

Minutes of the Planning Board of the Town of LaFayette held on January 20, 2004 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
Richard Markoff, Member
Barbara Lasky, Member
Bradley Bush, Alt. Member (arrived 7:30)

Absent: James Quartier, Member

Andrew Peebles, Member

Recording Secretary: Mary Jo Kelly

Others Present: John Langey, Planning Board Attorney
Maureen Perrin, Attorney
Kevin Conners, Applicant
Laura Conners, Applicant
Kim Conners, Meeker Hill Rd.
Dan Oot
Thomas V. Dadey, Applicant
Mark Dadey, Applicant
Darcy Pease, N.Y. LaFayette LP
Bruce Freund, Sentinel Hgts. Rd.
Jim Damiano, Applicant
Sean McCarthy, Applicant
Angelo Bassani

Chairman Nakas welcomed everyone. He asked if there were any changes to the December 16, 2004, Meeting Minutes. He had one on page 2. Line 9 should read “from” in place of “form”. There were no other corrections or additions. He said the December 16, 2004 Meeting Minutes will stand as corrected.

Chairman Nakas noted there were a couple of additions to the agenda.

CASE # 324 - Public Hearing for appeal of Kevin and Laura Conners for controlled site approval for a private stable on their property located on the north side of Meeker Hill Road approximately 1/8 mile east of the Route 11 and Meeker Hill Road intersection in an Agricultural/Residential District.

Chairman Nakas opened the public hearing. He asked the Conners to give a short run-down of what they would like to do. He said this is a public hearing so anyone can comment for or against the application.

Kevin Conners said he and his wife are proposing to have their private stable on their land with up to a maximum of 6 horses. They have a fencing plan and a manure

management plan. If there are any questions, he will try to answer them and he has some packets to hand out explaining their proposal.

Chairman Nakas asked if there were any questions.

Angelo Bassani asked where the property is located exactly.

Kevin Connors showed him on the map.

Angelo Bassani asked if it would be just for their personal use.

Kevin Connors said yes. He gave Angelo Bassani a packet to review.

Chairman Nakas asked if there were any other questions or comments.

Angelo Bassani asked if he would be doing any breeding of the horses.

Kevin Connors said no.

Chairman Nakas asked if there were any questions from the Board.

Member Markoff said no. It was very well presented.

Chairman Nakas said the Board has heard back from the County Planning Board who felt the application should be modified as follows:

“The applicant must verify to the Onondaga County Department of Transportation that the proposed development would not create additional stormwater runoff into the county’s drainage system...”

Chairman Nakas advised the applicant has submitted a letter from James Stelter of the Dept. of Transportation dated January 20, 2004, stating he has reviewed the applicant’s grading plan and finds the referenced proposal does not create additional stormwater runoff into the County’s drainage system and a mitigation plan is not necessary for this proposal. This makes the modification condition from the county mute.

John Langey said the applicant was going to submit a revised plan.

Kevin Connors said they did submit one showing a revised fencing plan.

The Board reviewed the revised plan.

Chairman Nakas asked for any further comments or questions. There were none.

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 declare this Board Lead Agency, this is an unlisted action, a negative declaration in the SEQR process and to grant Controlled Site approval to the applicants per plans dated November 14, 2003 and prepared by Cottrell Land Surveyors, P.C.

Sketch Plan Conference with Dan Oot regarding Controlled Site Approval for Tax Map # 022-03-05.1

Dan Oot said the property is next to the Mondore Auto Auction. He is in the helicopter business. He would like to build a 48’ x 60’ barn and move his operation out here.

Chairman Nakas noted the property is located on the north side of the Syracuse Auto Auction on the west side of Route 11.

Dan Oot said he has two helicopters. They do most of their business in the summer and very little business in the winter.

Chairman Nakas asked if there was an aviation group that would look at the site regarding safety concerns, etc.

Dan Oot said no.

Member Markoff asked about the noise level.

Dan Oot said Route 81 would make more noise than these helicopters.

John Langey asked if the parcel he is looking to put the business on is a stand-alone parcel.

Dan Oot said yes.

John Langey asked if he has to file flight plans when he goes up.

Dan Oot said no.

John Langey asked him to describe the nature of the business.

Dan Oot said a commercial helicopter business. They do training, give rides, etc.

John Langey said he would be training new pilots how to operate helicopters.

Dan Oot said yes.

Member Markoff asked if that would be done away from this site.

Dan Oot said yes.

Member Lasky asked if he would have fuel tanks on the property.

Dan Oot said they have an 800-900 gallon truck that they use.

John Langey said the applicant is seeking controlled site approval.

Chairman Nakas asked if this was something John Dunkle could look at.

John Langey said at this point, it's more a matter of interpretation. Down the road it might be sent to John Dunkle to review.

Chairman Nakas was surprised that there isn't some type of regulating agency.

John Langey would recommend Ralph Lamson take a look at this. He said this might be a specific permit rather than controlled site approval. He would like to have Ralph Lamson review it. He asked if Dan Oot could get the information regarding noise levels.

Chairman Nakas asked if this would fall under controlled site or specific permit.

