

Minutes of the Planning Board Meeting held by the Town of LaFayette Planning Board on October 18, 2005 in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette at 7:00 PM.

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

Recording Secretary, Mary Jo Kelly

Others present: John Langey, Planning Board Attorney
Keith Smith, Applicant
Ron Scofield, Applicant
John Beardslee, Applicant
Shawn Adam, Alt. Member
Karen Heffernan, Sentinel Heights Rd.
Steven Middleton, Applicant
Ralph Lamson, CEO
Claire Watson, Sentinel Heights Rd.
Art Goldsmith

Chairman Nakas called the meeting to order at 7: 01 P.M. and welcomed everyone. He asked if there were any additions or corrections to the September 20, 2005 Planning Board Meeting Minutes. Member Bush said on page 6 it should read Keith Smith in place of Kevin Smith where applicable. There were no other corrections. The Minutes will stand as corrected.

CASE # 360 - Public Hearing for application of John Beardslee for a 4-lot subdivision of his property located on the west side of Commane Rd. approximately 3000' north of the Sentinel Hgts. Rd. and Commane Rd. intersection in an Agricultural/Residential District. (Tax Map. No. 022.-05-12.1).

Chairman Nakas said this is a public hearing. Anyone is invited to make any comments or ask any questions regarding this matter.

John Beardslee submitted a map dated August 2, 2004 and prepared by Christopherson Land Surveying. This is a 4-lot subdivision.

Chairman Nakas said the county had one modification for this subdivision regarding the access. He asked for any questions or comments.

Karen Heffernan said she is a neighboring property owner. She asked if Lot 1D needed to be surveyed.

John Langey said the town regulations require a full survey of all the area being subdivided. The Board has a right to waive regulations that don't apply to the property involved.

Chairman Nakas said he isn't sure the boundary of Lot 1D impacts the carving out of the 3 lots from the larger parcel.

Member Peebles asked if she felt the property line was wrong.

Chairman Nakas asked if the boundary of the 3 proposed subdivision lots is in dispute.

Karen Heffernan said no.

John Langey asked if the driveway cuts for the 3 lots have been approved by the Town Highway Superintendent.

John Beardslee said not yet.

Member Bush believes the standard of 100' sight distance for 10 miles of speed limit is what is used. He feels there is ample sight distance for these lots.

Ralph Lamson believes this is the standard the Highway Superintendent uses.

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

Members Markoff moved and Bush seconded the motion to close the public hearing. Motion passed unanimously.

Member's Markoff moved and Bush seconded the motion to appoint the Planning Board Lead Agency, this is an unlisted action and a negative declaration in the SEQR process and to grant preliminary and final plat approval for the Ball Subdivision with the following conditions:

- 1) **No direct access shall be permitted to Sentinel Heights Road for this or any future residential development; all access for future subdivision of Lot 1D must be from Commune Rd.**
- 2) **Driveway cut approvals shall be obtained from the Town Highway Superintendent for the 3 lots.**

Motion passed unanimously.

CASE # 361 - Public Hearing for application of Keith Smith for a 2-lot subdivision of his property located on the north side of Chase Rd. approximately ½ mile north of the Chase Rd. and Collins Rd. intersection in an Agricultural/Residential District. (Tax Map No. 011.-03-02.2).

Chairman Nakas said this is a public hearing and anyone is welcome to make comments or ask questions regarding this application.

Keith Smith said he is just taking 6.7 acres from his larger parcel to give to his son to build a house on next year. He submitted a map dated September 22, 2005 and prepared by Christopherson Land Surveying.

Chairman Nakas asked for any questions or comments.

John Langey said County Planning had several modifications. Probably the most serious one is the delineation of wetlands on the map. They are requesting he have the surveyor show the wetlands on the map.

