

ZONING BOARD OF APPEALS
5 ROUTE 31
P. O. BOX 568
JORDAN, N.Y. 13080



PLANNING BOARD
5 ROUTE 31
P. O. BOX 568
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*County of Onondaga
State of New York*

Town of Elbridge Planning Board
Approved Minutes
May 11, 2011 7 PM

Members Dan Leary, Floyd Duger, Karen Carney, John Stevenson and Marc Macro were present at the meeting Out-going Secretary/Alternate Member, Judy Vollmar, In-coming Secretary/Alternate Member Cindy Weir, Attorney Dirk Oudemool, Town Board Member Rita Dygert were present

Member Karen Carney welcomed new Board Member Marc Macro to the Planning Board and Cindy Weir as the new Secretary/Alternate Member.

Designation of Acting Chairman: A motion was made by Member Duger and seconded by Member Carney to appoint Member Stevenson as acting Chairman for the May 11, 2011 meeting.

RECORD OF VOTE

Member Floyd Duger	(Yes)
Member Karen Carney	(Yes)
Member Dan Leary	(Yes)
Member Marc Macro	(Yes)

Motion Carried

Approval of Minutes:

Regular Meeting April 13, 2011 Motion was made by Member Leary and seconded by Member Carney to approve the minutes of the April 13, 2011 meeting.

RECORD OF VOTE

Acting Chairman John Stevenson	(Yes)
Member Dan Leary	(Yes)
Member Karen Carney	(Yes)
Member Floyd Duger	(Yes)
Member Marc Macro	(Yes)

Motion Carried

Correspondence:

April Codes Report: The April Codes Report was read and reviewed.

Public Hearing:

Applicant: Duane and Marie Wise

Present: Duane and Marie Wise

Acting Chairman Stevenson read the Public Hearing Notice. He asked if there was anyone present that wished to speak for or that opposed the subdivision. There was no one present other than the applicant and no one opposed it. Public Hearing closed at 7:07.

Old Business:

Mr. and Mrs. Wise at this time presented their revised maps to the Board, the board members were given a copy of their Subdivision Application. Acting chairman Stevenson asked Atty. Oudemool if the verbiage for the Right of way for the water line was changed to his satisfaction. Atty. Oudemool stated that he doesn't know if the water line has actually been conveyed to the town, since he hadn't seen the new map until just now. He stated that we could go ahead contingent upon verification that in fact the easements have been conveyed to the town, and if they haven't then Mr. Wise will sign instruments of conveyance to request it so that they will be in the Public Record. The map states it as reputed which suggests that it never happened. Atty. Oudemool said that he would check the records now that he has a map. Member Leary wanted to know about the temporary access to the pumping station. Atty. Oudemool said that the pumping station access needs to be permanent. Mr. Wise said that the town had turned it over to the village for maintenance. Atty. Oudemool advised Mr. Wise that he would check into the town records to see if the easements exist, if they have not been conveyed to the town, he will see to it that the instruments are prepared for him and his wife to sign. Acting Chairman Stevenson told Atty. Oudemool that Bob Herrmann, the Codes Enforcement Officer had done a lot of file review and that he was the one that came up with how many subdivisions had been done and he changed the lot numbers to lot 5 and 6 on the map. Member Leary asked about the situation with the proposed easement on the property that is part of the Dumar subdivision. He was advised that all of that had been sold. The map should not show it as proposed. The map also shows a proposed 25' wide easement at the top of Dumar at the hammerhead. This was done about 2 or more years ago and therefore should not be shown on the new map as proposed. This easement provides utilities to the Dumar subdivision, but not to Lot 5 since this lot was not allowed a driveway to Crossett Road. Atty. Oudemool feels that now is the time to clean up the problem with Lot 5 while we have the Wises' before the Board. Acting Chairman Stevenson questioned whether or not a solution to the problem would be to combine Lot 4 and Lot 5. Atty. Oudemool said what could be done is to take the 25' wide easement for utilities require that that be conveyed now for the purpose of establishing egress to Lot 5..

