Town of Camillus
Zoning Board of Appeals
January 2, 2018 - 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Richard de la Rosa
Chris Lansley
Steve Pirro
Alex Walsh

STAFF PRESENT:
Susan Otto, Attorney

GUESTS & MEMBERS OF THE PUBLIC
Tom Price, Code Enforcement Officer
4 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 legal advertisement. Mr. Pirro seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

1. **Chris Gardner** **TM#: 021-01-24.0**
   5961 Breed Road
   Warners, NY 13164

   Area Variance: New Home

Mr. and Mrs. Chris Gardner, owners of the property, appeared before the Board to present the application. The purpose of the application is to obtain a 12' variance of a side yard regulation to install a modular home and garage.

Mr. Gardner stated he and his wife are the owners of the property. The property is located at the top of the hill on Breed Road. The property is a two (2) acre parcel, measuring 150' in width, and approximately 560.23' feet in depth, with houses on either side of the parcel. The modular home and garage would be approximately 102 feet wide. The house width is approximately 70 feet; the garage is an additional 32 feet. The owners plan to construct the garage themselves after the proposed home is completed. The proposed home is a three-bedroom ranch.

Mrs. Gardner explained to the Board how modular homes are shipped. She stated modular homes are shipped in boxes, with a fee for each box. The garage would be an additional box and would drive their overall cost somewhat higher.

Mr. De la Rosa questioned why the Planning Board allowed such a narrow lot. Mr. de la Rosa stated that he thought the request was reasonable based upon the width of the lot. Chairman Feyl explained the property was zoned RR and as the subdivision was developed, the zoning became R1 as that lot size was consistent with the area.

Mr. Pirro stated he understood the applicant's request and why they would need the variance. He noted that the property to the south has an approximately thirty-foot side yard.

Ms. Otto confirmed that the property to the south has a side yard of approximately 30 feet. Mr. Gardner stated that is correct.

Chairman Feyl clarified the garage will not be part of the modular package. Mr. Gardner stated that is correct; the garage will be "stick built".

As there were no other questions or comments from the Board, or anyone in the audience, Mr. Pirro moved to close the Public Hearing. Mr. Walsh seconded the motion and it was unanimously approved.

2. 42nd Associates-Signs by John's Studio TM#: 065.-04-10.0/1
5407 West Genesee Street
Camillus, New York 13031

Area Variances: Signage

Mr. Jose Avalos, a representative of the owner of the restaurant, Mr. Michael Ribas, appeared. The restaurant occupies the property as a tenant of 42nd Associates-5407/100 LLC. The application was completed by a sign company, Signs by Johns' Studio. No one from John's Studio or 42nd Associates appeared.

The purpose of the application is to obtain area variances for signage. The restaurant owner wishes to place two signs on the eastern and western elevations measuring approximately 168'' in width and 21" in height. The signs would be orange on the top portion, and green and white on the lower portion. Each proposed sign would read "Rio Grande Mexican Restaurant".

Chairman Feyl, Mr. Tom Price, Code Enforcement Officer, and Ms. Susan Otto, Zoning Board of Appeals Attorney discussed the signage allowed by the Code at this location and the variances that would be required. Signs on the sides of buildings are not allowed. Mr. Price explained that additional variances would be required, given the size of the proposed signs in the event that the Board allows the signs on the sides of the building. Chairman Feyl explained to the restaurant owner's representative that the sizes of the signs are based on the building size. Additionally, signs are allowed in specific locations on buildings depending on the zoning at the building. In this case, based on the provided measurement and the zoning of the building, the owner would be allowed to place a sign on the front of the building (facing West Genesee Street) measuring approximately 64 square feet. The front of the building is defined in the Code.

Additionally, a monument sign is allowed at this location up to 36 square feet.

Chairman Feyl then explained to the representative that what he is asking for with respect to the two signs on the eastern and western elevations is not allowed and those are two of the variances he would be seeking. Chairman Feyl asked the applicant if he wished to continue. Mr. Avalos stated he did.

Mr. Avalos advised the Board he believed the signs on the sides of the building were allowed as Friendly's (the previous occupant) had a sign on the western elevation of the building.

Ms. Otto remarked that all non-conforming signs were not allowed to continue as of a certain date which has come and passed; therefore, the Friendly's sign was an illegal sign and would have been in violation.

Mr. Price stated that Friendly's may have believed the front of building was the western elevation as there was a carryout door and window as part of that elevation. In reality, however, the front of the building is the north side of the building.

Chairman Feyl conferred with the restaurant owner's representative to see if he wished to proceed with seeking the variances for signage installed on the two sides of the building. Mr., Avalos stated he did. He also stated he would convey the allowed signage to the owner to make sure the owner understands what is allowed.

Ms. Otto clarified that 63.40 feet is the length of the front of the building; therefore the allowed sign on the front of the building cannot exceed 63 square feet and the allowed signage for the monument sign would be 36 square feet.

Chairman Feyl conveyed the measurements to the applicant to ensure he understood what is allowed. Additionally, Chairman Feyl stated the Board would render a decision as to whether or not the signage on the sides of the building would be allowed.

Mr. Avalos clarified with the Board whether the sign on the front of the building can be placed on the roof. Chairman Feyl advised that the sign can be on the roof.

Ms. Otto noted the applicant would have to apply for all signs through the Code Enforcement Office.

As there were no other questions or comments from the Board members or staff, Mr. de la Rosa moved to close the public hearing. Mr. Pirro seconded that motion and it was unanimously approved.

NEW BUSINESS

1. Thomas Kehoskie representing Christine Hackbarth TM#: 041.-01-62.0
100 Mansfield Drive
Camillus, NY 13031

Area Variance: Four (4) parking spaces in a required buffer

Chairman Feyl moved to declare this a Type II action under SEQR and set a public hearing for February 6, 2018. Mr. Pirro seconded the motion and it was unanimously approved.

Mr. Price advised the Board there may be an amendment to the application.

MINUTES:
Ms. Lansley moved to approve the minutes of December 5, 2017 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

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

- Advance Media – for newspaper advertisements of Legal Notices in the amount of $73.44

CORRESPONDENCE:
Ms. Otto advised the Board that Judge McCarthy upheld the Board's decision in recent Article 78 proceeding.

COMMENTS OF THE BOARD
Mr. Pirro expressed concern regarding the Zoning Board of Appeals' decisions and the recognition of those decisions as the Town Board can enact legislation vitiating the Zoning Board's decisions.

DECISIONS:

1) **Chris Gardner** **TM#: 021-01-24.0**
5961 Breed Road
Warners, NY 13164

Area Variance: New Home

Mr. de la Rosa moved to grant a variance for 12 ft. for the total side yard at 5961 Breed Road. Mr. Pirro seconded the motion and it was unanimously approved.

Chairman Feyl conducted the environmental impact assessment, determining that the proposed action will not result in any significant adverse environmental impacts.

2) **42nd Associates- Signs byJohn's Studio** **TM#: 065.-04-10.0/1**
5407 West Genesee Street
Camillus, New York 13031

Area Variances: Signage

Mr. Pirro moved to grant a variance for signage on the east side of the building located at 5407 West Genesee. Mr. de la Rosa seconded the motion and it was unanimously denied. Each member of the Board was polled as to his or her vote on the motion.

Mr. Walsh – No
Ms. Lansley – No
Chairman Feyl – No

Mr. Pirro – No
Mr. de la Rosa – No

The motion to grant a variance for a sign on the east side of the building was denied.

Mr. Pirro moved to grant variance for signage on the west side of the building located at 5407 West Genesee. Mr. de la Rosa seconded the motion and it was unanimously denied. Each member of the Board was polled for his or her vote on the motion.

Mr. Walsh – No
Ms. Lansley – No
Chairman Feyl - No
Mr. Pirro – No
Mr. de la Rosa – No

The motion to grant a variance for a sign on the west side of the building was denied.

The motions to grant variances to allow signage on the east and west sides of the building having been denied, the remaining requests for variances relative to the size of those signs were moot.

ORGANIZATIONAL MEETING:

Mr. de la Rosa moved to appoint Susan Otto of Melvin and Melvin, PLLC as legal counsel for the Zoning Board of Appeals. Mr. Pirro seconded the motion and it was unanimously approved.

Mr. Pirro moved to accept the appointment of Sandra Shoff as clerk to the Zoning Board of Appeals. Mr. de la Rosa seconded the motion and it was unanimously approved.

Mr. Pirro moved to recommend Chairman Feyl remain Chairman of the Zoning Board of Appeals. Ms. Lansley seconded the motion and it was unanimously approved.

Mr. Walsh moved to recommend Vice Chairman de la Rosa as vice-chairman of the Zoning Board of Appeals. Mr. Pirro seconded the motion and it was unanimously approved.

ADJOURNMENT:
Mr. Walsh moved to adjourn the meeting at 7:35 p.m. Mr. de la Rosa seconded the motion and it was unanimously approved.

Respectfully submitted,

Sandra Shoff
ZBA Clerk

Town of Camillus
Zoning Board of Appeals Minutes
February 6, 2018 - 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Richard de la Rosa
Chris Lansley
Steve Pirro
Alex Walsh

STAFF PRESENT:
Susan Otto, Attorney

GUESTS & MEMBERS OF THE PUBLIC
Joy Flood, 3rd Ward Councilperson
3 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 legal advertisements. Mr. Pirro seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

2. Thomas Kehoskie **TM#: 041.-01-62.0**
100 Mansfield Drive
Camillus NY, 13031

Area Variance: Allow Four (4) Parking Spaces in Required Buffer

Mr. Thomas Kehoskie, prospective owner of the property, appeared before the Board to present the application. The purpose of the application is to obtain a variance to allow four (4) parking spaces in a required buffer.

Mr. Kehoskie explained he is under contract to purchase the home to move his real estate office to this location. The home was family owned for approximately 50 years. It has been for sale for approximately two and one half (2.5) years. Mr. Kehoskie stated he plans to update the home with minor modifications to accommodate his real estate office.

The applicant proposes to leave the footprint of the structure as is. In order to meet the code for the LBO zoning, Mr. Kehoskie needs a total of eight (8) parking spaces. He plans to have six (6) spaces to the left of the structure, and two (2) to the right of the existing garage. Those two (2) spaces he will have labeled as “unbuilt reserve parking spaces”

The property is in a residential area, with residences to the west and north, and billboards to the east.

The real estate office will use minimal spaces, as most agents choose to work remotely. Mr. Kehoskie stated a local MetLife agent plans to utilize space in the structure. Mr. Kehoskie stated he feels that at most, including himself, there will be five (5) people at most in the office at any given time. He further stated he does not believe the office will have an adverse impact on the traffic in this area.

Mr. Kehoskie stated due to turnaround concerns, the four (4) spaces cannot be located to the east side of the building.

Mr. Kehoskie plans to have the snow storage on the east side of the building.

Chairman Feyl stated he understands there are plans to install a privacy fence to offset the interference of the buffer. Additionally, Chairman Feyl stated the surrounding neighbors seem happy with the purchase and proposed use. Councilperson Flood concurred that the neighbors she has spoken with are happy with the planned modifications.

Chairman Feyl asked Mr. Kehoskie for the square footage details of the building. Mr. Kehoskie stated the main floor and garage are slightly less than 1200 square ft. The second floor, which is planned for storage is slightly less than 500 square feet. There is a basement but it will not be used for the business.

