

REGULAR MEETING - TOWN OF SULLIVAN PLANNING BOARD –APRIL 3, 2018

The regular meeting of the Town of Sullivan Planning Board began at 7:00PM

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

A motion was made by Sherry Menninger and seconded by Dave Allen to accept the minutes for March 6 2018 minutes. All in favor.

RICK MYERS -BILL COLE FAMILY TRUST – 352 HEATHFIELD ROAD -SLB 48.08-2

Mr. Myers presented the most recent map dated 4/3/18. The Town supervisor, Andy Busa, would like turn arounds off lots 2 and 3. The Town will construct these turn-arounds. There will be a 2-lot subdivision from what was previously three lots. There are stipulations that deal with turn-arounds, the existing building and topography that must be put on the buyer's maps since a drainage plan will need to be designed by the owner. Barton & Loggoudice may need to see a site plan. Lot 2 is 5.3, lot 3 is 5.7 acres.

A motion was made by Sherry Menninger and seconded by Paul Jasek to schedule a public hearing for a two-lot subdivision on May 1, 2018 at 6:45PM. All in favor.

BLASÉ LAROCCA — SEBASTIAN COVE (FORMER WELYTOCK PROPERTY) ROUTE 31, CANASTOTA – SLB – 10.58-1-17

Mr. Myers presented the latest copy of the plans - they have the water design from OCWA, sewer and storm water management done. Mr. Myers may now present these plans to Barton & Loggoudice. The entrance has been re-oriented and presented to DOT. The amendments to the SWPP will be made by Mr. Myers.

JENNIFER WOODS – QUARRY ROAD AND ROUTE 5

Ms. Woods would like to place a vinyl wrap on the building she owns on Route 5 until she is able to tear the building down. She would also like a chain-link fence along the property line of her neighbors. She will put the stockade fence on the Woods' side as the neighbor wants to keep the chain link fence as it is.

The Board is amending the site plan of the original approval to allow the fence and wrapping for building.

A motion was made by Dave Allen and seconded by Sherry Menninger to approve the amended site plan of the original approval. All in favor

THE WILD – JEFF TAYLOR – SLB 33.1-1-5.2 – AUXILIARY PARKING LOT

Mr. Roman and Mr. Taylor returned to the Board with a map showing their plans for screening and shrubbery to be used along the sidewalk. Mr. Taylor plans on using intermittent blocks of greenery, shrubs (3 different kinds) and a privacy fence for the neighbor. Lighting will be affixed to the building and will be directional lighting. There will be signage for the overflow parking showing ingress and egress – if not active, the parking lot will not be open. Referencing the February 8, 2018 map showing a 6' fence on the north and an 8' fence on the west. The Board reviewed the items presented by Mr. Langey.

The Board agreed that a 6' fence would be fine. The Board feels that a buffer should be a mitigation of approval to help blend the parking into the surrounding area and help with sheet flow.

The Board is concerned with the amount of shrubbery – it needs to be enhanced per the Board. Mr. Taylor feels that landscape beds would look better and not be affected by road salt. He will maintain the grass.

The Board will approve the groupings he has proposed with the addition of two maple trees. The shrubs will be mixed with grasses, hosta and a boulder.

**TOWN OF SULLIVAN
PLANNING BOARD RESOLUTION**

DATED: April 3, 2018

JEFFREY S. TAYLOR, II (as Owner) and TAYLOR'S WILD ENTERPRISES, LLC (as Applicant) - Application for a Special Use Permit to Operate an Auxiliary Parking Lot to Support "The Wild Animal Park" at Owner's Premises Located at 7591 Lakeport Road, Chittenango (Tax Map No. 33.1-1-5.2) in the Town of Sullivan in a Business District - GRANTED WITH CONDITIONS

April 3, 2018

Sherry Menninger moved and Paul Jasek seconded the following Resolution:

