

Minutes of the Planning Board Meeting held by the Town of LaFayette Planning Board on September 16, 2003 at 7:00 p.m. in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette.

Present: James Nakas, Chairman  
Andrew Peebles, Member  
Richard Markoff, Member  
Barbara Lasky, Member

Absent: James Quartier, Member

Recording Secretary: Mary Jo Kelly

Others Present: John Langey, Planning Board Attorney  
Janet Conners, Meeker Hill Rd.  
Kevin and Laura Conners, Applicants  
Jim and Christine Cromley, Applicants  
Sandra Smith, Councilwoman  
Maurice and Carol Amidon, Applicants  
John Cotsonas, Applicant  
Maureen Perrin, Attorney  
Kurt Watson, 2776 Route 11  
John Dyer, 2617 Route 11  
Kenneth Schoeck, 6159 Weatherburn Circle

Chairman Nakas called the meeting to order at 7:00 p.m. He asked if there were any corrections or additions to the August 19, 2003 Meeting Minutes.

Member Peebles said at the bottom of page 5, the word “sight” should be changed to “parcel”.

Chairman Nakas said after CASE # 315 it should read “on the east side of Route 11”.

Chairman Nakas asked for any other corrections. There were none. He said the August 19, 2003 Planning Board Meeting Minutes will stand as submitted by the secretary with the above corrections.

**CASE # 317 Public Hearing for Jim and Christine Cromley for a controlled site approval at their property located at 3033 Route 11 approximately ½ mile north of the Sentinel Heights and Route 11 intersection on the west side of Route 11 in an Agricultural/Residential District.**

Chairman Nakas opened the public hearing. He noted the applicants are seeking a zone change at this time. He asked the applicants for a short presentation of their proposal.

Jim Cromley said they purchased the Bierman property which runs between Route 11 and Route 81. They are proposing to put a dog boarding kennel on the back

half of the property. There is a stretch of evergreen trees separating the front and back portions of the property. The maximum capacity is 50 kennels. They have submitted their septic plans to the County Health Dept. and have received approval.

Chairman Nakas said the Board is in receipt of a letter from the County Health Dept. stating the septic design will accommodate these dogs.

Jim Cromley said the building they are looking at only holds 44 kennels. The building will be an aluminum structure with acoustic steel inside to address the noise factor. There will be perimeter fencing around the building approximately 15' to 20' away from it. The fencing will be about 6' high. They are hoping to put a sign along the back property to advertise the business.

Chairman Nakas asked the public for any questions or comments regarding this application. There were none. He asked for any questions or comments from the Board. He noted the applicants submitted a lighting design showing the lighting will be on the building and will project down.

Jim Cromley said the flood lights will be motion activated.

Chairman Nakas wanted to be sure the neighbors on Route 11 wouldn't be adversely affected.

Christine Cromley said there's no way for that to happen as the trees hide the lighting.

Chairman Nakas asked the distance to the closest neighbor.

Christine Cromley said their nearest neighbors are the Chapman's who are up the hill and through the woods.

Chairman Nakas asked the status of their zone change request.

Jim Cromley believes they are on their way to getting approval from the Town Board.

Chairman Nakas said the applicants are currently located in an Agricultural/Residential District and would require the zoning to be Business for the kennel.

Jim Cromley said kennels are allowed in an Agricultural/Residential District if you own 40 acres of land. Lok'n Logs owns the property directly below them and is requesting a zone change too. The applicants are requesting to tag onto that property for the zone change.

Chairman Nakas asked what the hours of operation will be.

Jim Cromley said pick-up and drop-off would be 2 hours in the morning and 2 hours in the evening. It could be 8:00 to 10:00 a.m. or 9:00 to 11:00 am. And 5:00 to 6:00 p.m.

Chairman Nakas asked if the hours could be set at this time so the applicants and this Board are in agreement.

Jim Cromley said he would prefer not to set them at this time as he has to do a little research as to what his competitors will be doing. He can pretty much say there will be no drop-off or pick-up after 6:00 p.m.

Chairman Nakas asked about the morning hours.

Jim Cromley said if the Board would agree to the hours being 9:00 a.m. to 6:00 p.m., that would be good.

Member Peebles asked about appointments.

Jim Cromley said if someone was leaving town and couldn't drop-off or pick-up their dog during the regular times, he would like to be able to accommodate them. He can certainly try to limit this from happening.

