

Minutes of the Planning Board Meeting held by the Planning Board of the Town of LaFayette on June 18, 2002 in the Meeting Room of the LaFayette Commons Office Building on Route 11 in the Town of LaFayette.

Present: Jim Nakas, Chairman  
Jim Quartier, Board Member  
Rick Markoff, Board Member  
Barb Lasky, Board Member  
Andy Peebles, Board Member

Others Present: John Langey, Town Attorney  
Sandra Smith, Town Councilor  
Ralph Lamson, CEO  
Ronald Gula, Resident  
Allen & Tanner Olmsted, Manlius  
Jon Rogers, Resident  
Barb Rogers, Resident  
Pat & Karen Hughes, Residents  
Phil Piazza, Resident

Chairman Nakas called the meeting to order at 7:06 p.m.

The May 21, 2002, Planning Board Meeting Minutes were reviewed. Board Member Peebles questioned the 10,000 gallons a day at the bottom of page 1. He and Board Member Lasky had 1,000 in their notes. **Board Members Peebles moved and Lasky seconded the motion to approve the May 21, 2002 Planning Board Meeting Minutes as submitted by the Secretary with the following correction: "If over 1,000 gallons/day are used water is controlled by the DEC." in place of "10,000 gallons/day...". Motion passed unanimously.**

Chairman Nakas said there is a lot on the agenda this evening so the Board would like to keep focused as much as they can to the pertinent items on the agenda.

**CASE # 296 – Public Hearing on appeal of Henry Strieff for a 3-lot subdivision on Coye Road.**

Chairman Nakas opened the public hearing. He advised the Board has not heard back from County Planning yet so they will not be able to take a vote this evening. He asked the applicant to state what they would like to do and invited any comments on this application from the public.

Mr. Strieff and Mr. Conlon submitted a map done from a survey in 1975 showing the lots divided up. They explained the 10' road frontage which they are still waiting for a decision from the Zoning Board of Appeals on. Basically the Zoning Board of Appeals' only concern was to keep the 50' all the way back.

Chairman Nakas asked if the variance was granted.

John Langey said they are waiting to hear from County Planning too.

Mr. Conlon said both Boards appear to be waiting to hear from the county. Nothing new has come up since the last meeting except the Zoning Board of Appeals wants the applicant to maintain the 50' all the way back.

Chairman Nakas said the applicant is asking for a 10' relief for both lots.

Mr. Conlon said correct and the Zoning Board of Appeals said this would run with the land indefinitely. This map will be updated with the final decision of this Board. The adjoining landowners names must be changed and one line moved a few feet.

Board Member Quartier asked if the neighboring property owner wouldn't sell him 20'.

Mr. Conlon said no because of their driveway location.

Chairman Nakas asked for any comments from the public or the Board.

There were none.

Chairman Nakas said we will have to wait to hear back from County Planning and the applicant is waiting to hear back from the Zoning Board of Appeals. This Board should be able to act on this at their next Meeting. He closed the public hearing for this application.

### **CASE # 298 – Appeal of Patrick Hughes to change a lot line at 2389 Route 11A in an Agricultural-Residential District.**

Mr. & Mrs. Hughes submitted a tax map showing their property and Mr. LaFlam's which they would like to purchase from him. They would like to purchase approximately 53 feet along Route 11A and 160' back.

Chairman Nakas said this really involves moving a lot line.

Mrs. Hughes submitted a letter from Mr. LaFlam in agreement to sell them this land.

Chairman Nakas said they are just looking to move their lot line 53' one way and 160' the other way. They are not creating any building lots. He noted this would need a side-yard variance of 10' which would come from the Zoning Board of Appeals.

John Langey said this would have to be referred to the county because it's 500' from a state or county road. He said they would need a side-yard variance of 10' on the south side of the property. This Board can't do the referral to the county until they have a map. They will want to do an application for the Zoning Board of Appeals for the variance.

Board Member Quartier asked if they could get by with 40'.

John Langey said if they drop the amount of footage down, they could probably get by without the variance.

Mr. & Mrs. Hughes said they just picked a number, they could change this amount.

Discussion took place re: 20' or 25' side-yard setback required.

