

Minutes of the Planning Board Meeting held by the LaFayette Planning Board on July 20, 2010 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:	Jim Nakas	Chairperson
	Brad Bush	Member
	Rick Markoff	Member
	Barb Lasky	Member

Absent:	Shawn Adam	Member
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Recording Secretary: Mary Jo Kelly, Secretary

Others Present:	Wendy Reese, Planning Board Attorney
	Maureen Perrin, Att. For Herbert Brodt

Chairperson Jim Nakas called the Meeting to order at 7:00 P.M. and welcomed everyone. He asked if there were any corrections or additions to the June 15, 2010 Meeting Minutes. There were none. The Minutes will stand as submitted.

CASE # 409 Public Hearing for application of Herbert Brodt for a 2-lot subdivision of his property located on the west side of Webb Rd. approximately ¼ mile from the Route 20 and Webb Rd. intersection in an Agricultural/Residential District. (Tax Map No.'s 020.-08-06.0 & 020.-08-07.0).

Maureen Perrin submitted a revised map prepared by John Damiano. The map was dated 01/07/2005 and revised 6/23/10. Herb Brodt thought he had done this before and then he didn't file a map so the time elapsed. They are all set with the Zoning Board of Appeals for a Side-Yard Variance which they received last week. This map shows everything John Langey and the Board talked about last time.

Chairman Nakas confirmed the Zoning Board of Appeals is O.K. with the variance for the lot line but they took away the shop use.

Maureen Perrin said they are fine with the variance and the applicant retired the shop usage.

Chairman Nakas asked why he did this.

Maureen Perrin said the Use Variance was granted for a tool shop when Herb Brodt was living next door. Now that Herb isn't going to live next door and he is retired, he decided not to use it anymore.

Chairman Nakas confirmed this cannot be resurrected as a shop.

Maureen Perrin said not without an application. The whole process would have to be gone through again.

Discussion took place regarding County Planning's recommendation that the northern most driveway be discontinued. The Board was not in agreement with this and felt everything should remain as it is.

Member Bush confirmed we have something stating the County D.O.T. is O.K. with these driveways as they exist.

Maureen Perrin said yes.

Wendy Reese found a letter and confirmed the existing driveways are O.K. with the D.O.T.

Chairman Nakas asked for any comments from the public regarding this application. There were none. He asked for any other questions or comments from the Board.

Member Lasky asked if the Board needs to be concerned with the “reputed” position of the septic systems on the map.

Maureen Perrin believes the map shows where Herb Brodt believes the septic systems are located.

Chairman Nakas asked if the well issue is taken care of.

Maureen Perrin said there is a verbal agreement that will be put in the deed that Herb Brodt has the right to use the well for one year as he thinks that is how long it will take him to sell the equipment from the shop.

Chairman Nakas asked if this is an allowable procedure.

Maureen Perrin said yes. It’s the same as giving someone spring rights.

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

Member’s Lasky moved and Markoff seconded the motion to close the public hearing. Motion carried.

Member’s Markoff moved and Bush seconded the motion that the Board declare themselves Lead Agency, this is a negative declaration in the SEQR process, approval of preliminary plat and waiver of public hearing for final plat and approval of this application with the condition that this map be filed with the county as soon as possible and that appropriate approvals be obtained from the County Dept. of Transportation. Motion carried.

Member’s Markoff moved and Lasky seconded the motion to adjourn. Motion carried.

The Planning Board Meeting adjourned at 7:16 p.m.

Respectfully submitted,

Mary Jo Kelly, Secretary

Adopted 8/17/10