Ms. Otto asked Mr. Kehoskie if he had any thoughts regarding the six parking spaces as to whether the office will actually use six (8) spaces. Mr. Kehoskie stated he does not believe so.

The Board and Mr. Kehoskie discussed whether Onondaga County Transportation would be in favor of widening the West Genesee curb cut. It was noted that, in general, Onondaga County is not in favor of any additional widening in this corridor. Additionally, it is possible that egress onto West Genesee Street would not be allowed.

Mr. Kehoskie was asked about the status of the Site Plan Application with the Planning Board. Mr. Kehoskie stated it is still under review pending the outcome of the variance before the Zoning Board and that he has been asked to provide additional Site Plan details.

Chairman Feyl noted to the Board and those present the applicant needs approval for this variance in order to proceed with the other involved agencies.

Mr. Pirro asked if there was sign information for the project. Mr. Kehoskie stated he plans to have a monument sign. Chairman Feyl also stated that for this area it would only be a monument sign as dictated by LBO zoning requirements.

Councilperson Flood offered her comments, as she is familiar with Mr. Kehoskie's previous projects and was at the Planning Board meeting in January. Councilperson Flood stated she talked to neighbors about the proposed project, and advised them that Mr. Kehoskie would be cleaning the property with respect to the vegetation. The neighbors she spoke with seem happy the property will be occupied and they had no adverse concerns regarding the proposal.

Councilperson Flood also referenced the curb cut off West Genesee Street. She stated a possible solution proposed at the Planning Board meeting was to allow only one-way traffic into the curb cut to help alleviate Onondaga County concerns.

Additionally, Councilperson Flood stated Mr. Kehoskie's existing real estate office is in her ward. She agrees with Mr. Kehoskie's assessment that many of the agents visit the office

sporadically for paperwork, etc. and that most agents work remotely. She does not believe the proposed new office would have an adverse impact on traffic.

Councilperson Flood stated the house is a unique setting, as the house does not sit square with the lot. Further, it was noted most neighbors are zoned residential, however as some of the houses on West Genesee become available for sale, some of those properties are being zoned LBO.

Mr. Pirro stated with respect to the sign for the business, he would ask Mr. Kehoskie to make sure it is located cognizant of the sight line for vehicles exiting from Mansfield Drive onto West Genesee Street.

Ms. Otto clarified if Mr. Kehoskie is finished with Onondaga County. He stated he is not as the Planning Board Site Plan application is required to be referred to Onondaga County. Ms. Otto stated she asked the question as the ZBA may want to consider granting the variance, subject to Planning Board Approval and/or Onondaga County approval.

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

3. Ivan Moskvina **TM#: 045.-04-02.1**
3491 Milton Avenue
Syracuse, NY13219

Area Variance: Reduce the rear yard to 19' to accommodate construction of family room addition

Mr. Ivan Moskvina, owner of the property appeared before the Board to present the application. The purpose of the application is to obtain a variance to reduce the rear yard to 19' to accommodate the construction of a family room addition.

The applicant plans to construct a 16' x 20' family room addition at the rear of his house. The lot is legally nonconforming. The back yard is 35' deep, not 40' as required by code. The applicant is seeking a 16' variance (as the rear yard as it exists is 35').

Chairman Feyl and Ms. Otto clarified for the applicant the definition of variance and the size of the variance as pertains to the property.

Mr. Moskvina stated he and his wife Anna are the owners of the property. The lot size is approximately 109' x 115'. The property has a house, driveway and a deck, which was constructed approximately two (2) years ago.

Mr. Moskvina stated the depth of the yard is 35 feet to fence to the house. He also stated from the fence to deck is 19 feet.

The purpose of the addition is family room addition for his growing family. When the Moskvinas purchased the house, he and his wife had two (2) children. Now they have four (4) children. Mr. Moskvina stated he decided to use the rear yard for the addition due to the location of the deck.

Mr. Moskvina stated the neighbors behind his home have a fence and trees. The neighbors to the left also have a fence. Mr. Moskvina state those neighbors have a pool and he believes the pool is located in their side yard.

Ms. Otto clarified the neighbors behind Mr. Moskvina would not be able to see into windows of the new addition due to the trees and fence. Mr. Moskvina stated that is correct.

Councilperson Flood explained a bit about the neighborhood as the project is in her ward. The neighbors to the left are actually on Scott Avenue and their side yard abuts to the applicant's back yard. Councilperson Flood also stated M. Warren & Son Garage is adjacent to Mr. Moskvina's property and Mr. Warren has no objections to the project. Councilperson Flood added she does not believe the addition will create any neighbor concerns. Councilperson Flood stated she attempted to reach the other neighbors adjacent to Mr. Moskvina's property but was unable to speak with them. She left messages and no one returned her telephone calls. Councilperson Flood also stated this section of Fairmount is a unique section.

Ms. Otto asked if the addition has been built. Mr. Moskvina stated it was started but not complete. There is a frame for the addition, but no other construction has been completed.

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

OLD BUSINESS

Chairman Feyl advised the Board that the DeCecco application is withdrawn. According to a letter from Mr. Dirk Oudemool, Town Attorney, the family who owns the property is able to have the two-family dwelling.

With that, Mr. de la Rosa moved to recognize the DeCecco application as formally withdrawn and close the Public Hearing. Mr. Walsh seconded the motion and it was unanimously approved.

Chairman Feyl informed the Board that the ZBA received a memo from November 2017 from the Code Enforcement Office with respect to 4176 Milton Avenue. It was noted the occupants of the residence have a complaint on file regarding the noise in the evening hours associated with the repair of small engines. The complaint goes on to say the property looks like a junkyard. There was concern that the complainant may be going around to the rear yard and inspecting the entire yard. Chairman Feyl and the Board discussed the circumstances and decided to ask Ms. Otto to review the terms of the prior actions for this property. Ms. Otto stated she would report her findings at the next meeting.

NEW BUSINESS

None

MINUTES:
Mr. Pirro moved to approve the minutes of January 2, 2018 meeting with the correction as noted by Chairman Feyl under **Decisions.** Mr. de la Rosa seconded the motion and it was unanimously approved.

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

- Melvin & Melvin, PLLC – for legal services for the months of December 2017 and January 2017 in the amount of $2,340.00
- Advance Media – for newspaper advertisements of Legal Notices in the amount of $58.32

CORRESPONDENCE:

None

COMMENTS OF THE BOARD

Chairman Feyl stated Ms. Lansley plans to represent the Board at the Onondaga County Planning Symposium. He added Mr. de la Rosa plans to obtain his training hours online.

A discussion was held regarding the decisions of the ZBA and the review process that occurs with the Town Attorney. Mr. Pirro expressed concern there is a certain autonomy the Town Attorney has provided with respect to some decisions as determined by the ZBA. It was noted there are opportunities to address this concern in the public comment of the Town Board meetings should the Board members decide they would like to discuss further.

DECISIONS:

2) **Thomas Kehoskie** **TM#: 041.-01-62.0**
100 Mansfield Drive
Camillus, NY 13031

Area Variance: Allow Four (4) Parking Spaces in Required Buffer

Mr. Pirro moved to grant the applicant a variance for four (4) parking spaces in a buffer area at 100 Mansfield Drive, subject to Planning Board Approval. Mr. de la Rosa seconded the motion and it was unanimously approved.

Chairman Feyl and the Board conducted the SEQR review.

2) **Ivan Moskvina** **TM#: 045.-04-02.1**
3491 Milton Ave
Syracuse, NY13219

Area Variances: Reduce the rear yard to 19' to accommodate construction of family room addition

Mr. de la Rosa moved to grant a 16'variance to allow a rear yard of 19' at the property of 3491 Milton Avenue. Ms. Lansley seconded the motion and it was unanimously approved.

Chairman Feyl and the Board conducted the SEQR review.

ADJOURNMENT:
Mr. de la Rosa moved to adjourn the meeting at 8:00 p.m. Mr. Walsh seconded the motion and it was unanimously approved.

Respectfully submitted,

Sandra Shoff
ZBA Clerk

Town of Camillus
Zoning Board of Appeals Minutes
April 3, 2018 - 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Richard de la Rosa
Chris Lansley
Steve Pirro
Alex Walsh

STAFF PRESENT:
Susan Otto, Attorney

GUESTS & MEMBERS OF THE PUBLIC
Joy Flood, 3rd Ward Councilperson
10 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 legal advertisements. Mr. Pirro seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

3. Jeffrey Oot **TM#: 045.-07-09.1**
3405 Milton Avenue
Syracuse, NY 13219

Area Variances: Side Yardage Variance and Side Yard Setback

Mr. Pirro moved to declare the application a SEQR Type II and set the public hearing for April 3, 2018. Ms. Lansley seconded the motion and it was unanimously approved

Mr. Jeffrey Oot, owner of the property presented the application. The purpose of the application is to obtain two variances; one for total side yardage of 21.88 feet instead of 25 feet (a variance of 3.12 feet), and one for a side yard setback of 6.60 feet instead of 7 feet (a variance of 0.4 feet).

Mr. Oot stated he is the owner of the property and it is his primary residence. The proposed alteration is to construct an enclosed breezeway connecting the house to the garage resulting in a 16 feet x 9 feet mudroom. The purpose of the mudroom is to have an entryway space to store coats, boots and other items before entering the main house. Mr. Oot stated the lot is approximately 80 feet x 120 feet. The garage is approximately 15 feet 9 inches from the house. There is a fence around the property.

Mr. de la Rosa stated he did not believe the proposed action changes any of the overall setbacks for the property. The other Board Members concurred.
Chairman Feyl clarified for those present that there are two variances to be granted: one for total side yardage of 21.88 feet instead of 25 feet (a variance of 3.12 feet); and one for a side yard setback of 6.60 feet instead of 7 feet (a variance of 0.4 feet).

Chairman Feyl asked if there was anyone present who wished to speak regarding the application. Councilperson Flood stated she has no adverse concerns with the project. She

stated the owner has made many improvements on the house and believes this project enhances the appearance as well.

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

Chairman Feyl advised the owner that a decision would be made later in the meeting.

4. Edelman Real Estate **TM#: 041.-01-55.0**
99 Yorkshire Boulevard
Syracuse, NY13219

Special Use Permit: Appearance Enhancement Business in a Limited Business Office (LBO) zone.

Mr. de la Rosa moved to declare the application a SEQR Type II and set the public hearing for April 3, 2018. Mr. Walsh seconded the motion and it was unanimously approved.

Mr. Robert Germain of Germain & Germain Law Firm, PLLC and Dr. and Mrs. Edelman presented the application. The purpose of the application is to obtain a Special Use Permit for an Appearance Enhancement Business in a Limited Business Office (LBO) zone.

Mr. Germain stated the Site Plan was reviewed by the Planning Board and there are no site specific issues. The Planning Board attorney corresponded with the Zoning Board of Appeals stating the Planning Board reasonably believes that the existing parking is more than adequate for the proposed hair salon.

Mr. Germain stated the applicants own two other hair salons and would like to open a third hair salon at 99 Yorkshire Boulevard. The purchase of the property is under contract at this time. The property is 120 feet wide x 119 feet deep. There are approximately 19 parking spaces available. The main floor of the structure is the only floor to be used for the business. The second floor is not intended to be used for the business but for storage only. The services the applicants plan to offer are hair cutting, styling and coloring.

