

REGULAR ZONING BOARD OF APPEALS MEETING
August 13th, 2009

MEMBERS PRESENT: Chairman John Moorehead
Dan Leary
Lorraine Morris
Robert Decker
ZBA Secretary/Alternate Paige Boratko

ALSO PRESENT: Fred Weisskopf

CORRESPONDENCE:

- ZBA Minutes of July 9th, 2009
- Codes Report from CEO R. Herrmann – July, 2009
- Letter from Dirk Odemool i.e... U/V Water Treatment Facility - Village of Elbridge
- T.O.E. Planning Board Minutes, August 12th, 2009 - Village of Elbridge for Use Variance (#044.-05-06.0)
U/V Water Treatment Facility 4969 Kingston Rd, Elb.

APPROVAL OF MINUTES:

Chairman John Moorehead called the meeting to order at 7:00 p.m. The board members reviewed the previous months minutes for a review of old business. A motion was made by Dan Leary and seconded by Robert Decker to approve the minutes as corrected. It passed with all in favor at 7:05p.m.

REFERENCE: ZBA FILE TM #044.-05-06.0

Mr. Fred Weisskoff was present before the board in favor of the Village of Elbridge for Use Variance (#044.-05-06.0) U/V Water Treatment Facility 4969 Kingston Rd, Elb. Chairman John Moorehead received a letter from Town of Elbridge Attorney Dirk Odemoul just prior to tonight's meeting and was also furnished with a copy of the previous nights planning board minutes of 8/12/09 in reference to the previous months ZBA recommendation to move the generator to the north side of the federally mandated U/V water treatment facility on Kingston Rd in the Village of Elbridge. Attorney Odemoul's letter states that the ZBA The Planning Board minutes state that they received the recommendation letter from the ZBA regarding the noise level of the generator of the project. The Planning board minutes also state several reasons why the generators only practical place for the gthat the noise decimal level of the generator is between 65to80 decimals which is no more louder than local traffic,

Chapter 30, Article 3 paragraph B

in favor of the federally mandated water treatment facility to be located at 4969 Kingston Rd, Elbridge, NY. The Village of Elbridge is requesting a Use Variance to construct a non conforming building in an Agricultural District. The U/V water treatment facility will be used to treat the water coming in from Skaneateles Lake to treat the "LT2" bugs in the water. The village is

constructing a 15 X 60ft. building where the water will run through a clear pipe and be exposed to surrounding variable ultraviolet lights. The water pipe will be completely enclosed with a shield around it. None of the lights will be visible and the whole system will be self cleaning and completely computer controlled. Mr. Weisskopf stated that the windows in the drawing are fake with shutters to make it look as though it blends with the area houses in the community. The structure will be placed one hundred and fifty feet from the nearest house. The landscaping is questionable at this point due to the structure being placed between family members (mother and daughter) in the area and they would like to be able to see each other. The Village of Elbridge is hoping to start construction by January 2010 in order to take advantage of Stimulus funding. If this deadline date of March, 2012 is missed the Village will be fined Twenty five thousand dollars per day. The Planning Board is the lead agency so the ZBA will not do the E.A.F. The property currently belongs to the Armstrong family and Mr. Weisskopf is acting as Power of Attorney and produced a legal contract. The ZBA obtained a copy for the file. Dan Leary questioned the noise level of the generator and stated that the generator should be on the farm side of the building instead of the residence side of the structure. Dan Leary requested that it be noted that a utility building in an agricultural district has no impact on farming or the values of the property. The use is critically appropriate.

A motion was made by Robert Decker and seconded by Dan Leary to close the meeting. It passed with all in favor at 8:10 p.m. Deputy Chairman Rick Stevens continued the regular meeting.

On a motion made by Dan Leary and seconded by Robert Decker the following resolution was

ADOPTED: 4 - AYES
0 - NAYS

Resolved: That the Town of Elbridge Zoning Board of Appeals approves the application for Use Variance for the Village of Elbridge to build a non conforming building in an Agricultural District with the recommendation to the Town Of Elbridge Planning Board to move the generator to the North side of the building facing the barn to buffer the noise.

Chairman John Moorehead continued the regular meeting.

NEW BUSINESS: None

OLD BUSINESS:

- ZBA Attorney Scott Chatfield will fax over a “Standards of proof” for each type of application (variance permits, use permits, special use permits, and interpretations). The Special permit will need to be tailored for each application.
- Creation of the new Zoning Application is in the works.

ADJOURNMENT: With no further business, on a motion made by Dan Leary and seconded by Lorraine Morris, the meeting was adjourned with all in favor at 7:40 p.m.

Respectfully Submitted
Paige Boratko, Secretary

