

Minutes of the September 9, 2008 Zoning Board of Appeals Meeting Minutes held in the Community 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
Daniel Kuhns, Member
Jerry Doolittle, Member
Christine Keenan, Member

Absent: Robert Drumm, Member

Recording Secretary: Mary Jo Kelly

Others Present: John Langey, ZBA Attorney
Robert Lieberman, Applicant

Chairman Beggs called the meeting to order at 7:32 p.m. Everyone introduced themselves.

Chairman Beggs asked for any suggestions for corrections or additions to the July 8, 2008 Minutes. There were none.

Member's Doolittle moved and Kuhns seconded the motion to accept the July 8, 2008 Zoning Board of Appeals Minutes as submitted by the Secretary. Motion carried.

CASE # 602 - Sketch Plan Conference for application by Robert Lieberman for a front yard variance of his property at 2639 Route 11 North approximately ½ mile north of the Route 11 and Route 20 intersection in a Business District to erect a sign.

Chairman Beggs advised the purpose of a sketch plan conference is to be sure the Board has all the documentation they need to move forward with a public hearing next month and to make sure everyone understands what we have before us.

Member Doolittle recused himself from the Board for this application

Robert Lieberman was present. He submitted some photographs of the proposed sign and its location on the site. He is replacing the mailboxes with new ones closer to the building. Once the existing mailboxes are removed, he has no identification for the property. He has requested the LaFayette Fire Dept. put up a green address marker but he would like a more attractive identification for the building. It will be about 11-12' from the front property line and about 30' from the highway center line.

John Langey asked if the sign would be located within the Dept. of Transportation (D.O.T.) right-of-way.

Robert Lieberman didn't know.

Chairman Beggs said in past applications before the board, the signs could not be in the D.O.T. right-of-way unless you have a letter from them giving you permission to place it in their right-of-way.

Robert Lieberman confirmed the Board would only need a letter if it is in the right-of-way.

John Langey said they will also give you a letter stating it's not in the D.O.T. right-of-way. Mr. Stelter is the contact at the D.O.T. The letter would say you are in the right-of-way and have permission to place the sign there or that you are not in the right-of-way.

The sign will not be a lit sign.

Chairman Beggs said one concern he has is a possible site distance problem for people pulling out of the driveway onto the main highway.

Robert Lieberman said by taking down the mailboxes, he is removing a visual obstruction for going in or out of the driveway. He thinks the sign will be set back far enough that it won't impede the Route 11 sign. It will help to identify the property.

Jerry Doolittle asked how far from the driveway it is.

Robert Lieberman said he didn't measure that.

Jerry Doolittle said if he did have it near the driveway it would have to be back about 15' for traffic pulling onto the road. If it's down the road a little bit, the visual is different.

Chairman Beggs said he likes to see about one car length between the edge of the pavement and the sign for a car pulling out of the driveway. This gives good visibility to passers-by and it allows good visibility for the person entering the traffic flow.

Jerry Doolittle noted if a car is exiting the property, there is a period where the car would disappear from view for cars traveling on Route 11.

Chairman Beggs said if the sign were up a little higher it might help with visibility as the car could be seen under the sign.

John Langey asked if there's room to move it back a couple of feet.

Jerry Doolittle said that is what he was going to suggest.

John Langey asked if it could be moved back another 24 inches. D.O.T. might give the applicant some guidance on site distance. They might comment on the location and whether it would impede on people traveling on Route 11 or people coming out of the complex. They might put this information in a letter for him.

Member Kuhns noted right now the sign is 11' off the road.

Chairman Beggs said one car length from the edge of the pavement to the sign is the guidelines this Board has used in the past.

Robert Lieberman asked if the Board would suggest he place the sign 15' from the property line.

Chairman Beggs would say from the edge of the pavement. He doesn't know where the state right-of-way is.

Robert Lieberman thinks he would take it from where the grass starts. Should the measurement be to the first or second pole on the sign?

Jerry Doolittle said the first pole.

Chairman Beggs said 18' would be a good measurement.

Jerry Doolittle said the other consideration is that the property slopes down so he won't want to go too far back.

Chairman Beggs said the height limit is 35' so he should be O.K.

John Langey said the applicants next step is to get in touch with the D.O.T. and adjust the drawing to show the sign 18' back. The D.O.T. will comment on the right-of-way and visibility for the sign.

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

This application will be scheduled for a public hearing next month.

**Member's Doolittle moved and Kuhns seconded the motion to adjourn.
Motion passed unanimously.**

The Zoning Board of Appeals Meeting adjourned at 8:01 p.m.

Respectfully submitted,

Mary Jo Kelly
Secretary

Approved 10/14/08