John Langey said they must prepare a subdivision map to refer to the county. He advised them to make sure the surveyor knows they are going to attach this property to their lot so he notes it on the map. This will help if they ever sell the house.

Chairman Nakas said once they get the map into the Board, it will be referred to County Planning and then the Board will hold a public hearing.

**CASE #288 – Appeal of Empire Management, David Muraco, for a controlled site approval to allow construction of an additional 48 units at the Willowood Apts. On Route 11 in a Residential/Multi-Family District.**

Chairman Nakas said the applicant has chosen to forego tonight's meeting due to some plans they were unable to get together for tonight's meeting.

**CASE #290 – Appeal of Helen Nelson for the estate of Anna Keough for a 7-lot subdivision on a 27 acre parcel of land on the southwest corner of Coye Rd. and Apulia Rd. in a Residential/Planned Cluster District.**

Mr. Olmsted said they had some decisions to make in the back of Lots #1 and #2 with the 3 ½ - 4 acre section. They communicated with the neighbors, Mr. Paul and Mr. Spader, and they are going to purchase these parcels and attach them to their property. He had letters regarding this from these two gentlemen. The person who owns the property to the south of Lot # 1 is going to buy 50' of this parcel. He has a letter from them too. They have added a little section to Lot #1. They have had the county review Lots 1, 2 and 7 for driveway accessibility. The county has approved a driveway for each of these. Lots 3 thru 6 are to be accessed from Timothy Dr. only. Lot 7 is to be accessed from Coye Rd. Lots 3 thru 7 have public water available to them. Lots 1 and 2 are on wells.

Chairman Nakas asked why there isn't public water available to all the lots.

Mr. Olmsted said there's something about there not being enough pressure to allow these lots to tie into the line. There's two different water districts over there. OCWA covers Lots 3 thru 7. Lots 1 and 2 have water lines for East Syracuse Water running through them but there's not enough pressure to be able to use them. The County Health Dept. will not allow them to put any more services on their lines. He met with Mr. Cook re: Timothy Road as it's a town road and he said it was fine for Lots 3 and 6. He recommended they extend a drainage easement along Lots 3 and 4 to allow water to shed over to Apulia Road.

Chairman Nakas asked where the lines are that go through the property.

Mr. Olmsted said they will be shown on the final map. He pointed out where they were on the submitted map.

John Langey asked if he has to cross over the water lines to get into Lot # 1.

Mr. Olmsted said yes.

John Langey will submit this map (Dated 2/29/02) to the county.

Chairman Nakas said the Board will hold a public hearing for this application at their next meeting in July.

**CASE # 291 – Appeal of James Pucello for a 2-lot subdivision on the west side of LaFayette Road approximately 1/4 mile north of Commane Road in an Agricultural/Residential District.**

Mr. Pucello said his attorney has advised in 1988 this parcel was subdivided and filed with the county under the Frost Subdivision. He reviewed his map with the Board.

Chairman Nakas asked if he is saying this land has already been subdivided.

Mr. Pucello said his attorney advised this has already been subdivided. Ralph Lamson got the 1988 Frost Subdivision Map for the Board to review. It was not shown on the map.

John Langey said there is no proof this has been subdivided. He would suggest Mr. Pucello have his attorney come in and talk with the Board.

Mr. Pucello asked if it's filed with the county, doesn't that mean it's subdivided?

John Langey said there should be a map with the Chairman of the Planning Board's signature on it. A title search would show this. If this hasn't been subdivided within the Town, it is an illegal subdivision and he will have to file an application with the Town.

Chairman Nakas said if Mr. Pucello's attorney can produce a final subdivision map signed by the Planning Board Chairman of the Town of LaFayette, then it's a legal subdivision. If it has not been subdivided within the town, he should make an application out for a subdivision. He advised Mr. Pucello to have his attorney call John Langey.

**CASE #292 – Appeal of Phoenix Corp. of CNY, Inc. (Mr. Nicholas Gazotis) for a two-lot subdivision on the west side of Route 11 approximately one mile north of the Route 11 & Route 20 intersection in an Industrial District.**

Chairman Nakas asked if anyone was present from Phoenix Corp. No one came forward.

Chairman Nakas said they would like to subdivide and sell one lot to Lok N Logs. The applicant should be asked who will clean up certain areas on the property.

