drawings but no photos or pictures as depicted in the application. Mr. Walsh seconded the motion.

The Board was polled, which resulted as follows:

Richard de la Rosa	Voting	NO
Steve Pirro	Voting	NO
Robert Feyl	Voting	NO
George Dooher		ABSENT
Alex Walsh	Voting	YES

Motion DENIED.

ADJOURNMENT

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

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
April 5, 2016 – 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Rich de la Rosa
Steve Pirro
George Dooher

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Joy Flood, 3rd Ward Councilwoman
Dave Callahan, 6th Ward Councilman
17 Others

ABSENT:
None

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

PUBLIC HEARING:

1. Aspen Dental **TM#: 047.-04-14.1**
3590 W. Genesee Street
Syracuse, NY 13219

Area Variance: signage.

Chairman Feyl explained that the application was to be re-opened and in front of the Board this evening as the meeting held on March 1, 2016 needed corrections and clarification to be made by the Zoning Board of Appeals.

Ms. Otto stated the reason for the rehearing this evening is because the Board misinterpreted an email received from the Camillus Planning Board. Further explaining that a re-vote was done as the Board thought there was a non-action with the first vote, however, the variance request was actually denied the first time around. Ms. Otto expressed an apology on behalf of the Board and stated that the applicant would have an opportunity to present their application to the Board once again this evening.

Michael Loucy, National Sales Director of Image Press, and Todd Phillips, Vice President of Real Estate and Construction for Aspen Dental Management, Inc., presented the application.

Mr. Loucy approached the Board providing printed images of 50/50 perforated vinyl window graphics. Mr. Phillips explained that Aspen Dental has had printed and installed this type of window graphics at over 550 locations all over the country and explained that many municipalities have considered the graphics to be 50% less when calculating the total window area for a variance. Mr. Phillips is asking the Board to consider their proposed graphics in the same manner, as 50% less of the total overall area.

Mr. Phillips explained that what they are asking the Town of Camillus to consider is minimal in comparison to other Aspen Dental locations. Respectfully, Mr. Phillips asked the Board for kindness and consideration so they can keep with their branding. Mr. Phillips questioned why other businesses located within the Town of Camillus could have such window graphics and does not understand why Aspen Dental cannot have them at this location.

Mr. Loucy provided printouts to the Board of what a solid opaque window graphic looks like, stating that other surrounding businesses have them currently.

Mr. Phillips stated that there are several reasons for wanting this variance, such as patient/client health privacy. Many of their customers do not want others looking into the business seeing them in the waiting room. Mr. Phillips stated that, in addition, there are other reasons for this request, such as corporate branding and being easily identifiable to individuals going to the business.

Mr. de la Rosa questioned if the applicant was willing to compromise on the size of the variance request and if the applicant would consider downscaling. Mr. Phillips stated that they did downsize from their original request and would be open to compromise.

Mr. Pirro questioned the coverage percentage of the window graphics. Mr. Pirro also questioned the height of the proposed graphics. Mr. Phillips stated that the window graphics would be 82 inches in height by 56 inches in width.

Chairman Feyl explained that several of the businesses shown as an example to the Board are illegal and stated they do not have variances approving such signage.

Chairman Feyl further explained that while some of these businesses have window advertisements, these advertisements are legal and can be utilized, however, cannot exceed 30 days, as regulated by our Camillus Codes Enforcement Office.

Mr. Phillips stated that the 50% perforated window graphics are also used for blocking the south sun. Chairman Feyl stated that the use of the pulldown shades that are currently installed could serve that purpose.

Chairman Feyl and Ms. Otto stated that just because these other businesses have window graphics does not make them legal and will be enforced by the Camillus Codes Enforcement Office as enforcement is not within jurisdiction of the Zoning Board of Appeals.

After a discussion among the Board, Ms. Otto and the applicants, Ms. Otto explained that a vote cannot be done on a lesser variance request if one is not presented to the Board. If the variance request is not modified by the applicant, and if the variance is denied, it would be denied entirely in its entirety and a lesser variance, if not requested, cannot be considered.

Mr. Phillips asked once again for the Board's consideration as this is a commercial location, will be using 50% perforated vinyl and is trying to do the right thing by applying for a variance. Mr. Phillips stated that he understands that the Town of Camillus is extremely conservative with granting signage variances but would hope the Board would consider a compromise.

Mr. Dooher stated that he has concerns with the Camillus Codes Enforcement not being uniform in citing those businesses who do not properly seek a variance for signage.

Chairman Feyl suggested considering a smaller variance request and reiterated what Ms. Otto mentioned, suggesting the applicant consider only using half of the window panel signs as in his opinion the bottom half serves no purpose.

Following Chairman Feyl's suggestion, Mr. Loucy calculated the square footage of using only half the proposed window graphics and reduced the square footage by 50% given that the vinyl would be perforated. Mr. Loucy, Mr. Phillips and the Board determined that only a 35 square foot variance would be required if the applicant installed four 8.652 square foot perforated vinyl graphics. Eliminating the bottom half of the signs would reduce the magnitude of the variance being requested and would further alleviate any safety concerns.

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

2. Realty USA **TM#: 040.-10-26.1**
5104 West Genesee Street
Camillus, New York 13031

Area Variance: signage.

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

Ms. Cristina Caceres from Kassis Sign Company appeared before the Board to discuss the application for an area variance. Ms. Caceres explained that Realty USA is facing a hardship as the sign was made based upon a verbal approval of Mr. Tom Price, Camillus Code Enforcement Officer given to Mr. Simmons of Realty USA.

Ms. Otto stated that the previous sign was outlawed back in 1998.

Chairman Feyl stated that the Town prefers monumental style signs and explained that most of the signs in the Town of Camillus are monumental in appearance and style. Chairman Feyl provided several examples of acceptable monumental style signs.

Ms. Caceres approached the Board providing a copy of the Zoning Board of Appeals February 16, 2010 minutes. Chairman Feyl read the minutes into the record.

Ms. Caceres stated that based upon the approved minutes from 2010, a 10ft. variance to the total are; a 5ft. variance to the height limitations and a 12ft. front property line setback variance was granted.

Ms. Caceres provided an explanation of what the proposed sign would look like. Ms. Caceres stated the measurements of the proposed free standing sign would be 11ft. from the top of the sign to the bottom, 16inches wide, totaling 32 sq. ft. in area. Ms. Caceres stated the proposed sign will be internally lit with illuminated LED lighting.

Mr. David Simmons of Realty USA discussed the sight line and expressed safety concerns in following with the current code requirements. Chairman Feyl questioned if the elevation was raised. Mr. Simmons confirmed that the elevation was raised and explained that Realty USA spent quite a bit of money to do so.

Chairman Feyl stated he had concerns with the proposed sign being a distraction to drivers along West Genesee Street and with visibility on the corner of the property where West Genesee Street and Hinsdale Road meet. Chairman Feyl suggested the applicant come down in the height of the sign.

Ms. Otto explained non-conforming laws and expiration of rights over a term of 6 months. Stating according to Mr. Price and Sec.1102 of the Town of Camillus Code, rights terminate upon a discontinuance of use of over 6 months.

Mr. Pirro questioned how long the sign had been down for and the period of discontinued use. Mr. Simmons confirmed that the sign and building had been nonoperational or not used for over a period of 1 year.

Mr. Simmons stated that they are simply trying to do the right thing and ask for a variance they thought was already approved. Mr. Dooher questioned if Mr. Price provided an explanation for, and clarification of, changing his mind.

Ms. Caceres asked for the Board's consideration and stated that Realty USA is facing a hardship as the sign was made based upon a verbal approval of Mr. Tom Price. Mr. Simmons stated that this sign is necessary for identification as no signs are allowed on the building itself according to code.

