

April 10, 2007 -Zoning Board of Appeals Meeting Minutes

The regular meeting of the Zoning Board of Appeals of the Town of Lafayette was held April 10, 2007 at 7:30 PM in the Meeting Room of the LaFayette commons Office Building at 2577 Route 11 in the Town of Lafayette

Members Present:	Steve Beggs	Chairperson
	Bob Drumm	Member
	Dan Kuhns	Member
	Jerry Doolittle	Member
	Jim Butkus	Alt. Member

Recording Secretary Peggy Sutton

Others present: John Langey ZBA Attorney
Sheila Kelly
Kevin Purcell
Colman Burke, Verizon
Ran Christopherson, Surveyor for EI Paso Gas
Adrian Shute Town Board Member
Catherine Morezak, Applicant

Chairperson Beggs called the meeting to order at 7:35 PM. He welcomed everyone and had everyone introduce themselves.

Chairperson Beggs asked if there were any additions or corrections to the March 13, 2007 minutes. There were three corrections: page 2 second paragraph written lightning should be lightning antenna, same sentence should be 199' 6" not 1996'. 7th-paragraph should be more carriers not other.

Motion by Dan Kuhns to accept the minutes of the March 13,2007 meeting as corrected, seconded by Jerry Doolittle, passed unanimously.

CASE #594 -Sketch Plan Conference for application of Steven and Catherine Morezak for a Use Variance for their property located on Newell Hill Rd. approximately 1.3 miles from Clark Hollow Rd. and Newell Rd. intersection in an Agricultural/Residential District to permit the erection and operation of a 199.6' telecommunication tower and related equipment. (Tax Map No. 010.-05-01.0).

Kevin Purcell and Colman Burke represented Verizon. Mr. Purcell referred to the pictures which showed the coverage of towers in the area and coverage for this project. The blue is the current coverage of towers in the area and green is the coverage for this project.

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Dan Kuhns asked what would be the difference in the 175' tower and the 195' tower. Mr. Burke explained that the 195' foot tower would allow possibly two more carriers. If more carriers could

not use the tower there would be the need for more towers. If the tower could host other carriers than they would be forced to use the tower and therefore there would be less towers in the area.

If another company uses the tower they would have to come to the Planning Board for approval.

John Langey has arranged for consultant Bill Johnson to be retained for input into this case. The board approved and asked if he could be present at the public hearing. John Langey will contact him to see if he would be available to attend. Verizon has agreed to pay 1/2 of the cost.

Motion by Jerry Doolittle declare the Zoning Board Appeals to be lead agency, this an unlisted action and directed John Langey to send out appropriate notices, seconded by Jim Butkus, passed unanimously.

Public Hearing at the next meeting to be held on May 8, 2007 at 7:30 PM.

Referral has been sent to Onondaga County Planning Board. John Langey has not had a response at this point.

Pictures were shown of monopole and lattice poles. Aesthetic wise a monopole is better, less visible. Question was asked why a lattice pole is preferred by Verizon. Lattice pole would have the possibility of providing more carriers. Verizon was asked to provide something in writing by an engineer stating why a lattice pole is more favorable.

Long EAF to be reviewed by the Board at the next meeting.

SHEILA KELLY -for interpretation of Zoning Regulations regarding a home occupation.

Sheila Kelly was present. She is operating a home occupation from her barn located on her property. It is an Incorporated business registered in Kansas City. She is co-owner of the company. Letter which was sent to the Zoning Board by Ralph Lamson asking the Zoning Board of Appeals to review the Zoning Regulations to see if this would be allowed in an Agricultural District was read by John Langey. Ms Kelly meets all the qualifications of a home occupation but it is not within the dwelling, it is in a barn on the property.

Letter was sent to the Board by Anne-Sweeney Nakas a neighbor concerning this business. On file in the Town Clerk's Office. Letter was read to Ms Kelly by John Langey. Ms Kelly replied to parts of the letter. Business is co-owned by herself and she does reside at this residence.

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Steve Beggs read the definition of home occupation from Zoning Ordinance pg. 39-40. Chairperson Beggs asked Ms Kelly if she could bring documentation of square footage of the home, and also the square footage needed for the home occupation. Her business is a construction company with 2 employees plus herself. Only the business portion is located here (accounts receivable, accounts payable, phone calls, computer work).

Discussion followed if a breezeway were built if this would be considered part of the home. Bob

Drumm brought it the board's attention that no new construction would be allowed to support the home occupation, must be in the present structure.

Chairperson Beggs read the definition of a dwelling on page 38 of the Zoning Ordinance. The board agreed that it didn't meet the requirement of being in the dwelling.

John Langey advised Ms Kelly that she would have to apply for a zone change, or a use variance which is very difficult to get. Applicant will review her options.

SKETCH PLAN CONFERENCE: Tennessee Gas (EI Paso) to allow construction of a compressor station on present site on Sentinel Heights Rd.

Hans Christopherson surveyor for the company was present to explain what the company intended to do. They want to upgrade Compressor Station #241. They need a variance of height of the roof. The roof will be 41' and the Zoning Ordinance allows for a 35' height. The need for additional height is to allow for fire depression and a crane to lift engines when repaired.

No application was presented.

Mr. Christopherson stated that the client believes that they are under Department of Transportation and the regulations would allow this construction without approval by the Zoning Board. Attorney for EI Paso Gas will contact John Langey, to see if a hearing is necessary.

Motion by Jerry Doolittle for adjournment, seconded by Dan Kuhn, passed unanimously.

Meeting adjourned at 9:40 PM.

Respectfully submitted,
Peggy Sutton, Deputy Secretary

Adopted 5/8/07 with following corrections: three corrections on the last page : Suppression in place of depression, equipment in place of engines and Kuhns in place of Kuhn. There were no further corrections or additions..