

May 18, 2016 Planning Board Meeting Minutes

Minutes of the Planning Board Meeting held by the Town of LaFayette Planning Board on May 18, 2016, in the Library Community Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette at 7:00 PM.

Present: Brad Bush, Acting Chairman
Shawn Adam, Member
Barb Lasky, Member
Rick Markoff, Member

Absent: James Nakas, Chairman

Attorney: John Langey

Recording Secretary: Jackie Bush Roorda

Others present: Ralph Lamson, Bldg & Code Enforcer
Julie Liebmann, Applicant
Paul Swimm, Applicant
Michelle and Paul Bluss

Acting Chairman Bush opened the Meeting at 7:00 p.m. and welcomed everyone. He advised that Chairman Nakas asked him to step in as acting Chair as he was unable to attend for a medical reason. He wished the best to Jim. He then asked if anyone had any concerns regarding the minutes of the April 19, 2016 meeting minutes. None were voiced. Motion was made by Richard Markoff and seconded by Shawn Adam to accept the minutes as submitted by Planning Board Secretary, Jackie Bush Roorda. Bush then asked all in attendance to introduce themselves.

Chairman Bush read Case 1) Application by Julie & Keith Liebmann of Rocking Horse Farm for a Controlled Site Approval in an Agricultural-Residential District to use an agricultural barn for group events/parties. The residence is located at 3736 Apulia Road, Jamesville, NY (½ mile north of Palladino Road and Apulia Road on the east side. Tax Map No. 005.-05-07, advising that a Public Hearing is scheduled regarding this first case and a motion to open is needed.

Member Markoff moved and Barb Lasky seconded the motion to open the

Public Hearing. Motion carried 4-0.

Chairman Bush advised that he and Julie and Keith Liebmann, the Applicants, attended the Onondaga County Planning Board Meeting earlier in the day and are aware of their recommendations regarding their application for a controlled site approval. Mrs. & Mr. Liebmann explained that they have already addressed most of the County's recommendations as follows: New site plan with new dimensions, real colored pictures which orient the barn to the property, soil and water map showing the drainage plan, updated that there will only be porta johns and no restrooms eliminating any concerns for a septic plan. They explained that they have already approached all of their neighbors and no one has any issues or concerns with this endeavor. Neighbors in attendance, Michelle and Paul Bluss questioned if there will parking close to Apulia Road. They were advised that for overflow parking, most likely at Christmas and holiday season they would be utilized. Discussion regarding parking lot and site lighting took place. Mrs. Liebmann advised that her husband, Keith will get with Code Enforcement Officer Ralph Lamson regarding all parking lot concerns.

Attorney John Langey recommended that the Liebmann's contact the Dept. of Transportation regarding in and out traffic at the current driveway. Discussions continued regarding keeping the music inside the barn ending at midnight, the time the time it will take for visitors, caterers, etc. to be off the site after an event; parking plan & fire lane; no necessity to have a SWPPP consult as less than an acre is involved; not restricting events to weekends only; etc.

Code Enforcement Officer Lamson advised that the biggest thing will be to have lighting "night compliant"; there is more than enough space for parking provided and checking with DOT to be sure there is no issue with the site to enter or exit.

Acting Chairman Bush asked if there are any more questions or comments. None were voiced.

Member Markoff moved and Shawn Adam seconded the motion to close the Public Hearing. Motion carried 4-0.

**CONTROLLED SITE APPROVAL RESOLUTION
OF THE
TOWN OF LAFAYETTE PLANNING BOARD**

JULIE & KEITH LIEBMANN -- Controlled Site Approval for

Rockinghorse Farm to Host Group Recreational and Social Events
Associated with Their Existing Farm Operations in a New Barn
Structure to be located at 3736 Apulia Road, Jamesville, Town of
LaFayette, in a presently zoned Agricultural-Residential District -
GRANTED WITH CONDITIONS

May 18, 2016

Dr. Markoff moved and S. Adam seconded the following Resolution:

WHEREAS, Julie and Keith Liebmann, as Applicants/Owners (the “Applicants”), of property located at 3736 Apulia Road, Jamesville, in the Town of LaFayette, County of Onondaga, New York (the “Property”), applied on or about March 22, 2106 for controlled site approval to host group recreational and social events to supplement their existing farm income in a new barn (76’ x 70’) structure located at 3736 Apulia Road, which structure is to be located in the Agricultural-Residential District, all pursuant to the Town of LaFayette Zoning Ordinance as amended (the “Ordinance”); and

WHEREAS, a public hearing was held on the application by the Board at its regular meeting on May 18, 2016, and after due notice by publication in the Syracuse Post Standard and due notice to the Applicants, neighboring landowners and Board Members, in accordance with the law and the Ordinance; and

