

Minutes of the Planning Board Meeting held by the Town of LaFayette Planning Board on September 19, 2006 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  
Richard Markoff, Member  
Barbara Lasky, Member  
Brad Bush, Member  
Shawn Adam, Alt. Member

Absent: Andrew Peebles, Member

Recording Secretary, Mary Jo Kelly

Others present: John Langey, Planning Board Attorney  
Ralph Lamson, C.E.O.  
Mr. & Mrs. Albanese, Applicants  
Maureen Perrin, Att. for applicant  
Pat & Jim Keefe  
Christine Estey  
Charles Gregg  
Rainer Brocke  
Paul Zumpano  
Kurt Watson, Applicant  
Jamie Williams, Applicant  
James Stirner, Applicant  
Andrew Reed, Applicant  
Shawn Saks  
Bill Heffron

Chairman Nakas welcomed everyone. He advised there are 3 public hearing and 5 sketch plan conferences on the agenda tonight.

Chairman Nakas asked if there were any corrections or additions to the July 18, 2006 Planning Board Minutes. There were none. He advised the July 18, 2006 Planning Board Meeting Minutes will stand as submitted by the Secretary.

**CASE # 370 Public Hearing for application of Jamie Williams for a 2-lot subdivision of his property located at 2250 Route 11A approximately 800' south of the Webster Rd. and Route 11A intersection in an Agricultural/Residential District. (Tax Map No. 015.-03-08.0).**

Jamie Williams was present. He said he is working on subdividing the existing property into 2 lots. The smaller of the two lots in the center of the property he will sell to his mother. The remaining 40 ± acres he plans on building a modular home on. He submitted a map prepared by Paul James Olszewsla and dated 9/18/2006.

Chairman Nakas confirmed there will be no construction on the south side of the lot.

Jamie Williams said no.

Chairman Nakas asked if they had approval from the D.O.T.

Jamie Williams submitted a letter from Kelly Billion dated 7/12/2006 stating they had preliminary approval for a driveway cut.

Chairman Nakas advised the applicant has a letter from the surveyor (Peter Riehlman, P.E.) dated 7/14/2006 stating the perk test is fine. There is a letter from the C.E.O. stating he has no problem with this application.

John Langey said County Planning noted a label should be put on Lot 2 that it isn't an approved building lot. He thinks that is because there is not a certified septic approval for this lot.

Chairman Nakas said their surveyor can do that.

Jamie Williams said they will be having a septic design done upon approval of this subdivision.

John Langey said County Planning also said a 60' right-of-way is required which must be approved by the D.O.T. They want the D.O.T. to point out where they would like the right-of-way put.

Chairman Nakas said in 10 years if the applicant decides to put 10 houses in the back of the property, the D.O.T. wants to be sure they have access to it. The applicant would have to have the D.O.T. state where they would like the right-of-way put.

John Langey said this must be shown on the final map. Before Chairman Nakas signs the map, the surveyor will have to put the 60' right-of-way on the map.

Chairman Nakas asked for any comments from the Board or the public. There were none.

**Member's Markoff moved and Bush seconded the motion to close the public hearing.**

**Member's Markoff moved and Bush seconded the motion to make this Board Lead Agency, this is an unlisted action and a negative declaration in the SEQR process and to grant preliminary and final plat approval and waive the public hearing for the final plat for the application by Jamie Williams for a 2-lot subdivision with the following conditions:**

- 1) **The applicant must reserve a 60-foot right-of-way on proposed Lot 2 to meet the requirements of the New York State Department of Transportation to provide access to any future subdivision of proposed Lot 2; the location of this right-of-way must be approved by the New York State Department of Transportation and shown on the filed map. Any future subdivision of proposed Lot 2 must be accompanied by a plan showing full build-out.**
- 2) **Proposed Lot 2 must be labeled "This parcel has not been reviewed by the County Health Department for residential development."**

**Above motion passed unanimously.**

**CASE # 373 Public Hearing for application by James Stirner, Jr. for Controlled Site approval at his business located at 2605 Route 11 approximately 1/2 mile north of the Route 20 and Route 11 intersection in a Business District. Applicant is requesting to sell up to 4 vehicles at one time. (Tax Map No. 020.-05-08.1).**

Jim Stirner was present. He said he would like to display a few cars, no more than 4 at a time, behind the business he currently owns and maybe later on get rid of the bar. He would like to try a different type of business and see if he likes it and if it will go. This would just be a place to display some cars. There would not be any work done on the cars. His friend has a couple other businesses in the city and has had no complaints.

