

TOWN OF SULLIVAN PLANNING BOARD – AUGUST 4, 2020 - PUBLIC HEARING –
SUSAN SIMS – BURLINGAME ROAD – 2 LOT RESIDENTIAL SUBDIVISION – SLB –
5.82-1-17

The hearing was opened by Frank Park. The secretary read the notice as published in the Oneida Dispatch.

Present: Frank Park, Dave Allen, Sherry Menninger, Paul Jasek, John Langey, atty, and Phil Costanzo, codes officer

Ms. Sims would like to subdivide two lots – lot #1 is .276 acres and .055 acres will be added to the lot that is presently .047 acres.

No one spoke for or against this application for a residential subdivision on Burlingame Road

A motion was made by Dave Allen and seconded by John Ceresoli to close the hearing.

All in favor.

PUBLIC HEARING –MARCELLE ROLLINGER – 1985 ROUTE 31, LAKEPORT – SLB –
10.58-1.6 – SPECIAL USE PERMIT APPLICATION FOR A 6’ STOCKADE FENCE

The hearing was opened by Frank Park. The secretary read the notice as published in the Oneida Dispatch.

Present: Frank Park, Dave Allen, Sherry Menninger, Paul Jasek, John Langey, atty, and Phil Costanzo, codes officer

Ms. Rollinger would like to erect a 6’ privacy fence on her property along Route 31. She is in a business zone. The fence is to contain her dog and is for her privacy.

Art Lelio- (via email) concerned about the fence. He thinks it will be an eyesore on a main highway, and has a “back-alley” feel. Others may want a 6’ fence also – perhaps a shorter fence would work.

Ms. Rollinger presented a sketch of her fence. She wants privacy, also wants to keep dust from her property and contain her dog in the yard.

Ms. Rollinger agreed to a 4’ chain link fence with plantings on the inside to keep the dog contained.

The Board suggested moving the fence back away from Route 31 and closer to the house which will cause her to lose some of her garden.

No one else spoke for or against this special use permit application for a 6’ privacy fence.

A motion was made by Sherry Menninger and seconded by Paul Jasek to close the hearing. All in favor.

PUBLIC HEARING – ELROY HESELTON 111 MONROE AVE – SLB 10.44-1-36.1
SPECIAL USE PERMIT APPLICATION- THERAPY CHICKENS

The hearing was opened by Frank Park. The secretary read the notice as published in the Oneida Dispatch.

Present: Frank Park, Dave Allen, Sherry Menninger, Paul Jasek, John Langey, atty, and Phil Costanzo, codes officer

Mr. Heselton appeared before the Board requesting a special use permit to allow him to keep “therapy chickens” in his yard for his adult son who been diagnosed with sensory problems and anxiety. Mr. Heselton is in an MR-12 zone which does not allow keeping chickens unless he is granted a special use permit. His chickens are kept in pens and are moved around his property in a “chicken truck” in generally the same area. There are no roosters.

Daryl Miller – 122 Jefferson Ave – do you plan to have any more chickens? Per Mr. Heselton, they do not. Concerned that foxes, predators will be coming into the area because of the

attraction of the chickens. He is concerned about kids who camp out in their yards at night. They have an association in the area and wonder if the association can overrule the Board. No one else spoke for or against this special use permit for therapy chickens. A motion was made by John Ceresoli and seconded by Paul Jasek to close the hearing. All in favor.

REGULAR MEETING OF SULLIVAN PLANNING BOARD – AUGUST 4, 2020

The regular meeting of The Town of Sullivan Planning Board began at 7PM

Present: Frank Park, Dave Allen, Sherry Menninger, John Ceresoli, Paul Jasek, Phil Costanzo, and John Langey, atty.

The minutes of the July 7, 2020 meeting were accepted with a motion by John Ceresoli and seconded by Paul Jasek. All in favor.

SUSAN SIMS – BURLINGAME ROAD – 2 LOT RESIDENTIAL SUBDIVISION

Rick Myers appeared before the Board representing Ms. Sims. The Board found no problem with this two-lot subdivision at 2681 Burlingame Road.