Member Peebles said his concern is the lighting for customer traffic during early morning or late evening hours.

Jim Cromley said their plan is to receive the dogs from the customers in the parking lot and then walk the dogs back to the kennel. There is exterior lighting on their house now but they can always add more.

Member Peebles asked about the sign.

Jim Cromley said the town has a limitation of 4' x 8' for a sign. Basically, once you get within 50' of Route 81, you have to get approval from the state and obtain a permit. If they put the sign 50' or more away from Route 81, it wouldn't be as visible as they would like. They are planning on going forward in getting approval from the state and obtaining a permit. They will keep the size within the town regulations.

Member Peebles asked about the shed.

Jim Cromley said it's an existing structure and will be used for storage.

Member Peebles asked them to explain their driveway plan.

Jim Cromley said they tried to show the state requirements on the map. The State D.O.T. is going to come out and take a look at it. They believe it has to be 24' wide by 33' deep which allows exit and entrance for vehicles at the same time. The plan is to widen the driveway and put additional parking spaces in.

Member Markoff asked if this application is being held up waiting for the zone change approval.

Chairman Nakas believes this Board can give tentative approval with the expectation that a zone change will occur.

Member Peebles asked John Langey if customers go into the house, is this considered a home occupation?

John Langey said no.

Christine Cromley said customers won't actually be coming into the house. They will ring the doorbell and she or her husband will meet them and walk with them to the driveway.

There were no further questions or comments.

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

Chairman Nakas said this Board has heard back from County Planning. They want a 2-way driveway and once again they encourage the town to complete a corridor plan for Route 11 to manage expansion of commercial uses and protection of residential neighborhoods. He believes this is something that should be of concern to this Board in the future. He suggested having a special meeting with the Town Board and Planning Board to review this. He said the zoning request for this property is still to be decided. The hours of operation have been determined. He believes the Board can go ahead and vote.

**Member Markoff moved and Chairman Nakas seconded the motion to appoint the Planning Board lead agency, declare this as an unlisted action and a**

**negative declaration in the SEQR process and to grant final approval of this application with the following conditions:**

- 1) The hours of operation will be between 8:00 a.m. and 6:00 p.m. seven days a week.**
- 2) The driveway is built in accordance with the plan provided and gets the N.Y.S. D.O.T.'s approval.**
- 3) The zone change from Agricultural/Residential to Business is granted by the Town Board.**

**The motion passed unanimously.**

Christine Cromley asked if for some reason the D.O.T. comes out and decides the driveway needs to be moved a little, do they have to come back to this Board with the new plans?

Chairman Nakas said they only have to come back if the D.O.T. decides they can't have a driveway.

**CASE # 318 – Public Hearing for Kevin and Laura Connors for a 3-lot subdivision of their property located on the east side of Route 11 approximately ¼ mile north of the Meeker Hill Rd. and Route 11 intersection in an Agricultural/Residential District.**

Chairman Nakas opened the Public Hearing. He asked the applicants to give a short presentation of what they would like to do.

Kevin Connors said basically they are in the process of buying a 24 acre parcel pending the subdivision approval of 2 lots off the front of the parcel. The driveway for the large parcel will be onto Meeker Hill. The driveways for the two small parcels in front will be onto Route 11. He submitted a survey prepared by Cottrell Land Surveyors and updated August 20, 2003. Onondaga County Planning took no position on the application. They have approval from the D.O.T. for the 2 driveways onto Route 11 per the letter dated August 12, 2003 from the D.O.T.

Chairman Nakas said there have been questions in the past about Lot 3 at the rear of the property and the fact that if there is going to be further development of Lot 3, this Board will want to see a build-out plan. Lots 1 and 2 will have driveways onto Route 11 and Lot 3 will have driveway onto Meeker Hill. If the applicants plan to subdivide Lot 3 in the future, this Board will need more information.

Kevin Connors said they have no plans for further subdivisions.

Chairman Nakas asked for any questions or comments.

Member Peebles would like to know what will happen on Lots 1 and 2.

Kevin Connors said hopefully they will be able to sell them to people to put a house on. They are only subdividing these 2 lots off to be able to better afford this size of a parcel.

Chairman Nakas said the surrounding property owners need to be identified on the map.

Kevin Connors said he will contact the surveyor about this. He said the perk tests have been done. The surveyor has already spoken to the County Health Dept. about this.