Mrs. Edelman explained the services are kept separate. The haircutting service is in one area and the color service is in another area. The reason for this is to avoid a client having to look for a place to sit after a color is applied or a cut and waiting for a color service. Mrs. Edelman clarified the customer might have both services in one area of the salon, but offers the separate areas as a luxury for her clients.

Chairman Feyl clarified the term “chair” and employee. Mr. Germain and Mrs. Edelman stated there will be more than five (5) “chairs” in the salon however the amount of employees in the salon at any given time will be no more than five to eight (5-8). That number includes additional staff such as receptionists, assistants and cleaning people. Additionally those five to eight employees will be rotating throughout the day. Mr. Germain stated the owners do not plan to over park the site, they intend to be good neighbors in a residential neighborhood.

The hours of operation would be:

Sunday - Closed
Monday – 9 a.m. - 4 p.m.
Tuesday – 9 a.m. - 8 p.m.
Wednesday – 9 a.m. - 5 p.m.
Thursday – 9 a.m. - 8 p.m.
Friday – 9 a.m. - 5 p.m.
Saturday – 9 a.m. - 3 p.m.

Mr. Germain added there would be no other businesses occupying the building.

The signage as it exists will remain the same. The owner will swap out the name on the existing sign. The owners stated if they plan do have additional signage they realize it would require additional permits.

As the business is located in a residential neighborhood, Mrs. Edelman stated to the Board that she understands that there are certain restrictions as to what is allowed. She stated their existing business in Fayetteville abuts a residential neighborhood and they are very cognizant of the existing neighborhood and want to be good neighbors.

Chairman Feyl asked if there was anyone present who wishes to speak regarding the application.

Councilperson Flood, representing the 3rd Ward, asked if the owners planned any other endeavors, such as tanning beds or massages. Mrs. Edelman stated there are no plans to do so as neither is a viable business for her.

Councilperson Flood asked about facial waxing and nail services. Mrs. Edelman stated that the employees are licensed to do those services so those services could be offered. Mrs. Edelman clarified that the employees could possibly perform several services for the same client.

Chairman Feyl and Ms. Otto clarified to the applicant that services beyond hair cutting or color should be specified for the purposes of the Special Use Permit. It was suggested the applicant may want to amend the Special Use Permit to allow specific services to ensure all services offered at the salon are covered. Mrs. Edelman stated she would like to amend the Special Use Permit to include the following:

- Hair, nails, makeup, aesthetic waxing services and not to exceed five to eight employees at this location at any given time.

Mrs. Edelman reiterated she will do what is necessary to ensure her business is a good neighbor.

Mr. Pirro asked if there are any plans to change the outdoor lighting. Mrs. Edelman stated they plan to use the existing lighting.

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

OLD BUSINESS

Thomas Kehoskie **TM#: 041.-01-62.0**
100 Mansfield Drive
Camillus, NY 13031

Continuation of Area Variance: Parking Spaces in Buffer Zone

Chairman Feyl reminded the Board that Mr. Kehoskie was granted a variance based upon a drawing from the applicant. However, Code Enforcement noted that the structure had more square footage than Mr. Kehoskie realized, which would affect the amount of parking spaces necessary in the buffer.

Chairman Feyl stated Mr. Kehoskie provided an updated drawing with more parking spaces. Based on the new information it was determined a new application for a further variance is needed for the additional parking spaces. The applicant was advised as such.

NEW BUSINESS

Ryan Homes **TM# 020.1-01-01.0**
5500 Rolling Meadows, Lot 1
Camillus, NY 13031

Area Variance: Front Yard Setback for Residential Dwelling Unit

Chairman Feyl moved to declare the application a SEQR Type II and set the public hearing for May 1, 2018. Mr. Pirro seconded the motion and it was unanimously approved

Jonathan Frateschi **TM # 042.08-15.1**
114 Columbus Avenue
Syracuse, NY 13219

Special Use Permit: Home Occupation

Mr. de la Rosa moved to declare the application a SEQR Type II and set the public hearing for May 1, 2018. Mr. Pirro seconded the motion and it was unanimously approved.

Patricia Barfield **TM # 010.1-03-15.1**
3683 Armstrong Road
Syracuse, NY 13209

Area Variance: Accessory Building in Front of Principal Dwelling

Chariman Feyl moved to declare the application a SEQR Type II and set the public hearing for May 1, 2018. Mr. Pirro seconded the motion and it was unanimously approved

William & Ann Parfitt **TM # 043.-01-52.0**
128 Richards Road
Camillus, NY 13031

Area Variance: Correction of Encroachment of Building Line from 1960's

Mr. de la Rosa moved to declare the application a SEQR Type II and set the public hearing for May 1, 2018. Ms. Lansley seconded the motion and it was unanimously approved

VOUCHERS:
Mr. Walsh moved to approve the payment of the following vouchers. Ms. Lansley seconded the motion and it was unanimously approved.

- Melvin & Melvin, PLLC – for legal services for the months of February and March 2018 in the amount of $960.00
- WB Mason for offices supplies to be split with the Planning Board in the amount of $148.36

CORRESPONDENCE:

Mr. Feyl asked the Board members about attending a zoning law seminar in the Dewitt Town Hall on April 21, 2018. All Board members decided to attend.

MINUTES:
Mr. Walsh moved to approve the minutes of February 6, 2018 meeting as submitted. Mr. Pirro seconded the motion and it was unanimously approved.

COMMENTS OF THE BOARD

None

DECISIONS:

3) **Jeffrey Oot** **TM#: 045.-07-09.1**
3405 Milton Avenue
Syracuse, NY 13219

Area Variances: Side Yardage Variance and Side Yard Setback

There was a brief discussion on the dimensions of the variances, however it was noted the dimensions listed on the original variances should remain in place.

Mr. de la Rosa moved to grant an area variance of 3.12 feet for total side yardage. Mr. Walsh seconded the motion and it was unanimously approved.

Ms. Lansley moved to grant a variance of 0.4 feet for the one side yard setback. Mr. de la Rosa seconded the motion and it was unanimously approved.

Chairman Feyl and the Board conducted the SEQR review.

2) Dr. and Mrs. Edelman **TM#: 045.-04-02.1**
99 Yorkshire Boulevard
Syracuse, NY 13219

Special Use Permit: Appearance Enhancement Business in a Limited Business Office (LBO) zone.

Mr. Pirro moved to grant a Special Use Permit for the Appearance Enhancement business in a LBO zone located at 99 Yorkshire Boulevard. The services to be offered at the business are inclusive of hair cutting and coloring, nails, makeup and aesthetics such as facial waxing. Mr. de la Rosa seconded the motion and it was unanimously approved.

Chairman Feyl and the Board conducted the SEQR review.

ADJOURNMENT:
Mr. de la Rosa moved to adjourn the meeting at 7:50 p.m. Mr. Walsh seconded the motion and it was unanimously approved.

Respectfully submitted,

Sandra Shoff, ZBA Clerk

Town of Camillus
Zoning Board of Appeals
May 1, 2018 - 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Richard de la Rosa
Chris Lansley
Steve Pirro
Alex Walsh

STAFF PRESENT:
Susan Otto, Attorney

GUESTS & MEMBERS OF THE PUBLIC
Joy Flood, 3rd Ward Councilor
Steve James, 4th Ward Councilor

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

PUBLIC HEARINGS:

4. Patricia Barfield **TM #: 010.1-03-15.1**
3683 Armstrong Road
Syracuse, NY 13209

Area Variance: Accessory building forward of the rear of the principal building

Timothy Barfield, son of the property owner, appeared before the Board to present the application. He explained that they desire to construct a 50' x 100' x 20' greenhouse to the west of the existing house on a 6.5 acre lot.

He noted he has received a NYSERDA grant to fund the building of the greenhouse, which will be energy efficient and used to grow vegetables year round for both personal use and market sale.

The location is the only viable location for the structure as the adjacent wetlands and the topography of the lot make placement elsewhere impossible. He submitted letters of support from neighboring property owners.

Mr. de la Rosa remarked that the greenhouse would not be contrary to the general aesthetics of the area properties.

Mike LaFlair, 2nd Ward Councilor, submitted an email of support that confirmed all the foregoing facts presented and stated his support of granting the variance.

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

2. Jonathan Frateschi **TM #: 042.-08-15.1**
114 Columbus Avenue
Syracuse, NY13219

Special Use Permit: Home occupation

Jonathan Frateschi, the property owner, appeared before the Board to present the application. He explained that he runs a landscaping business and, while he does park equipment at his residence, he does not conduct business on site.

Chairman Feyl noted that the applicant has received a citation from the Code Enforcement Officer for conducting a business in a residential zoned area without a permit. He also noted that as required, this application was referred to the Camillus Planning Board for review and that Board, noting that the current business use it is not permissible in a residential district and that the size of the property doesn't lend itself to sufficient modifications to mitigate the impact on the neighborhood, voted unanimously to deny the application.

Chairman Feyl explained that a special use permit for a home occupation requires that the entire business be within the confines of the home, which is not something the applicant has the ability to do. He recommended the applicant look into offsite storage/office rental opportunities.

Mr. Frateschi explained that he has been engaged in the landscaping business for the entire eleven years he has lived in this home and the only signage is on the vehicles. He stated he has a business partner but no employees, and the area of the property used for equipment storage is 20' x 80', said equipment consisting of two trucks, two dump trailers, a landscape trailer, and five mowers. In addition, he stores a second truck and second landscape trailer on his mother's adjacent property. He stated that that all office and equipment maintenance work conducted on site is done within the confines of his 25' x' 35' garage and the maximum gasoline on site would be 20 gallons at any given time, which is stored on the trailers.

Mr Frateschi stated he intends to erect a decorative fence on the south side of the property. He also submitted what he stated to be signatures of support from neighboring property owners; however, he only submitted a sheet of signatures from which the cover page had been removed, so it is unknown what statement(s) the neighbors signed.

Mr. de la Rosa expressed discomfort about granting a special use permit since it remains with the property even if the applicant sells it and could potentially cause future negative impact to the neighboring properties. Mr. Frateschi stated that should he ever move, he would retain this property as a rental.

Mr. Pirro expressed concern that if the special use permit were granted and the applicant rented the property, he could continue to store landscaping equipment at this property.

Councilor Flood expressed her philosophy that property owners should be free to do as they wish, within reason and constraints of the law, but that she is obligated to protect the interests of the surrounding neighborhood from over commercialization. She suggested Mr. Frateschi try to find some areas of compromise to limit the amount of equipment stored at his residence.

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

5. William and Ann Parfitt **TM #: 043.-01-52.0**
128 Richards Road
Camillus, NY 13031

Area Variance: Addition in front yard setback

William Parfitt, the property owner, appeared before the Board to present the application. He explained that he has been the property owner since 1975 and, in the process of currently selling the property, discovered that an addition to the home in 1960 is encroaching on the front yard setback. Town of Camillus records do show that an area variance application was submitted in 1960 and a public hearing set, but the records are insufficient to determine whether the variance was granted.

Chairman Feyl remarked that this application is essentially a formality to correct a documentation error of the past, and the Board has no questions regarding the request.

Councilor Flood spoke in favor of granting the variance.

Dave Callahan, 6th Ward Councilor, sent correspondence to the Board noting his support of granting the variance requested.

