

Minutes of the Town of LaFayette Zoning Board of Appeals Meeting held on November 11, 2003, in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette at 7:30 p.m.

Present: Stephen Beggs, Chairman  
Albert Miller, Member  
Robert Drumm, Member  
Daniel Kuhns, Member  
Jerry Doolittle, Member

Recording Secretary: Mary Jo Kelly

Others Present: John Langey, ZBA Attorney  
Neil Shute, Applicant  
Melody Roy, Applicant  
Adrian Shute, Rte. 20  
Teri Knickerbocker, 2885 Rte. 11

Chairman Beggs called the meeting to order at 6:37 p.m.  
Everyone introduced themselves.

Chairman Beggs asked if there were any corrections or additions to the October 14, 2003, Meeting Minutes. There were none.

**Member's Miller moved and Drumm seconded the motion to accept the October 14, 2003, Zoning Board of Appeals Meeting Minutes as submitted by the Secretary. Motion passed unanimously.**

**CASE # 561 – Public Hearing for appeal of Melody Roy for a side-yard variance of her property located at 2880 Route 11 approximately 600' south of the Sentinel Hgts. and Route 11 intersection on the east side of Route 11 in an Agricultural/Residential District.**

Melody Roy said she hired an architect. Unfortunately he was called out of town last week. At the Board's request, she discussed with the architect about grandfathering in the exact footprints of the garage and bringing it up next to the house. She has decided not to put the second story on over the garage. She is asking the Board to approve the variance even though she doesn't have the plans, contingent upon obtaining the Building Permit and pending the Building Inspector's reviewing of the plans to assure they are the exact same footprints as the original garage that exists. If she waits another month, she will be into the snow and she needs to get the garage built. She asked if it was possible to do this.

Chairman Beggs asked John Langey if the applicant rebuilds the structure in the exact dimensions as the existing structure, does she need a variance?

John Langey said at the last meeting, the Board thought that if she did that, it was good to come in and memorialize it. It was going to be made part of the resolution that this grandfathered in at 7'8" from the most northerly border of the lot. The questions becomes how comfortable the Board is in granting this without a survey showing the location on the map. If the Board is comfortable with this, they can go ahead and do it.

Melody Roy said the Building Permit would be contingent upon the Building Inspector reviewing the plans and policing exactly what the Board has talked about. The garage would be the same with the exception that it would go right up next to the house.

Chairman Beggs said she is going to rebuild the garage in the exact location but will expand the structure so it goes from the current location right up next to the house.

Member Doolittle said it will go from a 14' garage to an 18' garage.

Member Kuhns said she will maintain the 7'8" distance from the side property line.

Melody Roy said yes.

Member Drumm asked if the garage would just be a garage.

Melody Roy said yes, she isn't going to put the second story on.

Chairman Beggs said the garage will be attached to the house to avoid future water problems.

Melody Roy said that is correct.

Member Drumm asked which way the pitch of the garage roof will go.

Melody Roy said it will come down and then come even with the current roof on the house. The two roofs will just meet. The overhang might have to be cut off.

Member Doolittle asked if they will each run the same way.

Melody Roy said yes.

Member Drumm said the north side of the house and the south side of the garage roof will come together. Where will the water go?

Melody Roy said she would think the architect would put some flashing up there.

Chairman Beggs said if the runoff from both roofs run together, she could still have a water problem. You can't have two sloped roofs facing one another. The water will tend to run together. In the winter the snow will build up from both roofs.

Member Drumm said you would have to run the roof on the garage the opposite way and bring it into the roof on the house which could be difficult.

Member Doolittle asked the depth of the house from the front to the back.

John Langey said it looks like 32'.

Member Doolittle said you will also have a problem making the garage and house lines match up.

Chairman Beggs believes she might be asking for trouble. What she wants to do will not solve any problems but might create them. He doesn't know

how much room she has in the back of her house but maybe if the garage were located around to the back of the house it would be better.

Member Drumm noted her septic system is back there.

Chairman Beggs said he hates to bring her bad news. The only way he can see that this could possibly work would be if one roof went over the top of everything. He doesn't know if that is possible.

