

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



*County of Onondaga
State of New York*

PLANNING BOARD
5 ROUTE 31
P. O. BOX 568
JORDAN, N.Y. 13080

TOWN OF ELBRIDGE ZONING BOARD OF APPEALS

June 15th, 2011

MEMBERS PRESENT: John Moorehead
Robert Decker
Floyd Backes
ZBA Attorney Scott Chatfield
Lorraine Morris
Paige Boratko ZBA Secretary/Alternate

ALSO PRESENT: Jane Mostow of Caldwell Banker for Mr. Mark Seigle, Ms. Jill Hathaway and Mr. Jim Aldrich

CORRESPONDENCE:

- ZBA Minutes of May 18th, 2011
- Association of/Towns, 2011 Summer Class Schedule
- O.C.P.B. GML-239 Resolution – Dog Day Care
- Application for Special Permit from Jill Hathaway – 1723 Rte #5, East, Elb.
(037.-01-24.0)

Chairman John Moorehead called the meeting to order at 7:00 p.m. and

APPROVAL OF MINUTES: The board reviewed the previous month draft minutes of March 16th, 2011. A motion was made by Bruce Foote and seconded by Floyd Backes to adopt the minutes as unchanged. It passed with all in favor at 7:20 p.m.

Chairman John Moorehead continued the meeting with a review of the Town of Elbridge board minutes and then opened the public hearing for Jill Hathaway.

HEARING#1 Ms. Jill Hathaway
C/O Mark Seigle of
Elbridge Land Co. LLC.
1273 Route #5 East,
Elbridge, NY. 13060

REFERENCE: ZBA Minutes 6/15/11– TM #037.-01-24.0

Application from Ms. Jill Hathaway for special permit from the provisions of the Town of Elbridge zoning laws to operate a dog day care facility located at 1273 Rte 5 East, Elbridge, New York. Chairman John Moorehead request that Jill Hathaway come forward before the board and state her intentions. Ms. Hathaway told the board that she is pursuing the purchase of the property at 1273 Route 5 E. for the purposes of operating a dog day care facility. Ms. Hathaway has previously owned/operated a similar facility in Tompkins County for seven years which she considered to be very structured w/routine naps, socialization and playtime. Ms. Hathaway states that she will be the sole employee and that she will have no more than 20 dogs on-site at a time.

Each dog will have all required shots as well as undergo a thorough application process to include an interview and will have a four-day trial to find out this facility is right for them. There will be no overnight boarding. Ms. Hathaway plans to install a minimum six foot high chain link fence. As the business grows she intends to have the fenced area enclosed with the roof. The facility will operate year-round. Dogs are separated by size. She has no plans to advertise and there will be no additional signage needed. Chairman John Moorehead suggested she pick up a copy of the Town of Elbridge codes section on signage as it matters where the sign is placed. Parking and egress are already established from the previous business. Lorraine Morris was concerned about the dogs barking with the traffic flow from the park behind the proposed facility. Ms. Hathaway stated from her previous experience that the dogs usually only pay attention to the cars pulling up to the facility. She added that the dogs which she boards at present are on a busy roadway and do not bark at traffic. Ms. Hathaway included that she does not tolerate excessive barking. Lorraine Morris expressed some concern for the Mobil home park owners in reference to children waiting for the bus and riding bikes close to the proposed dog day care. Ms. Hathaway responded that no one should be allowed on the property during operating hrs. This includes owners. The owners have a specified time to pick up their dogs as early pickups cause distraction to the dogs. Floyd Backes suggested possibly a double fence.

O.C.P.B GML 239 Results:

Onondaga County Planning Board

RESOLUTION OF THE
ONONDAGA COUNTY PLANNING BOARD
Meeting Date: June 08, 2011
OCPB Case # Z-11-195

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

The Onondaga County Health Department must accept or approve, respectively, any existing or proposed septic system to service this property.

The Board offers the following comment:

The applicant and municipality are encouraged to reduce storm water runoff and improve storm water quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure.

Questions from the board:

- 1) **How do you intend to handle waste? (B.F.)**
Jill Hathaway: the waste will be picked up continuously throughout the day and placed in a plastic bag within the garbage receptacle. The receptacle will have a weekly scheduled pickup day.
- 2) **How do you intend to handle the liquid waste? (FB)**
Jill Hathaway: In the outdoor area, which will be approximately one third to half an acre of the blacktop which will be removed and hauled away. At that point a layer of cloth will be installed with a layer of soft rock over the top to filter the urine.