Ms. Flood, 3rd Ward Councilwoman stated that she was speaking on behalf of 6th Ward Councilman Callahan, expressing that the proposed sign was not supported or preferred and feels it would be better visible as a monumental style sign.

Chairman Feyl questioned the severity of hardship Realty USA would face financially if it does not receive approval. Ms. Caceres explained the sign has been completed and therefore, steel would need to be cut, wiring recalculated and an additional cost of at least $500 would occur.

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

3. Tommy Kehoskie **TM#: 017.-05-39.0**
186 Bennett Road
Camillus, New York 13031

Area Variance: New build, set back 35ft. from front line and 5ft. from west side property line.

Mr. de la Rosa moved to set the Public Hearing for April 5, 2016. Mr. Pirro seconded the motion and it was unanimously approved.

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

Mr. Tommy Kehoskie appeared before the Board to discuss his application to remove a trailer home located at 186 Bennett Road and obtain a variance to build an 1800 sq. ft., 50 ft. wide ranch style home.

Mr. Kehowskie further described the property to have septic, not sewers and explained that, with the location of the leach field, he felt the proposed location was his best option as nothing can be placed upon the leach field. Mr. Kehoskie stated that the proposed location is in keeping with the location of the other homes in the area and doing so also allows him to optimize his backyard usage.

Mr. de la Rosa stated that in his opinion it would be in line with the other homes as most are only set back 35ft.

Chairman Feyl stated that he spoke with Mr. LaFlair, 2nd Ward Councilor, and Mr. LaFlair shared his comments of support with the applicant and Board. Mr. LaFlair noted that he spoke to the surrounding neighbors and received no negative feedback.

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

NEW BUSINESS:
None

MINUTES:
Mr. de la Rosa moved to approve the minutes of the March 1, 2016 meeting. Mr. Dooher seconded the motion and it was unanimously approved.

VOUCHERS
None

COMMENTS OF THE BOARD:
None

CORRESPONDENCE:
None

OLD BUSINESS:
None

DECISIONS:

1. Aspen Dental **TM#: 047.-04-14.1**
3590 W. Genesee Street
Syracuse, NY 13219

Area Variance: signage.

Chairman Feyl and the Board conducted the SEQR review.

Mr. Dooher moved to grant Aspen Dental a 35 sq. ft. variance for the installation of 50%

perforated vinyl window graphics, to allow for four signs each sign measuring 8.652 sq. ft. Mr. de la Rosa seconded the motion and it was unanimously approved.

2. Realty USA **TM#: 040.-10-26.1**
5104 West Genesee Street
Camillus, New York 13031

Area Variance: signage.

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to grant an 8 sq. ft. variance for the size of the sign, totaling 32 sq. ft. in area. Mr. Pirro seconded the motion and it was unanimously approved. Mr. Pirro moved to grant a 5 ft. variance to allow for an 11 ft. high sign with respect to the height of the sign. Mr. Dooher seconded the motion and it was unanimously approved.

3. Tommy Kehoskie **TM#: 017.-05-39.0**
186 Bennett Road
Camillus, New York 13031

Area Variance: New build, set back 35ft. from front line and 5ft. from west side property line.

Chairman Feyl and the Board conducted the SEQR review.

Mr. Pirro moved to grant the construction of a new house set back 35 ft. from the front yard property line. Mr. Dooher seconded the motion and it was unanimously approved. Mr. Pirro moved to grant a 2 ft. variance from the side yard setback requirement. Mr. Dooher seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:17 p.m. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
May 3, 2016 – 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Rich de la Rosa
Steve Pirro

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Dave Callahan, 6th Ward Councilman
4 Others

ABSENT:
George Dooher

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

PUBLIC HEARING:

1. Ticada Realty II, LLC **TM#: 065.-04-06.1**
New York Spine & Wellness
Syracuse Orthopedic Specialists
5417 West Genesee Street
Camillus, New York 13031

Area Variances: two signs on the face of the building and a 9.37' high free-standing sign set back 2' from the east property line.

Chairman Feyl asked that the applicant refer to and follow the hearing guide when answering questions and addressing the Board.

Ms. Kathleen M. Bennett, ESQ. of Bond Schoeneck & King presented the application to the Board.

Ms. Bennett stated that the applicant is the owner of the property and currently leases the space to Syracuse Orthopedic Specialists (S.O.S.) and NY Spine & Wellness Center. Ms. Bennett explained that this property was part of a subdivision and re-subdivision process submitted by Dr. Fallon back in 2014, where signage then was an issue and discussed. Further explaining the issues with signage especially since her client's lot only has 35' of frontage off of West Genesee Street.

Ms. Bennett stated that back in 2014 a common drive was designed and shared which took up most of the 35' of frontage leaving very little room for signage. Ms. Bennett stated that signage was previously discussed between her client and Dr. Fallon, however, circumstances have since changed and that is why they are seeking a variance for the free standing sign.

Ms. Bennett stated that her client has been using in the interim a temporary free standing sign and while using it several patients have complained that they cannot find the building. Further

explaining that once finding the building patients do not know where or which office building entrance to use. Ms. Bennett stated that her client Ticada Realty II, LLC is seeking a variance for a permanent free standing sign and signage on the building with hopes to resolve these issues. Ms. Bennett stated that her client's building is not a typical office building as one must physically leave the building to go into another office space; patients cannot access any of the other offices from within the building.

While referring to Drawing L-1 for the location, Ms. Bennett explained that the free standing sign is similar to the temporary free standing sign, however, are requesting a variance for the setback requirements. Ms. Bennett stated that her client will require a setback of 2' from easterly property line instead of the required 15'. Ms. Bennett stated that the proposed sign would be 9.375' from grade in height, instead of the permitted 6'. Ms. Bennett also stated that the sign will be 24 sq. ft. as allowed by code identifying building tenants, however, would like the sign to be lit and more importantly to have a sign.

Ms. Bennett provided the proposed sign dimensions for NY Spine and Wellness sign to be 54.25sqft, 15.5' x 3.5' and the SOS to be 49sqft, 14' x 3.5'. Ms. Bennett stated that the proposed signage will be led backlit for the front of the buildings. Ms. Bennett explained that the reason for the proposed signage on the face of the building is to identify building entryways for each provider with trying to make it more visible to patients in the evening. Ms. Bennett stated that her client feels it is extremely important to have the proposed signage. Ms. Bennett explained that much of the surrounding area is zoned LBO or commercial. Stating the most in the immediate vicinity have signs on the building or free standing signs. Ms. Bennett stated that several LBO properties despite the code have signs on the buildings and provided a handout identifying the properties to the Board.

Ms. Bennett stated that, according to the handouts provided, there are visible signs in the Studio5 building adjacent to her client's property, a sign in the window of the State Farm Insurance office across from the property, and a larger sign and photo located on the NBT Bank on the corner of Channing Lane and West Genesee Street with a sign on its elevation. Ms. Bennett stated that there was also signage, as moving down West Genesee Street, across from the Camillus Commons Plaza that looks to be on the frontage of the building that is within the LBO district. Ms. Bennett provided documents showing and demonstrating that there are other buildings within the LBO district with signage on the front of the building and referred to the zoning map pulled from the Town of Camillus website and Google maps online.

Ms. Bennett explained that in this area there is very little residential usage along the main street but instead along the side streets. Ms. Bennett stated that with respect to unique features making the variances necessary is that the building is setback 256 ft from West Genesee Street making it less visible to drivers. Ms. Bennett referred to Site Plan L1, stating that it indicates that the owner of the front lot may develop the lot, further limiting the visibility. Ms. Bennett stated that the owner of the front lot previously stated to her client that he would allow signage on that lot, however, will not most likely be happening at this point.

