

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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Town of Elbridge Planning Board
Approved Minutes
April 13, 2011

Members Tim Filkins, Dan Leary, Floyd Duger, and Karen Carney John Stevenson were present at the meeting. Secretary/Alternate Member, Judy Vollmar, Attorney Dirk Oudemool, Town Board Member Rita Dygert were present.

Approval of Minutes:

A motion was made by Member Carney and seconded by Member Duger to approve the minutes from the March 9, 2011 meeting with corrections.

Record of Vote

Chairman Tim Filkins	(Yes)
Member Dan Leary	(Yes)
Member Floyd Duger	(Yes)
Member John Stevenson	(Yes)
Member Karen Carney	(Yes)

Motion Carried

Chairman Filkins brought up the subject again regarding the lack of the required number of completely signed maps being return to the town office. Atty. Oudemool confirm that all arrangements have been made with the Codes Officer, Bob Hermman that all future application fees, including the new additional \$50.00 refundable fee for the return of the required number of completely signed maps was in place.

Correspondence

Chairman Filkins notified all members of the Planning Board that a copy of the Town Codes Report for March 2011 was available for review.

Public Hearing

Applicant: Agnes Van Gorden

Present: Dennis Van Gorden

Chairman Filkins read the Public Hearing Notice. He asked if there was anyone that wished to speak for or against this subdivision. The applicant was for it and there was no one present that was opposed. Public Hearing closed at 7:12.

Mr. Dennis Van Gorden appeared before the board and presented the board with a copy of the Letter of Compliance Street Name Duplication & Outside Three Mile Jurisdiction Area from Syracuse-Onondaga County Planning Agency. The maps dated April 7, 2011 meet all requirements by the County which consisted of showing an additional 40 ft. right of way from the center line on Lot 2. SEQR was completed. Motion for a Negative Declaration was made by Member Stevenson and seconded by Member Leary.

Record of Vote

Chairman Tim Filkins	(Yes)
Member John Stevenson	(Yes)
Member Dan Leary	(Yes)
Member Karen Carney	(Yes)
Member Floyd Duger	(Yes)

Motion Carried

A motion was made to waive the Preliminary Plat by Member Stevenson and was seconded by Member Leary.

Record of Vote

Chairman Tim Filkins	(Yes)
Member John Stevenson	(Yes)
Member Dan Leary	(Yes)
Member Karen Carney	(Yes)
Member Floyd Duger	(Yes)

Motion Carried

A motion was made to approve the Van Gorden Subdivision dated April 7, 2011 was made by Member Carney and seconded by Member Duger.

Record of Vote

Chairman Tim Filkins	(Yes)
Member Karen Carney	(Yes)
Member Floyd Duger	(Yes)
Member Dan Leary	(Yes)
Member John Stevenson	(Yes)

Motion Carried.

Chairman Filkins advised Mr. Van Gorden that we could sign the maps and he could pick them up in the morning. He advised Mr. Van Gorden of the required number of copies that needed to be returned to the Town Office.

At this time Chairman Filkins stated that he is in the process of revising the Requirements Information Document to reflect all steps that need to be completed, when it comes to getting the maps signed and returned.

Public Hearing:

Applicant: Elena Ryan
Present Elena Ryan

Chairman Filkins read the Public Hearing Notice. He asked if there was anyone that wished to speak for or against this subdivision. The applicant was for it and there was no one present that was opposed. Public Hearing closed at 7:31.

