

VILLAGE OF CAYUGA HEIGHTS BOARD OF TRUSTEES
Marcham Hall – Village Offices
December 13, 2010
7:00 P.M.

AGENDA

Call to Order

Public Hearing – 7:00 PM - Hear comment on local law proposals

“H” for a Local Law amending Village of Cayuga Heights Zoning Ordinance to permit local Tourist-Oriented Directional Signs within designated areas of the Village of Cayuga Heights.

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

SECTION I. PURPOSE & INTENT.

It is the purpose and intent of this local law to amend of the Village of Cayuga Heights Zoning Ordinance so as to:

- A. Authorize, with a permit and Planning Board approval, local tourist-oriented directional signs within designated areas of the Village of Cayuga Heights;
- B. Clarify the permitted locations of local tourist-oriented directional signs within designated areas of the Village of Cayuga Heights; and
- C. Designate the Superintendent of Public Works of the Village of Cayuga Heights as the individual responsible for providing certain approvals for the specific location of local tourist-oriented directional signs permitted within or adjacent to a public or private right-of-way, and to clarify such approval process.

SECTION II. AMENDMENT TO THE VILLAGE OF CAYUGA HEIGHTS ZONING ORDINANCE.

Article IX (entitled "Zoning") of the Village of Cayuga Heights is hereby amended to include a new Section, entitled Local Tourist-Oriented Directional Signs, as follows:

LOCAL TOURIST-ORIENTED DIRECTIONAL SIGNS

A. Definitions:

***Local tourist-oriented directional sign* -- any ground-mounted free-standing directional sign [other than a New York State tourist-oriented directional sign (separately defined herein) over which the Village has no jurisdiction] to be situated within the Village of Cayuga Heights that is (i) to be used to provide local directional guidance (i.e., subsequent turns or critical decision points) to a tourist oriented business within the Village as a supplement to a New York State tourist-oriented directional sign situated at an intersection on a conventional highway or expressway, and (ii) required**

in accordance with the New York State Supplement to the National Manual of Uniform Traffic Control Devices and as part of the approval by the New York State Department of Transportation of a New York State tourist-oriented directional sign; such tourist-oriented businesses within the Village include gas stations, restaurants, hotels, motels, resorts and golf courses.

New York State tourist-oriented directional sign -- any directional sign (i) under the jurisdiction of New York State, (ii) for use to guide traffic from the New York State numbered route system to tourist-oriented businesses not located on the system, and (iii) provided for in the New York State Supplement to the National Manual of Uniform Traffic Control Devices.

B. The following signs are permitted with a permit and Planning Board approval:

1. Local tourist-oriented directional sign (see definition herein) no greater in size than two and one-half (2.5) square feet and the top of which being no higher than nine (9) feet above the ground.

a. Prior to the issuance of the required permit for a local tourist-oriented directional sign, the proposed sign must be approved by the Planning Board of the Village of Cayuga Heights.

b. Upon receipt of a completed permit application for a tourist-oriented directional sign, such application shall be referred by the Zoning Officer to the Planning Board Chairperson, whereupon (i) the application shall be scheduled for review by the Planning Board within thirty-one (31) days following the receipt of the application by the Planning Board Chairperson (or such subsequent meeting date to which the Planning Board Chairperson and applicant may agree); and (ii) the applicant shall be notified by the Zoning Officer of such scheduled meeting date. No public hearing shall be required. The Planning Board's determination shall be made within thirty-one (31) days following the meeting at which the application is reviewed by the Planning Board; provided, however, that the time within which the Planning Board must render its decision may be extended by mutual consent of the applicant and the Board.

c. No approval of a local tourist-oriented directional sign will be granted by the Planning Board unless the proposed sign meets all of the following requirements:

(i) such local tourist-oriented directional sign will not obstruct or impair vision or traffic, or in any way create a nuisance, hazard or otherwise be detrimental to or endanger the public health, safety or general welfare;

(ii) such local tourist-oriented directional sign will not be injurious to the use and enjoyment of other property in the vicinity or neighborhood;

(iii) such local tourist-oriented directional sign is appropriate in appearance and in harmony with the design and color of the New York State tourist-oriented directional sign (see definition herein) giving rise to the necessity for such local tourist-oriented directional sign;

(iv) the specific location of such local tourist-oriented directional sign is approved by the Village Superintendent of Public Works. Signs may not be

erected or maintained within a public or private right-of-way without the written approval of the owner of such right-of-way and any authority having jurisdiction over such right-of-way, if any.

d. Any previously approved local tourist-oriented directional sign shall be removed in the event that (i) it is no longer required in accordance with the New York State Supplement to the National Manual of Uniform Traffic Control Devices as part of the approval by the New York State Department of Transportation of a New York State tourist-oriented directional sign, or (ii) it is no longer required because the York State tourist-oriented directional sign originally necessitating the local tourist-oriented directional sign has been removed. In the event that the Zoning Officer determines that removal of the local tourist-oriented directional sign so required, he or she shall so notify the record owner of the sign at the owner's last know address by registered or certified mail, (return receipt requested), such notice to provide a period of thirty (30) days from the date of such written notice for the sign to be removed. If the sign is not removed within the required thirty (30) day period, the Zoning Officer may remove the sign and thereafter assess all costs and expenses incurred in such removal against the record owner of such sign.

SECTION III. SUPERCEDING EFFECT.

All local laws, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this local law are hereby superceded to the extent necessary to give this local law full force and effect.

SECTION IV. VALIDITY.

