

TOWN OF SULLIVAN PLANNING BOARD – AUGUST 6, 2019 – PUBLIC HEARING –
KEVIN SPRAKER – 2 LOT SUBDIVISION – 1600 KINDERHOOK ROAD – MR-12 – SLB
41-1-13.16

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, John Ceresoli, Paul Jasek, John Langey, atty, and Phil Costanzo, codes officer

Mr. Spraker now wants to do three separate subdivisions of lot 11. Lot # 11A is 4.95, lot # 11B is 31.131 and lot #11 C is 3 acres. Lot #11A is a non-realty lot. They will combine lot #8 and lot #11B. Lot #2 will be combined with 11A. The Board is concerned about the numbering of these lots and the use of A, B, C lots. Notes need to be added to the maps and the lots should be consecutive.

No one spoke for or against this two - lot subdivision at Kinderhook Road

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

PUBLIC HEARING – JOHN TUTTLE – BARRETT LANE – SLB 3-1-2.24 - TWO LOT
SUBDIVISION

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, John Ceresoli, Paul Jasek, John Langey, atty, and Phil Costanzo, codes officer

Mr. Tuttle would like to subdivide two lots adding a landlocked area to lot #1.

No one spoke for or against this two- lot subdivision on Barrett Lane.

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

PUBLIC HEARING – JEFF TAYLOR – NEW BOSTON ROAD – TWO LOT SUBDIVISION
– SLB 33-1-68.21 - AG ZONE

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, John Ceresoli, Paul Jasek, John Langey, atty, and Phil Costanzo, codes officer

Mr. Taylor would like to subdivide this area into two lots. Lot #1 is .922 acres and lot #2 is 75 acres. The lot percs. Mr. Taylor will be building on lot #1.

No one spoke for or against this two- lot subdivision on New Boston Road.

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

PUBLIC HEARING – BLANDING HARDWARE – 499 ROUTE 31, BRIDGEPORT SLB 8.6-
1-58- SPECIAL USE PERMIT APPLICATION FOR A -60' X 152' POLE PARN

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, John Ceresoli, Paul Jasek, John Langey, atty, and Phil Costanzo, codes officer

Mr. Blanding would like to erect a 60' x 152' pole barn to replace an existing metal building 32' x 64'. This is in a business zone.

There will be grass around the back of the building and the sides. The applicant will remove the two existing tractor trailer bodies denoted on the map as metal sheds. The new building will

cover the existing buildings and will be +/- 25' off the property lines. A fire truck would have access to the rear of the new building. There will be no change in lighting or signage.

No one spoke for or against this planned pole barn on Route 31.

A motion was made by Sherry Menninger and seconded by John Ceresoli to close the hearing.

PUBLIC HEARING – SARAH MURDIE – HOME OCCUPATION – MASSAGE THERAPY -
6103 QUARRY ROAD - SLB

59.1-43

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, John Ceresoli, Paul Jasek, John Langey, atty, and Phil Costanzo, codes officer

Sarah Murdie would like to build a structure for the purpose of a massage therapy business. The building would have to be 50' from the property line. The building will be approximate 14' x 26'. (She can also use 400 sq. ft. of her house for her business. Her home is only 500+ sq. ft. The house would be more acceptable for her business as it would have a bathroom which would be needed for her

permit. She plans to operate only morning hours from 7 AM to 11AM five days a week. She can be the only employee. She needs to have designated parking for customers. If she is going to erect a building, the Board needs to see a site plan. She will need to have a bathroom placed in the proposed building. She feels she cannot use her house for this business. They only have a 70' parcel and they need to be 50' off the property.

No one spoke for or against this special use permit application.

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

REGULAR MEETING – TOWN OF SULLIVAN PLANNING BOARD – AUGUST 6, 2019

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

A motion was made by Sherry Menninger and seconded by Paul Jasek to accept the minutes of the July 2, 2019 meeting. All in favor.

KEVIN SPRAKER – 2 LOT SUBDIVISION – KINDERHOOK ROAD - MR – 12

The Board found no problem with this two- lot subdivision. Mr. Seguin needs to update the maps with correct numbers and acreage of lot #13. A motion was made by Dave Allen and seconded by Paul Jasek to grant approval of this two- lot subdivision on Kinderhook Road. All in favor.

JOHN TUTTLE – BARRETT LANE – TWO LOT SUBDIVISION

There is no note on the map that the garage needs to be tied to the lot#1 across the road. Mr. Tuttle will make a note of that on the maps before they can be signed.