Elena Ryan came before the Board with her revised maps. There are no dimensions on the maps on Hamilton Road. The Surveyor advised Atty. Oudemool that it would cost a lot of money and therefore did not want to do it for Mrs. Ryan unless it was absolutely necessary. Tax Mapping will have to make those dimensions. However the revised map does show a tie to Crego Road. That now gives a dimension of 550 to the center line of Crego Road. The Onondaga County Planning Board recommends that said application be Disapproved for the reason that the Board does not endorse the creation of landlocked parcels. The County is unaware of the fact that there is to be a merger of Lot 4 with Lot 2 and Lot 1 with Lot 3 and there will be no landlock. The Board will put in our Resolution that the Board is superseding the recommendation due to the mergers of Lot 4 with Lot 2 and Lot 1 with Lot 3. A copy needs to be sent by our Town Clerk to SOCPA. They need to be notified when the Board supersedes a recommendation and it has to be a super majority vote. Member Leary inquired about needing a frontage on Rte 31C for Lot 3 which will also be Lot 1. There is no dimension there. It's listed on Lot 4 but not on Lot 3. Member Leary feels that is a dimension that is pretty critical. That Lot is on the back end of the Town of Elbridge Parcel. Which Atty. Oudemool got from the state of New York, and feels that frontage information is available. Lot 2 will be coming out of Lot 1 so the owner of Lot 1 will convey to Mrs. Ryan Lot 2 and Lot 4 which will be created and then will be merged. Mr. Ryan and Mrs. Ryan will jointly own Lot 3 and Lot 1 together. Mrs. Ryan will own Lot 2 and Lot 4 alone. Mr. and Mrs. Ryan will have to submit a signed document agreeing to merge Lot 3 and Lot 1 and Mrs. Ryan will have to submit a signed document agreeing to merge Lot 2 and Lot 4. These signed documents will be needed before the Planning Board can release the maps. A motion was made by Member Duger and seconded by Member Stevenson to approve this Plat subject to Mrs. Ryan providing the board with two (2) signed documents, one for merging Lot 3 and Lot 1 and the other for merging Lot 4 and Lot 2, drawing is dated April 8, 2011

RECORD OF VOTE

Chairman Tim Filkins	(Yes)
Member Floyd Duger	(Yes)
Member John Stevenson	(Yes)
Member Karen Carney	(Yes)
Member Dan Leary	(Yes)

Motion carried.

Chairman Filkins advised Mrs. Ryan that she need to return to the Town Office two (2) mylar and four (4) paper copies rolled.

New Business

Applicant: Duane and Marie Wise

Present: Duane and Marie Wise

Mr. and Mrs. Wise came before the board for an informal meeting for the purpose of creating a property subdivision. They wish to separate a house and two (2) acres from approximately thirty (30) acres. Mr. Wise had spoken with Codes Officer Bob Herrmann who looked over the maps and felt that everything on the maps was complete, including the residual lot. The map show the side yard and front yard setbacks, and is consistent with the new zoning. Atty. Oudemool questioned the reputed right of way water line. He would like it shown on the map that it is an existing water main granted to whomever. Mr. Wise feels that it is owned by the Town of Elbridge. The title on the map needs to be changed from House Lot Separation to Wise Subdivision. Also there needs to be Lot numbers added, showing Lot 1 and Lot 2. After the changes have been made we need to have a minimum of two (2) mylars and four (4) paper copies, all rolled, not folded. Mr. and Mrs. Wise now need to go to the Code Officer, Bob Herrmann and pick up the application and pay the application fee along with a \$50 refundable fee for the return of the completely signed maps. Once the application has been completed, return it to Bob Herrmann. Chairman Filkins advised them of the procedure to be followed once the subdivision has been approved. Mrs. Wise inquired as to whether or not this could all be wrapped up next month. The board felt that it could hold a Public Hearing at the next months meeting. A motion to set the Public Hearing subject to the applicant providing an application and application fee, along with the \$50.00 refundable fee was made by Member Leary and seconded by Member Duger.

RECORD OF VOTE

Chairman Tim Filkins	(Yes)
Member Dan Leary	(Yes)
Member Floyd Duger	(Yes)
Member Karen Carney	(Yes)
Member John Stevenson	(Yes)

Motion carried.

