

November 18, 2003 – Planning Board Meeting Minutes

Minutes of the Planning Board of the Town of LaFayette held on November 18, 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
Bradley Bush, Alt. Member

Absent: James Quartier, Member

Recording Secretary: Mary Jo Kelly

Others Present: John Langey, Planning Board Attorney
Maureen Perrin, Attorney
John Cotsonas, Applicant
Mike & Kristin McClary, Applicants
Mrs. McClary
Doug Morris, Amidon Rd.
Kevin Conners, Applicant
Kim Conners
Jeffrey Cohen, Jamesville Grove
Joseph Jerry, Attorney

Chairman Nakas called the Meeting to order and welcomed everyone. He asked if there were any corrections or additions to the October 21st Minutes as submitted by the Secretary. There were none. He advised the October 21, 2003 Planning Board Meeting Minutes will stand as submitted.

CASE # 321 – Public Hearing for appeal of John Cotsonas for a resubdivision combining 3 lots into one on his property 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.

Chairman Nakas opened the public hearing. He asked the applicant to review their proposal.

Maureen Perrin was present to represent the applicant. She submitted a survey map prepared by Christopherson Land Surveying dated October 13, 2003. This is a combination of putting 3 lots together into Lot 18A.

Chairman Nakas asked if anyone was present to speak in favor of or against this application. No one came forward.

Chairman Nakas said Onondaga County Planning took no position on this application.

Member Peebles asked if a structure will be on Lot 18A.

Maureen Perrin said yes.

Member Peebles asked if there was one there now.

Maureen Perrin said no.

Member Peebles asked if any variances would be required.

Maureen Perrin said no.

Member Markoff asked if everything is on the map that was required.

Chairman Nakas said County Planning said Lots 17, 18 and 19 will be combined into proposed Lot 18A and Lot 16 will remain separate.

Member Peebles asked where the driveway would be located.

Mr. Cotsonas said there will be a loop driveway coming off of Sugar Bush and another driveway off of Watson Circle which will go directly into the garage. In the wintertime, he will probably only plow the one off of Watson Circle.

Member Peebles asked if Leon Cook has looked at both driveways.

Mr. Cotsonas said yes. He has already put in the pipe for them.

There were no further questions or comments.

Member's Markoff moved and Lasky seconded the motion to close the public hearing. Voting was as follows:

Chairman Nakas	Aye
Member Peebles	Aye
Member Markoff	Aye
Member Lasky	Aye
Alt. Member Bush	Abstain

Motion passed.

Member's Lasky moved and Markoff seconded the motion to declare this Board Lead Agency, this is an unlisted action, a negative declaration in the SEQ process and to approve this application with the conditions that have already been met with the filing of this new map. Voting was as follows:

Chairman Nakas	Aye
Member Peebles	Aye
Member Markoff	Aye
Member Lasky	Aye
Alt. Member Bush	Abstain

Motion passed.

Mr. Cotsonas said this is the third meeting they have held on this application and he wonders how this could have been streamlined more due to the cost to him. He thinks it was very excessive to go to 3 meetings.

Chairman Nakas said there are quite a few people who feel that way and he feels if this Board is going to do something, they are going to do it right. If they don't, it will be illegal. This Board has to have a sketch plan conference. They have to get the application to County Planning. They have to hear back from County Planning before making a determination. There is a certain process in place. This Board is mandated to follow county and state laws to make this process work.

Mr. Cotsonas said he appreciated the fact that after the second meeting he had to follow this process with an attorney involved and he felt the one area that had fallen through the cracks was the public hearing.

Chairman Nakas said the application had changed and other people needed to be notified.

Mr. Cotsonas said they ended up going into the third meeting because he had to put the pond on the map. This was another cost factor dealing with the survey. He asked the Board to appreciate the fact that these are costs and fees that aren't taken into consideration at the time the application is filed. These fees will probably be about \$1,000 that he has incurred just to build a house on 3 lots he has been paying property taxes on for years.

Chairman Nakas appreciates his comments but he believes when this Board is doing things, they have to do them right.

Mr. Cotsonas asked if it was necessary for the pond to be put on the map.

Member Peebles said yes it was. It's a regulation.

John Langey said the reason they had to go to another meeting was because what the applicant thought was 2 lots became 3 lots.

Mr. Cotsonas doesn't believe the process should be this extensive to change lot lines.

Chairman Nakas said he feels if he is going to volunteer his time, he would like to be sure it's done right.

CASE # 322 – Public Hearing continued for appeal of Lloyd and Ann Amidon for a 2 lot subdivision of their property located at 5580 Amidon Rd. on the south side of Amidon Rd. approximately 950' east of the Summerridge and Amidon Rd. intersection in an Agricultural/Residential District.

Chairman Nakas said this item will be removed from the agenda as no current map is available yet.

