

ZONING BOARD OF APPEALS  
5 ROUTE 31  
P. O. BOX 568  
JORDAN, N.Y. 13080



PLANNING BOARD  
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P. O. BOX 568  
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## **Town of Elbridge Planning Board**

**March 13, 2018**

### **Approved Minutes**

**Members Present:** Chairman, Marc Macro, John Stevenson, Patrick Svanson, Cindy Weirs, Sec/Alt member

**Absent:** Karen Carney

**Others Present:** Attorney Scott Chatfield, Supervisor Vern Richardson, Councilor Doug Blumer, Robert Kwiatkowski, Pat and Dennis Hoe, Terry Powers, Greg Sgrono, Don Petrocci

**Approval of Minutes:** February 13, 2018

John Stevenson motioned to approve the minutes as presented. Pat Svanson seconded the motion followed unanimously by all members present.

### **OLD BUSINESS:**

<b>Robert Kwiatkowski</b>	Minor Subdivision 5967 Jordan Rd, Jordan	TM # 032.-04-01.1 Zoned: R-1
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Mr. Kwiatkowski provided an updated subdivision map showing the property lines, location of the fire hydrant, subdivision property lines of Lot 2 creating Lot 3 and are labeled. He also received and provided the PB a letter from NYS Department of Transportation giving conceptual driveway approval. The applicant will add the location of the septic for Lot 3 on the subdivision map. Mr. Kwiatkowski submitted the application to the TOE with the fee paid. The applicant will provide two Mylar maps and five paper copies to the board.

The Short Form SEQR was reviewed and completed at this meeting. Chairman, Marc Macro asked for a motion to approve SEQR declaration. John Stevenson made the motion finding this to be a negative declaration SEQR. Pat Svanson seconded the motion followed unanimously by all members present.

**CARRIED**

Pat Svanson made a motion to approve Robert Kwiatkowski's Minor Subdivision with the condition upon Onondaga County approval. John Stevenson seconded the motion followed unanimously by all members present.

**APPROVED**

<i>George Daniels</i>	Minor Subdivision	TM # 028.-05-18.0
Not Present	1431 Whiting Rd., Jordan	Zoned: Ag

<i>Terry Powers</i>	Site Plan Review	TM # 037.-01-24.1
Stay and Play Doggy Daycare	1273 State Route 5	Zoned: B-1

The Planning Board (PB) reviewed the revised Site Plan showing the driveway narrowed to a width of twenty-four feet and pulling the parking away from the existing entry a little bit. They will be removing about 20 feet adjacent to the pavement for adjacent to the handicap parking. The parking lot will stay the same with spot repair and striping. Four feet of pavement will be removed and replaced with a buffer consisting of bushes and gravel to help stop vehicles.

The new building will consist of metal siding and roofing in front of the new building with three 4 x 6' slider windows located higher. The west side will have an overhead door and a man door. They will install a man door on the north side and there will be four windows on each side. The windows of the original building if replaced maybe located higher to follow the rest of the plan. A window layout will need to be provided to the board.

Exterior Lighting: The back of the building has soffit lights. The existing building has two motion detector lights in the corners. The new building will have wall pack lighting along the front and back of the building approximately every 25 feet. The board suggested the applicant install lighting with electrical outlets for the parking lot area to provide adequate lighting for selling Christmas trees. If they are creating a buffer strip they could put outdoor outlets there with a light centered between the fence and property line. The Planning Board asked the applicant to provide an illumination drawing for minimal lighting for the parking area (light overlay) and cuts of the building lights.

The Farmer's Market is approved for outdoor sales from May 1<sup>st</sup> through December 31<sup>st</sup>. The Farmer's Market will be every Wednesday afternoons through approximately October 31<sup>st</sup> and they will possibly sell Christmas trees during the holiday season. Twelve vendor spaces are available to sell off their trucks or set up a table. They may possibly open on Saturday mornings next year.

Dumpster will be located in the back of parking lot with screening. The board suggested the applicant use the same fence for screening as they used to enclose the dogs.

SEQR form was completed at this meeting. John Stevenson motioned finding this a negative SEQR declaration. Pat Svanson seconded the motion followed unanimously by all members present.

The applicant will apply to the Department of Transportation (DOT) for driveway permit approval and approval for sign location. The existing septic system use is not expanding. Onondaga County Health Department (OCHD) had been contacted; they are waiting to hear back from them. This application did go to Syracuse - Onondaga County Planning (SOCPA); their comments were minimal.

The applicant will provide information regarding the dumpster screening, window layout for the building, lighting with cuts and tree species with size for the April PB meeting.

