

Minutes of the Planning Board Meeting held by the Town of LaFayette Planning Board on June 15, 2010 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  
Bradley Bush, Member

Absent: Barbara Lasky, Member  
Shawn Adam, Member  
Peg Sutton, Interim Secretary

Recording Secretary: John R. Langey, Planning Board Attorney

1. **Approval of April 20, 2010 Minutes.**

The minutes were approved with the following amendment -- change the second to last paragraph to reflect the phrase "Waiver of public hearing." As amended, the minutes were then approved on motion of Member Markoff, seconded by Member Bush and unanimously approved.

2. **Herbert Brodt - 3-Lot Minor Subdivision, 2713 Webb Road (TM# 020-08-07.0).**

Attorney Maureen Perrin appeared on behalf of the applicant and provided a detailed explanation of the history of the parcels. Originally an application was filed this year by Mr. Brodt wherein he wished to subdivide his parcel into three (3) lots. Attorney Perrin advised the Board that Applicant has now changed the request to a two (2) lot subdivision. One of the lots will be the older home, which is labeled "Proposed Parcel 2" on the map. The balance of the subdivision will remain intact with a home recently constructed by Mr. Brodt located on it, as well as the tool and die shop and a shed, all to be located on the southside of the parcel.

The Board discussed the fact that a side yard variance would be necessary for the lot line establishing the new proposed lot. There will be a requirement for the allowance of a 19' setback for the tool and die shop, therefore requiring 6' of relief from the 25' side yard setback. This variance is currently pending before the ZBA. J. Langey advised that the ZBA had scheduled a public hearing for this at the July meeting and that the Planning Board cannot act until approval of the variance.

Attorney Perrin represented to the Planning Board that the applicant will also discontinue a previously approved use variance in association with the tool and die shop on the parcel. In effect, if the ZBA approves the side yard variance it would be conditioned upon the extinguishment of the use variance that is on the property. Ms. Perrin also explained that the lot being created by the subdivision (the smaller lot), is being purchased by an individual named Jim Wallace, who at this time is unable to buy the tool and die shop, hence necessitating the variance. Attorney William Rose is representing Mr. Wallace. Therefore, the Board understood that the tool and die shop structure would stay with the larger lot, which is improved by the new

home that was constructed sometime after 2005. There was also a brief discussion of the fact that the Planning Board had previously approved a subdivision on this parcel in 2005. Ms. Perrin explained that her client did not file the subdivision map and therefore that approval lapsed.

Discussion was also held with regard to the location of wells. The Planning Board would like the location of the wells to be noted on the map and it was determined that has been done. Ms. Perrin explained that currently the tool and die shop benefits from water from a well which is located on what will be the newly created lot. There will be a written agreement between the owners for a continuation of the well water for twelve (12) months, at which time the provision of water will extinguish. It was also discussed that the new and proposed maps must show the locations of the septic systems for all structures. The new map will also show the drainage swale that is located on the western edge of the parcel. Further discussion ensued regarding driveway issues. Ms. Perrin indicated that Jim Stelter from the County Highway Department has approved the new driveway location for access of the shop off of Webb Road. It was also noted that the County Planning Board had suggested elimination of the more northerly driveway for the smaller proposed lot. Those issues will have to be resolved by the Planning Board at the next meeting. J. Langey indicated that a new County Planning Board referral will be necessary, but cannot be accomplished until the map has been provided by the applicant. It was noted that any further subdivision will have to occur off of Amidon Road in accordance with the County Planning Board's recommendation. After further discussion, the Board determined to hold a public hearing for the July meeting and directed the applicant to provide information so that a County referral could be completed.

**Member's Markoff moved and Bush seconded the motion to adjourn. Motion carried.**

The Planning Board Meeting adjourned.

Respectfully submitted,

John R. Langey  
Planning Board Attorney

JRL/dl

Approved 7/20/10