CASE # 323 – Public Hearing for appeal of Mike and Kristin McClary for a 2-lot subdivision of property located approximately 700' north of the McClary Rd. and Route 11 intersection on the east side of McClary Road in an Agricultural/Residential District.

Chairman Nakas opened the public hearing for this application.

Mike McClary submitted a map prepared by Cottrell Land Surveyors dated January 31, 2003 with a revision dated November 4, 2003.

Chairman Nakas said the problem has been with Lot 1. It's an undersized lot. He asked if originally this was all one parcel.

Mike McClary said they are different parcels and deeded differently.

Chairman Nakas said Lot 1 has always been 1.3 acres. Nothing he is doing has changed that. The minimum lot size for LaFayette is 60,000 square feet.

Member Peebles asked if this application has anything to do with Lot 1.

Mike McClary said no.

John Langey said Lot 1 was never subject to a subdivision process. He asked what year that lot was deeded out.

Mike McClary said 1965. The following lot was in 1978.

John Langey noted two of the lots they wish to combine would still create a substandard lot. He said he spoke with Cottrell today and advised they could take a little piece off the bigger parcel to make it a standard lot size.

Mike McClary asked why this has to be done.

John Langey said they can ask for a variance. This Board cannot approve a substandard lot. The surveyor has drawn a map indicating they wish to make 3 separate lots. This is a 2-lot subdivision.

Mike McClary said they are on separate deeds. He asked if there was any way to go forward without getting a variance.

John Langey said this Board can't approve this map with a substandard lot.

Chairman Nakas asked if they could eliminate Lot 1 from the map.

John Langey isn't sure why they included this on the survey. He asked if there was some kind of bank loan involved.

Mike McClary said no.

John Langey asked if they asked the surveyor to put these lots on the map. He asked why the surveyor didn't show the updated deed references.

Mrs. McClary came forward with the deeds and John Langey reviewed them with the map. He advised the map has to be updated with the correct names. The problem is that the applicant has submitted a map showing a 2-lot subdivision. They are saying they don't care about Lot 1 but it's on the map as part of the subdivision. The surveyor needs to pull that lot out. He doesn't have any idea why the surveyor put it on the map.

Chairman Nakas asked if there is a way to approve this with the condition that the surveyor takes Lot 1 off the map.

John Langey said the Board could make a condition that Lot 1 be gotten rid of and this is only a combining of the other 3 lots. There is still a slight discrepancy between the tax maps and the survey regarding acreage.

Mike McClary said it's 19.2 acres.

John Langey said when they file this map, tax mapping might pick it up. Marshall Taylor may also be able to make the change.

Chairman Nakas recommended excluding Lot 1 and combining the remaining 3 lots shown in Lot 2. He advised the Board has heard back from County Planning who proposed the following modifications: The dimensions of proposed Lot 1 shall be adjusted to meet the Town lot size requirements, the acreage discrepancy between the subdivision plan and the tax map for proposed Lot 2 shall be resolved, and written documentation shall be provided to the Town to show approval by the owner of the parcel comprising the southern end of proposed Lot 2.

Mrs. McClary said this must be revised by Cottrell. He needs to have the map showing just one large lot.

John Langey said the ownership of 3 of the parcels is the same. He asked the Board if they wanted to approve it with the conditions of seeing a new map.

Chairman Nakas would like to approve it now with the condition. He advised the applicant to get in touch with him when the map is completed so he can sign-off on it.

Member's Markoff moved and Lasky seconded the motion to close the public hearing. Voting was as follows:

Chairman Nakas	Aye
Member Peebles	Aye

Member Markoff	Aye
Member Lasky	Aye
Alt. Member Bush	Abstain

Motion passed.

Member's Lasky moved and Markoff seconded the motion to declare this Board Lead Agency, this is an unlisted action, a negative declaration in the SEQR process and to approve this application with the following conditions:

- 1) A new map be submitted with Lot 1 eliminated and combining the remaining parcels into one lot.**
- 2) The reference to John and Pauline McClary shall be removed from the map.**

Voting was as follows:

Chairman Nakas	Aye
Member Peebles	Aye
Member Markoff	Aye
Member Lasky	Aye
Alt. Member Bush	Abstain

Motion passed.

Sketch Plan Conference – subdivision of Jeffrey Cohen property located on west side of Route 91 approximately 1 mile north of the Ransom Road and Route 91 intersection in an Agricultural/Residential District.

Joseph Jerry was present to represent the applicant. Jeff Cohen is proposing to change Jamesville Grove into a development. He reviewed the preliminary plans for this. If they go forward with this, the banquet building will be torn down. They are here to hear the Planning Board's thoughts and particularly if there are any reservations or concerns the Board has.

John Langey asked how large the lots are.

Joseph Jerry said 60,000 square feet plus.

