

TOWN OF ELBRIDGE ZONING BOARD OF APPEALS  
SUMMARY OF DECISION  
May 13, 2010

MEMBERS PRESENT: Lorraine Morris  
Robert Decker  
Bruce Foote  
Dan Leary  
ZBA Secretary/Alternate Paige Boratko

ALSO PRESENT: Mr. Douglas Low

CORRESPONDENCE:

- ZBA Minutes of 4/8/2010
- O.C.P.F. Resolution Case #Z-10-118 – Pet Cemetery
- V.O.J. ZBA Minutes of 5/12/2010
- Codes Report from CEO R. Herrmann – 4/2010
- Application for a Special Permit- Mr. Douglas Low - 262 Clinton St., Jordan  
(#031.-03-10.1) Pet Cemetery

Deputy Chairman Lorraine Morris called the meeting to order at 7:00 p.m.

**APPROVAL OF MINUTES:** The board reviewed the previous month draft minutes of April 8<sup>th</sup> 2010. A motion was made by Dan Leary and seconded by Bruce Foote to adopt the minutes as unchanged. It passed with all in favor at 7:05p.m.

Robert Decker made a motion seconded by Dan Leary to open the hearing for Mr. Douglas Low. It passed with all in favor at 7:07 p.m.

**HEARING#1 Mr. Douglas Low**  
**262 Clinton St., Jordan**

**REFERENCE: Minutes from 4/8/10**

**REFERENCE: ZBA FILE TM (#031.-03-10.1)**

*Application from Mr. Douglas Low for a Special Permit from the provisions of the Town of Elbridge Zoning Law Chapter 30.42, Article III, Paragraph "A" to operate a Pet Cemetery in Agricultural District number 3 to be at located 262 Clinton Rd, Jordan N.Y. Mr. Low was present before. No one was present to speak in opposition of the applicant. Mr. Low addressed the board and explained that the pet graves will not be permanently marked individual graves. It will be for mass burials from contracts with area veterinarians. There will not be a crematorium. Chairman John Mororehead stated that due to the parcel being within 500 ft. of State Rte 31 that the Onondaga County Planning Federation has to be notified with a referral. The parcel also falls within 1500 ft. of the Village of Jordan; the Village and O.C.P.F. have both been notified. The board will await correspondence from both the County and the Village of Jordan before making a final decision. Dan Leary questioned the surface condition of the land and if the depth of the water table had ever been established. Mr. Low stated that he had not done any testing at this point.*

*The board requested that Mr. Low redefine the map so that it is clear what part of the parcel is to receive the special permit for the cemetery. Robert Decker suggested that Mr. Low have a legal survey done for his own protection.*

*A motion was made by Robert Decker and seconded by Bruce Foote to adjourn the hearing for Mr. Douglas Low until next month's meeting of May 13, 2010 to allow Mr. Low time to return with a signed survey map showing the designated five acres of the parcel that is to receive the special permit and also pending establishment to the water table data and referrals from the O.C.P.F. and the Village of Jordan. It passed with all in favor at 7:40p.m.*

Mr. Douglas Low was present before the board for a second time and stated that nothing had changed from the previous month's meeting except that he had dug two test holes, one hole was 7ft. deep and the other

was of 5ft deep. He stated that the holes have been dug for two to three weeks and at this point there is no water in the holes. Mr. Low provided a soil survey map of the property which shows that the soil is moderately well drained soil. The surveyor created a 5 acre plot which was submitted for documentation. Dan Leary asked if Mr. Low had any record of observation of the soil and what was the maximum depth for burial in the cemetery. Mr. Low stated that the minimum depth is 12 inches below the original grade and the maximum would be 7 ft unless he hits gravel. Mr. Low plans to cover the surface with topsoil and grass. Deputy Chairman asked if there would be any markers on the property. Mr. Low replied that there would not be any additional markers added to the property and that the access will be through Mr. Low's existing driveway. Deputy Chairman Lorraine Morris added that we have the O.C.P.F. Resolution Case #Z-10-118 for the Pet Cemetery stating that the Planning Board has determined that the said GML-239 referral will have no significant adverse inter-community or County-wide implications and may be acted on solely by the referring board. The Village of Jordan sent a copy of their monthly minutes stating that a portion of the proposed cemetery has a sliver of its property within the Village of Jordan limits but it will have no bearing on the application.

After no further questions from the board, a motion was made by Robert Decker and seconded by Dan Leary to close the hearing for Mr. Douglas Low. It passed with all in favor at 7:15 p.m.

Deputy Chairman Lorraine Morris continued the regular meeting and did the Environmental Assessment Form for the Pet Cemetery which passed with a negative declaration. The board reviewed the codes report for March 2010.

A Motion was made by Robert Decker and seconded by Dan Leary to approve the application for a Special permit as requested by Mr. Douglas Low, from the provisions of the Town of Elbridge Zoning Laws chapter 30.42, article III, paragraph "A" to operate a pet cemetery in Agricultural District #3; to be located at 262 Clinton Rd. Jordan, NY as he has dug two water table test holes and encountered water drainage issues. The Town of Elbridge is requesting that there be No permanent Cemetery driveway or markers added to the property. The Cemetery is to operate and conform to all New York State Burial regulations. This application is approved pending submission of a newly revised satellite photo of the parcel indicating the location to the five acres of the parcel specifically approved to receive the special permit as labeled the said 5 acres on the revised survey map dated 2/12/2010 submitted by Watkins Land Surveying. It passed with all in favor at 7:25p.m.

ADOPTED:           4 – AYES  
                          0 – NAYS

Robert Decker – Aye, Lorraine Morris – Aye, Bruce Foote – Aye, Dan Leary – Aye

The motion was adopted at 7:26p.m.

**NEW BUSINESS:** None

**OLD BUSINESS:** The creation of the new Zoning application.

**ADJOURNMENT:** With no further business, on a motion made by Robert Decker and seconded by Bruce Foote, the meeting was adjourned with all in favor at 7:33 p.m.

Respectfully Submitted  
Paige Boratko, Secretary