Anything less than 5 acres requires a septic design so the surveyor is doing them for all 3 lots.

Chairman Nakas said they probably don't require one for Lot 3.

Kevin Connors said they are doing them all as eventually they will need one for Lot 3 too.

It was noted Thornapple Lane still appears on the map.

Kevin Connors said this was deeded back to the owner by the Town Board.

Chairman Nakas said when he gets the stamped approval from the County Health Dept. to contact him and he will be able to sign off on the map.

Member Peebles would like to see a condition that any further subdivisions must come before this Board.

Chairman Nakas noted the map is a Preliminary Plan. He asked for any further questions or comments. There were none.

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

**Member Markoff moved and Chairman Nakas seconded the motion to appoint the Planning Board lead agency and this is an unlisted action and a negative declaration in the SEQR process and grant final approval of this application with the following conditions:**

- 1) The map must be titled Final Plan.**
- 2) The map should name all surrounding property owners.**
- 3) The map will have an updated surveyor stamp.**
- 4) The map shall eliminate reference to Thornapple Lane.**
- 5) The name of the subdivision will be noted on the map "Conner Hill Estates".**
- 6) Approval of the septic designs by the County Health Dept.**
- 7) Any further subdivision of the parcels shall not allow access onto Route 11.**
- 8) A build-out plan will be supplied to this Board if any changes or resubdivisions are proposed.**
- 9) Applicants show proof of authorization for subdivision.**

**The motion passed unanimously.**

**CASE # 319 – Public Hearing for Maurice Amidon for a 2-lot subdivision of his property located at 2698 Route 11 on the east side of Route 11 approximately ½ mile north of the Route 11 and Route 20 intersection in a Business District.**

Chairman Nakas opened the public hearing. He asked the applicant to give a brief presentation of the proposal.

Carol Amidon said they are trying to sell their property. Most banks don't like to grant mortgages on property in excess of 5 acres. This parcel is 40 acres.

Chairman Nakas asked why that is.

Maureen Perrin said if the bank has to foreclose, they want the value locked in to the structure. They want to be readily able to sell at the foreclosure and large parcels don't sell as easily.

Carol Amidon said they are trying to simply take the house out of the parcel which would be 4.46 acres. The county, however, has made a recommendation that each lot only have one access onto Route 11. The structure on this property is over 100 years old so all the driveways except one they put in 5 or 6 years ago with state approval have been there forever. Their lot is tiered so if they have one driveway for the house, the owner can't get access to the sidewalk and stairs into the house. If they take out the second driveway, it takes away access to the back part of the property if you need to work on the septic or pond. They are trying to sell it and don't feel like they are in a position to pay to change driveways and put in new driveways that will take out gardens, etc.

Chairman Nakas said this is a 2-lot subdivision.

Carol Amidon said anyone who would like to develop the remaining 33 acre parcel would come to the town with their plans.

Member Peebles asked about the circular driveway.

Carol Amidon said the circular driveway will actually end if this subdivision is granted.

Member Lasky asked if the barns would stay with the larger piece.

Carol Amidon said yes. If they get approval from the LaFayette Fire Dept., the older structure may come down. The larger piece currently has a driveway to allow access to the lower level of the barn. There is another one that goes along the property line to the above portion of the parcel.

Chairman Nakas asked for any other questions or comments. There were none. He asked the Board what they wanted to do about the driveway recommendation from the county.

Member Peebles isn't concerned about two driveways on the smaller piece. He would add that any further development of the largest piece would have one single access.

John Langey said this could be noted on the map.

**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 make the Planning Board lead agency, this is an unlisted action and a negative declaration for the SEQR process and final approval is granted with the following conditions:**

- 1) Any further subdivision of Lot 2 shall have single access and be accompanied by a build-out plan.**
- 2) On the map, Lot 2 shall be labeled "This parcel has not been reviewed by the County Health Dept. for residential development".**
- 3) The map must be labeled "Final Plan".**

**The motion passed unanimously.**

**CASE # 320 – Sketch Plan Conference of John and Joseph Evans for a 2-lot subdivision of property located on the west side of Barker Hill Rd. approximately 1/10 mile south of the Smokey Hollow and**

**Barker Hill Rd. intersection in an Agricultural/Residential District.**

Chairman Nakas advised the applicants have withdrawn this application.