WHEREAS, at the public hearing, the Applicants and public appeared and were heard on the application; and

WHEREAS, the Applicants are currently operating an existing farm business (known as “Rockinghorse Farm”), which farm business includes an orchard, pumpkin patch, Christmas tree sales, alpacas and miniature donkeys and wishes to supplement its farm income through seasonal use of the proposed barn structure for recreational and social events including reunions, birthday parties, weddings, etc. in addition to the use of the barn structure for equipment storage, farm management offices and promotional recreational events for the farm business; and

WHEREAS, the Applicants have represented that the recreational and social event uses would be seasonal in nature (spring/summer/fall) and primarily weekend based and would further begin with a maximum of one (1) event per weekend and include an ending time of 11:00

p.m. for the use of the premises for such uses with a final closing time of midnight for staff and clean-up; and

WHEREAS, such events would also include the retail sale of farm products from the farm with a limited number of employees in addition to the owners being present during events; and

WHEREAS, the Applicants have prepared a site plan drawing depicting the site amenities, including the building location, parking location, the use of port-a-potties and limited lighting; and

WHEREAS, the Applicants have further retained Adam J. Dorn, P.E. to provide engineering services to the Applicants, including assistance with structural specifications, as-built drawings and any future on-site wastewater treatment system designs; and

WHEREAS, the matter was submitted to the Onondaga County Planning Board (“OCPB”) for its review and comment pursuant to the General Municipal Law; and

WHEREAS, the Onondaga County Planning Board, by resolution dated May 18, 2016, recommended the following modifications to the proposal for the following reasons:

1. The Onondaga County Department of Transportation has determined that the municipality and applicant must contact the Department at (315) 435-3205 to discuss required traffic data and access for the proposed project, including to clarify the intensity of the proposed use, to review the parking and access plans, and to determine any mitigation measures as required by the Department.
2. The applicant must submit a lighting plan to be approved by the Onondaga County Department of Transportation to ensure there is no glare or spillover onto adjacent properties or the county right-of-way.
3. The Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service this property prior to issuance of a Building Permit/Certificate of Occupancy.
4. The Town and applicant must contact the Onondaga County Parks Department in order to provide them with an opportunity to review the proposal for potential impacts to Jamesville Beach County Park.
5. The Town and applicant must ensure the proposed plan meets the requirements of local emergency service providers; and

WHEREAS, Volume 6 N.Y.C.R.R. Part 617 of the Regulations relating to Article 8 of

the Environmental Conservation Law of New York (“SEQRA”), requires that as early as possible and within (20) days of a complete application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the application was fully considered by the Board pursuant to the requirements of Article III, Subsection “C” of the Ordinance, and the Board finds, among other things that:

1. The location in question is zoned Agricultural-Residential and the use will entail the hosting of group recreational and social events in a new barn structure with associated parking. All activity will be conducted within the area indicated upon the submitted plans;
2. Per the Town Code Enforcement Officer, the proposed use is accessory to the property’s use as a full-time functioning farm-operation and, therefore, the accessory use is subordinate to the use of the premises as a farm and subject to the granting of a controlled site approval by the Planning Board;
3. To the greatest extent possible, the farm products will be offered to event guests to create and continue a nexus between the proposed events and the farm operation;
4. The Applicants have proposed events for up to 200 guests and has demonstrated sufficient parking based upon the Code Enforcement Officer’s determination that up to 6 persons per car would utilize this site. The Applicants have demonstrated more than 35 available parking spaces;
5. No traffic problems have been identified;
6. The Applicants will be required to contact the Onondaga County Department of Transportation to discuss any required traffic data and access to the proposed project and to review parking and access plans, as well as any mitigation measures as required by the Department of Transportation;
7. The Applicants have retained the services of a licensed engineer to address any issues regarding septic design in the event that the Applicants install an on-site wastewater treatment system. Further, the design professional (Adam J. Dorn, P.E.) will be providing architectural services, structural review services and as-built certifications for the structures on the premises;
8. The Applicants will commence use of the premises starting out with one (1) event per week and will return to the Planning Board in the event that additional activities are requested;
9. The Applicants proposal to end all music and event activities at 11:00 p.m. sharp with a final closure by staff and workers by 12:00 a.m. (midnight) will serve to mitigate any noise and light impacts associated with the use;
10. The Applicants have agreed to conduct all proposed activities within the barn

structure and on the associated patio and deck; however, all music will be performed and contained within the barn structure to limit impacts to surrounding neighbors;