Member Markoff asked if these are sellable, respectable cars.

Jim Stirner's friend said the cars sell in the \$5,000 range.

Chairman Nakas asked if it would be lit where the cars are located.

Jim Stirner said he has motion lights now around where the cars would be. If the Board would like more lighting, he can do this. It would basically be a daytime business.

Chairman Nakas asked for any comments or questions from the Board.

Member Markoff asked if the lighting would bother the neighbors.

Jim Stirner said the lighting has been there for 5 years now with no complaints.

Member Markoff asked if there would be a sign for Signature Cars.

Jim Stirner said yes.

Member Markoff asked the size and if there would be lighting for the sign.

Chairman Nakas said the applicant would want to conform with the town sign ordinance.

Jim Stirner said a DMV sign has to be put up.

Ralph Lamson said the DMV signs are small enough to fit within the sign ordinance.

John Langey asked if there would be any repair work done on the cars.

Jim Stirner said no.

Chairman Nakas said County Planning really hated the map that was submitted. This Board thought because this wasn't a subdivision, the applicant could save some money by submitting an old survey of the site. They really went to great lengths that they didn't like that map. He thinks the applicant would have to get the site surveyed by a licensed surveyor or hire an engineering firm to come out and do a site layout that would make County Planning happy. County Planning stated "The submitted survey with freehand additions does not meet the basic requirements of a site plan, nor is it labeled as a site plan. It is inadequate as it does not show controlled access (by curbing or landscaping) on Route 11, on site circulation, or the location of the proposed car sales. The submitted survey has been altered with freehand additions that are not drawn to scale or dimensioned, which provide no means of determining whether the proposed operation is in compliance with this 'plan'". He thinks the applicant will have to just mark out on the map where the business will take place. They mention curbing and landscaping which he doesn't think is an issue. He thinks if the applicant can come up with a better map, the Board can come to an agreement on this.

Jim Stirner said sure.

John Langey asked Ralph Lamson what he would need on the survey to be able to enforce it.

Ralph Lamson said just a rectangle on the survey showing where the business will occur will be fine.

John Langey asked how close the business will take place to the neighboring property lines. We need to know exactly what the Board is approving so Ralph Lamson can enforce it and the Board will have to overrule County Planning on their denial recommendation.

Findings and conditions were discussed.

Chairman Nakas asked for any other comments or questions from the Board or the public.

There were none.

**Member's Markoff moved and Bush seconded the motion to close the public hearing.**

**Chairman Nakas moved and Member Bush seconded the motion to make this Board Lead Agency, this is an unlisted action and a negative declaration in the SEQR process and to overrule Onondaga County Planning and grant Controlled Site Approval to the application by James Stirner at 2605 Route 11 based on the following findings and conditions:**

**FINDINGS:**

- 1) The flow, control and safety of traffic shall not be adversely affected to an unreasonable degree.**

- 2) **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.**
- 3) **There shall not be any unreasonable detriment to any structure or use, actual or permitted in the neighborhood and**
- 4) **There shall be reasonable provision for open space, yards and recreational areas appropriate to the structure and use does not apply to this application.**

**The Board was happy to make these findings based on the application.**

**CONDITIONS:**

- 1) **Applicant will have no more than 4 vehicles at a time.**
- 2) **Applicant will use existing lighting.**
- 3) **Hours of operation will be 8:00 a.m. to 5:00 p.m. seven days a week.**
- 4) **Any signs will be in accordance to the Town of LaFayette regulations.**
- 5) **Vehicles shall not be parked closer than 20' to any neighboring property line.**
- 6) **There will be no repair work done to vehicles on site.**
- 7) **Applicant will submit a site plan depicting existing and proposed uses**

**Above motion passed unanimously.**

**CASE # 374 Public Hearing for application of Richard Hill for a 4-lot subdivision of his properties located at the southeast corner of the Route 20 and Clark Hollow Rd. intersection and on the west side of Clark Hollow Rd. approximately 160' south of the Rte. 20 and Clark Hollow intersection in an Agricultural/Residential District. (Tax Map No.'s 010.-05-12.0 & 010.-04-01.0).**

Maureen Perrin was present to represent the applicant. She submitted a map dated 8/2/2006 and prepared by Christopherson Land Surveyors. They are proposing a 4-lot subdivision.

John Langey noted all 4 lots have independent road access. He said on the map it is noted that Niagara Mohawk owns property and has it's own tax map number.