WHEREAS, Jeffrey S. Taylor, II (as Owner) and **Taylor's Wild Enterprises, LLC** (as Applicant) of property located at 7591 Lakeport Road (more commonly known as Tax Map No. 33.1-1-5.2) in the Town of Sullivan (the "Property"), appealed to the Town of Sullivan Planning Board (the "Board") on or about January 22, 2018 for a Special Use Permit to operate an auxiliary parking lot to support "The Wild Animal Park" (located at 7621 Lakeport Road), with associated improvements, landscaping and drainage improvements, at the Owner's premises in a Business District pursuant to Article V, Section 1 of the Town of Sullivan Zoning Law, as amended (the "Law"); and

WHEREAS, the Applicant previously completed and submitted a Short Environmental Assessment Form and the same was reviewed and considered by the Board along with the other submissions provided by the Applicant on March 6, 2018 and the Board determined it will assume lead agency status for the purposes of the requirements of the State Environmental Quality Review Act (the "SEQRA"); and

WHEREAS, previously on March 6, 2018, the Board determined to issue a Negative Declaration for the purposes of SEQRA for the proposed Special Use Permit, such that no further environmental determinations are required for the action; and

WHEREAS, the application was referred to the Madison County Planning Department ("MCPD") for review and comment pursuant to General Municipal Law 239-m and said Board

having issued its Recommendation Report received or about March 6, 2018 indicating that the matter was being returned for local determination as it will not have any negative impacts to Madison County; and

WHEREAS, after due notice by publication in the official newspaper of the Town and due notice to the Owner, Applicant, neighboring landowners and Board Members, the Town of Sullivan Planning Board held a public hearing on the application at the Board's regular meeting held on April 3, 2018 in accordance with the law and the Zoning Law; and

WHEREAS, the Applicant's application was considered fully by the Planning Board and upon such consideration the Board hereby finds among other things that:

1. The proposed project will comply with all provisions and requirements of Article V of the Town of Sullivan Zoning Law and all of the other local laws and regulations of the Town of Sullivan and will be consistent with the purposes of the land use district in which it is located; to wit, a Business District (as hereinafter expanded) for the proposed use of an auxiliary parking lot with proposed improvements to support the Applicant's nearby "The Wild Animal Park" business, also located on Lakeport Road in the Town of Sullivan within the same Business District;
2. The proposed project location, size of use and structure presently on the Property will be in harmony with the orderly development of the Business District and will be consistent with the Comprehensive Plan and with the purposes of Article V of the Town of Sullivan Zoning Law because the project, as proposed, shall meet all required setbacks and lot coverage regulations. Further, the proposed use as an auxiliary parking lot is consistent with the land use district and surrounding properties insofar as there exist additional commercial properties in this mixed use neighborhood and the property is presently located upon and fronting along an approved County roadway, which roadway is currently scheduled for additional improvements, including widening and the introduction of a walking lane to connect the proposed parking area with "The Wild Animal Park", owned by Applicant. It is also acknowledged that the proposed use is an allowed use subject to this Special Use Permit process and is therefore consistent with the character of the neighborhood if properly sited and operated;
3. The proposed project will not be more objectionable to nearby properties than would the operation of any permitted other use and it will not result in the release of harmful substances or any other nuisances, nor cause excessive noise, dust, odor, solid waste or glare because the project includes the necessary measures needed to minimize the possibility of the release of harmful substances. The Applicant intends to take measures to reduce dust in the parking lot by appropriately grading and introducing the appropriate measures of stone as a permanent surface for the parking area. Such stones are not anticipated to add to the production of dust, nor will the project involve any odors. The Applicant has further proposed to address

