

TOWN OF SULLIVAN PLANNING BOARD – SEPTEMBER 1, 2020 - PUBLIC HEARING – CHRIS MCDONALD – 348 ROUTE 31, BRIDGEPORT - BUSINESS ZONE – SPECIAL USE PERMIT – RETAIL POWER SPORTS BUSINESS – SLB 8.6-1-25, 8.6-1-30.1

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 office

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 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.

Mr. McDonald explained to the audience his plans to open a power sports shop, new and used parts including repair of sports equipment.

Theresa Capone – 360 Route 31, Bridgeport - concerned about proper signage – she does not want people parking in her driveway.

Dale Lamphear – 8913 Kirkville-Bridgeport Road - concerned about it becoming a salvage yard with parts and junk left on site.

Rick Quell- 8911 Kirkville-Bridgeport Road, also has the same concerns about junk being left outside the building.

Vincent Cerio -7464 Murray Drive, W, Cicero - owns the property - Mr. McDonald will not leave junk around – there is a designated area where equipment will be worked on. Equipment will be picked up shortly after it is completed.

No one else spoke for or against this application for a retail sports business.

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

REGULAR MEETING OF SULLIVAN PLANNING BOARD – SEPTEMBER 1, 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 August 4, 2020 meeting were accepted with a motion by Paul Jasek and seconded by John Ceresoli. All in favor.

PUBLIC HEARING –CHRIS MCDONALD – 348 ROUTE 31, BRIDGEPORT - BUSINESS ZONE – SPECIAL USE PERMIT – RETAIL POWER SPORTS BUSINESS – SLB 8.6-1-25, 8.6-1-30.1

Mr. Cerio presented an updated site plan. The map is not drawn to scale.

The Board is concerned about access to the business. Mr. McDonald states that customers will use the Kirkville-Bridgeport Road to enter and leave the property. This activity needs to stay within the business zone which is 85’ off the Business Zone. If Mr. Cerio changed the driveway to the other side, he would be closer to the work area. Hours of operation 10am to 7pm Mon thru Sat. Lighting will have to reflect onto the property only. The site plan should stay within the 300’ but the Board could allow a 25’ extension if necessary.

The Board needs to see a site plan drawn to scale showing existing building, ingress, egress, lighting, signage, width of access lane to the business, the drop-off area noted on the map (staging area), number of vehicles on site at one time.

Mr. Cerio would like to add a deck to an existing building. He needs to include that on his site plan. He will return October 6, 2020.

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

Mr. Heselton returned with a map showing where the fence will be enclosed and his plan for waste management which will stay inside the fence made of chicken wire. He will be keeping the “tractor coop” within the fence and he moves it twice per week 9 (April 1st through November 1st) which should take care of the chicken waste. The fenced in enclosure is 50’ x 52’. He has 10 chickens. Through attrition, he will have no more than 8 chickens in two years” time. The home owners association is between Mr. Heselton and the neighbors. The fence must be erected by 30 days from now. In the winter, the coop could be frozen in spot but the manure needs to be managed so that there are no smells or odors and the waste plan for the winter. The waste must be bagged and moved off site at least twice a month.

**TOWN OF SULLIVAN
PLANNING BOARD RESOLUTION**

ELROY HESELTON (Owner/Applicant) - Application for a Special Use Permit to Maintain “Therapy” Chickens at the Owner’s Premises Located at 111 Monroe Avenue, Canastota (Tax Map No. 10.44-1-36.1) in the Town of Sullivan in the MR-12 District - GRANTED WITH CONDITIONS.

September 1, 2020

D Allen moved and J. Ceresoli seconded the following Resolution:

WHEREAS, Elroy Heselton, as Owner/Applicant, of property located at 111 Monroe Avenue, Canastota, in the Town of Sullivan, more specifically known as Tax Map No. 10.44-1-36.1 (the “Property”), made application to the Town of Sullivan Planning Board (the “Board”) on or about October 25, 2019 for a Special Use Permit to maintain “therapy” chickens at the Property in the Town of Sullivan, Madison County, along with associated site improvements including a wheeled/movable chicken coop and fencing, all pursuant to the Zoning Law of the Town of Sullivan, as amended (the “Law”) and to the Town of Sullivan Code; and

WHEREAS, Volume 6 N.Y.C.R.R. Part 617 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (“SEQRA”), requires that as early as possible and within (20) days of a complete application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the Owner/Applicant has completed and submitted a Short Form Environmental Assessment Form and the same has been reviewed and considered by the Board along with the other submissions provided by the Owner/Applicant; 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 report indicating that the matter was being returned for local determination; and

WHEREAS, the Applicant’s application was considered fully by the Planning Board and upon such consideration the Board hereby finds pursuant to Article V of Chapter 275 of the Town of Sullivan Zoning Law, among other things, with regard to the proposed project the following:

1. The location, size of use and proposed structure, nature and intensity of the operations involved as proposed and conditioned below, are all in harmony with the orderly development of the District;
2. There will be no discouragement of appropriate development and use of adjacent lands or buildings, nor will such lands or buildings have impairment to their value by operation of the use at the site. There has been no evidence that there will be any negative impacts created by the proposed uses as shown on the submitted drawings. Further, no other uses beyond those described in the application will be allowed; and

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

WHEREAS, as part of Owner/Applicant’s submission, a letter from a licensed physician was submitted showing the benefits of the chickens to act as “therapy” for a resident of the Property.