The Board was in agreement to waive County Planning's recommendation "The subdivision plan must show the entirety of the parcel being subdivided, and all proposed lots should be numbered and surveyed".

Chairman Nakas asked if there were any questions or comments from the Board or the public regarding this application.

Rainer Brocke came forward to look at the map.

Maureen Perrin said they are not seeking building lot approval. They are only looking to sell the land.

Rainer Brocke was concerned with the land near Route 20. When flooding occurs, it covers the road and this area. This is a very wet area. If anyone ever wanted to build something there, the Board should be aware of this. That is his only concern.

The Board would like notation on the map that Lots 2, 3 and 4 are not approved building lots.

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

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

**Member's Markoff moved and Lasky seconded the motion to make this Board Lead Agency, this is an unlisted action and a negative declaration in the SEQR process and to grant preliminary and final plat approval, waiving the public hearing on the final plat for the application of Richard Hill for a 4-lot subdivision with the following conditions:**

- 1) **Lots 2, 3, and 4 be labeled as 'Not Approved Building Lots'.**

**Above motion passed unanimously.**

**CASE # 376                      Sketch Plan Conference for application by John Albanese for a 2-lot subdivision of his property located at 3537 Apulia Rd. on the west side of Apulia Rd. across from the Palladino Rd. and Apulia Rd. intersection in an Agricultural/Residential District. (Tax Map No. 006-02-13.0)**

Mr. and Mrs. Albanese were present. Mr. Albanese submitted a map dated 9/12/2006 and prepared by A. Scott Whittaker.

Mrs. Albanese said they are selling their house. They are separating this from the rest of the property. The total acreage is 71.34 acres. Everything on the west side of the railroad tracks will be one lot which will be sold. Anything on the other side of the tracks will go with the house. They are planning on selling the land on the west of the railroad tracks to Mr. Sirota who is a neighboring property owner. This land is all woods.

Chairman Nakas confirmed they are breaking off 71.34 acres to sell to Mr. Sirota and keeping 5.2 acres with the house.

John Langey asked if there is any road frontage on the lot above the tracks. Is this going to be deeded into the neighboring property? This Board isn't supposed to make land-locked parcels.

Mrs. Albanese said Mr. Sirota has road frontage on his property which neighbors this parcel.

John Langey said Mr. Sirota should join in this application. The Board should make a condition that this parcel is deeded into Mr. Sirota's property so it isn't creating a land-locked parcel. The applicant will have to supply a final plan subdivision map. The map should show the location of the Sirota property and a transfer line showing this property will be attached to Mr. Sirota's property.

Mrs. Albanese will stop in to get the subdivision regulations from Mary Jo to give to the surveyor.

John Langey said the map should state the land will be combined with the Sirota property.

**CASE # 377                      Sketch Plan Conference for application by Carol Reed for a 2-lot subdivision of her property located at 3417 Sentinel Heights Rd. approximately 1/2 mile south of the Bull Hill Rd. and Sentinel Heights Rd. intersection in an Agricultural/Residential District. (Tax Map No. 025.-03-02.2)**

Andrew Reed was present. He submitted a letter from his mother authorizing him to act on her behalf. He submitted a map prepared by David A. Vredenburgh and dated 7/12/2006. His mother wants to subdivide 4.1 acres off from her property to give to him.

John Langey said he is calling this a resubdivision of the Hall Subdivision.

It was noted Lot # 2 is not part of this subdivision.

John Langey asked the applicant to have his surveyor contact John to explain why Lot 2 was included on this map. He would have had it as Lot 1-A and Lot 1-B stating it represents a resubdivision of the Hall Subdivision. He doesn't know the history on this property so he can't say why it was done this way.

Andrew Reed said he has had a perk test done on the property.

Chairman Nakas recommended the applicant get a copy of the subdivision regulations from Mary Jo to give to the surveyor. Realistically right now it's Lots 1 and 2.

John Langey said we need to know the history on this property and see if it was properly subdivided at one time.

Andrew Reed asked if once the survey is redone, this can be scheduled for a public hearing next month.

Chairman Nakas said if he can get the information to Mary Jo in time to send it to County Planning so we can hear back from them by the next Planning Board Meeting.