Board Comment:

Member Duger was concerned about all applications, etc now going through the Code Officer Bob Herrmann and wondered if some of the things we are asking for, will he be aware of what they are, it was stated that he will be and that should help screen out any mistakes so that the applicant doesn't come to another meeting without the proper

information. It's important to make this work with Bob by him getting information from the Planning Board Meeting what transpired with applicants. The board was advised that the secretary has been emailing Bob, following the meeting with any information that he might need.

A discussion followed as to which publication the Public Hearing Notice should be printed in. The secretary had been advised by the Town Clerk that the Eagle Observer was the official publication for the Town of Elbridge. Atty. Oudemool questioned whether or not the Eagle Observer qualified as a legal paper of general circulation since they were a free publication. The paper is now a paid publication. Atty. Oudemool stated that the Planning Board is not bound by the town's use of the Eagle Observer as the official publication. The reason for the Planning Board to use the Post Standard in the past was due to time being of the essence. Since a Public Hearing Notice must be published at least five (5) days prior to the Public Hearing Meeting, it is sometimes not possible to have all the information needed in order to have it published in the Eagle Observer which is a weekly publication. It was decided that if time allowed the Eagle Observer would be used, if not the notice would be published in the Post Standard. The cost difference might also be an issue. Atty. Oudemool felt that the applicant should be billed separately for the cost of the Public Hearing Notice and not taken out of the application fee. Before a Public Hearing Notice can be sent to either the Eagle Observer or the Post Standard, it will be up to the secretary to confirm with the Code Officer, Bob Herrmann that all conditions have been met by the applicant. Member Duger also would like to see all applications getting to the board members prior to the monthly meeting. It was suggested that at the time when the Town Clerk emails the chairman and the secretary of someone to be added to the agenda, that she scan a copy of the application and attach it to the email then in turn the secretary when emailing the agenda to the board members could also attach the application. Or there could be copies made by the Planning Board secretary and put into each member's mailbox. Chairman Filkins asked if everyone (the Town Board) agrees that this arrangement with Bob Herrmann are now part of his work requirements. Atty. Oudemool's answer was yes that has all been covered. He stated the Rita Dygert the Town liaison to the Planning Board had taken care of all of this, months ago. The reason, as stated by Atty. Oudemool, is that the Codes Office input to the Planning Board is important.

Member Duger stated that it was his understanding that this was to be Chairman Filkins last meeting. He has accepted a job that requires him to move to the state of Michigan. Member Duger made a motion that on behalf of the Planning Board that we have appreciated the services that Chairman Filkins had provided and his leadership as chairman and wish him well in all of his future endeavors. Motion was seconded by Member Stevenson, all were in favor. Liaison Rita Dygert added a thank you for Chairman Filkins services to the Town of Elbridge and for all of the suggestions he had made along the way. Stating that she is sure they will lead to long term improvements and have been a great benefit to the town.

Chairman Filkins stated that as he had mentioned earlier the document he is putting together he will finish doing that and send it to whomever, that lists out the process, so that it can be given to applicants so that they will know all the steps and all the people that they have to see and to call ahead to make sure the person they need to see is going

to be available, and that the County Health Dept. is going to take a drawing. He has it all laid out so that there will be no more of the applicant claiming they didn't know the process. Also Atty. Oudemool said that it should also be included that the applicant does not have to wait until the end to seek the three (3) mile letter exemption, because it is an automatic for Elbridge. Chairman Filkins indicated that the County Health Dept. needs to see a septic design drawing completed for that specific property, before they will stamp anything. The county document does not state this.

Member Leary made a motion to waive the Preliminary Plat for the Wise subdivision and was seconded by Member Duger.

RECORD OF VOTE

Chairman Tim Filkins	(Yes)
Member Dan Leary	(Yes)
Member Floyd Duger	(Yes)
Member John Stevenson	(Yes)
Member Karen Carney	(Yes)

Motion carried.

With no further business a motion to adjourn was made by Member Stevenson and seconded by Member Leary at 8:40

Respectfully Submitted,

Judy Vollmar
Secretary