

ZONING BOARD OF APPEALS MEETING MINUTES OF JULY 8th, 2014

Minutes of the Zoning Board of Appeals Meeting held by the LaFayette Zoning Board of Appeals on July 8<sup>th</sup>, 2014 in the Meeting Room of the LaFayette Commons Office Building at 2577 US Route 11 in the Town of LaFayette at 7:00 p.m.

Present: Stephen Beggs, Chairman  
Christine Keenan, Member  
James Nash, Member  
Karl Fields, Member  
Jerry Marzo, Member

Recording Secretary: Jacqueline Roorda

Others Present: John Langey, Attorney  
Robert and Patricia Latocha, Applicants  
Fred Hill

At 7:05 Chairman Beggs called the meeting to order, welcomed everyone and requested attendees introduce themselves. Beggs asked if there were any additions or corrections to the Zoning Board of Appeals June 10, 2014 meeting minutes. There were none.

**Member Marzo moved and Keenan seconded motion to accept the Minutes of the June 10, 2014 Zoning Board of Appeals meeting Minutes. Motion carried.**

Chairman Beggs opened the Public Hearing regarding the case on the agenda and asked the Latochas to state their case.

Mrs. Latocha advised that they live in Florida during the winter since they retired last year. They own the property on Ochsner Road, built a garage and placed their RV next to the garage and stay there while in New York for approximately 3 months. This enables them during the summer months to assist in the care of her elderly mother-in-law and upkeep of her property.

Discussions regarding the County approved septic system, use of public water, approved electrical system, distance from property line, neighbors in agreement with their summer stay, the letter of approval from the LaFayette Planning Board and the applicants have agreed to execute a Covenant to Run with the Land noting that the specific permit will terminate upon transfer of the property, etc.

Attorney Langey advised that Part I SEQR was included in the Latochas application. He then read all proposed actions of Part II SEQR wherein the Zoning

Board of Appeals as lead agency, found no significant adverse environmental impact.

Chairman Beggs asked if there were any other questions or concerns. None were voiced. At that time, Chairman Beggs closed the Public Hearing.

**RESOLUTION OF THE ZONING BOARD OF APPEALS  
OF THE TOWN OF LAFAYETTE**

**ROBERT and PATRICIA LATOCHA (Owners) - Application for Approval  
of a Specific Permit for a Camp, Consisting of a Travel Trailer on Premises  
located at 6475 Ochsner Road, Jamesville, New York in an Residential (R)  
District - GRANTED**

Ms. Keenan moved and Mr. Marzo seconded the following Resolution:

**WHEREAS**, Robert and Patricia Latocha (the “Owners”), as owners of property located at 6475 Ochsner Road, Jamesville, New York in the Town of LaFayette (the “Property”), appealed to the LaFayette Zoning Board of Appeals (the “Board”) on May 20, 2014 for a specific permit to allow applicants to place a 38’ travel trailer for full-time occupation from Mother’s Day to Labor Day, on an annual basis, (as a “camp” use) on the premises in a Residential District pursuant to Article VI of the 1970 Town of LaFayette Zoning Ordinance, as amended (the “Ordinance”); and

**WHEREAS**, the Board has the power to grant such a specific permit upon the findings set forth in said Article IX of the Ordinance; and

**WHEREAS**, a public hearing on the application was held by the Board at its regular meeting on July 10, 2014 and after due notice by publication in the Syracuse Post Standard and due notice to the Owners, neighboring landowners and Board members, in accordance with the law and the Ordinance; and

**WHEREAS**, the Board, in accordance with the State Environmental Quality Review Act, as lead agency, has found that the proposed action is not likely to result in any significant adverse environmental impact; and

**WHEREAS**, the Owners' application was considered fully by the Zoning Board of Appeals and upon such consideration the Board found among other things that:

1. The applicants have demonstrated that there will be no detriment to health, safety and welfare of the community since allowance of the occupation of the travel trailer does not present any threat to the neighboring community;
2. The proposed use of the travel trailer is in keeping with the development for the Residential District;
3. The applicants have agreed to execute a Covenant to Run with the Land noting that the specific permit will terminate upon transfer of the property; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Board hereby allows and grants the Applicants' request for a specific use permit to allow for the placement of a 38' travel trailer for full-time occupation from Mother's Day to Labor Day, on an annual basis, all in specific accordance with the submitted plans conditioned, however, upon the following:

1. applicants demonstrate continued availability of potable water and septic to the trailer;
2. applicants are to record a Covenant to Run with the Land (subject to the satisfaction of the ZBA's attorney) noting that if the property is transferred, the specific permit will terminate at that time;
3. the garage will be continuously kept-up and maintained;
4. applicants must maintain 200' amp service on the property;
5. the use shall be subject to inspection and compliance by the Code Enforcement Officer;
6. applicants will be in compliance with all other Town of LaFayette Zoning Laws and Ordinances;
7. occupation of the premises may occur an annual basis from Mother's Day through Labor Day;
8. occupation of the trailer is limited to two (2) individuals (*i.e.* applicants, Robert and Patricia Latocha);

9. the Covenant to be recorded shall also state that “so long as the specific permit is in place, the applicants agree not to request any additional buildings on the site;” and

**IT IS FURTHER RESOLVED**, that the applicants shall comply in all other respects with the Ordinance; 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; and

**IT IS FURTHER RESOLVED**, that this Resolution shall be effective as of the date of its filing with the Town Clerk.

Upon a canvass of the Board, the votes of its members upon the Resolution were as follows:

<b>Mr. Nash, Member</b>	<b>Voting</b>	<b>Aye</b>
<b>Ms. Keenan, Member</b>	<b>Voting</b>	<b>Aye</b>
<b>Mr. Field, Member</b>	<b>Voting</b>	<b>Aye</b>
<b>Mr. Marzo, Member</b>	<b>Voting</b>	<b>Aye</b>
<b>Mr. Beggs, Chairman</b>	<b>Voting</b>	<b>Aye</b>

The Chairman, Mr. Beggs, then declared the Resolution to be duly adopted.

**STEPHEN BEGGS**, Chairman of the Zoning Board of Appeals of the Town of LaFayette, hereby certifies that the foregoing Resolution was duly adopted at a meeting of the Board duly convened and held on July 10, 2014, a quorum being present.

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**STEPHEN BEGGS, CHAIRMAN**  
**Town of LaFayette Zoning Board of Appeals**

**JACQUELINE ROORDA**, Town Clerk of the Town of LaFayette hereby certifies that the foregoing Resolution was duly filed in her office on July \_\_\_\_, 2014.

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**JACQUELINE ROORDA, Town Clerk**

Chairman Beggs asked if anyone had any more questions or comments. None were voiced.

Robert and Patricia Latocha thanked the Members of the Zoning Board of Appeals, and everyone else involved.

**Member Keenan moved and Marzo seconded the motion to adjourn the Meeting of the Zoning Board of Appeals. Motion carried.**

Chairman Beggs adjourned the Meeting of the LaFayette Zoning Board of Appeals at 7:38 p.m.

Respectfully Submitted,

Jacqueline G. Roorda  
Zoning Board of Appeals Secretary