Atty. Oudemool stated that Lot 5 never should have been created. Now as a condition of this approval Mr. Wise should send a letter of merger to the Tax Assessor merging Lot 5 with Lot 4 to eliminate Lot 5. It was noted by Acting Chairman Stevenson that Lot 4 was not the large residual piece, but that Lot 7 was. It was determined that Lot 4 was no longer a lot and should be merged into the large parcel. Atty. Oudemool suggested that the new lot to be created be Lot 4 and not Lot 6 as now shown on the current map, and that the three lots be merged and shown as Lot 5. Now there will be a single tax number for all three of the combined lots. Acting Chairman Stevenson marked up a map showing all of the changes for Mr. and Mrs. Wise to assist them in requesting the Tax Assessors office to merge Lot 5, Lot 4 and Lot 7, which now will become Lot 5 on the new map. The words temporary, proposed or reputed should be eliminated from the new map. The new map should show a 20' R.O.W. for existing water line, 20' R.O.W. for ingress and egress to pump chamber and underground electric service. Also the Legend above Lot 7 needs to be changed to, center line of permanent 20'R.O.W. for existing water line. Also strike the Crossett Road reputed 66' wide from the map. Member Duger stated that under Lot 5 it shows on the map that "There shall be no driveway access from Lot 5 to Crossett Road. Lot 5 driveway access to Dumar Drive by 25' wide easement only" this also needs to be stricken from the new map. The board would agree to an approval of the subdivision contingent upon a new map being corrected as agreed and upon resolution of the easement matter. Acting Chairman Stevenson completed the SEQR form, Member Leary made a motion for negative declaration and was seconded by Member Duger.

RECORD OF VOTE

Acting Chairman John Stevenson	(YES)
Member Dan Leary	(YES)
Member Floyd Duger	(YES)
Member Karen Carney	(YES)
Member Marc Macro	(YES)

Motion Carried

A motion was made by Member Duger and seconded by Member Leary to approve the Minor Subdivision contingent upon the filing of a new map conforming to the marked up map that the applicant is taking with them and contingent upon Atty. Oudemool's review of the existence of permanent easement and in the event that there are none, the applicant shall execute easements for the water line and access to pump station.

RECORD OF VOTE

Acting Chairman John Stevenson	(YES)
Member Floyd Duger	(YES)
Member Dan Leary	(YES)
Member Karen Carney	(YES)
Member Marc Macro	(YES)

Motion Carried

New Business

Jill Hathaway - Informal Hearing

Ms. Hathaway came before the Board to discuss a business to be located at 1273 Rte 5 Elbridge, New York. The business is a proposed Doggie Day Care Business. Member Leary asked if there would be any changes to the existing building. Her intent is to winterize it which would be considered an interior change. She would like to put in better windows with the possibility of an addition in the form of a carport structure connected to the existing structure, but that would not take place probably for another year. Ms. Hathaway gave an overview of what the business would be like. She did own and operate a Doggie Day Care business in Cortland for seven and a half years, which she sold and would like to run this business very much like that one. She is interested in this property because of its size and it would give the dogs more play room than she had before. She is looking at operating the business during the daytime hours only, Monday through Friday. There would be no outdoor runs or outdoor kennels. Outdoors there would be a large play area. The operating hours would be from 7:00 a.m. to 8:30 a.m. for owners to drop off their dogs, from 8:30 a.m. to 9:00 a.m. the dogs would be inside, 9:00 a.m. til noon they would be outside, noon to 1:30 p.m. they would be back inside, 1:30 p.m. to 4:30 p.m. outside and 4:30 to 5:30 pickup. There would be no overnight boarding. She presented a rough sketch showing the layout of the property which has a front entrance off of Rte 5 and a rear entrance off of the mobile home park, the rear entrance would be closed off. The existing building sits on an angle and the play area would be directly attached to the building. The fencing for the enclosed play area would be chain link panels which are portable and can be reconfigured for the play area at different times. This fencing would be 6' high. The play area would be approximately 1000 square feet. The black top would be removed in this area and a filter cloth would cover the ground which would then be covered with pea gravel to allow for drainage of dog urine. To start the business Ms. Hathaway is looking at a maximum of 20 dogs. She would start with 4 or 5 dogs a day and gradually increase the number. Member Leary inquired as to whether or not the property has an existing black top drain. She was not sure but did say that it sloped toward the rear of the building. Member Carney asked if there would be a lot of barking. Ms. Hathaway stated that she is really strict about barking and does not tolerate incessant barking. She feels that she keeps the barking under control. Member Leary was concerned about the distance from the play area to the nearest park residence. Ms. Hathaway was not sure. As for employees there would not be any. It would just be herself. Acting Chairman Stevenson inquired as to the outside lighting and it was felt that this would not be an issue. Ms. Hathaway would like to remove the current sign and replace it with a smaller sign on posts closer to the road. It was suggested that she talk to Codes Officer Bob Herrmann in regards to this matter. Ms. Hathaway has put a purchase offer on the property contingent on approval of the proposed Doggie Day Care. Ms. Hathaway stated her reason for leaving her business in Cortland was because there wasn't room for expansion. Atty. Oudemool checked the zoning map to make sure the property was zoned for business purposes. Ms. Hathaway explained her procedure for removal of dog droppings. She explained that most of the dog doing of their business takes place when they are first let outside in the morning, at that time she would clean up after them and at any other time throughout the day and dispose of through normal garbage disposal services. Ms. Hathaway inquired as to the