**Hoe Property**  
Patricia, Dennis Hoe

Site Plan Review  
1124 State Route 5

TM # 041.-03-38.0  
Zoned: B-1

The applicant submitted the Site Plan application October 17, 2017. A revised survey map dated March 2018 was provided for review.

The PB discussed the Route 5 reconstruction layout scheduled for 2018. There will be two driveways; one easterly entrance and the one on the west side of the building will be an overlapping driveway with the Saunders property. Along the road side there will be 15 feet of lawn that may affect the proposed handicap parking. The board will check into the NYSDOT Route 5 plans.

The applicant removed the tires behind the building. The driveway is delineated. The dumpster will need to be screened.

Flags and/or banners are not a permitted use. The applicant said the banners and flags were removed. The sign located on the front of the building maybe too large. Business sign regulations on a building allowed with a permit (Article VII §30.79) shall be determined by a one square foot of signage per lineal foot of street frontage not to exceed 75 square feet. The board requested the applicant show the sign dimensions on the next set of drawings and will need a picture of what the sign looks like, the size of the sign and where it is located on the building.

The lighting is not code compliant. The site lighting has to be corrected, it shines onto the highway; they need an illumination shield so it shines down. The locations of all outdoor lighting including soffit lighting will need to be shown on the site plan with cut sheets describing the type of lights.

The garage and metal pole barn in the back is used for mounting special rims, tinting, installation of stereo's and lights. The tenant does not do auto repair. Chairman, Marc Macro will talk to Bob Herrmann, Code Officer regarding the zoning requirements for the property of what the tenant can and cannot do. He also suggested Ms. Hoe speak with him as well in regards to the permitted use of this property and the unregistered vehicles on the property.

The dumpster screening will need to be detailed with the type of wood fence used for the screening. Show the location and details on the site plan.

Chairman, Marc Macro will speak with Code Officer, Bob Herrmann regarding the zoning requirements and will check into the driveway layout.

The applicant will attend next month's meeting with a revised lighting layout, dumpster fence and confirm the signage as noted above and provide a Site Plan denoting everything mentioned. Ms. Hoe was asked to speak with Code Officer, Bob Herrmann regarding the zoning requirements.

**Donald Petrocci**

Informal Request Site Plan Review  
1116 Route 5, Elbridge

TM # 041.-03-36.0  
Zoned: B-1

Mr. Petrocci has issues with parallel parking versus diagonal parking. When he bought the building twenty-five years ago, the bank of Mr. Hill's property was unimproved; he graded it and mows the grass. Mr. Hill uses this as a right-of-way (ROW) for tractor access to the back fields. The cars have been parked this way for thirty five years. He measured the distance from the nose of the cars

parked diagonally to the building and he measured twenty-five feet. The rear tires of the cars are on his property but the end of the vehicles hang over the property line. Emergency vehicles require twenty-four feet to get to the back of the west side of building. Mr. Petrocci is considering selling the property and has concerns with the continuation of the car sales.

The property has a forty-two year old variance that runs with the property. The variance states all cars have to be for sale and in operational condition. The variance does not say if it is a use variance or an area variance. Attorney Scott Chatfield and the PB agreed that it is probably a use variance. The owner/tenant is required to all the terms of the variance.

Mr. Petrocci said he has two tenants. One tenant is the countertop sales in the front of the building and the second tenant is a body shop in the back of the building that also handles the car sales. The tenant is limited to no more than twelve cars displayed on the site at any one time all in the condition to be capable of being operated on a public highway. Any cars for sale that are not operable must be stored inside. The PB prefers any unregistered cars or cars to have work done by the body shop be parked in the back.

The board discussed the zoning and concluded this parcel is zoned B-1 not B-2.

The site plan shows the proposed curb cut out scheduled by NYSDOT Route 5 plans scheduled for 2018. There will not be any room for parking in the front of the building. There may not be enough space for one handicap space because of what the state is doing. The issue is being able to access the rear of the building for more parking spaces. Article VI §30.61E states the PB may upon special findings reduce the width of a driving aisle to no less than 20 feet.

Mr. Petrocci acknowledges the sign will be moved, he needs to describe the lighting and will call NYSDOT.

*Jay Meyers (owner)*  
Riverside Grill

Site Plan Review  
1161 Old Rt. 31

TM # 024.-02-03.0  
Zoned: B-1/RR in Ag Dis

Review contingencies:

**NEW BUSINESS:** None

**DISCUSSION:** Dan Leary at the conclusion of the February 13, 2018 meeting gave the Chairman his resignation effective immediately.

**Adjournment:** Marc Macro motioned to adjourn the meeting at 9:06 pm, John Stevenson seconded.

Respectfully submitted,  
Cynthia Weirs  
Secretary/Alternate Member