

Minutes of the Planning Board Meeting held by the Town of LaFayette Planning Board on April 15, 2008 in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette at 7:00 PM.

Present: Richard Markoff, Acting Chair.
Barb Lasky, Member
Shawn Adam, Member
William Turner, Alt. Member

Absent: James Nakas, Chairman
Brad Bush, Member

Recording Secretary, Mary Jo Kelly

Others present: Wendy Reese, Planning Board Attorney
Richard Page, Applicant
Ralph Lamson, CEO
Nicholas Gazotis, Applicant
Art Zac, Applicant
George & Pat McConville
John Gillman
Kurt Watson
Stanley and Corinne Kurgan
Pete Paul, Dep. Supervisor
Tom Bailey, Councilor
Mr. & Mrs. Kline

Acting Chair. Markoff called the meeting to order at 7: 01 P.M..

Acting Chair. Markoff asked if there were any additions or corrections to the March 18, 2008 Planning Board Meeting Minutes. There were none. He said the Minutes will stand as submitted by the Secretary.

CASE # 398 - Public Hearing for Application of Richard Page for Controlled Site approval of his property at 2939 LaFayette Road for a windmill in excess of 50' in height in an Agricultural/Residential District. Tax Map No. 022.-06-21.4.

Richard Page said he is appearing before you tonight to ask for your permission to install a small residential Wind Turbine in his backyard. He has collected and read all of the great reasons why you should approve his permit from various sources on the Internet including the turbine manufactures. Rather than to quote to you all of these reasons why you should allow a wind turbine permit from sources supporting wind turbine installations, he would like to tell of his own personal reasons why he wants to do this.

When the applicant built his home in 1990, the cost for home heating oil was \$.50 per gallon. 150 gallons came to \$73.50 from Ron Bush Oil Co. Last week he got a delivery of 150 gallons and it cost \$511.00. Niagara Mohawk's price for electricity at that time was 5.2 cents per kilowatt hour. His average electric bill at that time was \$54.00 a month. At 15.9 cents per kilowatt hour it is currently \$152.00 a month. He asked for everyone to consider that 90% of our energy is purchased from foreign oil companies. OPEC and other oil exporting companies continue to struggle to meet the ever increasing demands from other countries. This is why the price for gasoline and other energy products have risen in recent years, and surely will go higher. At age 68, the

applicant is not looking for personal gain on his investment. The payback on this installation is 17 to 20 years. He is looking to pioneer the first Wind Turbine electrical Power Generator Plant by a homeowner in our town. He would like to see the town dotted with many small wind turbines, contributing to reduced dependence on foreign oil and to reduce global warming emissions. Our Federal Government is counting on incentives to encourage the use of renewable energy sources such as wind and solar. They have enacted legislation requiring all power companies in every state to allow residential home turbine generator interconnection to their electrical power grid. Almost every state has enacted legislation to provide incentive programs to assist homeowners interested in installing a small residential wind turbine on their property. These incentives include tax write off's and a 50% buy down of the initial installation cost of the system. New York State has such an incentive program. Our agency which supports this important program of renewable energy is NYSERDA and is asking for support from the applicant and everyone else. He asked to give this application every consideration.

Acting Chair. Markoff asked for any questions or comments.

Mr. McConville asked the height of the tower.

Mr. Page said 120'.

Mr. McConville asked if that included the blades.

Mr. Page said 129' with the 9' blades.

Mr. McConville confirmed it will be located 100 yards behind the applicants house.

Mr. Page said 300'.

Mr. McConville asked about the dark antenna close to the applicants deck with the white extension on it. How tall is that?

Mr. Page said 50' with a 20' extension so a total of 70'.

Mr. McConville asked what kind of base the tower would have.

Mr. Page said it's a guyed lattice tower that he is proposing. It must go down just below the frost line. It has 3 sets of guyed wires.

Mr. McConville asked if he anticipated any kind of electrical field that will cause interference.

Mr. Page said absolutely not.

Mrs. McConville asked if there is going to be any impact on the value of their homes. If this starts out at this property and a lot of people decide to do it, is this going to mean there will be more of them and it will bring down the value of their home?