Member Peebles asked if this is the entire parcel.

Joseph Jerry said it's the entire 33 plus acres that is Jeffrey Cohen owns.

Member Markoff asked about the water supply in the area.

Joseph Jerry said they have been told by their planner that there shouldn't be a well or septic problem for this subdivision at all. They will make certain each lot perc and each lot has it's own well capability.

John Langey asked if they are doing it in phases.

Joseph Jerry isn't sure. He thinks they will but it will depend on what builder or builders they get involved with.

John Langey said it looks like they are proposing a road that they will want to give to the town after construction. Is there a distance for this road.

Joseph Jerry said it's over 400'.

John Langey said one of the things that is a potential concern is the idea of a cul-de-sac and fire access. He thinks there is a regulation on the length of the road without a second access. If the Board likes the cul-de-sac approach, they need to think how they would like it to look. These folks are just looking to see if the Planning Board thinks it's a good concept.

Chairman Nakas asked who would plow the road.

Joseph Jerry said the town would.

John Langey asked how the drainage would work.

Joseph Jerry said it really is preliminary. There may be a possibility of loosing one lot or making a couple lots smaller as they may need a retention basin.

John Langey said the topo map will help with this determination.

Member Peebles said this Board would have to take a close look at the drainage with it being so close to the water.

Joseph Jerry said without doing a topo, they aren't sure about this yet.

Chairman Nakas believes the town engineer should review the plans too.

Joseph Jerry said their planner has already talked with John Dunkle about this.

John Langey asked if they are proposing any stop signs.

Joseph Jerry said they haven't thought about that yet.

Chairman Nakas asked if there is any use for this area now.

Joseph Jerry said at this particular juncture, it has had intermittent use. There was some usage last summer.

Member Peebles asked what their thoughts were regarding the structures. What would people along the lake see?

Joseph Jerry said they discussed this. You are talking 60,000 square foot lots which would permit some fairly large size homes. The lots with the water access could be pretty expensive lots. You could have some rather large homes. They were thinking it might be 3,000 square feet minimum per house. They would definitely have covenants.

Chairman Nakas said the Board would want something in writing from John Dunkle regarding the drainage. Would there be need for a retention basin?

Joseph Jerry said they need to know these things themselves.

John Langey said he can do a letter to John Dunkle advising the Planning Board has begun looking at this proposal and would like him to address the drainage, lot layout, and whether a punch through is needed for Route 91. A copy of the plans should probably be sent to the fire department to see if they have any concerns.

Chairman Nakas recommended sending a copy of the plans to Leon Cook for his review.

John Langey said this will be referred to John Dunkle with a copy to Leon Cook and the fire department to review and advise any concerns they might have.

Member Peebles asked if this Board should see any kind of dock plans.

Joseph Jerry said this is really preliminary.

Member Peebles asked how deep the water is.

Chairman Nakas asked if there would be other recreation features at the area noted "Open Space/Lake Access" such as picnic tables, etc.

Jeffery Cohen said there could be. It's about $\frac{1}{2}$ to $\frac{3}{4}$ of an acre. The water is very shallow there so he would have to dredge it.

Chairman Nakas confirmed that everyone who lived in this area could have access to the lake.

Jeffery Cohen said yes.

Chairman Nakas asked if there would be a beach there.

Jeffery Cohen isn't sure. If you are going to dock boats there, you don't want to have a beach there too.

John Langey said this will have to be referred to the town engineer at the pace the designers progress.

Chairman Nakas asked when they plan on starting construction.

Jeffery Cohen said as soon as possible.

Joseph Jerry said it must go to County Planning, etc.

Jeffery Cohen said right now there are a lot of heavy trucks using the existing road to turn around. He would rather keep the cul-de-sac to keep it more closed off and private.

Joseph Jerry said Jeffery Cohen is planning on presenting this to several builders for their input.

**CASE # 324 – Sketch Plan Conference - Kevin and Laura
Connors for Controlled Site Approval for a private stable on
their property located on the north side of Meeker Hill Rd.
approximately 1/8 mile east of the Route 11 and Meeker Hill
Rd. intersection in an Agricultural/Residential District.**

Chairman Nakas noted Kevin Connors has put together a very comprehensive packet including a sketch plan survey. He asked Kevin Conner to just run briefly through his proposal.

Kevin Connors said he and his wife have over 27 years of horse experience between the two of them. They are seeking approval for an 8-horse private stable. They own 18 acres. They positioned the barn beyond the required 200' from the property line as shown on the survey. He submitted a copy of a survey showing the topography of the land. Basically it is a lot right off of Meeker Hill Rd. There is a ravine and woods on the back of the property.

Chairman Nakas asked how far it is off of Route 11.