John Langey said he would like Ralph to take a look at this first as it's really his first call.

Chairman Nakas asked about fencing.

Dan Oot said part of it would be fenced.

Chairman Nakas asked if he had spoken to any of the surrounding property owners.

Dan Oot said no.

John Langey said the way the code reads, if it doesn't address something being allowed, it's not. Ralph can recommend the applicant go to the Zoning Board of Appeals for interpretation. He doesn't see anything in the Zoning Ordinance that mentions this exact type of business. He will review the ordinance further. He would recommend Dan Oot go to Ralph Lamson first. If Ralph determines there's nothing in the Ordinance, it can go to the Zoning Board of Appeals for their review and interpretation of what the applicant should do.

CASE # 327 - Sketch Plan Conference for appeal of Thomas V. Dadey for a 2-lot subdivision of his property located on the northeast corner of the Route 20 and O'Connell Road intersection in an Agricultural/Residential District.

Thomas Dadey said he has about 90 acres. He and his wife live on the south side of Route 20. On the north side, they own a 12-acre parcel. Mark Dadey wants to build a house on the property so they are asking the Planning Board for permission to approve a minor subdivision of 2 lots. One lot would be 6 ½ acres and the other would be 5 ½ acres.

Chairman Nakas said he couldn't find a right-of-way on the survey.

Thomas Dadey said it's not on there.

Chairman Nakas said that might be something this Board would want to see.

Thomas Dadey said as far as they know, it's on the north boundary line. Mark Dadey has a phone call in to the phone company regarding the easement.

Mark Dadey said the surveyor said there is an easement but he didn't show it on the map.

Chairman Nakas said if the land was ever sold, the buyer would want to know where this is.

Thomas Dadey said they would have to get a sign-off from the phone company.

Chairman Nakas asked what the name of the subdivision is.

Thomas Dadey said the "Dadey Subdivision". Mark Dadey would be building on Lot # 1.

Chairman Nakas asked if they had approval for the driveway cuts.

Thomas Dadey said yes. He submitted a letter from the County Health Dept. dated December 11, 2004 stating they have a conceptual approval of the septic. They have also dug a well and gotten water.

Chairman Nakas said this would have to go to the county.

Thomas Dadey submitted a map showing the driveway cuts dated 12/03/2003.

Chairman Nakas said this will be scheduled for a public hearing to be held next month.

CASE #328 - Sketch Plan Conference for appeal of Dawn Olivadoti and Mary Meyer for a 3-lot subdivision of their property at 3457 Eager Road located on the west side of Eager Road approximately 1 ½ mile north of the Reidy Hill and Eager Rd. intersection in an Agricultural/Residential District.

Maureen Perrin was present to represent the applicants.

Chairman Nakas asked if Lot # 3 is landlocked.

Maureen Perrin said Fred Taylor's property borders this lot and he will be purchasing it.

Chairman Nakas said this will not be separate lot then. Lot's # 1 and # 2 will still have access onto Eager Road.

Maureen Perrin said no building permits are being sought. Tom Verdow lives next to Lot # 1 and is buying it. Dawn Olivadoti will be keeping Lot # 2.

John Langey asked if the Board wanted the surveyor to put notes on the map that Lot #1 will be conveyed to Tom Verdow and Lot # 3 will be conveyed to Fred Taylor and Lot # 2 will be retained by the applicant.

Chairman Nakas asked if this will be surveyed.

Maureen Perrin asked what the Planning Board needs.

John Langey said a survey and septic design are required. The Board can waive the septic design as long as the survey map notes they are not approved building lots.

Chairman Nakas said a survey will be done, it will indicate where Lots # 1 and # 3 are going and the applicant won't need a septic design.

John Langey asked if the county will file the maps if there is a note stating it's not an approved building lot.

Maureen Perrin said the county doesn't require septic designs if it's a certain acreage. They do have a stamp which says "Public Health Department action not required" so the map can be filed. She advised she can't commit that Tom Verdow will be combining Lot # 1 with his other property.

John Langey said Lot # 3 would have to be combined with the Taylor property or it would be landlocked.

Maureen Perrin said the Health Dept. may want a perk test on Lot # 2.

Chairman Nakas said if it's not a building lot, why would they want to have it perked?

Maureen Perrin said her understanding is if you have created a lot, they need to know it's usable. The county figures if a lot is over 5 acres, a septic system can be put in. As both lots are over 5 acres, they will both be O.K.

John Langey said if you get a subdivision approval and you don't file the maps for a certain period of time, the subdivision becomes mute.

Maureen Perrin confirmed the Board doesn't need the topo's.

Chairman Nakas said the surveyor could just drop them on the map.

John Langey asked the name of the subdivision.

Maureen Perrin said "Olivadoti/Meyer Subdivision".

Chairman Nakas advised this will need to go to County Planning. This will be on the agenda for next month's meeting.

Sketch Plan Conference with Mr. Damiano regarding the Syracuse Auto Auction.

Mr. Damiano said they would like to put up a new building.

Chairman Nakas asked the size and if it would be as large as the current facility.

