**ZONING BOARD of APPEALS**

**Town of Geddes**

**1000 Woods Road**

**Solvay, New York 13209**

June 10, 2015

**Members Present:**

Russell Miller

Frank Smolen

Linda Casertano

Dino Caloia

David Balcer

Mr. Miller announced the Zoning Board of Appeals Meeting on June 10, 2015 please come to order and to make a motion that the proposed draft minutes from the April 8, 2015 meeting be accepted as presented to the Board.

Seconded By: Mr. Smolen

All In Favor: Miller/Smolen/Casertano/Balcer/Caloia

Please take notice the Zoning Board of Appeals will hold a Public Hearing pursuant to Section 240- 18 B of the Zoning Ordinance of the Town of Geddes on the 10th day of June, 2015 at the Geddes Town Hall, 1000 Woods Road, Solvay, New York at 7 p.m. or as soon thereafter as may be heard to consider the following application:

**Appeal # 589**

On the appeal of Mr. David Wattam, 7106 State Fair Blvd., Syracuse, New York, request for the following Special Permit and Site Plan Review to be considered:

1. An addition, 12 feet deep by 33 feet wide by 16 feet high to an existing building to be located at the above address in the Town of Geddes.

Mr. Wattam was invited up to speak about his intentions. He would like to add on to his building which houses food trucks. Over the years the trucks have been built bigger and he would like to make the addition to be able to bring the bigger trucks in and close the doors. He showed the Board plans on what he was asking for. Mr. Miller said there were a couple of things he would like to see added. The widths and depths of his customer parking. He has 3 different areas. And he would like to indicate where the handicap parking is. Mr. Wattam said he has been there for 28 years and no one ever said he had to have handicap parking. Mr. Miller said he does need it and Mr. Wattam agreed to have handicap parking put in so Mr. Miller asked for dimensions on that. Mr. Miller said he received a letter from the Town Engineer on June 9th, 2015 as follows:

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Dear Russ:

 I reviewed the application for a Special Permit for the above project. The survey information provided is inaccurate. The existing 24 by 32 pole barn and 12 by 32 addition is not drawn to scale. There are no dimensions shown for customer parking or driving aisles. A handicapped accessible parking space is required. The addition is hand drawn on a survey map prepared by Steve Sehnert, and I note that this is a violation of the NYS Education Law for a person other than a licensed land surveyor to alter a survey.

 Maximum lot coverage within an Industrial A District is limited to 80%. While the new extension is proposed for a portion of the site that is already paved, a survey should be provided to delineate total lot coverage, as the site may already exceed the 80% figure, based on aerial photographs.

 There is an existing dumpster on site. Typically the Town requires dumpsters to be in screened enclosures. The site plan does not include any information on landscaping or lighting,

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Mr. Miller stated he is not concerned about the dumpster. But as he stated, he requests an updated survey and he will talk to him about that as he understands Mr. Wattam’s current financial situation at this point in time and will see if he can work something out with the engineer.

Mr. Miller made a motion that this Board will act as Lead Agency, there are no other concerned agencies, this is an unlisted action and the application will have no significant environmental impact. The Onondaga County Planning Board resolved that this would have no significant adverse community impact.

Seconded By: David Balcer

All in favor: Miller/Casertano/Balcer/Smolen/Caloia

The following Special Use Permit criteria were considered:

1. This change will have no adverse impact to the neighborhood. Yes
2. Proposed usage is compatible with the current neighborhood. Yes
3. Proposed usage will no create environmental impact. Yes
4. Proposed use will be supported by adequate police and fire protection. Yes
5. Controls for vehicles and pedestrian use will be adequate. Yes

Mr. Miller would like to make a motion that we tentatively approve Mr. Wattam’s Special Use Permit on the condition that he can get Mr. Morse to agree that he does not need an updated survey but we can use the handwritten survey that was given to us at this time.

Seconded By: Mr. Balcer

All In Favor: Miller/Casertano/Smolen/ Balcer/Caloia

Mr. Miller advised the Board that he has spoken with Mr. Morse the Engineer and that it would be appreciated if he could get information to the Board in a timelier manner.

Please take notice the Zoning Board of Appeals will hold a Public Hearing pursuant to Sections 240-12 B 5 and 9 and 240-12 B1 of the Zoning Ordinance of the Town of Geddes on the 10th day of June, 2015 at the Geddes Town Hall, 1000 Woods Road, Solvay, New York at 7:15 p.m. or as soon thereafter as may be heard to consider the following application:

**Appeal # 590**

The request of St. Camillus Residential Healthcare Facility, Ms. Aileen Balitz, 813 Fay Road, Syracuse, New York 13219 and Christopher Community, 990 James Street, Syracuse, New York 13202 for an Area Variance to allow for to allow for the following:

1. The construction of a 60 unit housing facility for patients on 8.5 acres of vacant land and a Special Permit for a group residence or nursing/convalescent home to be located in the Town of Geddes was considered.