Ms. Bennett stated that her client's patients have submitted several complaints. Further explaining that patients are late to their appointments and become aggravated about not knowing where to go and what entry is correct. Ms. Bennett stated that having signage on the building would make patients with limited mobility or in pain to find the building and access the proper office reducing number of late visits and patient aggravation. Stating that it would further reduce traffic, U-turn confusion and would improve traffic circulation internally reducing the number of trips around the parking lot. Leasability at some point may be impacted as patients may become aggravated about going there if nothing is done to resolve these issues.

Ms. Bennett stated that there would be no negative effect on the surrounding neighborhood, nor would there be any negative environmental impact or any detriment. Stating character of the neighborhood is commercial with several free standing signs on the surrounding properties.

Ms. Bennett stated that her clients proposed free standing sign is not different in size, scale or scope of other surrounding properties free standing signs. Explaining in this case with the setback being so far from West Genesee Street there is really no other place for a free standing sign to be located other than what they are proposing.

Ms. Bennett stated that the proposed signage on the building would help to try and resolve patient issues and concerns. Further stating that the required variance would not be substantial as the area is commercial.

Chairman Feyl asked if the applicant read the code before purchasing the property. Ms. Bennett stated that she believes they did, however, signage had always been an issue. Chairman Feyl explained that the parameters set for the driveway were set by Onondaga County not the Camillus Planning Board.

Chairman Feyl stated that the application was continued for over five months and the applicant totally ignored the Town of Camillus Code which does not allow signage on other individuals' properties, it is simply not allowable within the Town of Camillus and no variance can be granted to do so as it is simply not allowed.

Chairman Feyl explained that Ms. Bennett had identified only one building to the Board that was in an LBO district, NBT Bank, as the Code was passed to allow NBT Bank signage and after the fact by ruling of the Town Board zoning was changed to the surrounding areas making them commercial, however, with NBT Bank staying as LBO.

Chairman Feyl stated that the Board has no objection to considering a sign as far as the setbacks; however, signage on the building within an LBO simply is not allowed. Chairman Feyl stated that the applicant currently has several directional signs larger than 2 ft. sq.

Mr. de la Rosa stated that the applicant is allowed directional signs and feels that patients would be able to find the proper building and entrance with the use of proper directional signs.

Ms. Bennett stated that her client has stated that they get over 20 complaints a week with more complaints in the winter months, as some people simply cannot figure out the directional signs.

Mr. de la Rosa stated that if the patients do not look or read the directional signs, then why would a variance for signage on the building improve matters, especially it is against code and is simply not allowed.

Mr. Pirro stated that conversations were had in the planning stages of the building and that it has been known from the beginning that signage on the face of the building is not allowed.

Chairman Feyl stated that the applicant is zoned LBO. Everything from the street light at Knowell Road west is LBO and from the street light east is commercial.

Chairman Feyl stated that the Town Master and/or Comprehensive Plan indicates there will be no commercial zoned properties west of Knowell Road.

Chairman Feyl stated that as it stands now we have to ask the Town of Camillus Code Enforcement office to cite the applicant for exceeding 2sqft in their current directional signage.

Chairman Feyl stated that the applicant is allowed to place the number of the location on the face of the building with following code requirements and suggests that the applicant remove the numbers from the freestanding sign and instead place them on the front of the building as in doing so the free standing sign would then meet code.

Ms. Otto explained that the applicant with regards to the free standing sign is only seeking a variance on the setback and height of the sign.

Ms. Bennett stated that she agrees that this has been going on since last March and that she understands where the Board is coming from with its frustration on the delay. Ms. Bennett stated that she will take the message back to her client on what can and cannot be done.

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

2. Realty USA **TM#: 040.-10-26.1**
5104 West Genesee Street
Camillus, New York 13031

Area Variance: signage.

Chairman Feyl stated that the Town of Camillus Code enforcement office misinterpreted the location and submitted paperwork based upon a wrong property address and submitted nothing with the correct property address.

Chairman Feyl questioned why someone at the last meeting didn't say that the wrong location was presented. Ms. Caceres explained that she went to see Mr. Price and Mr. Price wrote down the wrong address. Ms. Caceres stated that she filled out the application, putting 5104 West Genesee Street address on it instead of 5110 West Genesee Street, however, explained that the site plan and everything discussed was referring to 5110 West Genesee Street and the supporting documentation submitted to the Board was all referring to 5110 West Genesee Street.

Chairman Feyl stated that the biggest point Ms. Caceres brought up at our last meeting was stating that a 2010 variance was granted to 5104 West Genesee Street property, not 5110 West Genesee Street. Mr. Simmons stated that he wasn't even aware that there was variance for the 5110 West Genesee Street property. Mr. Simmons questioned if the variance granted back in 2010 runs with the land.

Ms. Otto explained that a variance does run with the land, however, the Board relied on a 2010 variance that does not even apply to the property at issue and, therefore, the ZBA needed to rerun the legal advertisement as the Board may have rendered a decision based upon the misrepresentation of the 2010 variance.

Ms. Caceres emphasized that everything discussed at the last meeting was referring to the correct location and that only on paper was the property listed as the wrong address.

Chairman Feyl discussed Chapter 30, Sec. 815 of the Town of Camillus Code. Ms. Otto explained that in 1997 a variance was granted for 5110 West Genesee Street, however, Sec. 815 of the code states that as of June 22, 1998 all signs existing that do not conform to the regulations of the code shall be allowed to continue until June 21, 2005, thereafter all signs must comply. Ms. Otto further explained that the variance that was granted only continued until June 21, 2005.

Chairman Feyl stated that in 2010 the only property changed was 5104 West Genesee Street not 5110 West Genesee Street. Ms. Otto explained that the other sign was changed without a variance and was not legal.

Chairman Feyl stated that a variance for the new building needs to be considered. Mr. Simmons questioned if the current sign located at 5104 West Genesee Street should go away. Ms. Otto stated that under the current code that sign is not conforming.

Mr. David Callahan, 6th Ward Councilman stated that he does recall that variance when the outer plastic was changed on the sign, stating that the applicant changed the two signs but only one was granted a variance. Councilman Callahan stated that he objects to placing a lollypop sign back up like the one the applicant had before. Councilman Callahan stated that if the applicant was to place a monument style sign that it wouldn't even have to ask for a variance as long as it conformed to the size requirements. Councilman Callahan stated that in his opinion what the applicant has built is such a beautiful building and would think that it would want a sign to compliment the building and objects to that particular type of sign the applicant is proposing. Councilman Callahan stated according to the Town of Camillus code it is not an allowable sign for that property.

Mr. Simmons stated that the sign being proposed was built because Mr. Price told him that the sign was all ok and received verbal approval to do so. Mr. Simmons stated that he assumed he had the variance and now realizes he doesn't. Mr. Simmons stated that Mr. Price changed his mind after giving him verbal approval and was then referred to the ZBA.

Chairman Feyl stated that at the last meeting the Board specifically asked the applicant to consider bringing the height of the sign down in size. Ms. Caceres stated she mispoke on the cost to change the sign at the last meeting.

Chairman Feyl still suggested that the applicant consider bringing the height of the sign down in size. Mr. Simmons stated that back in 2010 he believed there was a sight line issue and as the elevation of the lot has changed since then, bringing the height of the proposed sign down would be good. Chairman Feyl stated that he believes it was the Camillus Planning Board that expressed concern with sight line and of the sign.

Mr. Simmons stated that while he does appreciate the monument style sign, the applicant is just trying to keep with what has been fabricated and completed already.

Ms. Otto asked if that the proposed sign measures 32sq. ft. Ms. Caceres confirmed the proposed sign to be 32 sq. ft.

Councilman Callahan questioned if there was an issue with sight at that location with traffic coming down along West Genesee Street. Mr. Pirro stated there is a no right on red at any part of the intersection heading west. Councilman Callahan stated that the Town is trying to conform to the Code as it is written and this variance is totally non-conforming to what the Town of Camillus wants and respectfully asks that the Board consider keeping it lower.

Chairman Feyl stated that the Board is required to do its best to get each applicant to conform to or as close to code as possible without creating any problems or issues.