Melody Roy thinks it would be possible. She will talk to her architect.

Member Doolittle said another way would be if the garage roof sloped in the other direction.

Chairman Beggs said she needs to go back to her architect and discuss this with him.

Member Drumm would recommend she go ahead and move the garage 4' closer to the house but keep it at 14' to 15' or she will have a wide span.

Melody Roy asked if she could get the plans to Mary Jo and she could get them out to the Board so they could decide prior to next month.

Member Miller asked if they could hold a special meeting on this.

Chairman Beggs said once she gets the information to Mary Jo, Mary Jo will contact him and the Board will try to have a special meeting. He can't promise anything but will try.

John Langey said the Board can continue the public hearing until such a date that they choose to continue it. The Board can figure out when they will meet and by leaving it open they don't have to worry about renoticing it to the resident's as anyone interested is present.

**Member's Miller moved and Drumm seconded the motion to keep the public hearing open on this application until such date they choose to continue it. Motion passed unanimously.**

Chairman Beggs said Mary Jo Kelly will contact Teri Knickerbocker with the date as soon as it is determined which will be when she gets everything in and he gets to the office to review it. If everything looks O.K., he will have Mary Jo contact the rest of the Board Members to try to set up a special meeting to accommodate the applicant.

**CASE # 562 - Public Hearing for appeal of Shute's Water Systems for a front-yard variance to move an existing sign to approximately 20' from the road edge at 5684 Route 20 approximately 1 ½ miles west of the Route 11 and Route 20 intersection in an Agricultural/Residential District.**

Chairman Beggs said last month the Board requested the applicant get a letter from the D.O.T. regarding their setback requirements.

Neil Shute said the map is all they would give him. The Board asked for him to get the setbacks for Route 20. It's 33 feet.

Chairman Beggs asked if this was from the center line.

Neil Shute said yes. He said they were planning on moving the sign 20' from the 33' mark and there would still be plenty of room there.

Chairman Beggs said he was by there himself and looked at it. How far would they put the sign ahead of the front of the building?

Neil Shute said approximately 15'.

Member Drumm asked about the smaller sign underneath the big one.

Neil Shute said they would like to keep it there to advertise specials if they have them.

Chairman Beggs asked how far the building is from the center line of the road. He can't determine the distance from the map.

Neil Shute said he would have to get back to the Board on that.

Member Doolittle said if the scale is correct, it appears it would be approximately 73'. It probably is 75' back as that was probably the original setback requirement.

Chairman Beggs said when he went by there last weekend, he thought if the southerly most part of the sign were 10' in front of the building, it would put it out enough for good visibility and that would keep the front of the 16' x 5' sign 26' in front of the building.

Neil Shute said the further out you go, the better visibility you have.

Member Kuhns said what the applicant is proposing to move the sign would be almost the same as what Chairman Beggs is proposing.

Member Drumm said the end of the sign would be better than a car length from the road.

Member Kuhns said if they go back 20' from the right-of-way and if the building is about 75' from the highway centerline, it would be just about what Chairman Beggs is stating.

Member Drumm said the northern corner of the sign would be 26' from the north end of the building.

John Langey said he has it that the most northerly part of the sign would be 53' from the highway centerline.

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

Chairman Beggs closed the public hearing.

**Member's Drumm moved and Doolittle seconded the motion to declare this Board Lead Agency, this is an unlisted action, a negative declaration pertaining to the SEQR and to grant the front-yard variance allowing a 53' setback from the highway centerline for their 16' x 5' sign which would grant them a 22' front-yard variance and note the size of the sign is grandfathered in as the sign existed long before zoning. Voting was as follows:**

Chairman Beggs	Aye
Member Miller	Aye
Member Drumm	Aye

**Member Kuhns**

**Aye**

**Member Doolittle**

**Aye**

**Motion passed unanimously.**

**Member's Miller moved and Drumm seconded the motion to adjourn. Motion passed unanimously.**

The Zoning Board of Appeals Meeting adjourned at 7:17 p.m.

Respectfully submitted,

Mary Jo Kelly  
Secretary