Michael Zingaro spoke that they have been working on this facility for 2 years and realized that the site was not big enough. They thought they were able to acquire 2 acres from the Town but after searching learned the Town didn’t own it but the State did and that it would take a long time to acquire it. So they decided to submit this application to the Town for a density variance for 60 units of residential housing to be eligible for tax funding and make viable economical sense. Bruce King and Jamie Williams and Doug Ricker were introduced from Christopher Community to give a presentation and answer any questions.

The site plan was extensively explained that the building itself would be carved into the slope on the property. The new parking lot is coming off of the existing parking area and parking across the back. The building on the ground level will access to the Centers at St. Camillus. There is a center entry on the high side and a wing of rooms to the west and a wing to the east and entry area with some common space. And the second floor will have a similar layout with a large meeting area facing the south. There is an area where the roof pops up and thus the reason for the height variance. It will have 60 one bedroom apartments only.

The concept is understood by Mr. Miller and the Board. Mr. Miller asked if this was submitted to the City of Syracuse and they said yes about 2 weeks ago. The draft has also been submitted to the DEC. And he will contact the Town Engineer. The economic impact is understood by the Board.

Mr. Miller made a motion that this Board will act as Lead Agency regarding the density variance and Special Permit, there is another concerned agency and that is County Planning and the City of Syracuse.

Seconded By: David Balcer

All in favor: Miller/Casertano/Balcer/Smolen/Caloia

The following Area Variance criteria were considered:

1. Can the benefit be achieved by any other means? No
2. Will this create an undesirable change to the current neighborhood? No
3. Is the difficulty self created? Yes
4. Is the request substantial? No

The following Special Permit criteria were considered:

* 1. The proposed use is in compliance with the Residential B district if the Town agrees to the Residential B change. Yes

2. The proposed use is compatible to immediate neighborhood? Yes

3. The proposed use will be provided with police and fire protection services? Yes

4. Controls of vehicle and pedestrian movement will be reviewed by the Town

 Board in their site plan review.

 5. The proposed use shall not generate any adverse environmental impact. Yes

Public comments: None

Public Comment closed.

Mr. Miller would like to make the following motion that the Density Area Variance is granted and the Special Permit is granted with the following conditions:

The Town Board must approve a zone change for the parcel from Residential A to Residential B.

The Town Board must approve the site plan or amended site plan if amending is needed.

Seconded By: Mr. Caloia

All In Favor: Miller/Smolen/Casertano/Balcer/Caloia

Please take notice the Zoning Board of Appeals will hold a Public Hearing pursuant to Sections 240- 11C 2A of the Zoning Ordinance of the Town of Geddes on the 10th day of June, 2015 at the Geddes Town Hall, 1000 Woods Road, Solvay, New York at 7:30 p.m. or as soon thereafter as may be heard to consider the following application:

**Appeal # 591**

The request of Mr. and Mrs. Nate Walker, 114 Windemere Road, Syracuse, New York 13219 for a Area Variance to allow for the following:

1. 6 feet on the front line set back to construct a mudroom/vestibule 7.8 feet wide by 6 feet deep at the above same address was considered in the Town of Geddes.

Mr. Walker explained the reason for his request to the Board. He would like to add to the entryway of his house to add a mudroom before the immediate entry to his living room.

Mr. Balcer commented that he took a look at this request and everyone agreed that this would be fine for the area with no outstanding issues as the houses there vary one from another. Linda Casertano drove by and agreed.

Mr. Miller made a motion that this Board will act as Lead Agency, this is an unlisted action and the application will have no significant environmental impact.

Seconded By: Linda Casertano

All In Favor: Miller/Smolen/Casertano/Balcer/Caloia

The following items were reviewed in determining Notice of Finding:

1. Can the benefit be achieved by any other means? No
2. Will this create an undesirable change to the current neighborhood? No
3. Will the request have an adverse environmental impact? NO
4. Is the request substantial? No
5. Is the difficulty self created? Yes

No Public Comment.

Mr. Miller made the motion for the Area Variance be granted.

