

Minutes of the Planning Board Meeting of the Town of LaFayette held July 20, 2004 in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette at 7:00 p.m.

Present: James Nakas, Chairman
Andrew Peebles, Member
Richard Markoff, Member (Arrived 7:07 p.m.)
Barbara Lasky, Member
Bradley Bush, Member (Arrived 7:03 p.m.)

Recording Secretary: Mary Jo Kelly

Others Present: John Langey, PB Attorney
Mary & George Earle, Applicants
Paula Naselli 4184 W. Shore Manor
Kristin Kim, 4430 W. Shore Manor
Bonnie Seeman, 4160 W. Shore Manor
Ann Chase, 4132 W. Shore Manor
Steve Barclay, Applicant
John Storrier, Jr., Applicant
McKenzie McElhannon, Applicant
Ted Bay, 4252 W. Shore Manor
Katheryn Bolsei, 4264, W. Shore Manor
Diane Klossner, 6650 Palladino Rd.
Tim Brayman, 2051 Jamesville Terrace
Sheila Harrington, 2055 Jamesville Terrace
Elaine Rothschild Sale, 4127 Jamesville-Pompey Rd.
Marcia Rothschild, 4127 Jamesville-Pompey Rd.
Karen & Jim Prower 4190 W. Shore Manor
Jim Brown, 4190 W. Shore Manor

Chairman Nakas welcomed everyone to the meeting. He asked if the Board had any corrections or additions to the June 15, 2004 Meeting Minutes. There were none. Chairman Nakas said the Minutes will stand as submitted by the Secretary.

Chairman Nakas advised there are 3 items on the agenda where the applicants have called to advise they will not be on the agenda for tonight. Case No.'s 331, 337 & 341 will be removed from tonight's agenda. He pointed out that Mr. Keplinger who is the representative for Mr. Cohen did indicate that Mr. Cohen will undertake what is known as a Phase 1A Archaeological Study. They have retained the services of Pratt & Pratt who are recognized experts in Archaeological Studies. This is a literature type study. If archaeological sensitivity is determined, they will go to a Phase 1B investigation which would involve taking cores out of various spots on the site and bringing them up to look for remains of various types. Anyone present for these 3 applications is certainly welcome to stay but the Board won't hear from these applications this evening.

Ann Chase asked if one of the applicant's came in at 10:00, would they be recognized?

Chairman Nakas would see no reason for them to be here at 10:00.

Ann said but what if they were?

John Langey said he talked to their attorney and they are not coming.

Chairman Nakas said they have told us they will not be coming.

Ann Chase asked if they would be recognized if they did come.

John Langey said if they have taken themselves off the agenda, the Chairman doesn't have to recognize them

Chairman Nakas said if they came just to ask some questions, sure they would be allowed to do so. Nothing will be slipped under the door.

CASE #335 - Continuation of appeal of Mr. DeRollo for a 2-lot subdivision of his property located at 4131 Route 91 approximately 1 ½ mile

south of the Route 91 and Route 173 intersection in an Agricultural/Residential District. (Tax Map No. 001.-05-13.2)

No one was present to represent the application.

Chairman Nakas said the case was postponed last month and the Board was forced to deny it because of a 60-day time-frame. They did this with the understanding they would try to reopen the case this month and possibly make a determination.

CASE # 331 - Continuation of appeal of Jeffrey Cohen for a 21-lot subdivision of his property located at 4065 Route 91 approximately 1 ¼ mile south of the Route 91 and Route 173 intersection on the west side of Route 91 in an Agricultural/Residential District. (Tax Map No.'s 001.-05-14.1 and 001.-05-14.2)

Applicant requested to be removed from tonight's agenda. Will be on agenda for August meeting.

CASE # 337 - Sketch Plan Conference for appeal of John & Sandy Kinsella for a 2-lot subdivision of their property located at 6230 Smokey Hollow Rd. approximately 1 mile east of the Barker Hill Rd. and Smokey Hollow Rd. intersection in a Residential/Multi-Family District. (Tax Map No. 001.-03-23.1)

(Spoke with attorney. They are not ready this month but wish to continue at the August meeting.)

CASE # 341 - Continuation of appeal of CRAM Communications, LLC for a resubdivision of their property located approximately 1600' north of the Webb Rd. and Groth Rd. intersection in an Industrial District. (Tax Map No.'s 16-025-05-12.2 & 16-025-05-14)

The applicant will not be ready until the August meeting.

Sketch Plan Conference for George and Mary Earle for subdivision of her property on Eager Road.

Mary Earle submitted some information on the Save the County Land Trust. She had copies of the tax maps. The property they are interested in donating to Save the County is all a part of their property off of Eager Rd.

Chairman Nakas asked where the ponds are.

Mary Earle showed him on the maps and said the land they wish to donate is behind the ponds. The land is all of the land to the east of the stream that runs all the way down to the railroad tracks. Save the County requires a 6' right-of-way so you can walk into the property. There's already a road that goes down through part of their property and crosses the stream and accesses the rest of the property.

Chairman Nakas asked if this would require a subdivision.