A motion was made by Sherry Menninger and seconded by Paul Jasek to name the Town of Sullivan Planning Board lead agency to the SEQR form. The Board found no mitigating impact and the two-lot subdivision was granted. The map is dated June 24, 2020. All in favor.

MARCELLE ROLLINGER – 1985 ROUTE 31, LAKEPORT – SLB – 10.58-1-6 – SPECIAL USE PERMIT APPLICATION FOR A 6’ PRIVACY FENCE

Mr. Park stated that the Board would approve a six-foot fence if it were along the house rather than closer to Route 31. It will start at the corner of the porch toward the back of the house. She could also have a vinyl fence.

The Board agreed that Ms. Rollinger could have a 6’ fence if she moves the fencing back off the corner of her house and not near Route 31.

A motion was made by Dave Allen and seconded by John Ceresoli to name the Town of Sullivan Planning Board lead agency to the short form SEQR. The Board found no mitigating impact and the Board approved the special use permit for a 6’ privacy fence which will be placed close to her home as stated on the site plan in her file. The contingencies: 1) 6’ fence, 2) located as depicted on drawing in file, signed and dated by the Chairman, 3) wood or vinyl (opaque)

ELROY HESELTON 111 MONROE AVE – SLB 10.44-1-36.1 SPECIAL USE PERMIT APPLICATION- THERAPY CHICKENS

The Board is suggesting that Mr. Heselton define an area to keep the chickens in and erect a 4’ fence to keep these chickens in this small area. The Board needs to see a site plan showing where the fencing will be located. There will be no more than six chickens once the chickens that are there become deceased. Mr. Heselton will return to the September 1, 2020 meeting with his site plan showing the location of the map. The Board will need the dimensions, height and placement of the fence. The Board also needs something in writing to tell how manure management will be handled.

MIKE MASTRIANO – HARBOUR TOWN- PHASE I – SECTION 7

Mr. Mastriano appeared before the Board regarding the last five lots. This is the last of Phase I. Lot 65, 35, 34,36,37 will be the last to be subdivided. The general subdivision has previously been approved by the Board.

TOWN OF SULLIVAN PLANNING BOARD RESOLUTION WAIVING HEARING ON THE FINAL PLAT AND GRANTING FINAL PLAT APPROVAL WITH RE-ADOPTION AND REAFFIRMATION OF ORIGINAL SEQRA RESOLUTION

August 4, 2020
Harbour Town at Fisher Bay Subdivision
Phase I, Section 7

WHEREAS, Fisher Bay, LLC, as Owner and Applicant (the “Applicant”), has previously made an application for the granting of a preliminary plat approval for a major subdivision in connection with the development of a ninety-eight (98) unit subdivision (as a Planned Development District (PDD)), which preliminary plat had been previously granted (the “original preliminary plat”); and

WHEREAS, the premises associated with the application are located on the southern border of Oneida Lake, Town of Sullivan, Madison County and are more particularly known as “Harbour Town at Fisher Bay Subdivision”; and

WHEREAS, the Town Board on September 6, 2006 adopted Local Law No. 5 of 2006, being a Local Law amending Local Law No. 3 for the year 1979 “Regulating Land Uses to Establish a Planned Development District,” which Local law designated the subject parcel as a Planned Development District; and

WHEREAS, Fisher Bay, LLC, as Owner, has from time-to-time made an application for final approval of various sections of the Subdivision; and

WHEREAS, the Applicant now desires to obtain approval of a new section within the Harbour Town at Fisher Bay Subdivision; to wit, the Applicant wishes to obtain approval for five (5) new lots to be known as Lots “34”, “35”, “36”, “37” and “65” (“Phase I, Section 7”); and

WHEREAS, on January 14, 2008, the Town of Sullivan Planning Board determined that the original action would not have a significant effect on the environment and thereby adopted a negative declaration pursuant to 6 NYCRR Part 117, *et seq.*; and

WHEREAS, for purposes of the State Environmental Quality Review Act, the action as amended received a reaffirmed negative declaration on or about February 5, 2013, March 6, 2013 and again subsequently on October 6, 2015, June 7, 2016 and August 6, 2019; and

WHEREAS, the Applicant has previously undertaken the construction of the subdivision improvements, including the construction of drainage facilities and roadways; and