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

6. Thomas Kehoskie **TM #: 041.-01-62.0**
100 Mansfield Drive
Camillus, NY 13031

Area Variance: Parking area in buffer

Mr. de la Rosa moved to set a public hearing for May 1, 2018. Ms. Lansley seconded the motion and it was unanimously approved.
Thomas Kehoskie appeared before the Board to address the application. He explained he is currently under contract to purchase this property, subject to issuance of a variance to the parking requirements, and plans to modify it into a 1600 square foot structure housing a real estate office and insurance office.

The Municipal Code requires the property to have eleven parking spaces to accommodate the square footage and he is seeking a variance to place five of those required spaces in the buffer on the northeast corner of the property. Because at peak times the two businesses combined would not utilize more than five parking spots, he proposes to designate the area for the parking spaces in the buffer but leave it as green space until they would actually be needed and constructed.

Chairman Feyl inquired about snow removal and Mr. Kehoskie stated snow will be plowed toward the wooded area on the southeast corner of the property and will not create navigation or line of sight issues.

The Camillus Planning Board rendered an opinion approving of leaving the area reserved for the five parking spaces as green space.

Councilor Flood expressed her familiarity with the applicant's current business location, the maintenance of it, and the typical number of cars, confirming that it does not exceed five at a time. She added that the adjacent neighbors have expressed pleasure that the applicant is considering acquiring and improving the property and that they have no objections to the proposed project.

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

OLD BUSINESS

Joshua Chagnon **TM #: 067.-03-24.0**
503 Whedon Road
Syracuse, NY 13219

Area Variance: Accessory building forward of the rear of the principal building

This is a continuation of a public hearing from December 5, 2017. The applicant failed to appear to present his application.

Ms. Otto stated that she sent correspondence to the applicant regarding this public hearing. Councilor James stated he visited the applicant's residence and left his card, but has not been contacted by Mr. Chagnon.

Mr. Pirro moved to deem this application abandoned. Mr. Walsh seconded the motion and it was unanimously approved.

VOUCHERS:

Mr. Walsh moved to approve the payment of the following vouchers. Ms. Lansley seconded the motion and it was unanimously approved.

- Advance Media: $32.99 for legal advertising
- WB Mason: $58.60 for office supplies

CORRESPONDENCE:

None.

COMMENTS OF THE BOARD

Mr. de la Rosa commented that the recent "Issues in Local Zoning" workshop presented by the Syracuse University College of Law was very beneficial and he appreciated that the sole focus was on zoning issues. Chairman Feyl concurred.

DECISIONS:

1. **Patricia Barfield** **TM #: 010.1-03-15.1**
   3683 Armstrong Road
   Syracuse, NY 13209

   Area Variance: Accessory building forward of the rear of the principal building

   Mr. de la Rosa moved to grant a 30' area variance to allow 50' x 100' x 20' greenhouse forward of the rear line of the principal building. Mr. Pirro seconded the motion.

   Chairman Feyl conducted the environmental impact assessment, determining that the proposed action will not result in any significant adverse environmental impacts.

   The motion was unanimously approved.

2. **Jonathan Frateschi** **TM #: 042.-08-15.1**
   114 Columbus Avenue
   Syracuse, NY13219

   Special Use Permit: Home occupation

   Mr. Pirro moved to grant a special use permit to allow a landscaping home occupation at this property. Mr. de la Rosa seconded the motion.

   Ayes: None
   Nos: Mr. de la Rosa, Chairman Feyl, Ms. Lansley, Mr. Pirro, Mr. Walsh

   Motion failed.

3. **William and Ann Parfitt** **TM #: 043.-01-52.0**
   128 Richards Road
   Camillus, NY 13031

   Area Variance: Addition in front yard setback

   Mr. de la Rosa moved to grant a 6.5' area variance to allow a home addition in the front yard setback. Mr. Pirro seconded the motion.

   Chairman Feyl conducted the environmental impact assessment, determining that the proposed action will not result in any significant adverse environmental impacts.

   The motion was unanimously approved.

4. **Thomas Kehoskie** **TM #: 041.-01-62.0**
   100 Mansfield Drive
   Camillus, NY 13031

   Area Variance: Parking area in buffer

Mr. de la Rosa moved to grant an area variance to allow five parking spaces in the buffer on the northeast corner of the property, allowing the area to remain as green space until such time it might become necessary to construct the spaces for use. Mr. Pirro seconded the motion.

Chairman Feyl conducted the environmental impact assessment, determining that the proposed action will not result in any significant adverse environmental impacts.

The motion was unanimously approved.

ADJOURNMENT:
Mr. de la Rosa moved to adjourn the meeting at 8:08 p.m. Mr. Walsh seconded the motion and it was unanimously approved.

Respectfully submitted,

Martha Dickson-McMahon
Interim ZBA Clerk

TOWN OF CAMILLUS
ZONING BOARD OF APPEALS MINUTES
June 5, 2018 - 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Richard de la Rosa
Chris Lansley
Steve Pirro

STAFF PRESENT:
Susan Otto, Attorney
Thomas Price, Code Enforcement Officer

ABSENT:
Alex Walsh

GUESTS & MEMBERS OF THE PUBLIC
2 others

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

As one of the members was delayed, Chairman Feyl addressed other items on the agenda before the Public Hearing.

MINUTES OF THE PREVIOUS MEETING(s)
Mr. Pirro moved to approve the minutes of the April 3, 2018 and May 1, 2018 meetings. Ms. Lansley seconded the motion and it was unanimously approved.

NEW BUSINESS
First Baptist Church of Memphis **TM # 023.-02-01-3**
1960 NYS Route 5
Camillus, NY 13031

Modify Existing Special Use Permit

Chairman Feyl gave a brief history of the application, explaining the applicant is asking for an extension of an existing special use permit. Ms. Lansley moved to declare an Unlisted Action for the application and Lead Agency. Mr. Pirro seconded the motion and it was unanimously approved. Ms. Lansley moved to set a Public Hearing for July 3, 2018 to modify the existing special use permit. Mr. Pirro seconded the motion and it was unanimously approved.

CORRESPONDENCE
Chairman Feyl spoke about the recent communication from Mr. Dirk Oudemool, with respect to a new local law regarding regulation of solar panels. The Town Board is asking the Zoning Board for any input with respect to the new law being proposed. Chairman Feyl summarized the correspondence for the Board, explaining that in some cases the implementation of solar panels will require a Special Use Permit from the Zoning Board and a referral to the Planning Board. Chairman Feyl stated he would reply to the Town Board the Zoning Board is in support of the new legislation.

VOUCHERS

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

- Advance Media: $80.80 for legal advertising
- Melvin & Melvin, PLLC: $2610.00 for legal services rendered in April and May

As the delayed Board member arrived, a quorum was present for the Public Hearing to be heard.

Mr. Steven Pirro, as a member of the Board, excused himself from the Board to present his application for an area variance.

PUBLIC HEARING

2. Steven and Michele Pirro **TM #: 010.1-05-01.0**
117 Goldenrod Lane
Warners, NY 13164

Area Variance: Accessory Building in a Required Front Yard

Mr. Steven Pirro, as a member of the Board, excused himself from the Board to present his application for an area variance.

Mr. de la Rosa moved to waive the reading of the legal notice. Ms. Lansley seconded the motion and it was unanimously approved.

Chairman Feyl moved to set the Public Hearing for the area variance at 117 Goldenrod Lane. Ms. Lansley seconded the motion and it was unanimously approved.

Mr. Steven Pirro appeared before the Board to present the application. He explained he is proposing to install a 12' x 20' x 11' shed. The installation of the shed would extend approximately 12' into the front yard setback.

Mr. Pirro stated his house sits on an approximately 1/3 acre which slopes slightly on either side. He stated there are no other structures in his yard. There is a fence around his property. Mr. Pirro stated he has a panoramic view of his backyard from his morning room due to the large window area in the rear of his house. If he were to place the shed inside the backyard, the view would no longer be obstructed. Mr. Pirro stated he does have arbor vitae in the rear yard which provides a visual barrier from other yards.

Mr. Pirro stated the function of the shed is to store his lawn mower, snow blower, pressure washer, assorted camping equipment, and hand tools.

The effect on the other neighbors if the shed is placed where Mr. Pirro is requesting, is minimal. Mr. Pirro stated he has obtained signatures from the homeowners immediately surrounding Mr. Pirro's property stating they have no concerns with the placement of the shed. Mr. Pirro stated the signatures were obtained on today's date.

Mr. Pirro presented to the Board an application for a variance in 2010 for 177 Goldenrod Lane with a similar same situation, with the two (2) front yards. Those owners did obtain a variance.

Mr. Pirro stated he had another example, 174 Golden Meadows Way, which had a swing set and pool in their yard. In that yard, there was no other option for their shed. Ms. Otto stated in this case there were concerns with the topography of the yard and the resolution specified the property was challenging, due to watershed issues, and concerns with the pool.

There was a discussion relative to the previous application for a variance at 117 Goldenrod Lane by a previous owner. Chairman Feyl stated the similarities between the two applications are quite similar. One of the concerns Chairman Feyl brought forth that there are several houses with shed in the rear yards so there is the ability to install the shed in the back yard. There was discussion regarding the placement of the shed in a different location that does not require a variance. Mr. Pirro stated he does feel if the shed is placed in the rear yard he may need to build up the portion of the yard where the shed could be placed. Additional discussion centered on the location of the building line and where the shed could be placed.

After a considerable discussion, a compromise was suggested to Mr. Pirro. It was suggested that the applicant consider moving the shed approximately 6' over the property line to lessen the impact on the side yard, but still maintain the aesthetic appeal of Mr. Pirro's rear yard.

Ms. Otto clarified the height of the fence. Mr. Pirro stated it is 6 feet. The shed is 11 feet in height.

Mr. Price provided some history regarding this application. When Mr. Pirro came in to apply for a shed permit, the office staff looked at the property history and discovered the previous owner's request. Mr. Price explained to Mr. Pirro the previous owner's request was been denied. Mr. Price noted to Mr. Pirro his application was quite the dilemma in that Mr. Pirro's shed is larger than the previous owner's shed, and the placement of the shed appears to be in the same place. Mr. Price stated this is an interesting zoning question as the Board is looking at the same property but arriving at different conclusion. Mr. Price expressed concerned that the permit was sought after the installation of the shed. Mr. Price also stated it appeared as though Mr. Pirro did quite a bit of research and discovered the variances for the other properties in the neighborhood.

Mr. Price clarified the pad for the shed is concrete or run-a-crush. Mr. Pirro stated it is run-a-crush.

Ms. Otto advised the Board if the variance is granted for Mr. Pirro's property, to consider how this application can be differentiated from the previous application

The Board conveyed this applicant provided more information regarding the house and yard's characteristics that would impede the view of the rear yard without the variance. Additionally, the applicant provided examples of similar variances that were approved in this neighborhood.

There was additional discussion regarding the amount of a variance that was being considered. As there was a variance granted for a neighboring property in the amount of 10 feet, Mr. Pirro discussed obtaining the same amount. Chairman Feyl stated there had to have been some reason behind the variance being granted. There was not an explanation in the notice of action for that neighboring property.