### **CASE # 378**

### **Sketch Plan Conference for application by Jerry Doolittle for Controlled Site Approval on his property locate at 2639 Route 11 approximately ½ mile north of the Route 11 and Route 20 intersection in a Business District to erect an additional storage building. (Tax Map No. 020.-05-03.1)**

Jerry Doolittle was present. He showed a picture of the building he is proposing. He would use the existing driveway. He would like to add one building. He said you have to have 100' buffer from the wetlands. He called the DEC on 9/9/06 and they came out and redid the delineation. The wetlands are now within 75' of the building. He has to go to the DEC for a variance to allow him to continue to build there. After this delineation, he was given a verbal approval as he isn't disturbing anything new.

Chairman Nakas said the Board will need something in writing stating this.

Jerry Doolittle said it would be a 25' variance.

Chairman Nakas asked if he could move the building a little to the north.

Jerry Doolittle said he could but he would have to move the driveway and some trees.

Chairman Nakas asked if there is a code regarding what percentage of a lot can be built on.

Jerry Doolittle said the entire parcel is 19 ± acres.

Chairman Nakas asked if there is anything about the density in one spot.

Ralph Lamson thinks the only place where density comes in is in a multi-family plan. He doesn't think it comes into play for business areas.

John Langey said this should probably be reviewed by John Dunkle again.

Chairman Nakas asked if Jerry Doolittle could submit the layout once he has it completed for John Dunkle's review.

Jerry Doolittle said he will.

Chairman Nakas said the Board will need a site layout.

John Langey said it would have to be a drawing of the existing buildings and the proposed building. He asked the footage between the buildings.

Jerry Doolittle said approximately 20'.

John Langey asked if this would be adequate for firemen if a fire should occur.

Ralph Lamson said yes.

It was noted in the past resolution for Jerry Doolittle dated 11/19/2002, Jerry said he would not be putting up any more buildings on this site.

Jerry Doolittle said he didn't realize he had room to put another one up at that time.

Chairman Nakas asked how close he is to the pond.

Jerry Doolittle said they will come up to the berm but the berm is probably 20' wide. They will be going 3' into the burm.

Chairman Nakas confirmed the Board will need a site plan and John Dunkle to review the plan.

**CASE # 379 Sketch Plan Conference for application by MaryLou and Kurt Watson for a 2-lot subdivision of their property located on the east side of Route 11 approximately 1 ½ mile north of the Route 11 and Route 20 intersection in an Agricultural/Residential District. (Tax Map No.'s 022.-06-01.0 and 022.-06-11.1)**

Kurt Watson said he wants to take a small piece off a larger parcel to add it to the 6.8 acre parcel which will make it a total of 14 acres.

Chairman Nakas asked if there is any wetlands on the property.

Kurt Watson said yes but there is a permanent easement. He showed the Board on the map where the easement is.

Member Bush asked what his plans are for the parcel.

Kurt Watson said to put a shop/office there and to get a zone change.

Chairman Nakas asked if there are other commercial uses around this parcel.

Kurt Watson said yes. There is Business, Industrial and Multi-Family uses around it.

Chairman Nakas noted this will be a resubdivision.

John Langey said the applicant will need a resubdivision map.

Chairman Nakas said all he will need is a site map.

John Langey said to be sure he has "Final" put on the map. This must go to County Planning so as soon as he can get this map done and get it to Mary Jo to submit, the sooner this Board can hear back from County Planning.

**CASE # 375 Sketch Plan Conference for application of the Aungier Estate for a 2-lot subdivision of the property located at the northwest corner of Naughton Rd. and Route 20 in an Agricultural/Residential District. (Tax Map No. 020.-07-04.0)**

Mary Jo Kelly submitted a letter from Joyce McManus authorizing her to act on behalf of the Estate. She submitted a map prepared by Christopherson Land Surveyors and dated 9/12/2006. Mary Jo said they are looking at a 2-lot subdivision. They are breaking the house off from the rest of the property. The parcel with the house on it would be 3.3 acres and Lot 2 will be 43 acres. There are no wetlands on the property and there is road frontage for both parcels.

The Board recommended having the surveyor put the notation "Not approved building lot per County Health Dept." on Lot 2.

This will be referred to County Planning and scheduled for a public hearing if the Board hears back from County Planning in time.

**Member Markoff moved and Alt. Member Adam seconded the motion to adjourn. Motion passed unanimously.**

The Planning Board Meeting adjourned at 9:21 p.m.

Respectfully submitted,

Mary Jo Kelly  
Secretary

**Approved 10/17/06 with following correction: 2<sup>nd</sup> paragraph on page 7 should read “berm” twice.**