Ralph Lamson said they have cleaned up everything. The only thing they haven't done is put up a fence.

Chairman Nakas wondered if the DEC should check over the property.

Ralph Lamson said they have been there several times.

Chairman Nakas thinks it would be good to bring these concerns up re: cleanup/fencing to the applicant when he appears before the Board.

**CASE # 293 – Appeal of Philip Piazza for a two-lot subdivision on the west side of Route 11 North approximately ¼ mile north of Winacre Drive in an Agricultural/Residential District.**

Mr. Piazza reviewed his map with the Board. He would like to sell Lot # 2.

John Langey said the Board will want to see that the State DOT will allow a driveway permit if this is approved.

The Board reviewed the map. It was noted Lot # 3 would not be a legal building lot as it's not 60,000 square feet. Mr. Piazza believes it is a separate tax map parcel now making this a 2-lot subdivision.

The Tax Maps were checked. They do not show this as a separate parcel. They show this parcel as all one piece totaling 17.83 acres.

Mr. Piazza will get with his surveyor and come back to the next meeting with a revised map and a letter stating approval for a driveway permit from the State DOT.

**CASE # 294 – Appeal of Jon Rogers for a 2-lot subdivision on the east side of Route 11 South of 2154 Route 11 in an Agricultural/Residential District.**

Jon Rogers reviewed his map with the Board. He wants to give 3 acres to his son. Chairman Nakas asked if this map was up-to-date. Jon Rogers said he just had it done. Chairman Nakas asked why it shows buildings that are no longer there. Jon Rogers wasn't sure. John Langey said the State DOT will have to give permission for a driveway. Jon Rogers said he already has a driveway and an address for the property. He has septic approval for Lot # 1. The perc test has been done on it too. Chairman Nakas asked how the water is. Jon Rogers said he's down 300' and has plenty of water. Chairman Nakas said the surveyor needs to update this map showing what the property looks like now and what it will look like with the subdivision. John Langey said he needs to show where the current house is as well as the well and septic. He should eliminate showing the buildings that are no longer there. A county referral is required. Chairman Nakas said this will be referred to the county once we receive an updated map. John Langey said if the applicant gets the septic approval in by the next meeting, he can submit this with the map to County Planning.

**CASE # 297 – Appeal of Nabil Bajjaly for Controlled Site approval for his property located at the southeast corner of Mondore Drive and Route 11 North in an Industrial District.**

Dan Sievers submitted a letter authorizing him to represent Mr. Bajjaly for this application. Mr. Sievers' boss is interested in this piece of property. Before he purchases it, he wants to know that he can do what he wants to do which is use this for a vehicle transfer station. Vehicles would arrive at this lot from mostly around the Syracuse area. Chairman Nakas asked if it would be new or used cars. Dan Sievers said used. Board Member Markoff asked where their facility is located. Dan Sievers said Waverly, NY. Board Member Markoff asked if these are all current year cars. He wants to confirm these will not be junk. Dan Sievers said there would be no junk vehicles. They want to fence the lot in and they have to have someone there during the day from 8 to 5 to receive the cars. Chairman Nakas said the fencing would be to secure them. He asked if there would be anyone there at night. Dan Sievers said no. They need an office for one person. He asked if it could be a trailer or do they need to build something? Board Member Quartier said it definitely cannot be a trailer. Board Member Peebles asked about pavement. Dan Sievers said it would be a stone road.

Board Member Markoff asked about the fence.

Dan Sievers said it might be a chain link fence or site restrictive fence, whatever the Board determines necessary. The lot can hold 250 cars. Their idea is to never have more than 50 cars on the lot. Could there be more than that at a time...yes. As soon as the vehicles come in, they plan on taking them off the lot within 2-3 days.

Board Member Markoff asked if the trucks would be on the premises or parking on the main road to take the cars out and drop them off?

Dan Sievers said trucks would load and unload only on the premises.

Board Member Quartier confirmed no work would be done on the premises.

Dan Sievers said no. A lot of their vehicles are just driven to the site.

Board Member Peebles asked if there would be a retail sales office there.

Dan Sievers said no.

Board Member Peebles said one of the neighbors' concerns with Mr. Bajjaly's last application was the test driving of the vehicles up and down Mondore Drive.