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

OLD BUSINESS
None

COMMENTS OF THE BOARD

None

DECISIONS

Chairman Feyl moved to grant a 4 feet variance for 117 Goldenrod Lane to place a shed partially over the building line. Mr. de la Rosa seconded the motion. It was not unanimous; therefore, the Board was polled:
Mr. de la Rosa – No
Chairman Feyl – Yes
Ms. Lansley – No
The motion failed.

Mr. Feyl moved to grant a 6 feet variance for 117 Goldenrod Lane to place a shed partially over the building line. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT
Mr. de la Rosa moved to adjourn the meeting at 8:45 p.m. Ms. Lansley seconded the motion and it was unanimously approved.

Respectfully submitted, Sandra Shoff

TOWN OF CAMILLUS
ZONING BOARD OF APPEALS MINUTES
July 3, 2018 - 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Richard de la Rosa
Chris Lansley
Steve Pirro
Alex Walsh

STAFF PRESENT:
Susan Otto, Attorney

GUESTS & MEMBERS OF THE PUBLIC
1 other

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 legal notice. Ms. Lansley seconded the motion and it was unanimously approved.

PUBLIC HEARING

3. First Baptist Church Of Memphis **TM #: 023.-02-01.3**
1960 NYS Route 5
Elbridge, NY 13060

Special Use Permit: Modification of Existing Special Use Permit

Mr. Steve Darling, deacon and financial representative of the church, presented the application. Mr. Darling stated the church is prepared to put in the additional 60 parking spaces in the parking lot as they now have sufficient funds for the project. The reason for the additional spaces is the church does not have enough spaces for parking when there are special events at the church. The church currently has 66 spaces and they are looking to install 60 additional spaces to be located in the northernmost edge of the parking area. Mr. Darling believes the project will take approximately one (1) year to complete.

Chairman Feyl gave an overview of the previously granted Special Use Permit, explaining to the Board the request is for an extension of the previously approved Special Use Permit. The Board should consider what the applicant has asked for and determine if the same can be applied to this Special Use Permit.

Chairman Feyl asked the applicant if he knows what was previously approved. Mr. Darling stated he did not. Chairman Feyl explained the previous Special Use permit called for:

- 88 parking spaces
- Milling type lot (no asphalt)
- Parking lot striping

Chairman Feyl suggested to the applicant he read over the previously granted Special Use Permit to determine what was previously approved and ask the Board to grant a (1) one year extension. Mr. Darling stated he was not comfortable agreeing to that as he is a representative of the church and would need the vote of his group from the church to move forward.

After a brief discussion between the applicant, attorney and Chairman Feyl, it was determined the applicant could demonstrate to the Board the changes from the previous Special Use Permit and obtain a modification of the Special Use Permit.

Mr. Darling stated the spaces would be in the northernmost corner of the parcel, there would be 60 spaces, asphalt would be used, and the striping of the spaces would be completed. It is expected the project would be completed in one (1) year.

Mr. Darling further stated the project would not have any impact on the drainage, as the drainage report submitted in the original site plan accounted for a fully built out parking lot. Mr. Darling also stated in the event there are more spaces to be built out, there has been electricity planned for with the installation of an electrical box.

Additionally, the Planning Board provided a letter to the Zoning Board of Appeals stating there are no site specific concerns with the proposed modifications.

Mr. Darling stated he expects the project to begin in approximately 60 days.

The Board determined they would refer to the additional 60 additional spaces as Phase I. Any additional spaces (if needed) to be known as Phase II.

Phase I will include 60 parking spaces in four (4) rows of parking in the northernmost, corner of the parking lot. Phase II, if necessary, would be the spaces in the southwest portion of the parking lot.

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

OLD BUSINESS
None

MINUTES OF THE PREVIOUS MEETING(s)

Mr. de la Rosa moved to approve the minutes of the June 5, 2018 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

CORRESPONDENCE
None

VOUCHERS

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

- Melvin & Melvin, PLLC: $840.00 for legal services rendered in June

COMMENTS OF THE BOARD

None

DECISIONS

Mr. Pirro moved to grant a modification of the Special Use Permit to allow for the expansion of the First Baptist Church of Memphis parking lot located at 1960 NYS Route 5, Elbridge NY. The Special Use Permit is to accommodate 60 additional parking spaces in the northernmost four (4) rows of the parking lot, provided the entire project in completed in one year. Mr. de la Rosa seconded the motion and it was unanimously approved.

Chairman Feyl conducted the environmental impact assessment, determining that the proposed action will not result in any significant adverse environmental impacts.

ADJOURNMENT

Mr. de la Rosa moved to adjourn the meeting at 7:50 p.m. Ms. Lansley seconded the motion and it was unanimously approved.

Respectfully submitted, Sandra Shoff
ZBA Clerk

TOWN OF CAMILLUS
ZONING BOARD OF APPEALS MINUTES
August 7, 2018 - 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Richard de la Rosa
Chris Lansley
Alex Walsh

STAFF PRESENT:
Susan Otto, Attorney
Tom Price, Code Enforcement Officer
Mike LaFlair, 2nd Ward Councilperson

Absent:
Steve Pirro

GUESTS & MEMBERS OF THE PUBLIC
7 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 legal notices. Ms. Lansley seconded the motion and it was unanimously approved.

PUBLIC HEARING

4. 42nd Associates-5407/100 LLC **TM #: 065.-04-10.0/1**
5407 West Genesee Street
Camillus, NY 13031

Area Variance: Signage

Mr. Todd Oudemool of 42nd Associates, owner of the property and Mr. Jose Avalos, manager of Rio Grande (tenant of the building at this address) presented the application. Mr. Oudemool stated he is the owner of the property. Mr. Oudemool stated he proposes to install a double-sided internally illuminated LED sign box with digitally printed lexan faces on 24 x 96 faux stone base in the grassy area in front of the restaurant approximately set 15' back from the county right of way.

Mr. Oudemool stated if there is a variance issue; he is seeking the variance; however, he is also seeking an appeal of the Code Enforcement Officer's ruling. Mr. Oudemool also subsequently provided other information to show the right of way distance from the County right of way.

Chairman Feyl asked Mr. Oudemool if the Lighton survey is the one submitted with his application. Mr. Oudemool stated it is, however he presented a different survey to the Code Enforcement Office and the deputy Code Enforcement Officer stated the one he presented was too cumbersome, and that the Lighton survey was more easily read.

Chairman Feyl stated the Lighton survey is the survey presented with the signed application. Mr. Oudemool stated he disavows that survey.

In continuing with the hearing guide questions, Mr. Oudemool stated in response to the Question # 3, that there is similar signage on the south side of West Genesee Street and

gave the examples of Jreck Subs, SOS Medical Offices, Hair It Is Hair Salon and Dr. Barry, of Preventive Medicine.

When answering Question # 4 of the hearing guide, Mr. Oudemool stated he had additional paperwork to provide to the Board for their consideration, as proof of the location of the property line that he believes should be considered as unique features to the property.

For clarity of the record, Ms. Otto asked the applicant if he had submitted with the Zoning Board of Appeals paperwork a survey other than the 2006 survey certified by Richard Lighton. To confirm, according to the Lighton Survey, the sign would be installed approximately 5' from the property line. The placement of the sign is the reason for the referral to the ZBA in that there is a 10' variance needed for the sign's location.

Ms. Otto noted Mr. Oudemool had recently submitted to her a 2009 survey plan by Prudent Engineering however; the survey plan does not have a certification by a surveyor and is not a survey of the subject property where Rio Grande is located.

Mr. Oudemool stated the survey plan presented was created by a licensed surveyor, then reviewed and signed off by Prudent Engineering. Mr. Oudemool stated those surveyors are Michael Venturo and Brad Polinski and provided biographies for each of the men.

Ms. Otto questioned where the certification stamp and/or seal of the survey was for the survey plan. It appeared there was a time stamp, however not a certification stamp and/or seal. The survey plan was initialed by Michael Venturo and Brad Polinski.

The Board then reviewed the documents for the stamp or seal and it was determined while this is a survey plan, it is not a survey of the subject property which is needed in terms of scale and location of any structures or building lines.

Chairman Feyl and the Board reviewed the plan as related to the right of way.

Chairman Feyl asked if the Code Enforcement Office was to use the documents provided to the applicant from the County, how much of a variance would be needed. Mr. Oudemool stated there would not be a need for a variance.

Mr. Oudemool stated there is a discrepancy in where the county right of way is on the survey. He provided documentation that the right of way is in a different location than depicted on the provided survey, along with several documents from various agencies depicting a different location for the right of way. Mr. Oudemool feels the documentation from those agencies should be enough information for the Code Enforcement office to determine the location of the right of way and make the determination.

There was a detailed discussion about the documents that the County provided stating the County right of way is in a different location than the Lighton Survey. Mr. Oudemool believes he has provided sufficient documentation in the form of the survey plan, as well as an email from an Onondaga County representative to show the location of the County right of way line.

Mr. Price stated this should be is a simple matter. A sign permit is issued from the survey depicting where the subject property is. The survey used in this case is the Lighton Survey that shows the building and setback. If Mr. Oudemool disputes where the highway right of way line is, another survey of the subject property, by a licensed surveyor should be presented to show where the line is

Mr. Oudemool stated he has provided information from other reputable agencies (Prudent Engineering, Clough Harbour and Onondaga County) which have provided documentation that their data provides accurate documentation of where the line is. The Lighton survey is not the survey he provided and he does not stand by that survey.

Mr. Oudemool provided a detailed description of the events leading up to the sign permit and questions regarding the veracity of the property line. Mr. Oudemool also stated there is not a requirement for an applicant to provide a survey when applying for a sign. He stated he know of other applicants in town who have applied for a sign permit and have received a permit without providing a survey

Ms. Otto stated there should have been a survey provided to the applicant upon the closing on the property if there was any type of financial institution involved. Mr. Oudemool stated it was owner financed. Ms. Otto also stated the ZBA only deals in real property surveys to make the proper determination. She further stated the survey should depict the actual subject property. Mr. Oudemool stated there were two financial institutions and owner financing involved when he purchased the property so perhaps that is why there was no survey provided in the closing. He stated a survey of the property was not provided to him.

Chairman Feyl, Mr. Oudemool and Ms. Otto had a discussion regarding the survey. It was noted, a stamped, certified survey is needed for a complete application. Mr. Oudemool reiterated the survey plan provided through the County personnel and Prudent Engineering should be considered by the Board and Code Enforcement Office as part of their decision.

Ms. Otto reiterated a survey plan is not a survey of the subject property.

Mr. de la Rosa stated the survey plan is not the same as a property survey. The Board cannot render a decision on a survey plan as it is not certified.
Mr. Price stated a proper survey would show the right of way line. Construction drawings, which were produced for this application, do not show the right of way.

Ms. Otto stated the construction drawings do not show the scale or dimensions of the subject property. Construction drawings do not reflect the same thing that a survey does.

Mr. de la Rosa advised the applicant to commission a survey. Mr. Oudemool stated he has hired Ianuzi and Romans to survey the property. Mr. Oudemool stated a representative of Ianuzi and Romans has reviewed the documentation provided and preliminary findings reflect the Lighton survey to be incorrect.

Mr. Price stated as long as the survey shows where the right of way is, the applicant can move forward.

Mr. Oudemool stated he was hoping the information provided would determine where the right of the way is, and the restaurant owner could install his sign without any further delay.

Chairman Feyl advised Mr. Oudemool to produce a new survey, present it to the Code Enforcement Office and determine where the sign can go. He may not need to appear at the ZBA again in September depending on those findings.