Chairman Nakas 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's Markoff moved and Bush seconded the motion to appoint the Planning Board Lead Agency, this is an unlisted action and a negative declaration in the SEQR process and to grant preliminary and final plat approval for the Keith Smith Tract Subdivision with the following conditions:

1. **Wetland boundaries shall be delineated on the plan, and the applicant shall obtain permits from the New York State Department of Environmental Conservation and/or the U.S. Army Corps of Engineers for any proposed development or drainage in the wetlands and/or wetland buffers on site.**

2. **Any future subdivision of proposed Lots A or B must use a single access off of Chase Road and be accompanied by a plan showing full buildout and drainage.**
3. **A 60-foot right-of-way off of Chase Road must be reserved on proposed Lot B to serve as access for any future subdivision of the lot.**

Member Peebles asked how this Board can approve this without knowing where the wetlands are.

Chairman Nakas said he won't sign the map until the wetlands are delineated on it by the surveyor and it is O.K.

Above motion passed unanimously.

CASE # 362 - Public Hearing for application of Ron & Margo Scofield for a 2-lot subdivision of their property located at 1701 Route 11 south approximately 200' before Tully Town Line on the west side Rte. 11 in an Agricultural/District (Tax Map No. 012.-01-12.1).

Chairman Nakas advised this is a public hearing and any comments or questions are welcome.

Ron Scofield submitted a map dated October 5, 2005, and prepared by Christopherson Land Surveying.

Chairman Nakas asked for any questions or comments. He asked the Applicant if he had approval for the driveway cuts.

Ron Scofield said not yet. He will have to get in touch with the Dept. of Transportation.

Member Peebles asked if the structure is greater than 25' from the side property line.

Ron Scofield said yes. The silo is coming down anyway.

Member Lasky asked about the distance for the barn.

Ron Scofield said it has been there forever. He believes it is within the setback required.

Chairman Nakas asked if we have to do anything with the Town of Tully.

John Langey said he spoke to their Town Attorney and was advised we are free to move forward with this.

Chairman Nakas confirmed they are not an interested party.

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

Member's Markoff moved and Bush seconded the motion to appoint the Planning Board Lead Agency, this is an unlisted action and a negative declaration in the SEQR process and to grant preliminary and final plat approval for the Scofield Tract Subdivision with the following conditions:

1. **For either proposed Lot 1 or 2, or any future subdivision thereof, the applicant shall be allowed a single driveway onto Route 11 which must meet the requirements of the New York State Department of Transportation.**
2. **Any proposed future subdivision of proposed Lots 1 or 2 must be accompanied by a plan showing proposed access and drainage for full build-out, and use the existing access.**

3. **Driveway cuts will be received from the State Department of Transportation.**

4. **Septic approval will be received from the County Health Department.**

Motion passed unanimously.

CASE # 363 - Application of Kathy Tily for resubdivision to move a lot line on her property located at 4153 Apulia Road approximately ½ mile south of the Coye Rd. and Apulia Road intersection on the west side of Apulia Road in an Agricultural/Residential District. (Tax Map No. 003.-01-09.1).

Steven Middleton was present to represent the Applicant, Kathy Tily. He submitted a letter authorizing him to act on her behalf. He is proposing to buy a portion of Kathy Tily's property. Right now it's very wet and he would like to put in drainage to take the water away from flowing toward his house. He is looking for 36' of her property.

Member Peebles asked if that would leave her existing lot in conformance.

Steven Middleton believes she would still have 60,000 square feet.

John Langey said the Board must be sure they don't create issues like her house being too close to the proposed lot line, etc.

Steven Middleton said she would be fine. In the future if he wanted to add onto his house on the south side, he couldn't do it without purchasing some of this property.

Chairman Nakas asked if this will be surveyed so the Board will have a map of the proposed land.

Steven Middleton is planning on having it surveyed in the future when he gets the money.

John Langey said this would have to be surveyed now. The Board can't approve the picture of a tax map.

Chairman Nakas said if the Applicant could get the proposed new plan surveyed and bring it to Mary Jo in time, she can refer it to the County Planning Board and this Board could hold a public hearing on it. As soon as this Board hears back from County Planning, it can make a determination.

John Langey said to make sure the surveyor doesn't put Kathy Tily's well on the 36' of land he is proposing to purchase.

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

The Planning Board Meeting adjourned at 7:37 p.m.

Respectfully submitted,

Mary Jo Kelly
Secretary

Adopted 12/20/05