nearest fire hydrant to the property. She was advised that there wasn't any public water that far east on Rte. 5. Atty. Outdemool advised her that the property may have private water and private sewer, and he felt that perhaps the mobile home park had its own community system, and that she should contact Gordon Franz the park manager. Ms. Hathaway now needs to complete her application which comes from the Codes Office. So that she does not have to make another trip to the town office she was told that she could call and have the Bob Herrmann mail her the application. She should complete the application and get her site plans together and bring them to the next meeting which is June 8, 2011.

Public Comment:

There weren't any public comments.

**Recommendation to Town Board
For Appointment of Planning Board Chairman:**

Acting Chairman Stevenson recommended Member Leary as the next Planning Board Chairman. Member Carney made a motion to recommend Dan Leary to the Town Board for appointment as Chairman to the Planning Board, seconded by Member Stevenson.

RECORD OF VOTE

Acting Chairman Stevenson	(YES)
Member Karen Carney	(YES)
Member Floyd Duger	(YES)
Member Marc Macro	(YES)

Motion Carried

A motion was made by Member Leary to recommend Member Stevenson as Vice-Chairman, seconded by Member Carney.

RECORD OF VOTE

Member Dan Leary	(YES)
Member Karen Carney	(YES)
Member Floyd Duger	(YES)
Member Marc Macro	(YES)

Motion Carried

Member Leary mentioned that he had attended the American Farmland Trust roundtable in Waterloo a couple of days ago. He brought back with him a publication that members are welcome to borrow. Acting Chairman Stevenson said he would give them a call and see if they could send us 7 copies. He also mentioned that they have a website at www.newyorkfarmland.org.

Member Duger referred to the email he had received regarding the use of the new mailboxes at the Town Hall and for what use did the members of the Planning Board intend. Since the Planning Board room is used on Monday nights by the courts, Paige did

not feel they should be used for certain material. It would be nice to have certain things ahead of time for review and the mailboxes could be used for this purpose. Atty. Oudemool felt that since it is all public information and nothing confidential would be going into the boxes, there should be no concern. Perhaps future applications could be put in each board members mailbox. Atty. Oudemool then brought up the question as to why everything couldn't be scanned and emailed. According to Town Board Liaison Rita Dygert the town has now activated the scanner on the copier in the main office. It was suggested that Paige now scan and email all applications and informal hearing notices to the Planning Board Secretary who in turn will forward them to all members of the Planning Board. Member Duger suggested that once the board has it's new permanent chair that the board approach that situation. Atty. Oudemool said that we could require that every case including a map prepared by a professional should include a scan as part of the application.

With no further business a motion to adjourn at 8:41 was made by Member Carney and seconded by Member Duger.

Respectfully Submitted,

Judy Vollmar
Secretary