Mr. Page said this is a very good question. He printed information off the Internet on this. It was a neutral article. He recalls it stated there is no indication of a small residential windmill causing a depreciation of anyones property.

Mr. Kurgan said there were two windmills on Route 11 and they had to take them down.

Alt. Member Turner said one of them was badly deteriorated and the other one was getting bad so they took them both down.

Acting Chair. Markoff confirmed the windmill will be quiet.

Mr. Page said yes. He visited one on Lake Ontario and they couldn't hear anything.

Mr. Gazotis doesn't believe it will bother the neighbors with any noise.

Mrs. McConville asked if there would be any humming noise.

Mr. Gazotis doesn't think so.

Mr. Page said the wind speed at his house is only 12 mph so he probably won't get the full speed or power from this windmill.

Mr. McConville asked the maximum rpm of the blades when it's full output.

Mr. Page said 60-200 rpm at max.

Acting Chair. Markoff asked if there were any other questions.

Mr. Bailey inquired in relationship to the industrial size windmills that currently exist in the Town of Fenner, what are the specs on this model compared to the ones in Fenner?

Mr. Page said the ones in Fenner put out millions of watts of power. The residential used windmills are in terms of kilowatts.

Mr. Gillman said he refers to this as a small residential turbine. Are there large turbines?

Mr. Page said National Grid will allow 20 kw for a residential windmill and 50 kw for a farm windmill. It is quite a bit smaller than what is allowed. His needs are much smaller. He is hoping it will cover his electricity needs. The cost is \$62,000. His financing is all set. The contractor must be certified by NYSERDA. They recommend 10 kw windmills.

Mr. Gillman asked the Planning Board what they will do if everyone wants one of these.

Acting Chair. Markoff said it depends on how much land you have. The Board would look to see the impact on the neighbors, etc. This application doesn't appear to have any affect on the neighbors.

Member Adam said Mr. Page is asking for a height variance. A 50' structure is allowed and he is talking about 130' which is the only reason he has had to come to the Planning Board.

Ralph Lamson said he saw some of these out near Batavia this last weekend. He showed the Board some pictures he took of them. As far as sound, you could not hear them standing 200' away.

Acting Chair. Markoff asked if Ralph Lamson felt this would have an affect on the applicants neighbors.

Ralph Lamson said he doesn't think the sound will affect the neighbors with the size of the applicants property.

Member Adam said the tower is pretty slight on the pictures Ralph submitted.

Ralph Lamson said the windmill stands out more than the tower.

Member Adam said you may see the propellers one day and not on another depending on how strong the wind is blowing.

Acting Chair. Markoff said County Planning advised this would have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by this Board. Onondaga County Planning found nothing wrong with this.

Mr. Kline said he knows what the towers are and has no problem with the windmill. He wants to confirm nothing can go on the tower besides the windmill. He confirmed the tower does not have to be lit.

Acting Chair. Markoff asked if a condition could be that only a windmill could go on the tower.

Wendy Reese said this could be a condition of the resolution.

A gentleman asked if it could be stipulated no commercial use.

Wendy Reese said it could be stipulated for residential use only.

Mr. Bailey said Mr. Page is also a ham radio operator and on his property he has several antennas varying in height. He wants to be sure there is no interaction by the radio hobby and the windmill tower.

Acting Chair. Markoff asked the applicant if he would be opposed to the stipulation that this tower would be used for a windmill only.

Mr. Page said he would like to reserve the right to put a ham antenna on it.

Mr. Kline said the tower would have to be tested to be sure it could hold the antenna.

Member Adam asked if he puts an antenna on this tower, would he be taking the other ham antennas down?

Mr. Page said that is the plan. He plans on using the height of the windmill tower to strengthen his repeater. If he does this, the tower on the side of his house would come down.

Mr. McConville asked if this would increase the height.

Mr. Page said no. The antenna would be mounted on the side of the tower. It can't go above the blades.

A gentleman said this tower is going to be constructed on Mr. Page's property and if it falls, it will be solely on his property.

Mr. Kurgan feels \$62,000 would pay for the applicants light bill for quite a few years. He thinks more windmills will be allowed. He doesn't know why the Board is agreeing with this.

Member Lasky said the cost is actually \$31,000 for the applicant.