A motion was made by John Ceresoli and seconded by Paul Jasek to approve this two-lot subdivision on Barrett Lane noting that the garage needs to be tied to the lot across the road. All in favor.

JEFF TAYLOR – NEW BOSTON ROAD – TWO LOT SUBDIVISION – AG ZONE

A motion was made by Dave Allen and seconded by John Ceresoli to accept this two-lot subdivision on New Boston Road. All in favor.

BLANDING HARDWARE – ROUTE 31, BRIDGEPORT SPECIAL USE PERMIT
APPLICATION FOR A -60' X 152' POLE PARN

The Board found no problem with this special use permit. The building must be 25' off the property line and the metal structures will be eliminated.

A motion was made by Sherry Menninger and seconded by Paul Jasek to declare the Town of Sullivan lead agency and make a negative declaration to the short form SEQR and also to accept this special use permit for a 60' x 152' barn on Route 31. All in favor.

SARAH MURDIE – HOME OCCUPATION – MASSAGE PARLOR -6103 QUARRY ROAD
- SLB 59.1-43

The Board needs to see a site plan of any proposed building before a decision can be made.

The Town of Sullivan Planning Board was declared lead agency and the short form SEQR was completed. A motion was made by Sherry Menninger and seconded by Dave Allen to declare a negative declaration to the short form SEQR.

A motion was made by Paul Jasek and seconded by John Ceresoli to table this special use permit application until the September, 2019 meeting. All in favor.

PETER KILTS – POLE BARN STORAGE BUILDING 32 X 46' AT 7312 LAKEPORT ROAD
– P&S CONCRETE.

Mr. Kilts would like to erect a 32' x 46' on his 156' lot on Lakeport Road which currently has a special use permit.

He will be amending his current special use permit to add this building. This is a commercial building for a business that is non-conforming as it was started before current zoning.

A motion was made by Dave Allen and seconded by Paul Jasek to declare the Town of Sullivan planning Board as lead agency and make a negative declaration to the short form SEQR. This application needs to go to County for approval. A public hearing has been waived and Mr. Kilts will return to the next meeting for final approval. All in favor.

MIKE MASTRIANO – HARBOUR TOWN - FISHER BAY- SIX LOT SUBDIVISION

Mr. Mastriano would like to subdivide lots # 66 through lot # 71 at Harbour Town.

**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 6, 2019

**Harbour Town at Fisher Bay Subdivision
Phase I, Section 6**

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 six (6) new lots to be known as Lots “66”, “67”, “68”, “69”, “70” and “71” (“Phase I, Section 6”); 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 and June 7, 2016; 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 6”; 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 6 and consisting of six (6) new lots enumerated on said plan as Lots “66”, “67”, “68”, “69”, “70” and “71”; 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 6, 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 J. Ceresoli, 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 “Harbour Town, Phase I, Section 5 (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 16, 2019 and consisting of six (6) new lots enumerated therein as Lots “66”, “67”, “68”, “69”, “70” and “71”, subject to the payment of fees associated with review of said application; 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 6, 2019, a quorum being present.

FRANK PARK, CHAIRMAN
Town of Sullivan Planning Board

PAMELA BRIONES, Deputy Town Clerk of the Town of Sullivan hereby certifies that the foregoing Resolution was duly filed in her office on August ___, 2019.

PAMELA BRIONES, Deputy Town Clerk

NOVATIS SOLAR PROJECT – FYLER ROAD/BLACK COMMERCIAL SOLAR PANELS – AG ZONE

Joseph Mendelsohn appeared before the Board to schedule a public hearing for the September 3, 2019 meeting.

The Board feels that letters need to go out by Novatis to all neighbors within 500' (both certified and regular mail) and the Board plans to keep the hearing open until the October meeting for further public comment.

Mr. Mendelsohn explained to the Board the location of the panels on the parcel in question. They will put in plantings. The Board wants a guarantee that the parcel will be maintained for the lifetime of the lease. There will be a cover cropping pre-construction. The Board also wants a reclamation plan. Cover screening will be toward the south and that it is not visible from Black Creek Road.

A motion was made by Paul Jasek and seconded by John Ceresoli to schedule a public hearing for September 3, 2019 at 6:45PM to allow commercial solar panels on Fyler/Black Creek Road. All in favor.

A motion was made by Dave Allen and seconded by Sherry Menninger to adjourn the meeting at 8:15PM. All in favor.

Respectfully submitted,