Mr. Damiano said it's about the same size as the original bay which is about 6,000 square feet. The new building will be about 7,200 square feet.

Chairman Nakas asked if anything would change in terms of hours of operation, lighting, traffic, etc.

Mr. Damiano said the hours of operation will stay the same with the same amount of people.

Member Lasky asked if they will be taking the old building down.

Mr. Damiano said no. They are raising the new building up a little to stop the flooding problem they have. They need storage space which they will use the old bays for.

Chairman Nakas asked about lighting.

Mr. Damiano said the existing lighting should be adequate. He does have lights over the doors that are like nightlights and they shine down.

Chairman Nakas asked if they had talked to any of the surrounding property owners.

Mr. Damiano said he spoke to Mrs. Mondore across the street and she is in favor of it. He spoke to a couple of people up the street who seemed to be in favor of it too.

Chairman Nakas said he has heard the compliments regarding this business. He has only heard one complaint which was from a person who was unhappy with people who had purchased a vehicle from the auction and were road testing it up and down Mondore Drive.

Mr. Damiano asked about how long ago that was.

Chairman Nakas said maybe a year or two ago.

Mr. Damiano said they can solve that problem very quickly by putting a security officer on Mondore Drive to stop it.

Chairman Nakas asked what impact this will have on any existing drainage. Would the area that is paved be increased?

Mr. Damiano said that is difficult to answer. Almost all of that property at one time or another was paved. He is going to have to do a little more paving.

John Langey believes the applicant will have to show a Storm Water Management Plan or prove to the county that there won't be any runoff. The map will have to be modified. A new survey will have to be obtained. The additional parking will need to be shown. The exact location of the new building will need to be shown too along with the paving, etc. He would recommend with a commercial entity that the town engineer review this.

Mr. Damiano said one concern in relation to the flooding is that he has spent \$20,000 to try to solve the flooding problem. The DOT won't dig out the ditches.

Chairman Nakas said the applicant will need an architectural type design showing the new building, parking, measurements, lighting, etc.

John Langey said the Board will look to see that everything is oriented, screening, signs, means of access, landscaping and architecture so that the flow, control and safety of traffic shall not be adversely affected to an unreasonable degree. There shall be reasonable compatibility on all respects with any structure or use in the neighborhood, actual or permitted, which may be directly and substantially affected. There shall not be any unreasonable detriment to any structure or use, actual or permitted in the neighborhood and there shall be reasonable provision for open space, yards and recreational areas appropriate to the structure and use.

Chairman Nakas asked if all traffic coming in and out would be off from Route 11.

Mr. Damiano said it would all remain the same as it is now. The only change would be the new building. He is concerned about the drainage issue when the surrounding properties are draining onto his property.

Discussion took place regarding a retention basin.

John Langey said this may be an expansion of a nonconforming use. The property is zoned Industrial and the Zoning Ordinance does not mention auto sales being allowed. This business originally came in for controlled site approval so it grandfathered in any zoning changes. This would be a grandfathered use that they are asking to expand.

Chairman Nakas said Mr. Bajally came before this Board with a request to sell used cars across the road from this business.

John Langey would like to have Ralph Lamson take a look at this to see if this fits into one of the definitions of the Zoning Ordinance and to decide which Board it should go before.

CASE # 326 - Appeal of NY LaFayette Limited Part. for a two-lot subdivision of their property located on the northwest corner of the Route 11 and Moltion Road intersection in a Business District.

Darcy Pease was present to represent the applicant.

John Langey noted the setback must be determined for the barn. He asked where the septic system was located for the apartment building.

Darcy Pease wasn't sure exactly where it is.

John Langey said the septic and well should be noted on the map. He said the Board will need to look at the old controlled site approval to see what was decided when that was granted.

Chairman Nakas said the existing driveway for Lot # 1 should be shown and a proposed driveway for Lot # 2. This new driveway cut will need approval from the DOT.

John Langey said since this was approved as a multiple family, the side-yard setback is 50'.

Chairman Nakas said the barn must be 50' from the boundary line.

John Langey said the maximum lot density is 6,000 square feet per dwelling unit. The applicant must be sure when they subdivide that they don't decrease this density. Be sure the certifier shows calculations on this. For every apartment they have, they have to show 6,000 square feet of lot area.

This will be on the agenda for next month's meeting.

CASE # 325 - Appeal of Sean McCarthy for a 2-lot subdivision of his property located on the south side of Route 11A approximately ½ mile north of the Route 11A and Tully Farms Road Extension in an Agricultural/Residential District.

Sean McCarthy was present. He advised he would like to subdivide two 60,000 square foot lots out of his 22-acre parcel.

Chairman Nakas said he needs to get the surveyor to show the actual piece and the two parcels he will be cutting off of the whole parcel. A septic design will be required. Driveway cuts need to be shown and permission granted. The County Health Dept. will need to approve the septic design and a perk test must be done. This can be scheduled for a public hearing to be held at the next Planning Board Meeting providing Sean McCarthy gets the map submitted in time to go to County Planning.

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

The Planning Board Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Mary Jo Kelly
Secretary