Ms. Caceres asked if the measurements the Board would consider to be reasonable and asked for clarification. Chairman Feyl stated that 6ft, possibly 7ft in height, 3-4ft off the ground is what is suggested the applicant consider as the sign is now 11ft in height. Ms. Caceres stated the pole is covered similar to the existing Aspen Dental sign located in Fairmount.

Ms. Caceres stated that if considering the suggested height that heading east along West Genesee Street the Walgreens sign would block its visibility. Chairman Feyl stated that if driving east at the proposed location and elevation it would be at the same exact height and if bringing the sign down as suggested, one would see the sign better as it would be below the Walgreens sign.

Ms. Otto stated if considering bringing the sign down to 7ft in height that the required variance would only be for a 1ft variance for height and an 8sqft variance for the overall dimensions of the sign.

Ms. Caceres stated that in her opinion structurally it would not look right and would be a considerable change to make it smaller. Chairman Feyl stated that nothing other than lowering the sign would change and the sign would be much more attractive in his opinion.

Mr. Simmons asked if that the overall height of 7ft is what the Board is suggesting the applicant consider. Chairman Feyls confirmed.

Mr. Pirro asked the current dimensions of the sign. Ms. Caceres stated the dimensions of the base to be 14inches wide around the pole. Mr. Pirro questioned if any ground cover or landscaping plans were in place where the freestanding sign would be located. Mr. Simmons stated that landscaping around the freestanding sign can be addressed and in doing so appearance of the sign look shorter, and would consider whatever the Board would recommend.

Chairman Feyl stated that consideration for 3.5ft from the bottom of the sign to the ground is made, with keeping the 32sqft sign but 3.5ft from the ground and suggests to have landscaping.

Ms. Otto questioned the overall height. Chairman Feyl stated the proposed overall height for the applicant to consider would be 7.5ft.

Mr. Simmons asked that the application be continued to June 7, 2016 to fully consider and discuss changing the sign.

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

NEW BUSINESS:

1. Mark DeCarlo **TM#:070.-03-06.1**
111 Topaz Trail
Syracuse, NY 13219

Area Variance: construction of accessory structure (detached garage) in the 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 June 7, 2016. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS

A detailed voucher was received from Melvin & Melvin for legal services totaling $2,085.00.

A voucher was received from Syracuse Media for legal advertising totaling $61.01.

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

COMMENTS OF THE BOARD:

Mr. Pirro expressed his concern with the Camillus Code Enforcement office.

CORRESPONDENCE:

None

OLD BUSINESS:

None

DECISIONS:

1. Ticada, LLC **TM#: 065.-04-06.1**
New York Spine & Wellness
Syracuse Orthopedic Specialists
5417 West Genesee Street
Camillus, New York 13031

Area Variances: a 9.37' high free-standing sign set back 2' from the east property line and two signs on the face of the building.

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to grant a 13' variance for the location of the freestanding sign. Mr. Pirro seconded the motion and it was unanimously approved.

Mr. Pirro moved to grant a 4' variance to allow a freestanding sign 9.37' in height. Mr. de la Rosa seconded the motion.

The Board was polled, which resulted as follows:

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

The Motion was DENIED.

Mr. de la Rosa moved to grant two signs on the face of the building over the entranceways to identify entrance ways for each of the businesses. Mr. Pirro seconded the motion.

The Board was polled, which resulted as follows:

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

The Motion was DENIED.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 8:15 p.m. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

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

PRESENT:
Bob Feyl, Chairman
Rich de la Rosa
Steve Pirro
George Dooher
Alex Walsh

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Steve James, 4th Ward Councilman
Tom Price, Camillus Code, Enforcement Officer
7 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. Dooher seconded the motion and it was unanimously approved.

PUBLIC HEARING:

1. **Realty USA** **TM#: 040.-10-26.1**
   5110 West Genesee Street
   Camillus, New York 13031

Area Variance: signage.

Chairman Feyl stated that the first Public Hearing this evening was a continuation for signage that is up and is in current violation. Chairman Feyl stated that the applicant at the last meeting requested a continuation in order to speak to the property owners.

Bob Kratz, Marketing Director of Realty USA appeared before the Board. Mr. Kratz provided an explanation of how they saw things differently and thought that when they bought the building back from the Bank of New York, that they had a sign variance.

Mr. Kratz explained that they were told from Tom Price, Camillus Codes Enforcement Officer that they had a variance for the sign. Further explaining that upon request from the Town of Camillus Planning Board to put in a drainage pond, the sign was removed in order to complete the Planning Board's request. Mr. Kratz stated that once again, confirmed with Mr. Price a variance was granted for signage.

Mr. Kratz stated that upon approval from Mr. Price that a sign had been made. Only finding out upon trying to put back up the sign, Mr. Price informed them they now needed a variance for the sign.

Mr. Kratz stated they were referred to the Zoning Board and came to the meeting back in April. Mr. Kratz stated that while it was a little confusing at the time, a sign variance was discussed and the Zoning Board thought they had a variance as well.

Mr. Kratz explained that the very next day they received a call informing them that a clerical error had been made by the Camillus Code, Enforcement Officer with placing the wrong tax map number on the application.

Mr. Kratz explained that he was unable to attend the meeting in May; however, Mr. Simmons represented the applicant. Mr. Kratz explained that coming back in May was to clear up the clerical error made, however, lead to objection and more confusion.

Mr. Kratz explained that they had a grand opening scheduled for the 23rd of May and felt that they could not have a grand opening without having a sign up, so to save embarrassment put up the current sign.

Chairman Feyl stated that the Board did not vote or grant anything to the applicant at the May meeting.

Ms. Otto stated that at the last meeting held on May 3, 2016, the applicant presented a variance for 5104 West Genesee Street and everything represented that evening was misrepresentation as it did not apply to the property.

Ms. Otto explained that the variance isn't in effect until a decision is drafted and Chairman Feyl signs the documents, therefore, there is no variance granted. Ms. Otto stated that the very next day their representative was contacted after further investigations and that is why we are where we are this evening.

Ms. Otto stated that the variance presented to the Board was not for the correct property and that everything needed to be voided, republished and reconsidered by the Board. Ms. Otto explained that the motion made by the Zoning Board back in April was based upon a misrepresentation of fact.

Chairman Feyl explained that the area is a residential area, not commercial even though across the street is zoned commercial, the rules are simply the rules. Chairman Feyl asked if the applicant would consider bringing down the height of the sign and come to a compromise.

Mr. Kratz stated that he was not aware of the other sign needs to come down. Ms. Otto spoke to a specific section of the code relating to signs that voids any variances if they are non-conforming up to a certain date.

Mr. Kratz approached the Board providing photos of the existing sign and site line of the sign from West Genesee Street. Mr. Kratz described the use of landscaping boulders to soften the height of the sign.

Chairman Feyl stated that the photos in his opinion expressed that placing the sign as suggested by the Board would visible with having no site line issues.

Mr. de la Rosa questioned location of the current sign. Mr. Dooher questioned the current height of the sign from finished grade.

Mr. Kratz stated for the record they sent a letter to Kassis Sign Company absolving them of any liability for installation of the current sign.

Tom Price, Camillus Code Enforcement Officer stated that he allowed the current sign as he believed it was a temporary sign not to exceed 30 days. Further explaining that no sign permit had been granted.

Ms. Otto asked Mr. Price to define finished grade. A discussion was had among the Board, Mr. Price and the applicants regarding finished grade.

Mr. Kratz stated that they were planning to use three boulders around the base of the sign with soil and landscaping. Mr. Dooher questioned the cost of changing the height of the existing sign. Mr. Simmons stated the cost would be $1.200.00.

Mr. Kratz explained to make a compromise the use of three to five boulders would be used to raise up the ground and hide the pole.