Dan Sievers said there will be no customers at this site. They deal directly with wholesalers.

Chairman Nakas asked if Mr. Bajjaly is going to do something with this land.

Dan Sievers said if they get approval for this, Mr. Bajjaly is going to sell the land to them.

Chairman Nakas said there was a lot of hours spent on Mr. Bajjaly's application. The Planning Board went through a lot at the time of his application in 1999. Three years has gone by and nothing has been done. He asked how many trucks Dan Sievers envisions going in and out of this lot.

Dan Sievers didn't know.

Chairman Nakas confirmed they will be loading and unloading on the property only.

Board Member Lasky asked which road they would be using for access to the property.

Dan Sievers said there is access from Route 11 and from Mondore Drive.

Board Member Peebles asked if the applicant was going to have a drive-in entrance and drive-out exit.

Dan Sievers said this is up in the air at this time.

Chairman Nakas said Mr. Bajjaly had a Controlled Site approval to buy and sell used cars at that site, you are seeking a Controlled Site approval to do something else at the same site and purchase the property.

Dan Sievers said that is correct.

Chairman Nakas asked if the Board has to rescind the old approval.

John Langey said if this new application is granted, the old one is gone. He is trying to decide what this falls under in the zoning.

Chairman Nakas confirmed this site would be used strictly for storage and movement of vehicles.

Dan Sievers said yes.

Councilor Smith asked if there would be additional lighting required.

Dan Sievers said there would be some type of lighting needed.

Chairman Nakas said the Board would want to be sure this was on site and wouldn't effect the neighbors.

Board Member Markoff asked if there would be any dogs or a sign at the site.

Dan Sievers said there would be no dogs. He's sure his boss would want a sign of some sort to let people know where they are located.

Chairman Nakas asked how large the building would be.

Dan Sievers said it needs to be big enough for an office and a restroom. They could follow the Planning Board's recommendation for this.

Board Member Peebles asked if it would be open year-round.

Dan Sievers said yes.

Chairman Nakas believes this should fall under some kind of storage as this is an application for controlled site approval for an automobile storage facility. He advised the Planning Board will need to see a site map showing fencing, signs, the proposed building, etc.

Mr. Sievers will be back to the next Meeting with a map showing as much detail as possible.

Board Member Markoff requested he define the lighting too.

John Langey would suggest he get a copy of the Minutes from Mr. Bajjaly's application to review the concerns the neighbors had at that time.

Chairman Nakas said this would be less obtrusive than the Bajjaly proposal.

Board Member Quartier said the primary concern of the neighbors was water usage.

**CASE # 299 – Appeal of Ethel West for a 2-lot subdivision on the east side of Apulia Road at 2934 Apulia Road in an Agricultural/Residential District.**

Mark Clemens was present to represent Ethel West for this application. He submitted a letter authorizing him to act on her behalf. He advised the farmhouse is on the property. They are splitting this off from the main farm.

Chairman Nakas asked the total acreage involved.

Mark said 90.55 acres. He will be cutting off 20-30 acres.

Chairman Nakas asked if they will be building a house.

Mark said the house exists.

Chairman Nakas wants him to be aware that they need 60' of road frontage.

Mark said the driveway is already there.

Chairman Nakas said to have a new map ready for the next meeting and the Planning Board can hold a public hearing and refer this to the county.

Mr. Gula was present to discuss his land consisting of 1.3 acres in LaFayette and ½ acre in the Town of DeWitt. He came to get a building permit a couple of weeks ago and Mr. Sutton thought it should be run by the Planning Board. The house will be in LaFayette.

Chairman Nakas asked where the driveway will be.

Mr. Gula said on Bamerick Road.

Ralph Lamson said it's one building lot that is split between the towns.

The Board saw no problem with this.

The Board returned to the Hughes application. The side yard setback is 20' from a building located behind a house. The question is, should 20' be the side yard requirement for this application?

Chairman Nakas will look at their map again and let them know whether it's 20' or 25' required for the side-yard setback.

**Board Member's Quartier moved and Markoff seconded the motion to adjourn. Motion passed unanimously.**

The Planning Board Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Mary Jo Kelly  
Secretary