Member Adam said power, oil, etc., are going to run out if we don't do something. Our children and grandchildren won't have much left. He thinks it's a bold move by this gentleman and he thinks this gentleman's efforts are to be supported. He's not worried about 20 of them going up as he doesn't know how many of us have \$62,000 to go forward with something like this. The Planning Board evaluates each case on its own merits. The applicant has enough land to cover the fall area. He's had ham antennas on his land for years. Some of these antennas will be taken down if he mounts them on the tower.

Mr. McConville thinks if the overall plan is to have antennas on it then the engineering of the tower should incorporate this.

Ralph Lamson said when he comes in to get a Building Permit for the tower, it will have to show it can support whatever he is proposing to put on it.

Member Adam thinks this is a good idea. He thinks the statistics given when the applicant made his presentation are pretty eye-opening.

Mrs. Kline asked if anyone knows if there is an impact on property values because of this plan.

A gentleman said the applicant advised there is no negative impact by the kind he is proposing.

Mrs. McConville said LaFayette Road would be a great place for these windmills and she doesn't want to see them expanded more than one house. She doesn't want this to become something that will become an eyesore on LaFayette Road. She doesn't want everyone to decide they want to put one up.

Acting Chair. Markoff asked for any other questions or comments.

Mr. Bailey spoke on behalf of the Town Board and advised counsel is doing some research on how existing ordinances in other townships are handling these types of things. The Town Board will be looking at these and perhaps will be passing an ordinance to deal with these. He can assure everyone that the Town Board will digest everything about windmill technology.

Acting Chair. Markoff noted County Planning has advised they have no problem with this application. Right now County Planning says this is an O.K. thing to do.

Mr. Paul asked how much the guyed wire goes out from the tower.

Mr. Page said they go out at an angle. The anchors will be well away from the property line.

Mr. Paul asked to maintain the 129' level, what distance do they go out?

Mr. Kline said they are basically at a right triangle to the tower.

Mr. Paul asked about what distance that would be.

A gentleman said about 80% of the height of the tower.

Acting Chair. Markoff asked where the ham antenna will be located on the tower.

Mr. Page said the antenna he is proposing to replace will be a repeater antenna and it is a series of small antennas that actually bolt against the leg of the tower and are spaced a distance apart. They start at 100' and come down 4-5' where another antenna is placed and then another 4-5' for another antenna, etc. The antennas will be on all 3 legs of the tower.

Acting Chair. Markoff asked if he would be willing to put a limit on how high the antennas will be on the tower.

Mr. Page said they wouldn't go any higher than the 100' level on the tower.

Mr. Kline said that is not very high.

Acting Chair. Markoff confirmed this wouldn't have a negative affect on the neighbors or the town.

Mr. Kline said no.

Member Adam asked if each antenna has its own cable.

A gentleman said each cable has its own harness.

Wendy Reese said we just need to know how this works.

A gentleman said it's one antenna with multiple elements.

Mr. Bailey asked if Ralph Lamson knew of any existing protecting measures with the guyed wires.

Ralph Lamson isn't aware of anything.

Mr. Bailey asked Mr. Page about the snowmobiles and ATV's that may go on his property and hit the guyed wires which could result in a serious mishap on his property that could be a great liability to him. He may wish to do some landscaping around the wires.

Mr. Page said his property is private and he has liability insurance.

Mr. Kline said they actually make guyed wire bars that could snap on these wires. It just makes the wires bright so people can see them.

Acting Chair. Markoff asked for any other questions or comments.

There were none.

Member Adam moved and Alt. Member Turner seconded the motion to close the public hearing. Motion passed unanimously.

Wendy Reese said this is an unlisted action regarding the SEQ. The Board can vote on this now with whatever controls they want or they can opt to hold it over until the next Meeting.

Acting Chair. Markoff would like to hold this over for the vote until the next Meeting as he would like Chairman Nakas's input.

Member Adam agreed that it would be good to get input from Chairman Nakas and Member Bush.

The Board was in agreement with this.