Chairman Feyl reiterated that the removal of the boulders would expose the pole and the sign as it currently exists would remain that does not meet code.

Ms. Otto stated that the use of the boulders is all theoretical as no specifics have been provided to the Board.

Mr. Kratz stated in 1997 they were granted a sign variance on that property, however, Mr. Price explained that in 1998 the Code changed and banned all nonconforming signs.

Chairman Feyl stated if the Board was to grant the 32 sq. ft. for the overall signage with bringing the post down to 4ft, still would make the sign in excess of what is allowable within an LBO. Chairman Feyl stated that in his opinion the current building does not warrant the sign. Chairman Feyl stated that the sign itself isn't the issue it is the post that is the problem.

Ms. Otto stated the Board must know if the applicant is willing to compromise. Ms. Otto explained that if the applicant isn't willing to compromise then the vote is on whether to grant an overall height of 11ft with a 5ft height variance. Mr. de la Rosa stated that if it was voted down there would be no sign.

Mr. Simmons asked if the Board would consider the previous compromise of 7ft without the use of the boulders. Ms. Otto confirmed that what was discussed at the last meeting was 7.5ft overall height for consideration.

Ms. Caceres stated that if doing so the sign would not look proportionally correct and not look right.

Chairman Feyl questioned the applicants if they agreed to the overall 7.5ft overall height consideration.

Mr. Kratz questioned what would happen if they did not agree and took their chances on what they wanted. Chairman Feyl stated that if it was voted upon and denied, there would be no sign and the Camillus Code Enforcement office would dictate what they must follow according to code as written with no exceptions would be made.

Ms. Otto stated that the Board can only vote on what the applicant is asking for.

Mr. Pirro questioned if landscaping would still be done with the overall height of 7.5ft. and 32sq ft. overall. Mr. Simmons confirmed landscaping would be done.

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

2. Mark DeCarlo **TM#:070.-03-06.1**
111 Topaz Trail
Syracuse, NY 13219

Area Variance: construction of accessory structure (detached garage) in the front of the rear of the house.

Mr. DeCarlo, owner of the property and his brother Mike DeCarlo, presented the application to the Board.

Mr. DeCarlo stated that due to the layout of the property and unique location of his home is the reason for the request for this variance. Mr. DeCarlo stated that the purpose was to house classic vehicles for storage only.

Mr. de la Rosa questioned if the lots were combined and under one tax map number. Mr. DeCarlo confirmed they are on one deed and under one tax map number.

Mr. Pirro questioned the proposed entrance and if a driveway would be put in. Mr. DeCarlo stated that the entrance would be located to the west and a short run of a drive way will be used along with a product called grass pave.

Chairman Feyl questioned if the Camillus Highway Department has approved another driveway cut. Mr. DeCarlo stated that he has not yet gotten to that point. Chairman stated that it must be approved and Mr. DeCarlo stated he was aware.

Mr. Pirro questioned the overall height of the proposed garage. Mr. DeCarlo stated that the height restriction will be met and not exceed 24+/- ft. and be within the requirements.

Mr. DeCarlo stated that he wants to screen the garage as much as possible and will make as little impact as possible on the neighborhood with keeping screening between the garage and Topaz Trail.

Mr. Walsh questioned where the cars are stored now and if work will be done on the cars. Mr. DeCarlo stated that no work will be done on the cars and that his cars are currently stored at his brother has two of his cars at his house, two at his own home, one at his mother's home and one at his friends home.

Mr. James, 4th Ward Councilman stated that he has visited the site and feels the proposed garage would keep with the integrity of the neighborhood and stated that the applicant has written support from his surrounding neighbors.

Mr. DeCarlo provided documentation providing written support of his surrounding neighbors.

Councilman James stated that he has spoken to the surrounding neighbors and has received no negative comments. Councilman James asked for the Board's consideration in approving this application.

Ms. Otto asked that the applicant describe the proposed building materials. Mr. DeCarlo stated that vinyl siding would be used to match the current structure, along with vinyl cedar sided shake. Mr. DeCarlo stated that it would have arts and craft style doors, windows, and detailed trim to provide a finished look.

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

3. Matthew Heselton **TM#:055.-07-02.0**
309 Glenview Parkway
Syracuse, NY 13219

Area Variance: construction of enclosed 8' x 12' side porch, reducing the required side yard setback from 25' to 21.2'. A 3.8' side yard reduction.

Mr. Matthew Heselton, owner and Mr. Daniel Kolh, carpenter and uncle of applicant appeared before the Board presenting the application.

Mr. Kolh stated that the subject property is a residential property of which Matthew and his wife are owners. Mr. Heselton stated that they have done several renovations to the home and would like to use the same area the deck is currently located to build the proposed porch.

Mr. Kohl provided photos to the Board for review of the proposed porch.

Chairman Feyl questioned the pitch of the roof. Mr. Kolh stated that the proposed porch will have the same pitch as the house roof.

Mr. Pirro questioned if the bottom of the proposed porch will be used or enclosed. Mr. Kolh stated that it will be utilized for storage and enclosed with an access door to it with siding same as the house currently is with stairs off the front.

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

NEW BUSINESS:
None

Minutes:
Mr. de la Rosa moved to approve the minutes of the April 5, 2016 and May 3, 2016 meetings. Mr. Dooher seconded the motion and it was unanimously approved.

VOUCHERS
A voucher was received from Syracuse Media for legal advertising totaling $62.48.

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

COMMENTS OF THE BOARD:
None

CORRESPONDENCE:
None

OLD BUSINESS:
None

DECISIONS:

1. **Realty USA** **TM#: 040.-10-26.1**
   5110 West Genesee Street
   Camillus, New York 13031

Area Variance: signage.

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to allow for the installation of a 32 square foot freestanding sign at 5110 West Genesee Street, Camillus, New York 13031, which real property is further identified by tax map number 040.-10-26.1. Mr. Dooher seconded the motion and it was unanimously approved.

Mr. de la Rosa moved to allow the free-standing sign at the real property referenced in the prior motion to be no more than 7 ½ feet in height, from finished grade to the top of the sign, provided that the area around the base of the sign is appropriately landscaped and the landscaping is maintained. Mr. Dooher seconded the motion and it was unanimously approved.

2. **Mark DeCarlo** **TM#:070.-03-06.1**
   111 Topaz Trail
   Syracuse, NY 13219

Area Variance: construction of accessory structure (detached garage) in the front of the rear of the house.

Chairman Feyl and the Board conducted the SEQR review.

Mr. Pirro moved to allow for the installation of an approximately 44 1/2' x 36' freestanding garage in front of the rear of the house located at 111 Topaz Trail, Syracuse, New York 13219, which real property is further identified by tax map number 070.-03-06.1. Mr. Dooher seconded the motion and it was unanimously approved.

3. Matthew Heselton **TM#:055.-07-02.0**
309 Glenview Parkway
Syracuse, NY 13219

Area Variance: construction of enclosed 8’ x 12’ side porch, reducing the required side yard setback from 25’ to 21.2’. A 3.8’ side yard reduction.

Chairman Feyl and the Board conducted the SEQR review.

Chairman Feyl moved to grant a 4' variance from the requirements of Section 603(B) (1) of the Code of the Town of Camillus to accommodate the construction of an 8' x 12' enclosed porch on the east side of the house located at 309 Glenview Parkway, Syracuse, New York 13219, which real property is further identified by tax map number 055.-07-02.0. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT

Mr. Dooher moved to adjourn the meeting at 8:20 p.m. Mr. Walsh seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
July 5, 2016 – 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Rich de la Rosa
George Dooher
Alex Walsh

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
2 Others

ABSENT:
Steve Pirro

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

PUBLIC HEARING:

1. Richard Height **TM#: 045.-13-15.0**
216 Germania Ave.
Syracuse, New York 13219

Area Variance: 12' x 8' shed 3' from the south property line.