Mr. Price suggested the Board look at the application as it is presented from the Code Enforcement Office and entertain the 10' variance. It was determined that if the survey is not correct, then a variance has been granted that was unnecessary.

Mr. Otto explained a variance runs with the land, and the ZBA would not want to grant a variance where the dimensions of the property and structures are not correct.

A detailed discussion between Chairman Feyl, Mr. Oudemool and Mr. Price was held with respect to the measurements of the property and the location of the right of way. As the information used in that discussion was conflicting, a decision could not be rendered.

Chairman Feyl asked the applicant in which direction he wanted to proceed. Mr. Oudemool reiterated he would like to have the documents that he produced be considered as part of the decision. Chairman Feyl stated that those documents could not be considered as they are not of the subject property.

Mr. Price stated he wished to clear up some misconceptions regarding the events that led to Mr. Oudemool's application for the variance:

Mr. Price stated a new employee of Charles Sign Company contacted the Code Enforcement Office about the sign permit process. That employee was given the details of what was needed in terms of distance from the setback line and the allowed square footage. The employee of Charles Sign Co was then told "you're all set". The employee took that to mean that the sign company was all set and did not need a permit. However the Code Enforcement Office believed they were relaying the parameters and that now they knew what was needed. Mr. Price stated that there was a simple misunderstanding. Later that week, Mr. Price happened to be driving past the Rio Grande restaurant and noticed sign installation was beginning. Mr. Price then asked for a sign permit, but the workers were not able to produce a sign permit. Mr. Price then issued a stop work order and called Charles Signs in order to clear up the confusion. At that time, it was agreed additional information would be needed to move forward.

Mr. Oudemool explained the sign company was attempting to install the sign approximately 9' southerly from the old Friendly's sign and 15' from the right of way (according to the county map). Mr. Oudemool also produced photos showing where the post holes for the new sign were located.

Chairman Feyl provided a history of the right of way and the variations it has gone through due to the changes in the road over the years. He asked Mr. Oudemool to provide a new survey in order to move forward.

Mr. Oudemool felt he had produced enough information from Prudent Engineering and Clough Harbour to show where the right of way is located.

Mr. de la Rosa asked the applicant if anything new in terms of the survey and he explained a subject property survey is needed to render a decision.

Mr. Oudemool stated if the Board is going to stand by the Lighton survey, and that their position is that the survey is the only qualified survey and that the other information provided from the County and Clough Harbour does not have any bearing; he would produce a new survey. He had hoped that for the restaurant owner's sake, and for the sake of not delaying the installation of the sign any longer, the Board would consider those other documents.

Mr. de la Rosa suggested the Board postpone or continue the application until next month or until a new survey is provided.

Mr. Oudemool stated he would like to have noted for the record that in addition to the requested variance, he would like to have an appeal of Mr. Price's decision. He stated that a new survey has been commissioned and he will provide it at the next meeting.

Ms. Otto clarified for those present that Mr. Oudemool was applying for a 10' variance. Ms. Otto explained that if Mr. Oudemool will not be addressing question # 4 from the hearing guide due to the discrepancy of the survey, it would be incumbent upon Mr. Oudemool to answer that question otherwise there is no proof on the record as to the compelling or unique circumstances for a variance.

Chairman Feyl stated that any variance has to be based on the dimensions and measurements of a survey and a survey reflecting a different location of the right of way line was not provided to render a decision.

Ms. Otto stated she believes that the Board could continue until September which would allow time for a new survey. The new survey may eliminate all issues and the applicant may not even require a variance.

Mr. Price stated the variance is already an appeal of the Code Enforcement Office decision.

Mr. Oudemool stated in the paperwork issued from the attorney's office, specifically the hearing guide, there are five (5) choices that can be checked, and for this application the area variance is the only one checked. He believed that those were choices for the applicant to have the option of using to appeal a decision.

Ms. Otto and Chairman Feyl explained that it is the applicant's responsibility to bring information to the Board to enable them to render a decision.

Mr. de la Rosa moved to continue the application for the 10' variance and hearing until September 4, 2018. Mr. Walsh seconded the motion and it was unanimously approved.

5. Kevin Razawich **TM # 018.-09-35.0**
109 Weeping Willow Way
Camillus, NY 13031

Area Variance: Shed Location

Mr. de la Rosa moved to set a Public Hearing for tonight's meeting. Ms. Lansley seconded the motion and it was unanimously approved.

Mr. Razawich stated he is the owner of the property. The property is located on an approximately ½-acre parcel. The house is a single-family house in a residential area. The house has landscaping, a deck and driveway. The proposed shed is approximately 8' x 12' and 8' - 9' in height. Mr. Razawich stated the odd shape of the lot is the reason for the variance. He described the lot as a reverse baseball diamond. As this is the case, the proposed location for the shed is approximately 25' – 30' from the house line on the west side, and approximately 75' from the road. In relation to the house, the proposed location of the shed is approximately 26' from the corner of the house. The shed is intended use is for the storage of garden and lawn tools and equipment.

Mr. de la Rosa asked Mr. Razawich what the depth of the house is. Mr. Razawich stated it is approximately 65' in depth. It was noted the variance requested would be approximately 37' forward of the rear line of the property.

Chairman Feyl asked if there was anyone present who wished to speak for or against the application. Councilperson LaFlair stated he is in support of the application, adding the owner has a unique shaped lot.

As there were no other questions or concerns from anyone in the audience and there were no other questions or concerns from the Board or staff, Mr. de la Rosa moved to close the Public Hearing. Mr. Walsh seconded the motion and it was unanimously approved.

Chairman Feyl advised the applicant a decision would be rendered this evening.

6. Pavel "Paul" Voytovich **TM # 027.-01-24.0**
5336 NYS Route 174
Camillus, NY 13031

Area Variance

Mr. de la Rosa moved to set the Public Hearing for tonight's meeting. Mr. Walsh seconded the motion and it was unanimously approved.

Mr. Pavel "Paul" Voytovich stated he and his wife, Valentina are the owners of the house.

Mr. Voytovich stated the property is a basic property with creek running through it in the rear and is part of the 100-year flood plan. He stated the boundaries are unique in that the house is actually set below the street level. The roof of the house may be slightly higher than the street, but the house itself is below street level.

The proposed shed is 10' x 20' and approximately 11'3' in height. The new shed will replace the existing 8' x 8' shed. The applicants plan to use the shed for storage of a lawn mower and a snow blower. The location of the shed is proposed to be in the upper part of their front yard as it will be easier to access than the required 75' setback from the road. The property's topography makes it somewhat difficult to access the rear yard with ease.

Chairman Feyl confirmed the applicant plans to place the shed approximately 25' from the house. Mr. Voytovich stated that is correct.

Mr. de la Rosa clarified the location of the shed. Mr. Voytovich stated as one is coming down the driveway, it will be to the right of the parking area. Mr. de la Rosa stated he didn't believe that will interfere with the sight distance. The homeowner agreed.

Chairman Feyl asked if there was anyone present who wished to speak for or against the application. There was no one present to speak either for or against the application.

As there were no questions or concerns from anyone in the audience and there were no other questions or concerns from the Board or staff, Mr. de la Rosa moved to close the Public Hearing. Ms. Lansley seconded the motion and it was unanimously approved.

Chairman Feyl advised the applicant a decision would be rendered this evening

OLD BUSINESS
None

MINUTES OF THE PREVIOUS MEETING(s)

Mr. Walsh moved to approve the minutes of the July 3, 2018 meeting. Ms. Lansley seconded the motion and it was unanimously approved.

CORRESPONDENCE
None

VOUCHERS
Ms. Lansley moved to approve the payment of the following voucher: Mr. Walsh seconded the motion and it was unanimously approved.

- Advance Media - $92.96 for advertisement of legal notices

COMMENTS OF THE BOARD

None

DECISIONS

Kevin Razawich **TM # 018.-09-35.0**
109 Weeping Willow Way
Camillus, NY 13031

Area Variance: Shed Location

Mr. de la Rosa moved to grant an area variance for an 8' x 12' shed on the west side of the property approximately 37' forward of the rear line of the house. Mr. Walsh seconded the motion and it was unanimously approved.

Chairman Feyl conducted the environmental impact assessment, determining that the proposed action will not result in any significant adverse environmental impacts.

Pavel "Paul" Voytovich **TM # 027.-01-24.0**
5336 NYS Route 174
Camillus, NY 13031

Mr. de la Rosa moved to grant a variance from Section 602(D) that an accessory building shall protrude into a front yard in an RR zoning district. Mr. Walsh seconded the motion and it was unanimously approved.

Mr. de la Rosa moved to grant a variance of 65' from the property line for the placement of the 10' x 20' shed. Ms. Lansley seconded the motion and it was unanimously approved.

Chairman Feyl conducted the environmental impact assessment, determining that the proposed action will not result in any significant adverse environmental impacts.

ADJOURNMENT

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

Respectfully submitted, Sandra Shoff
ZBA Clerk

TOWN OF CAMILLUS
ZONING BOARD OF APPEALS MINUTES
September 4, 2018 - 7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Richard de la Rosa
Chris Lansley
Steve Pirro
Alex Walsh

STAFF PRESENT:
Susan Otto, ESQ

GUESTS & MEMBERS OF THE PUBLIC
No 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 legal notices. Ms. Lansley seconded the motion and it was unanimously approved.

PUBLIC HEARING

1. **Victor Rodriguez**Error! Bookmark not defined. **TM #: 018.-09-29.0**
   129 Weeping Willow Way
   Camillus, NY 13031

   Area Variance – Shed Location

The applicant did not appear. Ms. Otto stated she would contact the applicant to find out why he did not appear. Mr. de la Rosa moved to continue the application until October 2, 2018. Mr. Walsh seconded the motion and it was unanimously approved.

2. **42nd Associates – 5407/100 LLC** **TM #: 065.-04-10.0/1**
   5407 West Genesee StreetCamillus, NY 13031

   Area Variance – Sign (continued from August meeting)

The applicant emailed Ms. Otto to withdraw his application from the Zoning Board of Appeals.

NEW BUSINESS

Matthew Hudson **TM # 027.-03-09.2**
2825 Lyons Road
Camillus, NY 13031

Area Variance: Accessory Building Forward of Rear Line of Principal Building.
Mr. Pirro moved to set a Public Hearing for 2825 Lyons Road for October 2, 2018. Mr. de la Rosa seconded the motion and it was unanimously approved.

Camillus Elks Club **TM # 006.-01-25.0**
6117 Newport Road
Camillus, NY 13031

Area Variance: Additional Signage on the Building

Mr. Feyl moved to set a Public Hearing for 6117 Newport Road for October 2, 2018. Ms. Lansley seconded the motion and it was unanimously approved.

OLD BUSINESS
None

MINUTES OF THE PREVIOUS MEETING(s)

Mr.de la Rosa moved to approve the minutes of the August 7, 2018 meeting. Mr. Walsh seconded the motion and it was unanimously approved.

CORRESPONDENCE
None

VOUCHERS
Ms. Lansley moved to approve the payment of the following voucher: Mr. Walsh seconded the motion and it was unanimously approved.