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

SECTION V. EFFECTIVE DATE.

This Local Law shall be effective upon (i) its filing in the office of the Secretary of State and (ii) ten (10) days after publication and posting as required by law; provided, however that it shall be effective from the date of service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

"I" a Local Law establishing an exemption for portable sheds from the Zoning Permit requirements of Section 20 of the Village of Cayuga Heights Zoning Ordinance

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

SECTION I. PURPOSE AND INTENT.

The purpose of this Local Law is to establish permit exemptions for portable sheds (as defined herein). The intent is to allow Village of Cayuga Heights' residents the opportunity to have portable sheds on their property without the need of obtaining a permit from the Village, provided that the portable sheds meet certain requirements.

SECTION II. AUTHORITY.

This Local Law is enacted pursuant to the grant of powers to local governments provided for in (i) Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provisions of the New York State Constitution or not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal Home Rule Law and (ii) Section 3-300 of Village Law.

SECTION III. PERMIT EXEMPTION FOR PORTABLE SHEDS.

As of the effective date of this Local Law, portable sheds (as defined herein) shall be exempt from the Village of Cayuga Heights zoning permit process, specifically Section 20 of the Zoning Ordinance. There shall be a maximum of 2 portable sheds allowed per property. The square footage of exempt portable sheds shall not be included in lot coverage calculations. Portable sheds shall adhere to the following yard set back restrictions, measured at right angles to the property lines:

Front Yard	25 feet
Side Yard	3 feet
Rear Yard	3 feet

“Portable Sheds” shall be defined as a building or structure that:

- A. has a maximum of 140 sq/ft of coverage, including any roof or overhang;
- B. has a maximum height of 12 feet, measured from the base of wall to the peak of roof;
- C. does not have a permanent foundation or is not affixed by any means to the ground;
- D. may not be occupied by persons; and
- E. has no heat, electricity, air conditioning, water service, or any other public utility.

SECTION IV. SUPERCEDING EFFECT.

All Local Laws, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superceded to the extent necessary to give this Local Law full force and effect.

SECTION V. VALIDITY.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION VI. EFFECTIVE DATE.

This Local Law shall be effective as of the date of filing with the New York Secretary of State.

Approval the Minutes of November 8, 2010

Privilege of the Floor - 2 minute limit/person – 30 minutes total
VCH Residents speak first, balance of time to general public

Report of the Mayor – 20 minutes

Deputy Clerk position
TCAT
DEIS – next steps

Bolton Point-

Move to Pass Resolution #XXXX-To Approve the Amendment to the Southern Cayuga Lake Inter-municipal Water Commission Agreement Increasing the Water Rate Charges and to Establish Such Amended Water Rate Charges for the Village of Lansing

WHEREAS, the Village of Cayuga Heights entered into an agreement of inter-municipal cooperation with several other municipalities creating the Southern Cayuga Lake Inter-municipal Water Commission ("SCLIWC") and authorizing the construction by such Commission of the Bolton Point water treatment plant and related transmission and other facilities, which agreement was restated as of June 5, 1979, and which agreement has been subsequently amended from time to time (such agreement as so amended being hereinafter referred to as the "SCLIWC Agreement"); and

WHEREAS, the SCLIWC Agreement included a schedule of the water rates to be charged, which schedule has been amended from time to time; and

WHEREAS, the parties to the SCLIWC Agreement wish to amend the Agreement to increase the water rates, and a copy of the proposed amendment has been submitted to this Board for its approval; and

WHEREAS, the Village of Cayuga Heights Board of Trustees finds it is in the best interests of the Village of Cayuga Heights and its citizens to effect the proposed water rate increases;

NOW, THEREFORE, BE IT

RESOLVED, that the Village of Cayuga Heights Board of Trustees, in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR") and 6 NYCRR Section 617.5, hereby determines that adoption of said proposed amendment and the establishment of water rates constitute a Type II action, constituting "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment," and thus may be processed without further regard to SEQR; and be it further

RESOLVED, that the Village of Cayuga Heights Board of Trustees hereby authorizes on its behalf the execution of the proposed amendment to the SCLIWC Agreement submitted to this meeting, approving thereby the amendment to the rate schedule so as to increase the water rates to be charged under the SCLIWC Agreement generally from \$2.65 per thousand gallons of water to \$2.87 per thousand gallons of water; and be it further

RESOLVED, that upon the approval by all required parties of the proposed amendment to the SCLIWC Agreement setting the increased rate of \$2.87 per thousand gallons of water, and concurrently with the effective date of such amended rate as provided for in the approved amendment to the SCLIWC Agreement, the Village of Cayuga Heights Board of Trustees hereby establishes the foregoing increased rate as the base rate chargeable to each owner of property that is provided with water service by connecting to the Village of Cayuga Heights Water System, all such water service charges being subject to the additional water rate surcharge (currently xx%) imposed by the Village from time to time by resolution of the Village Board of Trustees.

Report of the Fire Chief – 5 minutes

Report of the Police Chief – 5 minutes

Report of Superintendent of Public Works – 15 minutes

Kendal crosswalk estimate

Report of Ass't Superintendent of Public Works – 5 minutes

Update on work in progress
Monthly Report for Oct 2010

Report of the Clerk – 5 minutes

Senior Citizen & Disability Exemptions (current 17,500 inc limit @ 50% 1995)
TC Healthcare Consortium – update
Abstracts

Report of the Treasurer – will be out of town

Report of the Attorney – 5 minutes

Trustee Privilege of the Floor – 10 minutes

Adjournment