the safety of ingress and egress, as well as traffic flow through the employment and use of parking attendants to be used during the periods of time which the auxiliary lot will be utilized. Further, it is anticipated that the parking lot itself will only be utilized when necessary (currently anticipated to be weekends, holidays and times of significant attendance at the Animal Park). Any impacts of noise and dust will only be temporary and are not expected to be excessive. Once in full operation, the proposed parking lot will generate noise at levels equal to or less than other permitted uses given its positioning adjacent to the existing County roadway. Solid waste is not expected to be an issue and can be managed by on-site trash receptacles and the parking attendants located on-site. Further, the Applicant is proposing to erect fencing along the northern border to mitigate light impacts associated with the adjoining neighbors. The Applicant has further agreed to utilize lighting which will avoid spillage off-site or onto adjoining roadways. In addition, the Applicant is proposing to add select landscaping features along the edge of Lakeport Road to soften the impact of numerous vehicles being parked in a currently open lot;

4. The proposed project will not cause undue traffic congestion, unduly impair pedestrian safety or overload existing roads, considering the following:
 - The utilization of parking attendants will have the effect of moving vehicles designed to park into the auxiliary (overflow) lot in a convenient and efficient manner when the lot is in use for overflow parking for incoming vehicles;
 - The Applicant has presented to the Planning Board correspondence and plans from the Madison County Highway Department, undated (attached hereto) for an improvement to the existing adjoining County roadway, which improvements would include a widening of the roadway to accommodate a pedestrian travel lane to connect the auxiliary parking area to “The Wild Animal Park”. It is noted that these improvements are made to address expressed concerns relative to safety of pedestrian travelers to and from the individual site;
 - In addition, the proposed project appears to have sufficient sight distance from all access points and driveways;
5. Adequate public and private parking is provided and the proposed project will be accessible to fire, police and other emergency vehicles because the site is designed as an auxiliary parking lot and will meet the current Zoning Code minimum requirements. The Applicant has proposed that all parking spaces will be designed to account for 10’ x 20’ parking areas, which will be appropriately marked within the site. It was further noted that the auxiliary parking area will be utilized solely in instances during high peak times of activity at the Animal Park and will be utilized for employee parking, as well as bus parking during regular business hours. Furthermore, the parking area has been designed to accommodate internal circulation on the site with the assistance of parking attendants;
6. The location, nature and height of the building will not discourage the appropriate development and use of adjacent land and buildings or impair their value. The project will be suitable to such conditions on operation, design and layout of

structures and provisions of screening, buffer areas and off-site improvements have been incorporated into the Project to ensure compatibility with surrounding uses and to protect the scenic resources of the Town because this site has been designed to provide the Applicant with a site that balances its compatibility with the surrounding uses and the functionality of the business operations. The Applicant has proposed some limited site improvements, including plantings, fencing and drainage, which will all enhance and compliment the area; and

WHEREAS, the Board has fully considered all of the application materials, drawings and submissions associated with the proposed use.

NOW THEREFORE, BE IT RESOLVED that the Town of Sullivan Planning Board hereby allows and grants the Applicant's request for a Special Use Permit for the operation of an auxiliary parking facility to support The Wild Animal Park located at 7621 Lakeport Road, Chittenango, with associated landscaping, drainage facilities and additional improvements at the Owner's premises, all in specific accordance (and specifically conditioned upon compliance) with the site plan documents on file as submitted by the Applicant, prepared by SeGuin Land Surveying, P.L.L.C., dated February 8, 2018, as last revised, and the submitted landscaping sheet, all initialed by the Chairman and the Applicant on April 3, 2018, conditioned, however, upon the following:

1. All construction and operation will be in strict compliance with the submitted plans and drawings, prepared by SeGuin Land Surveying, P.L.L.C., dated February 8, 2018, as last revised, and the submitted landscaping sheet, all initialed by the Chairman and the Applicant on April 3, 2018;
2. Hours of operation of the auxiliary parking facility shall be as proposed by the Applicant, to wit:
 - a. Monday - Thursday 10:00 a.m. - 5:00 p.m.
 - b. Friday - Sunday 9:30 a.m. - 6:00 p.m.
 - c. Occasional and limited evening events as proposed by the Applicant, but only on a limited basis as previously established by the Applicant (*i.e.* Halloween, Fall events).