Chairman Feyl explained that he received an email from Councilor Flood stating that she was in favor of the request for a side yard variance of at least 2' from the south property line and has no issues with it as other neighbors close by will have no view of the shed, nor will it affect them in any way.

Mr. Richard Height, owner and Ashley Elmer, daughter of the applicant presented the application to the Board. Mr. Height approached the Board providing photos of the current shed, showing the issues he currently has with where it is located. Mr. Height explained that the shed is located on the north side of the property where there is a slope and he has an issue with rain water that has caused rotting of the structure.

Mr. Height stated that he would like to move the 12' x 8' shed to the south side of the property, in line with the driveway. The shed would be 3' from the south property line. The purpose of the shed is to store rakes, shovels, snow blowers, a lawn mower, and power tools.

Mr. Height stated that he has spoken to his surrounding neighbors and specifically to a neighbor "Tim" who would be impacted the most by this request and has received no objections.

Chairman Feyl indicated that moving the shed for convenience, to line the shed up with the driveway, is not grounds for granting a variance.

Mr. Height confirmed it was for convenience; however, he wants to also install a fence, and that will be very difficult to do if he cannot move the shed to the proposed location. Mr. Height stated that the shed would match the color of the house and that the appearance of the shed vis-à-vis the driveway is a concern.

Ms. Elmer explained in detail the location of the shed in relation to the proposed fence. Mr. de la Rosa stated that if he is understanding the applicant correctly, the fence will be 3' off the south property line and will be in line with the shed. Mr. de la Rosa further stated by doing that, that would allow the home owner to maintain both the shed as well as the proposed fence.

Chairman Feyl stated that he now understands the reason for the variance request as it is due to the installation of the fence that will be put in and maintained.

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

NEW BUSINESS:

1. Carol Fatti / Bill Camperlino **TM#: 021.-03-08.3**
5648 Ike Dixon Road
Camillus, New York 13031

Area Variance: Existing Tower 150' tall and requires a total side yard of 460'; Lot is 100' wide – Seeking a 360' variance for the total side yard and a 15' variance for the front yard.

Chairman Feyl moved to declare the application a SEQR Type II and to set the public hearing for August 2, 2016. Mr. de la Rosa seconded the motion and it was unanimously approved.

Minutes:

Mr. de la Rosa moved to approve the minutes of the June 7, 2016 meeting. Mr. Walsh seconded the motion and it was unanimously approved.

VOUCHERS:

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

A detailed voucher was received from Melvin & Melvin for legal services totaling $2,085.00.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:

None

OLD BUSINESS:
None

DECISIONS:

1. **Richard Height** **TM#: 045.-13-15.0**
   216 Germania Ave.
   Syracuse, New York 13219

Area Variance: 12' x 8' shed 3' from the south property line.

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to approve a 2' variance to allow for the placement of a 12' x 8' shed 3' from the south property line. Mr. Dooher seconded the motion and it was unanimously approved.

ADJOURNMENT:
Mr. de la Rosa moved to adjourn the meeting at 7:17 p.m. Mr. Dooher seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
October 4, 2016 – 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Rich de la Rosa
George Dooher
Alex Walsh
Steve Pirro

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Four 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. Mr. Pirro seconded the motion and it was unanimously approved.

PUBLIC HEARING:

1. **Carol Fatti / Bill Camperlino** **TM#: 021.-03-08.3**
   5648 Ike Dixon Road
   Camillus, New York 13031

Area Variance: Existing Tower, 150' tall, requires a total side yard of 460'; Lot is 100' wide – Seeking a 360' variance for the total side yard and a 15' variance for the front yard.

Chairman Feyl stated that the Camillus Town Board changed the Municipal Code pertaining to a cellular tower; therefore, the applicant withdrew the application.

2. **Bruce Pollock** **TM#: 015.-04-07.1**
   3996 Box Car Lane
   Camillus, New York 13031

Area Variance: Parking requirements – 133 required and 40 proposed.

Chairman Feyl stated that the applicant appeared in front of the Camillus Planning Board and was able to show the Board he had adequate spaces for his facility; therefore, the applicant withdrew the application to the Zoning Board of Appeals.

3. **Forte Brothers Construction Company, LLC** **TM#: 012.-01-02.0**
   3475 Warners Road
   Warners, New York 13164

Area Variances: Reduced front yard to allow a 3' x 6' landing and stairs on the front of a newly constructed house.

Mr. Pirro moved to declare the application a SEQR Type II and set the Public Hearing for October 4, 2016. Mr. de la Rosa seconded the motion and it was unanimously approved.

Mr. Jon Forte presented the application for an area variance to the Board. Mr. Forte stated that he is the owner of the property, the depth of the lot is 164', the depth of the house from the road is just over 40'.

Mr. Forte explained that the reason he originally came in front of the Board was to be given a variance to have the home closer to the road so it would be more comparable to where both of the neighboring homes sit, as the setbacks of the neighboring homes are approximately 20' to the road.

Mrs. Kristin Forte approached the Board providing photos of the property, setbacks and neighboring properties.

Chairman Feyl stated that the setback was originally 70' and the Board approved a variance of 35' based upon the neighborhood. Chairman Feyl questioned if the applicant was aware of and understood the variance granted and if the applicant questioned the Code Enforcement Office on the setback requirements.

Mr. Forte stated he was not aware, however, did not question the Camillus Code Enforcement Office on any uncertainties. Mr. Forte stated that he honestly thought he had the leeway to move the home forward. Mr. Forte stated that he was under the impression as long as the home was 35' from the road he would be ok and did not understand the 35' requirement was from the right of way, not the road.

Mr. Forte stated that there have been several issues on this property and explained that they had to deal with remediation issues with having to remove 5 tanks from this property. Mr. Forte explained that if he had to move the house back any further it would have sat directly on top of one of the holes created by the removal of the tanks.

Chairman Feyl stated that he appreciated the honesty of the applicant and that the reprieve is that the homes on either side are even closer to the right of way than the applicant's home. Chairman Feyl stated that even with the proposed stairway to the front door, the home will still remain behind the other homes by about 10'. Chairman Feyl further stated that this is a very old development and the rules today are very different from the rules back in those days.

Both Mr. & Mrs. Forte stated that this property has been a nightmare and explained that they had to pay $40,000 to Live Safe Fuel Safe to remove and make the property a clean, safe living environment.

Mr. Forte stated that the DEC stated they were responsible for the cleanup and costs associated with this property.

Mr. de la Rosa questioned if the front step was considered a porch or landing, as it appeared to have an overhead roof. Chairman Feyl stated that the roof is connected to the house and there are no side walls, therefore, cannot be classified as a porch.

Mr. Pirro questioned if the applicant consulted with the Camillus Code Enforcement Office prior to building the home. Mr. Forte stated that he did; however, he changed the style of the house and pulled the measurement from the road and not the right of way, which was the misunderstanding on his part. Mr. Forte stated that he should have consulted back with the Camillus Code Enforcement Office after changing the style of the house but he did not do so.

Ms. Otto questioned the landing measurements in relation to the overhang measurements. Mr. Forte provided explanation and stated the overhang will cover the landing but not the stairs.

Ms. Otto questioned if Forte Brothers Construction Company, LLC is the owner of the property. Mr. Forte confirmed that to be true.

Mr. LaFlair, 2nd Ward Councilor voiced his support of the applicant's request, stating the applicant is a local resident simply trying to do the right thing and any consideration would be appreciated.

Chairman Feyl questioned if the proposed property would be up for sale. Mr. Forte confirmed the house will be sold.

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

4. Pavel Olesh **TM#: 013.-05-05.0**
116 James Avenue
Syracuse, New York 13209

Area Variance: 24' x 12' shed located on the west side of the house, 44' in front of the rear of the house.

Mr. Pirro moved to declare the application a SEQR Type II and set the Public Hearing for October 4, 2016. Mr. Walsh seconded the motion and it was unanimously approved.