Kevin Connors said approximately 433'. There's a 60' access off of Meeker Hill Rd. They are planning on putting in a 12' wide driveway. He is waiting for the final survey from Cottrell Land Surveyors showing the buildings. The barn is just over 200' from any lot line. There are no structures on the property yet. The map he submitted shows all the proposed buildings, well and septic system. He spoke to most of the neighboring property owners to find the location of their wells. Right now they only own 2 horses.

Chairman Nakas said one thing he might want to be aware of is that he has listed 15 surrounding land owners. Some of these people may not be too thrilled about 8 horses running around. He might want to be prepared to respond to their concerns at a public hearing.

Kim Connors advised Tanglewood Farms will take all the manure on a weekly basis.

Kevin Connors said Cottrell is completing the final survey. They do have an agreement with Tanglewood Farms for the acceptance of all the manure. They have 62 horses at Tanglewood.

Chairman Nakas asked what they do with all their manure.

Kevin Connors said they pile it and after awhile it decomposes and they sell it.

Chairman Nakas asked where it will be stored for the week prior to being taken care of.

Kevin Connors said it will be stored in the barn or next to the barn.

Chairman Nakas is wondering where it would be least offensive to the neighbors. This is something to think about.

Member Peebles asked if the whole 18 acres would be fenced.

Kevin Connors said a lot of it will be but not all of it.

Member Peebles said the fenced area will dictate the number of horses.

Kevin Connors said they were going with the 8 horses as they own the ample amount of acres.

Member Peebles said it must be usable grazing land.

Kevin Connors said they would have to have the surveyor determine this.

Kim Connors said the woods is less than 2 acres.

Chairman Nakas asked how many horses they wish to have.

Kevin Connors said in the future, 8 horses would be the maximum. They are never going to turn it into a public stable. They currently have 2 horses. His wife's horse is not able to be ridden any more. They would like to get her a new horse to ride. If they have kids, they might want to get a pony for each of them.

Chairman Nakas said just remember, the 2 acres must be usable, grazable land. If you fence in an area and the horses will never be outside that area, the area outside it is not useable. The question is where will they go to graze and how much will they be able to graze on.

Kevin Connors said he could hotwire another area and then it would be O.K. If he did that, he thinks it would be less attractive to the neighbors.

Chairman Nakas said he might want to keep the woods area as a buffer zone.

Kevin Connors said he isn't planning on fencing in the woods. He said eventually he would like to run a roof off of the back of the barn with just posts down so he could store equipment there so it would be out of sight. They are proposing exterior lighting outside the main doors of the barn which will consist of two 35 watt pressure sodium fixtures mounted on either side of the doors. They will be controlled by a timer. There will be exterior lighting by the outdoor riding ring of one or two 175 watt metal halide lighting fixtures mounted on a pole. The only time these will be used is if he or his wife wish to ride at night. There will be general lighting for walking back and forth from the barn to the house as the barn is approximately 50' from the house. This will consist of two 120 watt halogen outdoor lights mounted on the barn. The lighting inside the barn will be high output fluorescent fixtures mounted to the 10' high barn ceilings. The fencing will be 4x4 pressure treated posts set 8" apart. They will be 8' posts with 3' under ground. The rails will be made of 1" x 6" x 16' Hemlock boards. The 3 boards will be staggered to increase the strength. There will be electric fencing inside the wooden fence. At this point in time they do not have a trailer. If down the road they should purchase one, it will be stored in back of the barn.

Chairman Nakas recommended the survey show the fencing on it. If all the fencing will not be done right now, it could be proposed in phases.

Kevin Connors said he would rather seek the approval for all 8 horses now rather than to have to come back every time he wished to purchase a horse.

Member Peebles recommended the acreage be itemized inside the fenced areas to determine useable grazable land.

It was decided the approval could be granted with conditions that fencing be completed for the required usable grazing land prior to increasing the number of horses. This is something the Code Enforcement Officer would have to follow-up on.

It was recommended the distances be shown on the survey from buildings to the property lines.

Member Peebles believes this is the best prepared application they have had. This will be scheduled for a public hearing on December 16th.

John Langey discussed the DeCuffa subdivision from 1999 regarding a piece of property partly in the Town of LaFayette and partly in the Town of DeWitt. At that time Mr. DeCuffa switched some land with Mr. Gula and the Board had the map show the notation that the land was not an approved building lot. Now they are asking for this to be removed from the map as it is accessible from the Town of DeWitt. This piece of property has lot frontage in DeWitt.

Members Markoff moved and Lasky seconded the motion authorizing the Chairman to sign the affidavit stating the Planning Board agrees to the removal of this notation from the map regarding Lot 2 not being a building lot. Voting was as follows:

Chairman Nakas	Aye
Member Peebles	Nay
Member Markoff	Aye
Member Lasky	Aye
Alt. Member Bush	Aye

Motion passed.

The Planning Board Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Mary Jo Kelly
Secretary