WHEREAS, the Town's Consulting Engineer has previously certified completion of the facilities as compliant with the plans (with the exception of construction of the top course of the road); and

WHEREAS, the Applicant has previously executed a Highway, Sewer and Drainage Construction and Maintenance Agreement obligating the full construction of the improvements to the Harbour Town at Fisher Bay Subdivision; and

WHEREAS, Fisher Bay, LLC, now having duly made an application for final approval of the proposed next section of the subdivision in the Town of Sullivan known as "Final Plan - Harbour Town Phase I, Section 7"; and

WHEREAS, the Planning Board has previously duly called and held a public hearing to consider the Preliminary Plat Plan; and

WHEREAS, notice of said hearing was published in the manner required by law and proof of said publishing has been presented to the Planning Board; and

WHEREAS, all persons desiring to be heard in connection with such proposed subdivision have been duly heard and the Planning Board has given full consideration to the statements and views submitted at such hearing; and

WHEREAS, the Applicant has presented to this Board an application for Final Plat approval for lots located in said subdivision to be known as Harbour Town at Fisher Bay Subdivision, Phase I, Section 7 and consisting of five (5) new lots enumerated on said plan as Lots "34", "35", "36", "37" and "65"; and

WHEREAS, this Board hereby ratifies and reaffirms the Board's prior SEQR findings as the proposed final plan is substantially similar to the preliminary plan approved by this Board; and it is further

WHEREAS, this Board has determined that the Final Plat for Phase I, Section 7, as submitted, is in substantial compliance with the Amended Preliminary Plat and is hereby and

herewith approved by this Board, and that pursuant to Section 276 of the Town Law and the Subdivision Regulations of the Town of Sullivan, the requirements for a public hearing on the final application may be waived.

NOW, THEREFORE, upon motion of P. Jasek, seconded by S. Menninger, it is

RESOLVED, that for purposes of the State Environmental Quality Review Act, the Planning Board hereby incorporates and reaffirms the Negative Declaration approved by this reviewing Board; and it is further

RESOLVED, that pursuant to Section 276 of the Town Law and the Subdivision Regulations of the Town of Sullivan, the requirement for a public hearing on the Final Plat Plan is hereby waived; and it is further

RESOLVED, that the Planning Board of the Town of Sullivan hereby accepts the final plan and grants Final Plat Plan approval on the subdivision known as “Final Plan Harbour Town, Phase I, Section 7 (Part of Lot No. 65 in the Northwest Part of the Late Oneida Reservation, Town of Sullivan, Madison County, New York)”, based on documents prepared by Ianuzi & Romans Land Surveying, P.C., dated July 23, 2020 and consisting of five (5) new lots enumerated therein as Lots “34”, “35”, “36”, “37” and “65”, subject to the following conditions:

1. payment of fees associated with review of said application;
2. Lot “65” shall be removed from any official floodplain map before a Building Permit will be issued; and it is further

RESOLVED, that such approval is also conditioned upon the payment to the Town of Sullivan of any outstanding fees (including Town legal and engineering) and applicable park fees; and it is further

RESOLVED, that the Planning Board hereby authorizes the Chairman of the Planning Board to sign the Final Plat upon certification that all requirements and conditions set forth herein have been satisfactorily met; and it is further

RESOLVED, that this approval is subject to any appropriate agreements being entered into by the Applicant and the Town of Sullivan as directed by the Town Attorney and it is noted

by the Planning Board that the within approval shall not operate as a precedent for any future approvals; and it is further

RESOLVED, that the Zoning Officer is hereby authorized and directed upon payment of any required fees to issue such permits and certificates and to take such other action as may be required to effectuate and enforce this Resolution subject to the above conditions.

The question of the adoption of the foregoing Resolution was duly put to a roll call vote, which resulted as follows:

Paul Jasek	Voted	YES
John Ceresoli	Voted	YES
Sherry Menninger	Voted	YES
Dave Allen	Voted	YES
Frank Park, Chairman	Voted	YES

The Chairman, Mr. Park, then declared the Resolution to be duly adopted.