John Langey asked if Save the County will be paying for the subdivision map.

Mary Earle said she and George Earle will have to do this.

John Langey said the applicant will require a variance because there is no road frontage. They will have to apply to the Zoning Board of Appeals for this. This Board cannot grant a subdivision to create a lot without any road frontage.

Chairman Nakas said the way it is now, it would be a land-locked piece of land.

John Langey asked if there is any other Save the County land bordering this.

Mary Earle said no. Save the County has already accepted this land.

John Langey asked if there would be any covenants on the land.

Mary Earle said yes there would be one stating the land will never be subdivided or built on. The idea is not to make it really open to the public.

John Langey asked if there are any structures on the land.

Mary Earle said there is their house and another structure.

Chairman Nakas said he is sure Save the County would be willing to pay the expense of this.

John Langey said before they go to the Zoning Board of Appeals, they need to show the surveyor the regulations for subdivision and zoning.

Mary Jo will mail the information to the applicant's tomorrow.

Chairman Nakas said to be sure they put all the adjoining landowners on the map.

CASE # 342 - Sketch Plan Conference for Kathy Williams application for a 2-lot subdivision of property located on the east side of Route 11A approximately 570' south of the Webster Rd. and Route 11A intersection in an Agricultural/Residential District. (Tax Map No. 015.-03-08.0)

Member Peebles asked who owns the property.

Kathy Williams said her son Jamie Williams.

Member Peebles said the Board would need something in writing stating she can act on his behalf.

Kathy Williams submitted a letter dated July 20, 2004 from Jamie Williams giving this authorization. She also submitted a map dated July 12, 2004 and prepared by Paul James Olszewski.

Chairman Nakas said the map should show how far back the property goes and who owns the neighboring property's.

John Langey said the Board will need a letter from the DOT approving the driveway cut.

Kathy Williams said she just got the application today.

John Langey said she could ask the surveyor to condense the map a little and put the topographical information on it and include the surrounding property owners.

Member Peebles noted the map shows a right-of-way for the Este property to the well.

Chairman Nakas asked if it's an Allied well.

Kathy Williams said no. On the other side of the road there is Allied wells but not on the east side. It was noted the well currently serves two properties.

Chairman Nakas asked if the mortgage application wouldn't require the applicant to know where the water for the new house would be coming from.

Member Peebles asked if the Board should be concerned about this issue.

John Langey said in terms of the approval or disapproval the Board doesn't need to be concerned with this but it's good to point this matter out to the applicant.

Kathy Williams said the surveyor did say if the Board wasn't happy with this map, he could try to map the land a little differently.

Chairman Nakas said it has to be 60,000 square feet no matter how he wants to do it.

Member Peebles said the Board will act on the subdivision the way the map is now unless she wants it to be different.

Chairman Nakas said the Board will need to have some written notice that the driveway has been approved. He advised if all the necessary paperwork is in on time for this to be referred to the county, it will be scheduled for a public hearing next month.

CASE # 343 - Sketch Plan Conference for John Storrier, Jr.'s application for a 2-lot subdivision of his property located on the west side of LaFayette Rd. approximately 1/2 mile north of the Commane Rd. and LaFayette Rd. intersection in an Agricultural/Residential District. (Tax Map No. 022.-05-07.4)

John Storrier, Jr. submitted an old survey map. He said he wants to

subdivide a lot off for his daughter. It would be a 5-acre parcel. It's in the process of being surveyed. He advised there is a 250' right-of-way for Niagara Mohawk.

John Langey said this is really a resubdivision of Lot 3A.

Member Peebles noted the property slopes back off the road.

John Storrer, Jr. said slightly.

Chairman Nakas noted the applicant is having a new survey done.

John Langey said they will need DOT approval for the driveway.

If all the necessary information is received in time, this will be referred to County Planning and scheduled for a public hearing at the next meeting.

**CASE # 344 - Sketch Plan Conference for Robert & Jacquelin Onderdonk's application for a 2-lot subdivision of their property located on the west side of Persse Rd. approximately 350' south of the Reidy Hill Rd. and Persse Rd. intersection in an Agricultural/Residential District.
(Tax Map No. 008.-01-05)**

Steven Barclay was present to represent the applicant. He submitted a Letter from Robert and Jacquelin Onderdonk dated July 20, 2004 stating he could act on their behalf. He submitted a survey dated June 14, 2004 and revised June 23, 2004. The total parcel was originally 42 acres and they are proposing to subdivide 12 acres from this.

Chairman Nakas said he will need to have a new survey showing the 12 acre parcel being cut out of the 42 acre parcel. He said he will need the topographic information on the map, the surrounding property owners, a box for the health dept. to sign and a box for him to sign as well as a title for the subdivision.

Member Peebles asked if there are any structures on Lot # 2.

Steven Barclay said their home is on it.

Chairman Nakas said this should be shown on the map too.

If the necessary information is received in time, this will be referred to County Planning and scheduled for a public hearing at the next meeting.

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

The Planning Board adjourned at 7:39 p.m.

Respectfully submitted,

Mary Jo Kelly
Secretary