Mr. Viktor Makarchuk and Mr. Olesh appeared before the Board to present the application for an area variance.

Mr. Makarchuk stated that Mr. Olesh is the owner of the property since 2013, described the property to have a 1,944 sq. ft. ranch style home on a 120' x 338' lot. Mr. Makarchuk stated the topography is level and confirmed there to be no other structures besides the home on this property.

Mr. Makarchuk stated the proposed location of the 12' x 24' shed, 15' in height, to be 60' from the road with a minimum of 5' from neighboring lot. Mr. Makarchuk stated the shed will be located on the west side of the house and would not protrude into front yard.

Mr. Makarchuk explained that the proposed location is due to the location of the drainage system, leach field and septic system.

Chairman Feyl questioned why the shed couldn't be located back behind the house. Mr. Makarchuk and Mr. Olesh approached the Board to review the drawings submitted, providing a detailed explanation of the location of the leach field and septic tanks.

Mr. Makarchuk explained that the leach field runs 120' behind the location of the septic tanks, towards the back of the property; therefore, there simply isn't enough room.

Mr. Makarchuk explained that the proposed shed will be in line with the other neighboring sheds and will not have any negative impact.

Mr. Makarchuk stated that there is an existing garage as well as a neighboring fence; however, no screening currently exists.

Mr. Makarchuk stated the purpose of the shed will be used for storage as there is not enough room in the garage. Further explaining it will be used to store typical yard items, kid's bikes, play equipment, etc.

Mr. Makarchuk stated the proposed shed will match the house, and will have the same roof and siding color as the house.

Mr. LaFlair, 2nd Ward Councilman stated he has spoken to surrounding neighbors and has received no opposition to this request and asks for the Board's consideration.

After a brief discussion among the Board, Mr. Makarchuk and Mr. Olesh, Mr. Dooher moved to close the Public Hearing. Mr. Walsh seconded the motion and it was unanimously approved.

NEW BUSINESS:

1. Michael A. Gomes **TM#: 006.-04-12.7**
6131 VanAlstine Road
Camillus, New York 13031

Area Variance: 40' x 30' Barn, 200' in front of the rear of the house 10' from the property line.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for November 1, 2016. Mr. Pirro seconded the motion and it was unanimously approved.

Minutes:

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

VOUCHERS:

A detailed voucher was received from Melvin & Melvin for legal services totaling $1,260.00.

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

COMMENTS OF THE BOARD:

None

CORRESPONDENCE:
None

OLD BUSINESS:
None

DECISIONS:

3. Forte Brothers Construction Company, LLC **TM#: 012.-01-02.0**
3475 Warners Road
Warners, New York 13164

Area Variances: Reduced front yard to allow a 3' x 6' landing and stairs on the front of a newly constructed house.

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to grant the applicant a variance of 21.2', to reduce the front yard setback to 13.8', instead of 35' setback allowed by the previous variance. Mr. Pirro seconded the motion and it was unanimously approved.

Mr. Dooher moved to grant the applicant an 11.2' variance to allow a front yard less than 25' in depth. Mr. Walsh seconded the motion and it was unanimously approved.

4. Pavel Olesh **TM#: 013.-05-05.0**
116 James Avenue
Syracuse, New York 13209

Area Variance: 24' x 12' shed located on the west side of the house, 44' in front of the rear of the house.

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to grant the applicant a 44' variance to allow the placement of a 24' x 12' shed 44' in front of the rear of the house.

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

ADJOURNMENT:
Mr. de la Rosa moved to adjourn the meeting at 7:38 p.m. Mr. Dooher seconded the motion and it was unanimously approved.

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
November 1, 2016 – 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Rich de la Rosa
George Dooher
Alex Walsh
Steve Pirro

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

PUBLIC HEARING:

1. Michael A. Gomes **TM#: 006.-04-12.7**
6131 VanAlstine Road
Camillus, New York 13031

Area Variance: 40' x 30' Barn, 200' in front of the rear of the house 10' from the property line.

Mr. Michael Gomes appeared before the Board to discuss his application for a variance and thanked the Board for hearing his application. Mr. Gomes stated the purpose of the proposed barn would be to store tractors and other yard equipment. Mr. Gomes stated he would also like to have attic trusses that would be utilized for storage.

Mr. Gomes explained with the terrain being as it is on the property that there is no other location to place the barn.

Chairman Feyl stated that in his opinion the restrictions are due to the placement of the existing house and topography of the property. Mr. Feyl stated that the back, north side of the house, is where the topography drops off considerably and in his opinion the proposed location is the only logical placement of the barn.

Chairman Feyl stated he briefly spoke to the applicant regarding the height of the proposed barn, as the height could become an issue. Chairman Feyl further explained that the Board will need to be aware of just how big the required variance may be and the exact height of the proposed barn. Chairman Feyl further explained that Mr. Gomes stated he will speak to his architect about trying to bring the height of the proposed barn down some and will get exact measurements.

Mr. Gomes explained that the proposed placement is the only sensible location as there is no other place to put the barn due to the terrain. Mr. Gomes further explained that the barn will be located on the south end of the property line. Mr. Gomes stated that he has spoken to his neighbor, Ms. Laurelle Kaley and has received a letter from Ms. Kaley stating she has no opposition to this request. Mr. Gomes approached the Board providing copies of Ms. Kaley's letter along with photos and explained that Ms. Kaley's property is approximately 500' away.

Mr. Gomes stated that the proposed barn would be within 10' of the property line closest to Ms. Kaley. Mr. Gomes explained that the reason for pushing the barn back is to provide enough space for him to get a trailer into the barn.

Mr. Gomes assured the Board that he is proposing something that will be nice looking and match the current house. Closest neighbor, which is Ms. Kaley, is approximately 500' away.

Chairman Feyl and Ms. Otto questioned how many feet to the corner of the barn would it measure from the rear line of the house.

Mr. Gomes stated that it would be approximately 130' to the east side of the barn; however, he could not say for sure and would like to recheck the measurements.

Mr. de la Rosa questioned if the barn would have power. Mr. Gomes confirmed the barn would have power.

Mr. Pirro questioned if there would be interior and exterior lighting. Mr. Gomes stated that the barn will definitely have interior lighting and would most likely have an exterior motion light.

Chairman Feyl questioned the zoning of the property, pointing out that the map provided indicates having two zoning areas.

Mr. Gomes stated the pitch of the roof would be a 5/12 with 12' to 14' ceilings. Ms. Otto questioned the proposed height of the building. Mr. Gomes stated that his current plans for the height of the building would be about 28', the barn to be 30' x 40' x 28'. Ms. Otto suggested the applicant go back to his architect to discuss height considerations for the proposed barn and to sit down with the Town of Camillus Code Enforcement officer Tom Price for input.

Ms. Otto stated that the magnitude of the variance is only one consideration and factor of many. Mr. Gomes stated that the proposed barn would not interfere with anyone's view as there is no one else around him.

After a discussion among the Board, Ms. Otto and Mr. Gomes regarding topography of the property as well as zoning and height requirements. Mr. de la Rosa moved to continue the public hearing to Tuesday, December 6, 2016. Mr. Pirro seconded the motion and it was unanimously approved.

NEW BUSINESS:

1. **Cynthia Maggio** **TM#: 027.-03-11.1**
   6001 West Genesee Street
   Camillus, New York 13031

Area Variance: Installation of a business sign larger than 25sqft, not attached to the building. Note: Allowed signage for a home occupation is 2 sq ft on the face of the building.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the Public Hearing for December 6, 2016. Mr. Pirro seconded the motion and it was unanimously approved.

Minutes:
Mr. de la Rosa moved to approve the minutes of the October 4, 2016 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS:
A detailed voucher was received from Melvin & Melvin for legal services totaling $690.00.

