

Minutes of the Planning Board Meeting held by the Planning board of the town of LaFayette on February 18, 2003, in the Meeting Room of the LaFayette Commons Office building at 2577 Route 11 in the Town of LaFayette.

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

Absent: Jim Quartier, Board Member

Recording Secretary: Mary Jo Kelly

Others Present: Sandy Smith, Councilwoman  
David Knapp, Councilman (Representing Applicant)  
Michael & Kristin McClary, 1690 Apulia Rd.  
John Langey, Town Attorney

Chairman Nakas called the meeting to order at 7:01 p.m. He asked if there were any corrections to the January 21, 2003 Minutes. There were none. The January 21, 2003 Planning Board Meeting Minutes will stand as submitted by the Secretary.

**CASE # 308 – Public Hearing for appeal of Malcolm and Bettye Knapp for a two-lot subdivision of their property located on the south side of Newell Hill Road approximately 1,400' from the Clark Hollow and Newell Hill Road intersection in an Agricultural/Residential District.**

A map dated August 2, 2002 by Denkenberger & Greene was submitted. David Knapp was present to represent the applicants.

Chairman Nakas asked him to run through the plan in general.

Dave said basically it's when you crest the first big hill it flattens out and that is where the property is located. They are basically knocking off a piece of that land for his cousin. The driveway is already in.

Chairman Nakas noted the map doesn't show where the driveway is.

Dave said Leon Cook put it in.

Chairman Nakas asked if there is approval from the County Health Dept.

Dave said they have done the perc test and septic design.

Chairman Nakas asked if they had drilled a well yet.

Dave said no.

Chairman Nakas asked if he had any idea how deep they would have to go.

Dave said his sister is down a couple of hundred feet. Nicholson's have no problems and Dot and Jim Keefe have no problems either. He doesn't anticipate any problem. If they are lucky, they'll hit the spring.

Chairman Nakas said this entire piece seems to be approximately 60' from the left side to the right side in elevation.

Dave wouldn't say no more than that.

Chairman Nakas said it looks like it goes from 1200' to 1260'.

Dave said it's relatively flat.

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

Sandy Smith asked if his parents had contacted the neighbors to see if they have had any problems with water.

Dave said there haven't been any complaints up there.

Sandy said they are having trouble now. The artesian well is gone. Pat and Jim Keefe live further down the hill and they have a problem. They don't even have enough water to heat their house any more.

Chairman Nakas asked how deep their well is.

Sandy said they just drilled another one and still don't have enough water. It just happened since the houses have been built up there.

Member Peebles said there aren't a lot of houses up there.

Sandy said it's been ongoing.

Councilor Knapp said no one has said anything. Victor Malia just built a house up there and hasn't said anything about water.

Chairman Nakas would believe everyone up there would have to go fairly deep.

Dave said yes.

Chairman Nakas asked for any other questions or comments.

There were none.

Chairman Nakas said because this is on a town road, it doesn't have to go to the county.

**Member's Markoff moved and Lasky seconded the motion to close the public hearing. Motion passed unanimously.**

**Member's Markoff moved and Lasky seconded the motion to appoint the Planning Board as Lead Agency, this is an unlisted action, a negative declaration for SEQR and to approve the preliminary and final plan with following conditions:**

- 1) **Final Plan to be submitted to the town.**
- 2) **Payment of all fees.**

**Motion passed unanimously.**

Chairman Nakas noted they did put some topographic lines right on the map.

**CASE # 307 – Continuation of Sketch Plan conference with Mr. Gula for a subdivision.**

No one was present to represent the applicant.

It was decided a letter would be sent advising the applicant would be removed from the agenda until a formal application is filed, Application Fee and Developer's Deposit paid and notification is received that they are ready to proceed and wish to be placed on the agenda again.

**CASE # 295 – Continuation of Appeal of Welsh/Morgan for a three-lot subdivision on Hallinan Road approximately 1,835' from the Otisco Rd. and Hallinan Rd. intersection in an Agricultural/Residential District.**

No one was present to represent the applicant's.

It was decided a letter would be sent advising the applicant's would be removed from the agenda until the Developer Deposit is paid and notification is received that they are ready to proceed and wish to be placed on the agenda again.

Michael and Kristin McClary were present to discuss doing a minor subdivision on Michael's parents property on McClary Road. He submitted an old survey map for the Board to see.

Chairman Nakas asked the total acreage of the parcel.

Mike said approximately 17.5 acres.

Chairman Nakas asked how big a piece the parents are keeping.

Mike said about 1 ½ acres.

John Langey said to be sure they are in compliance with all the setbacks.

Member Peebles said it looks like there should be no problem with that.

Mike said he has to check with the lawyer regarding the right-of-way. It was originally so his uncle could gain access to a piece of property which his father has now bought.

Chairman Nakas said he will need an approval from the County Health Dept. for the septic design. He will need to do a perc test. He will need approval from the D.O.T. for where the driveway cut will be. They want to be sure the site distance will be O.K. If they don't like it where he wants to put it, they will tell him where it can be. He asked if this was a county or town road.

Mary Jo checked, it is a town road.

Chairman Nakas said he will just have to check with Leon Cook about the driveway then.

Discussion took place regarding the right-of-way.

John Langey said the applicant's attorney, Maureen Perrin, should check into this. She can call him if she'd like to.

Chairman Nakas said to get a copy of the subdivision regulations so he can give them to his surveyor. When he has the map drawn up, this Board can have a sketch plan conference with him to go over everything and see if there's anything else he needs. They can then hold a public hearing. After the public hearing, this Board votes and that's it.

Mike said they aren't sure when they will be able to build.

John Langey believes they must file the map within 6 months of the Board's approval.

Chairman Nakas said he thinks it's good for 3 years from the filing date.

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

The Planning Board Meeting adjourned at 7:20 p.m.

Respectfully submitted,

Mary Jo Kelly  
Secretary