

SHELDON PLANNING BOARD
September 11, 2019

The meeting of the Town of Sheldon Planning Board held September 11, 2019 at the Sheldon Town Hall, 1380 Centerline Rd., Strykersville, NY 14145 was called to order at 7:03 p.m by Chairman Wayne Abbott.

Present: Chairman Wayne Abbott
Board: Debbie Kirsch, Jeff Nixon, Don Pawlak, Mary Kehl, Kathy Roberts
Recording Secretary: Town Clerk Carol Zittel
Also present: ZEO Alyssa Cutcliffe
A signed list of all present is on file in the Town Clerk's office.

Approval of June Minutes

A motion was made by Mary Kehl and seconded by Jeff Nixon to approve the June 26, 2019 meeting minutes.

Ayes: (6) Abbott, Kirsch, Nixon, Pawlak, Kehl, Roberts Nays: (0) Motion Carried.

Approval of August Minutes

A motion was made by Debbie Kirsch and seconded by Don Pawlak to approve the August 14, 2019 minutes.

Ayes: (6) Abbott, Kirsch, Nixon, Pawlak, Kehl, Roberts Nays: (0) Motion Carried.

Schofield Update

Jeff Nixon asked for an update on the Schofield zoning violation matter. The Town Clerk updated the Board and will send the board a copy of the minutes from the Schofield public hearing.

Special Use Application – Diane Sanfilippo

Diane Sanfilippo applied for a special use permit to build a dog kennel.

Below is the discussion regarding the kennel:

- She would like to build a little shed/barn for her two golden retrievers – she would like to breed them
- Wayne Abbott asked if she plans on selling them or using the kennel for commercial use. Ms. Sanfilippo replied that she does not intend to use it for commercial use but if her dogs have twelve puppies some will get sold
- Don Pawlak asked if she will be boarding dogs. Ms. Sanfilippo replied no, except for her granddoggy.
- Wayne asked if she will be selling anything. Ms. Sanfilippo said she may have some dogs to board because she is an AKC trainer. She stated that she will not sell things and that this will not be a store.
- Alyssa asked Ms. Sanfilippo how many dogs would you board. Ms. Sanfilippo responded 5 or 6 total
- Wayne states that sometimes people apply for a permit saying they are doing one thing and then it gets bigger than expected. Ms. Sanfilippo responded that the building will

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only hold six dogs. She stated that she needs something indoor/outdoor and that most of the time the dogs are in the house.

- Wayne replies: we just want to make sure it doesn't turn into a business. Ms. Sanfilippo replies that she does currently babysit dogs but does she have a business, no. I do babysit dogs for a weekend. If I breed I will keep one or two and the rest will be sold. I will not keep breeding the same dog. I do train dogs and judge AKC trials.
- Alyssa asks Ms. Sanfilippo to give us her biggest idea – how big can this get. Ms. Sanfilippo replies that enough for 10 dogs possibly. I will not have 40 dogs.
- Mike Armbrust asks how far the closest neighbor is. Ms. Sanfilippo responds across the street 200 ft. away. If my dogs are outside then someone is home. My two dogs do not bark, however there are neighbor's dogs that bark all night.
- Wayne asks to confirm that the building only holds a maximum of six dogs. Ms. Sanfilippo replies that it depends on how it is configured. Maybe seven total kennel runs. I highly doubt there will ever be ten dogs at any one time.
- Alyssa asks Ms. Sanfilippo if she is comfortable with a maximum of ten dogs. Ms. Sanfilippo replies yes.
- Mike Armbrust asks if this permit has to go to the County to which Alyssa replies that yes, it does because it is on State Route 98.
- Wayne asks about setbacks. Alyssa replies that she will meet the setbacks of 50 feet from front, 25 feet from sides and rear
- Mike Armbrust asks if the building will be behind the house to which Ms. Sanfilippo responds that it will be to the side of the house and back – not lined up with the house. Ms. Sanfilippo then proceeds to show on the site map where the building will go. She states that the kennel doors will face the back towards the creek and that no one will see the dogs from the road and the dogs won't see the traffic.
- Wayne asks about waste. Ms. Sanfilippo replies that she uses a device called a doggy dooly. It is a device you put in the ground – it is like composting. Alyssa says they are approved by the Cornell Coop and the Health Dept. Ms. Sanfilippo states that she raw feeds her dogs and they don't produce a lot of waste.
- Wayne asks about noise and odor. Ms. Sanfilippo replies that the buffalo and elk across the street are worse.
- Carol Zittel suggests that current rabies vaccination and license papers be on-site for all dogs.
- Wayne states that our zoning law requires animals in a kennel to be enclosed from 8:00 p.m to 6:00 a.m.
- Alyssa will handle the referral paperwork to the County

Recommendations from the Town Planning Board regarding Special Use Parameters for the Diane Sanfilippo Dog Kennel

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A motion was made by Don Pawlak and seconded by Mary Kehl to set parameters for the special use permit as listed below and to send the application to the Wyoming County Planning Board.

#1 # of dogs: 10 adult dogs maximum

#2 Sheltering: Dogs must be sheltered between the hours of 8:00 p.m. and 6:00 a.m. unless they are under human control

#3 Vaccinations & Licensing: Dogs must be vaccinated per NYS regulations – see Public Health Law, Article 21, Title 4. Dogs must also have a valid license per NYS law – see Public Health Law, Article 7.