A voucher was received from Syracuse Media for legal advertising totaling $75.71.

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

COMMENTS OF THE BOARD:
None

CORRESPONDENCE:
None

OLD BUSINESS:
None

DECISIONS:
None

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

Respectfully submitted,

Krista Kenna, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
December 6, 2016 – 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Rich de la Rosa
George Dooher
Steve Pirro

ABSENT:
Alex Walsh

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC:
Four others
Tom Price, Code Enforcement Officer

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

PUBLIC HEARING:

1. Michael A. Gomes **TM#: 006.-04-12.7**
6131 VanAlstine Road
Camillus, New York 13031

Area Variance: 40' x 30' Barn, 200' in front of the rear of the house 10' from the property line.

Chairman Feyl stated that at the previous meeting the Board continued the application and the applicant was to come back and provide the height of the proposed barn as well as the distance from the house.

Mr. Gomes reappeared before the Board to discuss his application for a variance and thanked the Board for hearing his application providing packets showing the height and distance from the house. Mr. Gomes stated the maximum height of the proposed barn will be 22' from the ground to the peak and will be located on the south end of the property line and will match the existing house exactly.

Mr. Gomes explained that the proposed placement is the only sensible location as there is no other place to put the barn due to the terrain. Chairman Feyl agreed that in his opinion the restrictions are due to the placement of the existing house and topography of the property.

Mr. Gomes stated that at the last meeting he did not realize that height was an issue. Further explaining that the maximum amount he would come out would be 50' from the property line and in turn would be 103' off the back corner of the house.

Mr. Gomes stated that the original request, 10' from the property line would be more work for him as he would need to dig into the side of the hill and require a retaining wall be built.

Mr. Gromes stated that his understanding is that the current proposal 22' in height would now require him to be 24' from the side property line.

After a brief discussion among the Board, Ms. Otto and Mr. Gomes, Mr. de la Rosa moved to close the public hearing. Mr. Dooher seconded the motion and it was unanimously approved.

2. Cynthia Maggio **TM#: 027.-03-11.1**
6001 West Genesee Street
Camillus, New York 13031

Area Variance: Installation of a business sign larger than 25sqft, not attached to the building. Note: Allowed signage for a home occupation is 2 sq ft on the face of the building.

Ms. Maggio stated that she is the home owner as well as business owner. Mr. Benjamin Allanson son and partner in the Dog Lodge presented the application to the Board.

Mr. Allanson stated that their property is approximately 26 acres of open pasture with 10 acres completely fenced in and is properly maintained at all times.

Mr. Allanson further described the property as having two buildings along with their residence. Mr. Allanson explained that one of the two buildings is utilized for the dog lodge/professional boarding kennel.

Chairman Feyl stated that in his opinion it should be noted that the property is not in a neighborhood and is on a farm, with the buildings more than 500' from the road. Mr. Allanson explained that the only thing across from their property is the commercial property of Taylor Rental.

Chairman Feyl questioned the location of the proposed sign in relation to the temporary banner. Mr. Allanson stated the proposed sign was approximately 150' down the hill.

Mr. Allanson explained that he feels people are having the most trouble distinguishing Munro Road versus the driveway entrance to their property.

Mr. Allanson stated that the reason for the location and size of the proposed sign is so people could see it and easily identify the entrance and business location.

Mr. Allanson stated no power will be run to the sign and does not feel it is necessary to do so. Mr. Allanson stated that he will be using LED solar powered lights.

Mr. de la Rosa questioned if the wording would be able to be seen at the proposed location. Mr. Allanson stated he does feel people will see the sign and be able to identify it as they are coming up the hill.

Mr. Allanson stated that the proposed 6' x 6' sign in his opinion would be an adequate size for people to see and not be overbearing.

Mr. de la Rosa questioned the size of the proposed sign and if the wording the dog lodge would be visible. Mr. Allanson stated that he felt people driving by would be able to read the sign.

Mr. Pirro stated that the applicant is allowed directional signage as well and that a small directional sign is allowed.

Chairman Feyl stated if coming up the hill heading east from the village, the proposed sign would be visible but questioned the visibility of the proposed sign when coming down the hill into the village heading west.

Chairman Feyl suggested modifying placement and design of the sign as it may allow for better visibility if doing so.

Ms. Maggio stated construction consideration and cost all came into play controlling a lot the decisions that have been made. Ms. Maggio explained that Mr. Allanson will be welding and carving the creation of the sign and that the log is something they currently have already.

The Board, Ms. Otto and Mr. Price had a brief conversation regarding directional signage.

Mr. Allanson stated that they have been open since April and overall people are finding their location and love it, asking for the Board's consideration.

Mr. Price Camillus Code Enforcement Officer stated that he feels the applicant should go with the sign as designed and not redesign their sign. The directional signage can have the wording enter and exit, however, cannot have any other wording or lettering as that would require a variance.

ORGANIZATIONAL MEETING:

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

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

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

NEW BUSINESS:

None

Minutes:

Mr. de la Rosa moved to approve the minutes of November 1, 2016 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS:

A detailed voucher was received from Melvin & Melvin for legal services totaling $225.00.

A voucher was received from Syracuse Media for legal advertising totaling $41.90.

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

COMMENTS OF THE BOARD:
None

CORRESPONDENCE:
None

OLD BUSINESS:
None

DECISIONS:

1. **Michael A. Gomes** **TM#: 006.-04-12.7**
   6131 VanAlstine Road
   Camillus, New York 13031

Area Variance: 40’ x 30’ Barn, 200’ in front of the rear of the house 10’ from the property line.
Mr. De La Rosa moved to allow the placement of a 40' x 30' barn one hundred five feet in front of the rear line of the house located at 6131 Van Alstine Road, Camillus, New York 13031, which real property is further identified by tax map number 006.-04-12.7. Mr. Pirro seconded the motion and it was unanimously approved.

2. **Cynthia Maggio** **TM#: 027.-03-11.1**
   6001 West Genesee Street
   Camillus, New York 13031

Area Variance: Installation of a business sign larger than 25sqft, not attached to the building. Note: Allowed signage for a home occupation is 2 sq ft on the face of the building.

Mr. Dooher moved to grant a 34 square foot variance to allow a 6' x 6' sign at 6001 West Genesee Street, Camillus, New York 13031, which real property is further identified by tax map number 027.-03-11.1. Mr. de la Rosa seconded the motion and it was unanimously approved.

Mr. Dooher moved to allow a freestanding sign 6001 at West Genesee Street, Camillus, New York 13031, which real property is further identified by tax map number 027.-03-11.1. Mr. de la Rosa seconded the motion and it was unanimously approved.

Mr. Dooher moved to allow the illumination of a 6' x 6' freestanding sign with two solar powered lights at 6001 West Genesee Street, Camillus, New York 13031, which real property is further identified by tax map number 027.-03-11.1. Mr. de la Rosa seconded the motion and it was unanimously approved.

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

Respectfully submitted,

Krista Kenna, ZBA Clerk

A

Aspen Dental
Area Variance 1, 3, 7, 10, 12, 16

B

Bennett Road, 186
Area Variance 15, 17

D

DeCarlo, Mark
Area Variance 23, 29, 31

G

Glenview Parkway, 309
Area Variance 30, 32
Gomes, Michael A.
Area Variance 44, 47

H

Heselton, Mark
Area Variance 30
Heselton, Matthew
Area Variance 32

K

Kehoskie, Tommy
Area Variance 15, 17

M

Maggio, Cynthia
Area Variance 45, 47
Milton Avenue, 4010
Special Use Permit 1, 4, 6

N

National Grid
Special Use Permit 1, 4, 6
New York Spine & Wellness
Area Variance 18, 24

R

Realty USA
Area Variance 14, 17, 21, 26, 31

S

Syracuse Orthopedic Specialist
Area Variance 18, 24

T

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Ticada, LLC
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