NOW THEREFORE, BE IT RESOLVED that the Town of Sullivan Planning Board hereby determines that the proposed action is an Unlisted Action, that the action does not involve any federal agency and the proposed action does not involved more than one agency; and

BE IT FURTHER RESOLVED that the Town of Sullivan Planning Board hereby notices all agencies involved, if any, that it shall be lead agency for this project; and

BE IT FURTHER RESOLVED that the Town of Sullivan Planning Board hereby determines that the proposed action will not have a significant adverse effect on the environment, and this resolution shall constitute a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617, for the following reasons:

1. There are no identified unusual or unique landforms or environmentally sensitive areas at the proposed location;
2. No other areas of concern have been identified by the public or the Board; and

BE IT FURTHER RESOLVED that the Town of Sullivan Planning Board hereby allows and grants the Owner/Applicant's request for a Special Use Permit to maintain "therapy" chickens, along with associated site improvements including a wheeled/movable chicken coop and fencing on the Property, all in specific accordance with the submitted application, plans and specifications, conditioned however upon the following:

1. All use and operation of the site will be specifically in accordance with the submitted application materials and statements made before the Town of Sullivan Planning Board;
2. No more than eight (8) hens may be harbored on the Property at any given time (it is acknowledge that Owner/Applicant currently has ten (10) chickens at this time; however, within 24-months Owner/Applicant must have reduced the total number of chickens to eight (8) with the number of chickens on the Property never exceeding ten (10) during such 24-month period);
3. The eight (8) chickens will be limited to hens, no roosters are allowed;
4. The proposed 4' high chicken wire fence enclosing the 2,500 sq. ft. yard area, per the submitted plans, must be constructed within 30 days of the filing of this approval;
5. Waste management shall be handled as follows:
 - a. From April 1 through November 30, Owner/Applicant shall address yard waste by moving the wheeled/mobile chicken coop throughout the enclosed yard area, a minimum of 2 times per week, such as to spread the waste as uniformly as possible throughout the 2,500 sq. ft. yard area;
 - b. From December 1 to May 31, Owner/Applicant must completely remove the yard waste from the site, a minimum of once every 2 weeks (the Owner/Applicant shall collect and bag the waste and remove it from the Property);

6. No other uses beyond those granted by this approval shall be permitted without an amended request and approval with an amended Special Use Permit application from the Town of Sullivan Planning Board; and

BE IT FURTHER RESOLVED that the Owner/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 to issue such permits (including professional engineering and legal fees) and certificates or to take such other actions as may be required to effectuate and enforce this Resolution, including satisfaction of the above-referenced conditions; 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 September 1, 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 September ____, 2020.

ROSEMARY CZERNIAK
Deputy Town Clerk

DAVIS DERYCKE (RICK MYERS) – 1344 ROUTE 31- RE-APPROVAL OF SUBDIVISION SLB 9-2-5.23

Rick Myers appeared before the Board representing Mr. Derycke to have his subdivision re-approved. The first approval was accomplished on May 7, 2019. However, Mr. Derycke did not file the approved maps and the time for filing has passed.

The new maps, dated August 20, 2020 just need to be re-approved.

A motion was made by Sherry Menninger and seconded by Paul Jasek to approve this three-lot subdivision on 1344 Route 31, Bridgeport. All in favor.

LARISSA BOYCE (FORREST SEGUIN) – 4 LOT SUBDIVISION – 2044 ROUTE 31, CANASTOTA – SLB 10-1-31.2

Mr. Seguin appeared before the Board to subdivide 5 lots, lot #1 is 3.1 acres, lot #2 is 3.19 acres, lot #3 is 5.01 acres, lot #4 is 10.1 acres and the remainder (lot #5) would be 239 acres. Lot # 5 does not have enough road frontage. There are two parcels added to this lot that are not contiguous that Mr. Seguin would like to use as road frontage. He has public water and public sewer.

A motion was made by John Ceresoli and seconded by Sherry Menninger to schedule a public hearing for a five- lot subdivision at 2044 Route 31, Canastota. All in favor. The hearing will be held on October 6, 2020 at 6:45PM.

A motion was made by Sherry Menninger and seconded by Dave Allen to name the Town of Sullivan Planning Board lead agency to the SEQR and declare a negative declaration. All in favor.

JAMES FOSTER/SHEA FOSTER - ROUTE 5 – FORMER « DOGGIE DAY CARE – “BLUEPRINTS TRAINING AND SOCIALIZATION” –

The Fosters have bought the day care center on Route 5. They would like to make some changes to the inside and increase the fenced in area on the outside. They will use the entire building. There is a 25' x 50' fence that extends several feet beyond the building. They plan to board only their current customers. The facility will be for training. They would like to board 20 overnight and they will be within the confines of the building in their own space. It will be monitored 24/7 with someone on site 7am to 6:30PM Mon-Fr. Saturday will be training hours. Boarding will be 7 days per week.

There will be privacy fence along the western border with a chain link fence in the rear.

The Board would like to see a site plan with parking, dimensions, lighting, waste disposal, signage.

Training on Saturday – 5-6 owners with their dogs for three classes.

A motion was made by Paul Jasek and seconded by Sherry Menninger to schedule a public hearing for “Blueprints Training & Socialization” boarding and training at 1292 Route 5 West. The hearing will be held on October 6, 2020 at 6:30PM. All in favor.

JEFF TAYLOR – SAFARI –

The Board will have a special meeting at 7PM September 8, 2020 to address Mr. Taylor's development plans for the Safari.

JERRI CROUSE – plan for 8 trees along the border on Route 5 – big units to the back Footprint is the same.

A motion was made by Paul Jasek and seconded by John Ceresoli to have the Town of Sullivan Planning Board accept that lead agency will go to Chittenango Village Planning Board. All in favor. Mr. Park will draft a letter to the Village Planning Board.

A motion was made by Dave Allen and seconded by Paul Jasek to adjourn the meeting at 8:45PM. All in favor.

Respectfully submitted