FRANK PARK, Chairman of the Planning Board of the Town of Sullivan, hereby certifies that the foregoing Resolution was duly adopted at a meeting of the Board duly convened and held on August 4, 2020, a quorum being present.

FRANK PARK, CHAIRMAN
Town of Sullivan Planning Board

ROSEMARY CZERNIAK, Deputy Town Clerk of the Town of Sullivan hereby certifies that the foregoing Resolution was duly filed in her office on August __, 2020.

ROSEMARY CZERNIAK
Deputy Town Clerk

CHRISTINE PAGANO – 8728 CLAR ROAD, CANASTOTA, NY SLB 11-1-63.2

Ms. Pagano appeared before the Board. She would like a home occupation to sell ceramic molds. She would like a show area for these molds and after the pandemic have an area where people can gather to paint the ceramics. She can only use 400 sq. ft of her residence to do this project in a home occupation. The signage is 1' x 2' affixed to the building.

There is enough parking for 12 vehicles. She has two outbuildings that will be used for storage. The showroom will be in the main structure.

A motion was made by Sherry Menninger and seconded by Paul Jasek to schedule a public hearing for a special permit for a home occupation to sell ceramic pieces which may or may not be painted on the premises. The hearing will be held on September 1, 2020 at 6:45PM. All in favor.

CHRIS MCDONALD – 348 ROUTE 31, BRIDGEPORT – SLB 86-1-25

Mr. McDonald appeared before the Board to get a special use permit to sell “power sports” equipment. He will sell new, used boat parts, clothing, ATV parts, snowmobile parts, etc. He will also do boat repair and service. He will not be selling the machines themselves. He is in a business zone. He needs to stay in the 300’ business zone area. Mr. McDonald needs a letter from Mr. Cerio, the owner of the property, stating his approval of this use of the property. The Board needs a site plan showing distances, parking, storage, ingress, egress, signage, hours, (9AM-7PM, Tuesday through Saturday).

A motion was made by John Ceresoli and seconded by Sherry Menninger to schedule a public hearing for September 1, 2020 at 6:30PM for a special use permit for a retail power sports business at 348 Route 31, Bridgeport. All in favor.

PETER KILTS 7312 LAKEPORT ROAD –

Mr. Kilts appeared before the Board – he was told that the Planning Board sites the plans for a building and the codes officer gives the building permits.

JEFF TAYLOR – SAFARI – LAKEPORT ROAD – SAFARI

Mr. Taylor appeared before the Board and presented a map for his safari showing numbers on the buildings, road widths, pull offs, all structures are on the maps, signage. He needs elevations for the signs. He showed proposed curbing along the neighbor’s border. He drags out the manure. There is a 6’ tall manure pad – 30 x 18’ x 6’ animal waste bin for the temporary holding of manure. It will be hauled away to a nearby farm as needed. Manure storage needs to be 15’ from any property line.

Mr. Taylor presented his SEQR to the Board. He has completed it.

Mr. Taylor needs to present the Board an application – a preliminary development plan – and a site plan including hours of operation. He needs to revise the application that was sent to him by Mr. Langey.

Mr. Taylor will not have the Safari open at night and, therefore, does not need lighting.

Dust needs to be mitigated. He feels dust is not a problem. He uses crushed stone for the parking lot and traffic goes 5mph on the trail. He is going to put ‘millings’ down in the traffic areas. The Board needs to have this on a plan

The Board is concerned about the parking lot for the Safari as it is also the overflow parking lot for the Wild. Vehicles cannot end up on Lakeport Road.

The Board reviewed with Jeff everything that needs to be completed so that the Planning Board can make a recommendation to the Town Board.

Mr. Park read the County recommendations to the audience.

Mr. Taylor also wants to amend his map for the zoo. He wants to put up an animal building. It is an enclosed pole building. The Board sees no issue with this building.

A motion was made by Dave Allen and seconded by Sherry Menninger to re-affirm the original SEQR previously done and allow two new animal buildings. Building #20 is 32’ x 20’ and bldg. #21 is 30x 30” – map states - Wild Animal Park by Seguin dated August 4, 2020. All in favor.

A motion was made by John Ceresoli and seconded by Paul Jasek to adjourn the meeting at 9:10PM.

Respectfully submitted,