Ayes: (6) Abbott, Kirsch, Nixon, Pawlak, Kehl, Roberts Nays: (0) Motion Carried.

Motion to Send to Town Board

A motion was made by Mary Kehl and seconded by Debbie Kirsch to send the application and the recommended parameters to the Town Board for their review.

Ayes: (6) Abbott, Kirsch, Nixon, Pawlak, Kehl, Roberts Nays: (0) Motion Carried.

Special Use Permit Application – Bill & Michelle Snyder

Michelle Snyder was present at the meeting. Bill Snyder was not.

An application for a special use permit to erect an additional building for the brewery business owned by Bill and Michelle Snyder was received. This building will be used for additional brewing storage and fermentation. Dimensions of the building are 32x40 pole barn with a 16x24 carport (overhang). The application was submitted by Bill Snyder, however, Mr. Snyder was not on the original brewery special use permit application that was submitted in 2017. Wayne Abbott asked Ms. Snyder if she was co-owner with her husband. Ms. Snyder replied that she has a 90% interest and her husband Bill has a 10% interest in the company. Wayne Abbott asked that Ms. Snyder sign this application and that Mr. Snyder's name be added to the original special use permit.

The following discussion took place regarding the special use permit:

- Ms. Snyder explained their need for a new building for storage and fermentation stating that they are having a hard time keeping up with production
- Alyssa states that this is an expansion of the business and that the concern is not with the location of the building. Alyssa states that the building does abide by setback requirements.
- Debbie Kirsch asked why not connect the buildings. Ms. Snyder replies that they need higher ceilings.
- Wayne asked what the distance is between the two buildings. Ms. Snyder replies four feet.
- Alyssa states that the new building will have to have a one-hour fire wall between the two buildings on the exterior wall of the new building.
- Debbie asks why an overhang. Ms. Snyder responds that the overhang will provide a storage area for grain bins

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- Mike Armbrust asks if the 20x20 deck had a permit. Alyssa responds yes.
- Mary Kehl asks what the business hours are. Ms. Snyder responds that the hours are the same as they requested on their original permit, however, they have been opening on Wednesdays for a trial run. The original special use permit did not have the hours of Wednesday listed. Mike Armbrust asked if Ms. Snyder is requesting to add Wednesdays to their list of approved hours. Ms. Snyder responded that this is just a trial run. Mike Armbrust stated that opening on Wednesdays put them out of compliance with their special use permit. Ms. Snyder asked to add the Wednesday hours (4-10pm) to this special use permit application
- Ms. Snyder asked that her property zoning designation be changed from agriculture to business. She was informed that the Town is considering changes to the zoning map. Debbie responds that it was considered when the zoning map was being reviewed but it was determined that to change Ms. Snyder's property to business would be considered spot zoning and that spot zoning is discouraged.
- Mike Armbrust noted that the lit sign should be turned off at night – suggests a timer. A neighbor had complained about the light.
- Wayne asks that if a new special use permit is issued that the new permit be signed by both owners (Bill and Michelle Snyder)
- Ms. Snyder asked for clarification since she was under the impression that the permit would be approved tonight. She has contractors coming tomorrow. There was a short discussion on the matter. It was conveyed to Ms. Snyder that she is free to have the site work done but that this application will have a public hearing on October 16, 2019 in front of the Town Board. They will have the final approval.

Application Complete

A motion was made by Wayne Abbott and seconded by Debbie Kirsch to accept the special use permit application submitted by Bill and Michelle Snyder as complete; pending the amending of the application to state the additional Wednesday hours and the signatures of both owners.

Ayes: (6) Abbott, Kirsch, Nixon, Pawlak, Kehl, Roberts Nays: (0) Motion Carried.

Authorization to Send to County Planning Board and Town Board

A motion was made by Debbie Kirsch and seconded by Don Pawlak to send the special use application to the County Planning Board and the Town Board for their review.

Ayes: (6) Abbott, Kirsch, Nixon, Pawlak, Kehl, Roberts Nays: (0) Motion Carried.

Leadership Wyoming

Resident Brian Eddy attended tonight's meeting as part of his Leadership Wyoming curriculum. Mr. Eddy gave a brief review of the Leadership Wyoming Program.

Model Zoning Law

Alyssa updated the Board on the model zoning law project:

- There are two draft versions available. One draft is a more rural model and one is more hamlet.

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- The goal is for each town to use the same template and add their own changes.
- No other County in the State has done this
- We should have a draft copy to show you in a month or two
- The hope is that enforcement will be easier with these model laws

Review of Proposed Changes to Zoning Map

The Planning Board, Alyssa and those present worked on reviewing the zoning map. The following changes were made:

- Industrial marks on Perry/Route 77
- Increase size of business district by 500' overlay on major state highway intersections
- Marked two more firehalls – Varysburg and Harris Corners
- Eliminated Johnson Construction Industrial marking
- Trailer park Buffalo Hill and Prallers goes back to original trailer park designations

Alyssa will make the changes and submit to the County Planning Board and Town Board.

Adjournment

At 9:10 p.m. a motion was made by Debbie Kirsch and seconded by Don Pawlak to adjourn the September 11, 2019 meeting of the Sheldon Planning Board.

Ayes: (6) Abbott, Kirsch, Nixon, Pawlak, Kehl, Roberts Nays: (0) Motion Carried.