No change to hours shall be allowed without prior approval of the Planning Board;

3. This approval is specifically conditioned upon receipt of correspondence from the Madison County Highway Department certifying completion of the proposed road widening project per the undated Highway Department correspondence and materials, which improvements include a widening of the roadway, establishment of a travel lane for pedestrians and appropriate signage and markings (6' fence on the northerly line and 8' fence as shown on the plans);

4. Installation of fencing per the submitted plans;
5. Installation of the proposed signage and safety lighting features proposed to warn oncoming traffic of pedestrian movement to and from the Applicant's facilities;
6. No additional buildings or structures shall be erected on or in this project area unless approved by the Planning Board;
7. Utilization of moveable signage relative to the parking area, which signage will denote that it is auxiliary parking, will be located in place when the parking lot is to be opened and will be removed and/or have a "Closed" sign on it during hours the parking will be closed;
8. Employment and utilization of parking attendants whenever the auxiliary lot is in use to park incoming vehicles to allow for the safe flow of ingress and egress and to assist in appropriate parking on the lot;
9. All parking spaces will be configured at 10' x 20' as shown on the site plan;
10. All approved lighting will be terminated at the close of business and shall otherwise be properly shielded so as not to spill onto neighboring properties or impact oncoming traffic;
11. The lighting improvements will feature downcast pack lighting and be limited to one (1) per façade on the existing barn structure and shall be reviewed for approval by the Code Enforcement Officer for compliance;
12. The proposed parking shall be strictly for overflow parking. However, employee parking and bus parking shall be allowed on the auxiliary lot at all times;
13. Installation of approved landscaping features to be placed intermittently along Lakeport Road, per the submitted plans - grass buffer and vegetation to mitigate the look and to allow drainage on-site;
14. There shall be no overnight parking of any vehicles on the lot, other than staff when necessary;
15. All drainage shall be either contained on the site or appropriately treated and discharged into an approved drainage facility;
16. The maximum number of parking spaces shall be 160 automobiles and 5 buses;
17. Idling of vehicles shall be kept to a minimum and no lights left on for parked vehicles;
18. It is expressly conditioned herein that the opening and use of the auxiliary lot for public parking shall not commence until satisfaction of these conditions. However, the Applicant is hereby granted a temporary right to use the auxiliary parking lot for 90 days or until July 1st from this approval of April 3, 2018;
19. During the temporary use of the lot prior to July 1, 2018, the Applicant shall provide a written indemnification to the Town of Sullivan, such Indemnification shall meet the approval of the Planning Board attorney; and

BE IT FURTHER RESOLVED that the Town of Sullivan Planning Board hereby exercises its authority as part of this approval to extend the portion of the premises for a business use to an additional 30' measured from the existing western boundary of the Business District; and

BE IT FURTHER RESOLVED that the Applicant shall comply in all respects with the Zoning Law; and

BE IT FURTHER RESOLVED that the Town's Zoning Officer is hereby authorized and directed upon payment of any required fees (including reasonable and necessary professional -- legal and engineering -- fees incurred by the Town in association with the application) to issue such permits and certificates or to take such other actions as may be required to effectuate and enforce this Resolution; and

BE IT FURTHER RESOLVED that this Resolution shall be effective as of the date of its filing with the Town Clerk and shall be subject to annual inspection for compliance.

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 April 3, 2018, a quorum being present.

FRANK PARK, CHAIRMAN
Town of Sullivan Planning Board

CHARLOTTE A. FERSTLER, Town Clerk of the Town of Sullivan hereby certifies that the foregoing Resolution was duly filed in her office on April ___, 2018.

CHARLOTTE A. FERSTLER, Town Clerk

A motion was made by Paul Jasek and seconded by Dave Allen to adjourn the meeting at 8:30PM. All in favor.

Respectfully submitted,