Seconded By: Mr. Balcer

All in Favor: Miller/Casertano/Smolen/Balcer/Caloia

Please take notice the Zoning Board of Appeals will hold a Public Hearing pursuant to Sections 240-38 B 1 of the Zoning Ordinance of the Town of Geddes on the 10th day of June, 2015 at the Geddes Town Hall, 1000 Woods Road, Solvay, New York at 7:45p.m. or as soon thereafter as may be heard to consider the following application:

**Appeal # 592**

The request of Kasis Signs, 6699 Old Thompson Road, Syracuse, New York 13211 representing the Syracuse Academy of Science, 200 West High Terrace, Syracuse, New York 13219 for a Special Permit to allow for the following:

1. The installation of a 4 feet high by 29 feet long single face internally lit wall sign to be located on the south entrance of the Syracuse Academy of Science building in the Town of Geddes.

Mr. Miller made a motion that the Zoning Board of Appeals will act as Lead Agency, this is an unlisted action and the application will have no significant environmental impact.

Seconded By: Mr. Smolen

All In Favor: Miller/Smolen/Casertano/Balcer/Caloia

Mr. Miller stated that he did not see why the sign was needed. On the property there is a monument sign, a two-sided sign down near the roadway that used to be St. Charles School sign has been changed to the Syracuse Academy of Science. It is 2 sided and it is lit. This is a Residential A area and why they want a sign this size on that building when St. Charles school has one small lettered sign on that building that was 2 feet in width. Now they want a lit 29 foot wide sign and he has a real problem with that. He does not see a need for it and they have clearly not shown any hardship in the paperwork they have submitted to us. The Board Members made comments back and forth and all agree that this particular sign is not necessary. Mr. Miller did present 2 letters from residents in the Town of Geddes that are against it.

Public Comment:

Susan Henson – 308 Parsons Drive:

She is against the sign. She feels there is no need for it. No one has ever had a hard time finding the school with what they have there now. No reason for it.

At this time, Christine Caceres from Kasis Signs came into the meeting. Mr. Miller brought her up to speed of the meeting so far and his thoughts.

Public Comment closed.

Christina Caceres from Kasis Signs came up to speak. Mr. Miller asked her what the need for such a large sign was. She represents Syracuse Academy of Science. They approached her about the sign and since they have one similar on their James Street location is why they wanted another in Geddes. She also grew up in Geddes and attended St. Charles and Bishop Ludden. She completely understands the why residents are coming against this sign. With that being said, the letters are raised a quarter of an inch and are actually the only thing that will be illuminated and not the entire sign. That is why they did the sign the way they did because they anticipated running into these issues. Mr. Miller said the Town allows 20 square feet for a sign on a non-residential building in a Residential A area. He said she was looking at 96 square feet of what we allow. That is a major increase of 83%. And you have a monument sign approximately 30 feet from the edge on Fay Road, lit on both sides. Mr. Miller does not see any hardship that Ms. Caceres can define to the Board as to why she has to have it. She said she spoke with the school and the idea behind this sign is to keep the “look” of the school universal, meaning all the schools will have the same identifying sign throughout. She compared it to the residential area the other school is in and Mr. Miller said there is no comparison as that area contains a hill and a cemetery and doesn’t compare to the Fay Road area. The second reason she said was that because the building was so big they felt it would look good. They want the school to be known for what it is. It’s between a private and a public school and teaches science and technology. Mr. Miller admitted the wonderful job that the school has done there and what they did with the building and were grateful that this school went into the building and are great to work with. Ms. Caceres said they have asked for a lot and Mr. Miller said while it’s all great, that this particular sign request still did not create a hardship. He asks to other comments at this time. The Board agreed there was no need for a sign this large.

This Board will act as Lead Agency, this is an unlisted action and the application will have no significant environmental impact if this request was granted. Mr. Miller reopened Public Comment.

Lindsey Carpenter of 322 Fay Road came up and said she was against the sign. She has been a teacher for 9 years and does not see how a sign is going to help the school. It would not increase enrollment and would just upset the neighborhood. She is asking for this to be voted down.

The following Special Permit criteria were considered. The proposal will have an adverse impact on the character or the immediate neighborhood. It will affect the neighborhood and what it looks like and what it stands for. Mr. Miller’s decision is no and agreed by

Public comment is closed. At this point in time, the Chairman would like to make the following motion:

That the request for a Special Permit be denied for the following reasons:

* 1. No hardship was shown by the applicant.
	2. Monument exists and application is larger in size.

Seconded By: David Balcer

All In Favor: Miller, Smolen, Casertano, Balcer, Caloia

Kasis Signs said they have to go back to Syracuse Academy so what would it take for another request. Make it smaller? Mr. Miller said to remove illumination and the size. He told her she has the right to come back with other proposals as much as she would like. The Board has told her what size is legal and what will be accepted.

Mr. Miller made a motion to close the meeting.

Seconded By: Mr. Smolen

All In Favor: Miller, Casertano, Smolen, Balcer, Calois

Sincerely,

Russ Miller, Chairman