- Melvin & Melvin, PLLC - $1955.60 for legal services

COMMENTS OF THE BOARD

Chairman Feyl and the Board discussed the upcoming development in the Town of Camillus to keep everyone abreast of any new projects. The projects discussed were:

Christopher Community/Camillus Housing Authority – Route 174 (outside the village)
New Medical Center in Township 5
Apartment/Professional Building Complex at 4801 West Genesee Street
Verizon Store at 3705 West Genesee Street (adjacent to former Pizza Hut Property)

DECISIONS

None

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

Respectfully submitted,
Sandra Shoff, ZBA Clerk

TOWN OF CAMILLUS
ZONING BOARD OF APPEALS MINUTES
October 2, 2018
7:00 p.m.

PRESENT:
Bob Feyl, Chairman
Richard de la Rosa
Chris Lansley
Steve Pirro
Alex Walsh

STAFF PRESENT:
Susan Otto, Esq.

GUESTS & MEMBERS OF THE PUBLIC
Steve James, 4th Ward Councilperson
6 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 legal notices. Ms. Lansley seconded the motion and it was unanimously approved.

PUBLIC HEARING

3. Victor Rodriguez (continued from September) TM #: 018.-09-29.0
129 Weeping Willow Way
Camillus, NY 13031
Area Variance – Shed Location

Mr. Rodriguez stated he is the owner of the property. The parcel is approximately .2 of an acre. Mr. Rodriguez described the lot as 80' wide and 125' deep. He stated there is a significant slope in the rear yard. There is also a drainage easement in the rear yard. The rear yard is approximately 70' in depth.

Mr. Rodriguez said that the shed will be approximately 8' x 16'and placed on the northwest side of the house. The style will be a lean-to shed and will match the house in color and materials.

The neighboring property is approximately 17.9 feet from the jog on the side of the house. If the applicant were to place the shed 5' away as required by fire code, it becomes an issue with the neighboring property. Chairman Feyl noted the only logical place for the shed is in the rear yard since 5' from the property line is not an option. He suggested the right corner of the rear yard. Mr. Rodriguez stated he is not comfortable with that, as the shed would need to be shored up with concrete and or stone. Additionally, there is a gate to the fence as well as his children's playset. It was suggested the applicant could move those obstacles, however Mr. Rodriguez did not feel that was the solution for him. There was a discussion that there appears to be

plenty of room in the rear yard. Another solution that was suggested is to turn the shed sideways, to take up less space in the yard.

Mr. de la Rosa suggested an alternative to a shed. He suggested the applicant consider an addition to the house. Mr. de la Rosa stated it is definitely a more expensive option, but something to consider. Mr. Rodriguez stated he thought about it; however, there is a gas line through the garage that would be a concern.

Mr. Pirro stated he feels there is plenty of room for the shed in the rear yard. He further stated there would have to be some consideration to a fire safe material for the addition if Mr. Rodriguez intended have an addition.

Chairman Feyl stated the shed cannot be placed in the area the applicant wishes to place it. He asked the applicant if he would like to withdraw the application or have the Board vote on the application. Mr. Rodriguez stated he would withdraw the application.

Chairman Feyl asked if there was anyone present who was for or against the application. No one was present to speak either for or against the application.

Mr. Pirro moved to approve Mr. Rodriguez's request to withdraw the application. Ms. Lansley seconded the motion and it was unanimously approved.

Mr. de la Rosa stated he appreciates the applicant's reasonable nature and attempt to work within the confines of the code.

The Board did make some suggestions to the applicant to help him find a solution.

4. Camillus Elks Club **TM # 006.-01-25.0**
6117 Newport Road
Camillus, NY 13031
Area Variance – Sign

Mr. Richard "Red" Flaherty, charter member of the Elks Club and Mr. Leonard Sherwood, Treasurer of the Elks Club presented the application on behalf of the Elks Club. Mr. Flaherty stated that the application is for a 24 square foot sign to be placed on the Elks Club building. The purpose of the sign to help identify the Elks Club as such. Mr. Flaherty stated the building is on a busy road, and it is easy to miss. The sign will help alleviate traffic slowing down suddenly on this highly travelled road.

The building has approximately 358' of road frontage. The sign is to be placed on the front façade of the lodge building, above the existing canopy.

Mr. Flaherty also explained that there is a monument sign in the front of the building, which has the name of the organization. The monument sign is set back approximately 40' from the street. It is approximately 40 square feet, manually operated (lettering is placed on by hand and removed by hand). The is a smaller hanging sign approximately 30" x 30" in size, which is used to advertise specific events such as burger night, spaghetti dinner and Sunday brunch.

The existing monument sign does contain the name “Elks Club” but it is not very visible from the street, especially as vehicles travel past at a speed in excess of the posted speed limit.

There was a detailed discussion about the actual size of the proposed new sign. Chairman Feyl clarified the size and the wording and number that would be placed on the sign provided there is room.

Mr. Flaherty stated that there is currently no plan to illuminate the sign. At some point, the organization may install an LED light over the top of the sign to make it more visible in the evening.

There is no impact on the neighboring properties as there are no close neighbors.

Mr. Flaherty stated the Elks Club Building was built in 1981. He stated he and the other members are very proud of the building and the activities that are held there to support youth and veteran organizations. The Elks Club hopes to enlist new members and Mr. Flaherty stated it is their hope that the sign will help make the club more visible.

Chairman Feyl stated there is a beautiful picnic area, which is used by many different groups.

Mr. Pirro stated Mr. Flaherty did an excellent job of presenting the application.

The Board and Mr. Flaherty discussed the actual size of the sign. It was suggested that the applicant consider having the sign be 30 square feet in size rather than 24 square feet to ensure the entire message and logo can be placed on the sign. It was further suggested that the sign be illuminated from the bottom up.

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

5. Matthew Hudson **TM # 027.-03-09.2**
2825 Lyons Road
Camillus, NY 13031
Area Variance – Detached Garage

Mr. Matthew Hudson, husband of Kristen Hudson, owner of the property, presented the application on her behalf. The property is approximately 1.6 acre and the existing structure (house) is 65’ x 32’. There is 300’ of road frontage. Other items on the property in the rear yard include an above ground pool, a patio area, a shed and a playhouse. The yard slopes from the road into the back yard.

Mr. Hudson stated they would like to construct a 30’ x 30’ detached garage with an attached 10’ x 30 porch. Mr. Hudson stated he believed the height would be 17’. The front of the garage would be in line with the front of the porch on the front of the house and would meet all required setbacks.

Mr. de la Rosa expressed concern over the height of the garage. He stated it is his understanding that for every foot over 15', one needs to add another foot to the side yard. There was a detailed discussion regarding the specifications for the side yard setbacks in terms of the height of the garage. The applicant does have the required side yard for the garage to be in compliance.

Mr. Hudson stated he and his family plan to use the garage for the storage of their personal vehicles, a boat and lawn equipment. Mr. Hudson also noted the reasons the garage cannot be in the rear yard, due to the increased cost of site work, the pool, the brick patio and the existing shed and playhouse.

Mr. Hudson noted there is a buffer between his and his neighbor's house in the form of a fieldstone wall as well as an established hedgerow. Mr. Hudson further stated he and his neighbor have spoken about the garage and porch and his neighbor stated he has no objections.

Chairman Feyl asked if there was anyone present who wished to speak for or against the application. There was no one present.

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

6. Matthew Brafman **TM # 045.-12.-02.2**
229 Gillespie Avenue
Syracuse, NY 13219
Area Variances – Deck in Front Yard, Front Yard Setback, Side Yard Setback

Mr. de la Rosa moved to set a public hearing for the application and continue it until November 8, 2018 as the applicant was unable to appear at tonight's meeting.

OLD BUSINESS

None

NEW BUSINESS

1. Scott Hanzalik TM # 060.-05-14
223 Forsythe Street
Camillus, NY 130301
Area Variance – Garage Addition

Chairman Feyl moved to set the Public Hearing for November 8, 2018. Mr. de la Rosa seconded the motion and it was unanimously approved.

MINUTES OF THE PREVIOUS MEETING(s)

Mr.de la Rosa moved to approve the minutes of the September 4, 2018 meeting. Mr. Walsh seconded the motion and it was unanimously approved.

VOUCHERS

Ms. Lansley moved to approve the payment of the following voucher: Mr. Walsh seconded the motion and it was unanimously approved.

- Advance Media - $128.24 for advertisement of legal notices

CORRESPONDENCE

None

COMMENTS OF THE BOARD

None

DECISIONS

Camillus Elks Club **TM # 006.-01-25.0**
6117 Newport Road
Camillus, NY 13031
Area Variance – Sign

Mr. Pirro moved to grant a variance to allow an illuminated sign not to exceed 30 square feet to be mounted on the building located at 6117 Newport Road. Mr. Walsh seconded the motion and it was unanimously approved.

Chairman Feyl conducted the environmental impact assessment, determining that the proposed action will not result in any significant adverse environmental impacts.

Matthew Hudson **TM # 027.-03-09.2**
2825 Lyons RoadCamillus, NY 13031
Area Variance – Detached Garage

Mr. de la Rosa moved to grant a variance to allow a 30' x 30' detached garage with an attached 10' x 30' porch approximately 32' in front of the rear line of the house located at 2825 Lyons Road. Mr. Walsh seconded the motion and it was unanimoulsy approved.

Chairman Feyl conducted the environmental impact assessment, determining that the proposed action will not result in any significant adverse environmental impacts.

ADJOURNMENT

Mr. Walsh moved to adjourn at 8:00 pm. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,
Sandra Shoff, ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
November 8, 2018– 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Attorney

Guests
7 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 notice. Ms. Lansley seconded the motion and it was unanimously approved.

PUBLIC HEARINGS:

Matthew Brafman **TM#: 045.-12-02.2**
229 Gillespie Avenue
Syracuse, New York 13219

Area Variances: Deck

Mr. Brafman, the property owner, appeared before the Board to address his application. He described the property as approximately 40'x100', although he was unsure of the depth. He stated the deck for which he is seeking a variance is 8' x 16' and 10' off the ground, and will be for general use and for celebration of the Jewish Holiday of Sukkot, the Festival of Booths, which is nine days long and requires a view of the sky. The deck would extend 15' into the front yard setback, but he noted his neighbors have no concerns about it.

Chairman Feyl stated that no building permit was obtained for either this deck or the rear deck, noting that the applicant would have been informed of the requirement for a roof had he done so, and inquired why the back deck could not be utilized for the holiday celebration. Mr. Brafman stated that he had replaced an existing deck with this larger one and the back deck is unable to be used because it is too small, the stairs are too steep, and it cannot be expanded due to a hill at the rear of the yard.

Ms. Otto noted that, according to the survey, the property is 108.88' deep and 42' wide, and the rear yard is 61' deep.

Mr. de la Rosa stated he had visited the property to see the deck and suggested making a porch. Mr. Pirro was in agreement as he noted there is not much of a side yard.

Chairman Feyl inquired about any concerns from surrounding neighbors and suggested the applicant consider a temporary roof that could be removed for the holiday. Mr. Brafman confirmed his neighbors have no concerns regarding the deck.

Ms. Otto inquired why the religious celebration could not take place in the back yard. Mr. Brafman stated it would be inconvenient for him and his guests due to the stairs and grade of the yard.

Chairman Feyl suggested Mr. Brafman get a proper permit, find a proposal for a temporary roof that would be acceptable to Code Enforcement, or remove the front deck. Alternatively, he suggested Mr. Brafman obtain a permit to expand the back deck.