CASE # 399 - Sketch Plan Conference for application of Nicholas Gazotis, Artur Zak, and Stan Choromanski for Controlled Site approval to operate weekend auto flea market where people bring automobiles, etc. and try to sell them at 2843 Route 11 North on the west side of Route 11 approximately 1 ½ mile north of the Route 20 and Route 11 intersection in an Industrial District. (Tax Map No. 020.-03-02.0).

Mr. Zak and Mr. Gazotis were present to represent the application.

Mr. Zak said the idea is to organize some kind of social event that would be characteristic of a flea market for automobile stuff on Mr. Gazotis's property. Individuals would be able to bring automobiles and some limited automobile accessories to sell. They envision this being a weekend event from Saturday to Sunday from 9:00 a.m. – 4:00 p.m. He thinks these are respectable hours.

Acting Chair. Markoff would think 9:00 a.m. is a little early on a Sunday.

Mr. Zak said absolutely. This whole idea is going to have a start-up balance. It's not going to happen over night. They will do limited advertising. They will grow as they go. The first few weeks there won't be much traffic but in time it should grow.

Acting Chair. Markoff asked about food, chemicals, etc.

Mr. Gazotis said there won't be any.

Acting Chair. Markoff asked if antifreeze, oil, etc. would be sold.

Mr. Gazotis said they won't be sold there.

Acting Chair. Markoff confirmed they would be selling car parts.

Mr. Zak said he would consider it automotive after-market products such as tires, rims, trailers, etc. He would like to see boats, motor homes, motorcycles, antique cars, etc. Mr. Gazotis's land is so large this will be insignificant to the size in the beginning. They think in the beginning they will use about a 330' x 300' lot. In that area there are some paved spots which would act as potential buffers for some vehicle mishaps.

Acting Chair. Markoff asked about traffic. Will there be a traffic impact to the area? Will there be parking on site?

Mr. Zak said yes. They will have public parking. There will be an area for vehicles being considered for transaction between the buyer and seller. They plan to charge for entrance to the property. They will have to have a sanitation facility.

Acting Chair. Markoff asked about food and concession.

Mr. Zak thinks there are some regulations on this. He thinks there are some conditions the seller of food must fulfill to be able to do that. There will be a possibility of this in the future. They are figuring parking medium size vehicles which gives them room for 150 vehicles which probably won't happen in the beginning. He thinks there will be some increase in traffic on Route 11. It should have the characteristic of a weekend event.

Acting Chair. Markoff asked if they would be doing this year-round.

Mr. Zak said they will be responsible for providing the space.

Acting Chair. Markoff asked if they plan on doing this April through November or every month. Will they do it spring and summer or during the winter too?

Mr. Zak said he's not prepared to answer this question. If he has to answer now, he would exclude the winter months. Basically nothing would happen in the winter.

Member Adam said to be honest, that site is kind of an eyesore already and there is a lot of stuff on the parcel. Will he be cleaning any of that stuff up for this event?

Mr. Gazotis said the stuff is about \$750,000. This is his construction equipment.

Member Adam asked if he owns it.

Mr. Gazotis said yes.

Mr. Adam asked Ralph Lamson if there are any code violations on this.

Ralph Lamson said there is one vehicle that Mr. Gazotis is working on getting rid of now.

Acting Chair. Markoff asked Ralph Lamson if food could be sold on site.

Ralph Lamson said the applicant would have to get approval from the County Health Dept. but the town could approve it.

Acting Chair. Markoff asked about the traffic.

Wendy Reese said if he feels there is a traffic issue, the applicant can be asked to demonstrate there will not be a traffic problem.

Member Lasky asked if he plans to have someone to help control the traffic in and out of the site.

Mr. Zak said they discussed having one space for the parking and one for the sale of vehicles. There's a large entrance and he doesn't anticipate a problem with the traffic.

Member Lasky asked if all parking would be off the road.

Mr. Zak said yes. It would be at least 25' from the road.

Mr. Gazotis said no one will be allowed to park on the road.

Mr. Zak showed the Board a copy of the property and what they are considering.

Wendy Reese said prior to the public hearing the applicant should have an actual plan showing the parking, where cars will be parked that are being sold, etc. She asked about the sanitation facilities.

Mr. Zak said portable johns will be put on the site.

Wendy Reese asked if they will be there all the time.

Mr. Zak said probably.

