

December 13, 2011 – Zoning Board of Appeals Meeting Minutes

Minutes of the December 13, 2011 Zoning Board of Appeals Meeting Minutes held 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
Christine Keenan, Member
James Nash, Member
Jim Butkus, Alternate Member

Absent: Dan Kuhns, Member

Secretary: Jackie Roorda

Others Present: Wendy Reese, Attorney
Darcy Sacks, O'Brien and Gere
Paul Schultz, O'Brien and Gere
Stephen Miller, Parsons

Chairman Beggs opened the meeting at 7:40 p.m. and everyone introduced themselves.

Chairman Beggs asked if there were any corrections or additions to the October 11th, 2011 Zoning Board of Appeals Meeting Minutes. There were none.

Member Butkus moved and Keenan seconded the motion to approve the April 2011 Zoning Board of Appeals Meeting Minutes as submitted. Motion carried 4 - 0

CASE Sketch Plan Conference for application by Honeywell International, Inc. for a Variance on the Property located at 2344 Route 11A, (Cardiff Cemetery) east side, one half mile south of Route 20. Said variance to allow use of community water purification system in an Agricultural/Residential District. Also, require variance to allow 15' set back from southern boundary. (Tax Map No. .017.-02-04)

Chairman Beggs asked Honeywell representatives to present their case.

Ms. Sacks began by advising that the cemetery history goes back to the mid 1800's. A springhouse located in the southeast corner of the property, approximately 400 – 500 feet uphill from the cemetery supplies approximately 20 households in the area. OCWA and the Department of Health have determined that the water from this springhouse is in need of treatment to remove any potential hazards to the population it supplies. Honeywell has an easement to use the existing building and the springhouse to supply the needed water, therefore need to take whatever steps are necessary to comply with the treatment of the water to make it

safe for use. A neighbor “Mr. Bieling” owns a portion of the property that the springhouse is currently located on and does not want electrical wires hanging on his property.

Honeywell representatives provided illustrations of the projected project outlining property lines and proposed variance lines, building specifications, which were reviewed by the Zoning Board of Appeals and Attorney. Member Keenan questioned who the ground lease agreement will be under; would this be considered a utility substation and if so, should this be a Use Variance instead of a setback variance. Darcy explained that it is a perpetual agreement between the Cardiff Cemetery and Honeywell and that OCWA will continue to maintain it, as in the past. She further advised that the President of the Cardiff Cemetery Association, Karl Field, already submitted a letter affirming their agreement with the proposed use and location of the water treatment facility with setback variations as submitted. Chairman Beggs advised that in his conversation with Code Enforcer Lamson, Lamson advised that no Use Variance was needed. Attorney Reese confirmed that it is Lamson’s call to make the determination for a setback variance. At this point, the Board returned to the illustrations and raised questions of need of a back- up generator and will that be setback 15’ away from the property line even with the building setback. Butkus questioned if water treatment system would be monitored daily and Beggs asked if OCWA will be doing daily checks. Paul Schultz advised that Honeywell already has an agreement with OCWA and that that is a part of said agreement. Member Nash questioned if all the residents in the area are benefitting with water use from this springhouse. Darcy replied that those within 500ft, 20 residential homes are using the water. Keenan questioned if the building could be moved to another location to avoid variances and is it possible to expand water supply to others. Nash commented that it appears that they are trying not to disturb other water supply and questioned if there will be a fence around the generator. Darcy agreed and advised that a fence will be placed around the generator, enclosures will be consensual and pending plans are accommodating all parties involved. Butkus questioned what supplied the generator and would there be lighting. Paul advised the generator is run by diesel and that low lighting; perhaps a wall pack would be used. They provided an aerial view of the proposed area that was reviewed.

Chairman Beggs asked the Honeywell representatives if it would be possible to get copies of the original agreements between Honeywell and the Cemetery along with the original agreement between Solvay Process and the Residents, showing the obligation for providing water. He also requested a new map illustrating a larger area of property to clarify exactly where the building, generator and setback variance are to be located in respect to the cemetery for the Public Hearing in January, since this is such a unique situation. He then thanked them for an all around nice presentation. The public hearing is set for January 10th, 2012. Butkus asked if the presentation boards could be left for others who may wish to review them.

CASE# Approval for Elizabeth and Leonard Richer for a Variance for their Property located at 4315 Roberts Drive to allow for an addition to expand the living quarters of the existing house at the southeast corner of the premises, in an Agricultural/Residential District. The addition will be 18’8” from the property line. (Tax Map No: .002.-06-01)

Chairman Beggs read the Approval from Onondaga County Planning Board and the recommendation that any existing or proposed septic system be approved by the Onondaga County Health Department. He also advised that proof of said review was done on October 25th, 2011 and a copy of same is present in the file. It is determined that since no bathrooms will be added and there will be no increase of occupants the septic system is sufficient for this approval. Attorney Reese read through the SEQR Assessment form, which determined a “negative declaration on SEQR”.

**Member Butkus moved and Nash seconded motion to declare the Zoning Board of Appeals as the lead agency, with a negative SEQR declaration with approval of the front yard variance of 31’4” to allow for placement of a 34’7” x 14’ addition of the existing house located at 4315 Roberts Drive at the southeast corner of the premises, in an Agricultural/Residential area. Motion carried 3 – 0 with Keenan abstaining.
(Resolution attached)**

Member Keenan moved and Butkus seconded motion to adjourn. Motion carried 4 – 0. Meeting adjourned at 8:47 p.m.

Jacqueline Roorda
Secretary, Zoning Board
Of Appeals