Chairman Feyl noted that 3rd Ward Councilor Joy Flood contacted him stating she has visited the property and is in favor of granting the variances. She has spoken to the adjacent neighbors who also have no issues with the variances.

Mr. Pirro moved to continue application to the December 4, 2018 meeting. Mr. de la Rosa seconded the motion and it was unanimously approved.

Scott Hanzalik **TM#: 060.-05-14.0**
223 Forsythe Street
Camillus, New York 13031

Area Variance: Garage

Ms. Otto stated that Mr. Hanzalik has withdrawn his application.

Blessed Virgin Mary Mother of God Church and Academy TM#: 006.-02-34.0
2656 Warners Road
Warners, New York 13164

Modification of Special Use Permit and Variances for Expanded Parking Lot

Chairman Feyl moved to set the public hearing for November 8, 2018. Mr. Pirro seconded the motion and it was unanimously approved.

Brian Petersen appeared before the Board on behalf of the applicant. He described the property as 45 acres with a 56,000 square foot facility. The location of the expansion is approximately 50 feet from Warners Road, behind the existing parking lot. The extended parking lot would be 180'x150' which would accommodate about 70 additional parking spaces. The expansion will relieve some congestion in the circular drive during school and church. The existing parking lot and tree line buffer will remain the same.

Chairman Feyl inquired about the drainage on the lot once it is paved; Mr. Petersen stated the drainage will go to the west fields and noted that for financial reasons they would like to wait a year or two to pave.

Chairman Feyl referred to the Planning Board letter, which states that the aisle and parking dimensions must conform and comply with Town standards and parking stalls must be striped in the parking area. The Planning Board recommends that the expanded lot be

paved within one year of the grant of the Special Use Permit and have a final plan for snow storage to be south and west of new parking area.

Chairman Feyl suggested millings be laid in the lot, which can be striped and would be less expensive than paving. Mr. de la Rosa agreed and stated it would also benefit drainage.

The applicant agreed to the millings and to the striping.

Mr. Pirro inquired about the lighting in the area. The applicant stated they would be adding two or three more lights to the building and would keep the lighting pointed down onto the expanded area.

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

Megan McAndrews **TM#: 007.-01-18.0**
3065 Warners Road
Warners, New York 13164

Area Variance: Animal Barn

Chairman Feyl moved to set the public hearing for November 8, 2018. Mr. de la Rosa seconded the motion and was unanimously approved.

Megan McAndrews, the property owner, appeared before the Board to present her application. She stated she is the current owner of the property, but is in the process of selling. She described the property as 5.63 acres with an existing barn behind the house. The barn was built in the 1970's and was used to house horses. The variance she is seeking is for 89' from the west side property line and 94' from the east side property line. She tried to contact the neighbor to the east several times in person and also left a detailed letter explaining the variance she is seeking, but has had no response.

The prospective owner, Roxanne Sopchak, stated they plan to house two retired horses in the barn once it is renovated. She has also contacted Tom Price, Code Enforcement Officer, to discuss future fencing.

Chairman Feyl stated that 5 acres is not feasible for feeding two horses. Ms. Sopchak explained the horses are grain feed.

Chairman Feyl noted that 2nd Ward Councilor Mike LaFlair contacted him to express that he is in favor of granting the variances and made every attempt to contact the neighbor regarding them.

The applicant's real estate agent spoke, stating that the sale of the property is contingent upon obtaining the variances.

Ms. Otto noted the neighbor's silence is their acquiescence given the applicant's detailed letter informing them of her intentions.

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

NEW BUSINESS:
None

MINUTES:
Mr. de la Rosa moved to approve the minutes of October 2, 2018 meeting. Ms. Lansley seconded the motion and it was unanimously approved.

VOUCHERS:
Mr. Pirro moved to approve the payment of the following voucher. Mr. Walsh seconded the motion and it was unanimously approved.

- Advance Media-$83.44 for advertisement of legal notices.

COMMENTS OF THE BOARD:
None

CORRESPONDENCE:
None

OLD BUSINESS:
None

DECISIONS:

Blessed Virgin Mary Mother of God Church and Academy TM#: 006.-02-34.0

2656 Warners Road
Warners, NY 13164

Modification of Special Use Permit and Variances for Expanded Parking Lot

Chairman Feyl and the Board conducted the SEQR review.

Mr. de la Rosa moved to grant a modification of the Special Use Permit to allow a 180' x 150' expansion of the parking lot, and a variance to allow the expanded parking area to be surfaced with millings in place of asphalt paving. Mr. Walsh seconded the motion and it was unanimously approved.

Megan McAndrews **TM#: 007.-01.-01-18.0**
3065 Warners Road
Warners, New York 13164

Area Variance: Barn

Chairman Feyl and the Board conducted the SEQR review.

Mr. Pirro moved to grant a variance of 61' on the west side and a variance of 56' on the east side to allow the existing 28' x 32' barn to house animals. Mr. Walsh seconded the motion and it was unanimously approved.

ADJOURNMENT:

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

Respectfully submitted,

Theresa Garvey
ZBA Clerk

TOWN OF CAMILLUS
Zoning Board of Appeals Minutes
December 4, 2018– 7:00 p.m.

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

STAFF PRESENT:
Susan Otto, Attorney

Guests
1 Other

ABSENT:
Alex Walsh

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

PUBLIC HEARINGS:

Matthew Brafman **(Continuation)** **TM#: 045.-12-02.2**
229 Gillespie Avenue
Syracuse, New York 13219

Area Variance: Deck

Mr. Brafman, the property owner, appeared before the Board to present his application.

Chairman Feyl referenced a letter from Tom Price, Code Enforcement Officer, to the applicant, stating he would have no objection to a permanent, fully covered "open porch" as intended and allowed by the ordinance, but would still need a side yard variance because the porch extends beyond the length of the house.

Mr. Brafman stated he contacted Mr. Price with numerous suggestions, but Mr. Price was not agreeable to any of them. Mr. Brafman presented pictures to The Board of neighboring and other properties with uncovered decks in the front yards. He also presented a letter from a neighbor residing at 211 Gillespie Avenue who is in favor of his deck.

Ms. Otto noted that the neighboring properties to which Mr. Brafman is referring have larger front yard setbacks than the applicant's property.

Chairman Feyl noted that 3rd Ward Councilor Joy Flood sent an email stating she realizes that there are a number of non-conforming houses in the area and is in favor of the deck, but stated the applicant still needs to obtain all the proper permits.

The Board, Ms. Otto and Mr. Brafman had an extensive discussion regarding the deck, a roof over the deck, the rear yard and the non-conforming houses in the area.

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

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

Reappoint Mr. Pirro to a 5 year term for the Zoning Board of Appeals.

Mr. Pirro moved to appoint Theresa Garvey as Clerk to the Zoning Board of Appeals. Mr. de la Rosa seconded the motion and it was unanimously approved.

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

Mr. Pirro moved to appoint Mr. de la Rosa as Vice Chair of the Zoning Board of Appeals. Ms. Lansley seconded the motion and it was unanimously approved.

Ms. Lansley moved to appoint Mr. Feyl as Chairman of the Zoning Board of Appeals. Mr. de la Rosa seconded the motion and it was unanimously approved.

NEW BUSINESS:
None

MINUTES:
Mr. de la Rosa moved to approve the minutes of November 8, 2018 meeting. Mr. Pirro seconded the motion and it was unanimously approved.

VOUCHERS:
Ms. Lansley moved to approve the payment of the following voucher. Mr. de la Rosa seconded the motion and it was unanimously approved.

- Melvin & Melvin-$3060.00 for legal services.

COMMENTS OF THE BOARD:
None

CORRESPONDENCE:
None

OLD BUSINESS:
None

DECISIONS:

Matthew Brafman **(Continuation)** **TM#: 045.-12-02.2**
229 Gillespie Avenue
Syracuse, New York 13219

Area Variances: Deck

1. Mr. Pirro moved to allow a deck in the front yard. Mr. de la Rosa seconded the motion and it was unanimously approved.

2. Chairman Feyl moved to grant a 15 ½' variance from the 25' minimum front yard setback requirement. Ms. Lansley seconded the motion and it was unanimously approved.

3. Mr. Pirro moved to grant a 2 ½' variance from the 5' minimum side yard setback requirement. Mr. de la Rosa seconded the motion and it was unanimously approved.

ADJOURNMENT:
Mr. de la Rosa moved to adjourn the meeting at 8:00 p.m. Mr. Pirro seconded the motion and it was unanimously approved.

Respectfully submitted,

Theresa Garvey
ZBA Clerk

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42nd Associates
Area Variance, 2, 5, 37, 47

A

Armstrong Road #3683
Area Variance, 19, 23, 28

B

Barfield, Patricia
Area Variance, 19, 23, 28
Blessed Virgin Mary Mother of God Church and Academy
Special Use Permit, 56, 59
Brafman, Matthew
Area Variance, 55, 61, 63
Breed Road #5961 Area Variance, 1, 5

C

Camillus Elks Club
Area Variance, 48, 54
Chagnon, Joshua
Area Variance, 27
Columbus Avenue #114
Special Use Permit, 19, 24, 28

E

Edelman Real Estate
Special Use Permit, 16, 22

F

First Baptist Church of Memphis
Special Use Permit, 34
Forsythe Street #223
Area Variance-Garage, 53, 56
Frateschi, Jonathan
Special Use Permit, 19, 23, 28

G

Gardner, Chris
Area Variance, 1, 5
Gillespie Avenue #229
Area Variance, 53, 55, 61, 63
Goldenrod Lane #117
Area Variance, 31

H

Hanzalik, Scott
Area Variance, 53, 56
Hudson, Matthew
Area Variance, 47, 54

K

Kehoskie, Thomas
Area Variance, 4, 8, 13, 19, 26, 29

L

Lyons Road #2825
Area Variance, 47, 52, 54

M

Mansfield Drive #100
Area Variance, 4, 8, 13, 19, 26, 29
McAndrews, Megan
Area Variance, 58, 60
Milton Avenue #3405
Area Variance, 15, 20
Milton Avenue #3491
Area Variance, 10, 13
Moskvina, Ivan
Area Variance, 10, 13

N

Newport Road #6117
Area Variance, 48, 51, 54
NYS Route 174#5336
Area Variance, 43
NYS Route 5 #1960
Special Use Permit, 34

O

Oot, Jeffrey
Area Variance, 15, 20

P

Parfitt, William and Ann
Area Variance, 20, 26, 28
Pirro, Steven & Michele
Area Variance, 31

R

Razawich, Kevin

Area Variance, 43, 45
Richards Road #128
Area Variance, 20, 26, 28
Rodriguez, Victor
Area Variance, 47, 50
Rolling Meadows #5500 Lot 1
Area Variance, 19
Ryan Homes
Area Variance, 19

S

Signs by John's Studio
Area Variance, 5

V

Voytovich, Pavel
Area Variance, 43, 46

W

Warners Road #2656
Special Use Permit, 56, 59
Warners Road #3065
Area Variance, 58, 60
Weeping Willow Way #109
Area Variance, 43, 45
Weeping Willow Way #129
Area Variance, 47, 50
West Genesee Street #5407
Area Variance, 2, 5, 37, 47
Whedon Road #503
Area Variance, 27

Y

Yorkshire Boulevard # 99
Special Use Permit, 16, 22