Acting Chair. Markoff said the neighbors might not want to see them all the time. Could they be delivered for the weekend?

Mr. Zak said probably.

Mr. Gazotis said the toilets could be serviced and then stored in the building during the week.

Member Lasky asked if there would be any sensitivity to cleaning up puddles of oil that might leak. Would there be Speedi-Dry available?

Mr. Gazotis doesn't think that is something anyone can control.

Member Adam said we need to be sensitive to our environment.

Mr. Gazotis said they will have Speedi-Dry on the site.

Wendy Reese confirmed the cars would be taken away on Sunday.

Mr. Zak said it would depend on whether the Board would agree some of the vehicles could be left overnight.

Acting Chair. Markoff said people might not really want cars sitting on the lot for days.

Mr. Zak would say it's up to the consideration of the Board. There would definitely be some stimulating effect on their part if they were allowed to do this.

Wendy Reese asked if everyone would be taking their vehicles home on Sunday night.

Mr. Zak said yes.

Member Adam confirmed Monday morning the site will look the way it does now.

Mr. Gazotis and Mr. Zak said yes.

Acting Chair. Markoff said the Board doesn't want to see vehicles just left on the lot that might be old or beat-up vehicles.

Member Adam asked about insurance.

Wendy Reese said the Board can impose they have liability insurance.

Mr. Gazotis said he will be asking his insurance to insure the property.

Member Adam said the town has an interest as this is in the Town of LaFayette,

Ralph Lamson said something to consider if this goes through is the impact it might have on the park which is located next to it.

Member Adam said the ballfields are used on the weekends during the summer. He asked about people attending the flea market that might visit the ball park. There is concern about this.

Mr. Zak said there is a natural border between Mr. Gazotis's property and the park.

Member Adams said his concern is people who come into the town that we don't know anything about. There is a concern about young people who are using the park. He also felt alcohol should be restricted and the applicants agreed to include this in their Rules of Conduct.

Mr. Gazotis said the Board is concerned that people will go over to the park.

Ralph Lamson said his concern is if somebody wishes to use Stafford Park, they reserve it in advance. If people come to this function, some of them may want to go to the park to play, etc. This may impact those who have reserved the use of the park.

Mr. Zak said there was consideration of putting a temporary fence up.

Mr. Gazotis suggested putting signs up that people are restricted to remain in that area.

Mr. Zak said this could be on the ticket.

Mr. Gazotis thinks it should be on a sign too. They can have rules of what's not allowed on site.

Mr. Zak said they can develop rules of conduct.

Alt. Member Turner asked if he has run any other sites like this.

Mr. Zak said no.

Alt. Member Turner confirmed this would be their first one.

Mr. Zak said yes. It would be the first site for them.

Alt. Member Turner asked what the date of startup would be.

Mr. Zak said with the Board's agreement they would start to prepare and would probably be ready in a couple of weeks to open.

Mr. Zak said they would like to put a banner on the building.

Ralph Lamson will check to see the size allowed for this.

Wendy Reese will check to see what the distance required from Route 81 is. Mary Jo will have to refer this to County Planning.

Member Lasky asked if Mary Jo will need a map.

Mary Jo said she will need a plan to submit to the County.

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

Meeting adjourned at 8:31 p.m.

Respectfully submitted,

Mary Jo Kelly
Secretary

Pending Cases:

CASE # 397 – Public Hearing for Application of B & C Storage
for Controlled site approval to erect 6 self storage buildings
on property located on the west side of Route 11 North
approximately 1/8 mile north of the Route 11 and
Commane Rd. intersection in a Business District. Tax Map
No. 022.-07-03.2

(Applicant advised would not be ready to go forward in March)

CASE # 388 Public Hearing for Scott Daley for a 4 lot subdivision of his property
located on the north side of Route 20 approximately 930' west of the
Route 20 and Apulia Rd. intersection in an Agricultural/Residential
District. (Tax Map No. 010.-02-13.0)

(Applicant called when letter sent and advised just waiting for survey)

Mary Jo Kelly
Secretary
Planning Board

Minutes Adopted 5/20/08 with following change: Bottom of page 1 should read “OPEC countries” in place of “OPEC companies”.