**CASE # 321 – Sketch Plan Conference for John Cotsonas for a resubdivision combining two of his lots into one which are located on the east side of Sugar Bush Drive approximately 203’ south of the Maple Grove Dr. and Sugar Bush Dr. intersection in an Agricultural/Residential District.**

Maureen Perrin was present to represent the applicant. She said they are requesting to combine Lots 17 and 18. They are combining two lots into one lot. She doesn't believe this is a subdivision or resubdivision.

John Langey said they are changing a lot which requires a public hearing so the neighbors are advised of the making of a new lot.

Maureen Perrin said a subdivision is the division of a lot. They are not dividing any lots.

Chairman Nakas asked if the state law says that if we are changing lots and lot size, we have to hold a public hearing.

John Langey said it's his legal opinion if a resubdivision exists, a public hearing must be held.

Chairman Nakas asked John Langey if it was his recommendation to hold a public hearing.

John Langey said yes.

Chairman Nakas said then that is what this Board should do.

The Planning Board was in unanimous agreement to hold a public hearing as that is what has been done in the past and it is the recommendation of the Planning Board's attorney.

It was determined that the application fee will be \$150 and the Developer Deposit \$300.00.

Chairman Nakas asked Maureen Perrin to let Mary Jo know if this property is located within 500' of North Rd. to determine whether it needs to be referred to County Planning.

Ken Schoeck introduced himself. He said he is the developer of Applewood Estates. Off the southern end of Ashburn Drive there has been a problem. He is proposing to give the town a turn-around off the end of Ashburn Dr. Since 1987 there has been a roughed-in road in existence. Now that he solely owns the adjoining property, he would like to alleviate his liability. He has already made the improvements to this section of the road and he's contacted Leon Cook. Leon is satisfied with what has been done and it meets or exceeds current highway specs. The turn-around takes in about 1/3 of an acre. He is looking to the Planning Board for their recommendation to the Town Board and guidance as to what he needs to do to be able to give this section of the road to the town.

Chairman Nakas asked if there would be any future development.

Ken Schoeck said hopefully sometime there might be but right now there are no plans to do anything.

John Langey asked if this had been before the Town Board yet.

Ken Schoeck said no. He came to the Planning Board first.

Chairman Nakas said if the rest of the Board is in agreement, the Board could send a letter to the Town Board requesting they accept this 1/3 acre. This Board would recommend to the Town Board that they accept this offering from Ken Schoeck and if there is any future development along Ellebrook Drive or in the direction of Ashburn Drive, that the town would be responsible for maintaining these two roads.

Ken Schoeck said he would provide the town with the tax search, title, etc.

Member Peebles asked if there is any work which needs to be done at that end to cap things off.

Ken Schoeck said it's posted and gated off at the end. His concern is just the liability.

John Langey said the letter would say the Planning Board discussed this and recommends the Town Board receive the end portion of Ellebrook Drive which is roughly 1/3 acre.

Ken Schoeck said it's 14,571.68 square feet.

John Langey said to reference Leon Cook has inspected this area and stated it exceeds or meets the town road specs.

**CASE # 322 – Sketch Plan Conference for appeal of Lloyd and Ann Amidon for a 2-lot subdivision of their property located at 5582 Amidon Rd. on the south side of Amidon Rd. approximately 950' east of the Summerridge and Amidon Rd. intersection in an Agricultural/Residential District.**

Maureen Perrin was present to act on the applicants behalf.

Chairman Nakas asked how there would be access to the 3 ½ acre parcel.

Maureen Perrin said it's being attached to Jeff and Kim Amidon's property.

It was determined that this application will not need to be referred to County Planning.

Maureen Perrin asked if County Health Dept. approval can be waived as they are not seeking a building permit.

The Board was in agreement with this request.

This will be scheduled for a public hearing at next month's meeting.

Chairman Nakas said the Shute family is looking to move their well drilling business into the DOOW Lumber building.

Ralph Lamson has made the decision that this is allowed as the DOOW Lumber building has not been vacant 6 months or more and it's the same type of business.

Chairman Nakas asked if it would require controlled site approval.

John Langey said in this particular case, Ralph Lamson has interpreted it is O.K.

Chairman Nakas said if Ralph Lamson had determined this should come before one of the boards, the hours of operation, etc. could have been addressed. It's Ralph Lamson's first call.

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

The Planning Board Meeting adjourned at 8:31. p.m.

Respectfully submitted,

Mary Jo Kelly  
Secretary