Chairman John Moorehead asked if the board had enough information to make a determination. No one was present to speak in opposition of the special permit.

Floyd Backes made a motion to close the hearing, seconded by Bruce Foote. The hearing closed at 8:10 p.m.

Chairman John Moorehead continued the regular meeting with a S.E.Q.R review. A motion was made by Floyd Backes and seconded by Bruce Foote to issue a negative declaration for the special permit for the dog day care facility to be located at 1273 Route 5 E. Elbridge.

A motion was made by Chairman John Moorehead and seconded by Bruce Foote to approve the Special Permit as requested by Ms. Jill Hathaway with the following conditions:

- 1) No accumulation of Dog waste. Waste is to be removed from the grounds to a waste receptacle daily and shall be removed by weekly trash collection.
- 2) As per Ms. Hathaway's instructions that a chain link fence be erected to be approximately 100 x 100 and the designated asphalt area be removed and replaced with filter cloth and pea stone.
- 3) That there is to be no excessive or continuous barking.
- 4) That the Special Permit shall expire if not utilized within a twelve month period.
- 5) That there be no overnight boarding on the premises.

The motion carried at 8:33 p.m. with three-Ayes and 1-Abstain by Lorraine Morris.

MEMBERS VOTE: Lorraine Morris - Abstained

Bruce Foote - YES

Floyd Backes - YES

Chairman Moorehead - YES

DISCUSSIONS: The board reviewed and discussed the 2011 Planning and Zoning Training schedule. It was decided that all members will be going to the August 5th, 2011 session to be held at O.C.C.

On a motion made by Lorraine Morris and seconded by Bruce Foote the meeting was adjourned with all in favor at 8:45p.m.

Respectfully Submitted
Paige Boratko, ZBA Secretary

Ms. Jill Hathaway
C/O Mark Seigle of
Elbridge Land Co. LLC.
1273 Route #5 East,
Elbridge, NY. 13060Valley Drive,

Reference: ZBA Minutes 6/15/11– TM #037.-01-24.0

A motion was made by Chairman John Moorehead and seconded by Bruce Foote to approve the Special Permit as requested by Ms. Jill Hathaway with the following conditions

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- 3) That there is to be no excessive or continuous barking.
- 4) That the Special Permit shall expire if not utilized within a twelve month period.
- 5) That there be no overnight boarding on the premises.

It motioned carried at 8:33 with three-Ayes and 1-Abstain by Lorraine Morris.

MEMBERS VOTE: Lorraine Morris - Abstained
Bruce Foote - YES
Floyd Backes - YES
Chairman Moorehead - YES



Joanne M. Mahoney
County Executive

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: June 08, 2011

OCPB Case # Z-11-195

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a SPECIAL PERMIT from the Town of Elbridge Zoning Board of Appeals at the request of Elbridge Land Company, LLC for the property located at 1273 Route 5 East; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of NYS Route 5; and
- WHEREAS, the applicant proposes to establish a dog daycare business on a 1.28 acre parcel located on NYS Route 5 in front of the Champion Homes Mobile Home Park in a Business/Transitional zoning district; and
- WHEREAS, the site is located in a rural area on a major transportation corridor; the site relies on private water and septic; and surrounding land uses are residential, rural residential, and agriculture; and
- WHEREAS, aerial photography shows an existing single-story building in the southwest corner of the parcel and the remaining area of the parcel is asphalt; and
- WHEREAS, the Short Environmental Assessment Form states that the proposed facility would accommodate a maximum of 20 dogs in an enclosed indoor/outdoor area during normal weekday business hours; and
- WHEREAS, aerial photography shows that the closest residence is 360 feet to the north; and
- WHEREAS, aerial photography shows a driveway onto NYS Route 5, which must meet the requirements of the New York State Department of Transportation, and a cross connection to the adjoining Champion Homes; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

The Onondaga County Health Department must accept or approve, respectively, any existing or proposed septic system to service this property.

The Board offers the following comment:

The applicant and municipality are encouraged to reduce stormwater runoff and improve stormwater quality as much as practical by reducing impermeable surfaces and utilizing green infrastructure.