11. The Applicants will take measures to ensure that no undue annoyances will occur by way of music or sounds emanating from the property;
12. Food will be provided through catering services and all alcohol will be provided through appropriately authorized catering service;
13. All trash management will be handled by private haulers on a weekly basis;
14. All solid waste management will be through port-a-potties by contract;
15. There is extensive screening to the north and plans for additional plantings to provide additional buffers from the events occurring on the farm;
16. The location of the barn will be no closer than 300' from any other property lines;
17. The Applicants have acknowledged that all signage will be Town Code compliant or will have obtained appropriate approvals. The Applicants will work with the Code Enforcement Office in this regard;
18. All necessary approvals of the Onondaga County Department of Transportation and County Health Department will be or have been obtained prior to any construction and operation;
19. The Applicants have demonstrated the ability to conduct the use in a reasonable manner and have proposed to limit signage, which will be compliant with Town requirements and will include lighting which will not spill onto neighboring properties or impact the traffic in the area;
20. In addition to the above, the Planning Board hereby determines and finds that the proposed use is oriented upon the site as layout, coverage, screening, signs, means of access, landscape and architecture so that:
 - a. The flow, control and safety of traffic shall not be adversely affected to an unreasonable degree as demonstrated by the limited number of guests and the limited number of events occurring on a weekly basis;
 - b. The uses have been reasonably demonstrated to be compatible in all respects with any structure or use in the neighborhood, actual or permitted, which may be directly or substantially affected as determined by the Code Enforcement Officer's determination that such uses are accessory to the farm use;
 - c. There are no unreasonable detriment to any structure or use, actual or permitted, in the neighborhood;
 - d. There has been reasonable provision for open space yards and recreational areas appropriate to the structures and the use as the property currently consists of many open space areas, large yards and facilities; and
 - e. A Stormwater Prevention Pollution Plan (SWPPP) is not currently needed

at this time.

NOW THEREFORE, BE IT RESOLVED that the Planning Board of the Town of LaFayette hereby determines that the proposed action is an Unlisted Action, that the action does not involve any federal agency and the proposed action does not involved more than one agency; and it is further

RESOLVED that the Planning Board of the Town of LaFayette hereby notices all agencies involved, if any, that it shall be lead agency for this project; and it is further

RESOLVED that this Board hereby determines that the proposed action will not have a significant adverse effect on the environment, and this resolution shall constitute a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617, for the following reasons:

1. There are no identified unusual or unique land forms or environmentally sensitive areas at the proposed location;
2. The Applicants will submit a plan to the Code Enforcement Officer showing the proposed lighting, which lighting will be designed to avoid spillage onto neighboring properties and/or adjacent street ways;
3. There is no anticipated concerns regarding lights from vehicles as the access driveway for the farm site is directly across from a property utilized for commercial purposes;
4. Any wastewater treatment facilities will be approved and inspected by the Onondaga County Health Department; however, at this time, the Applicants will be utilizing port-a-potties by contract and which will be disposed of immediately after planned events;
5. By limiting the number of events to one (1) per weekend or one (1) per week, there will be limited impacts on the surrounding neighborhoods. As such, there will be no impact to neighborhood character;
6. In addition, there will be no impacts to neighborhood character as the proposed events will be complimentary to the farm operations as determined by the Code Enforcement Officer;
7. Guests will be limited to no more than 200 for the largest events, with many events being significantly less than the maximum of 200. As such, there is no anticipated issues with parking and/or traffic from the site;

8. The Applicants have demonstrated a limited need for water and that the water on-site is sufficient for the intended use;
9. All food will be provided through the use of catering services, including the serving of alcohol through licensed caterers;
10. Impacts from noise and sound from the site will be temporary in nature and all amplified music will be contained within the barn structure itself. Further, impacts will be limited by music cutoff at 11:00 p.m.;
11. The site demonstrates sufficient parking of more than 35 spaces per the calculation by the Code Enforcement Officer;
12. No other areas of concern have been identified by the public or the Board; and it is further

RESOLVED that the Board hereby allows and grants the Applicants' request for controlled site approval to host group events/parties to supplement the existing farm income in a new barn structure located at 3736 Apulia Road in the Agricultural-Residential District as requested, subject, however, to the following conditions:

1. Utilization of lighting which will not spill onto neighboring properties;
2. Signage which is compliant with the Town's sign ordinance;
3. The Applicants must submit a lighting plan to be approved by the Onondaga County Department of Transportation and the Code Enforcement Officer to ensure there is no glare or spillover onto adjacent properties or the county right-of-way;
4. The Onondaga County Health Department must formally accept or approve, respectively, any future or proposed septic system to service this property prior to issuance of a Building Permit/Certificate of Occupancy;
5. The Town and applicant must contact the Onondaga County Parks Department in order to provide them with an opportunity to review the proposal for potential impacts to Jamesville Beach County Park;
6. The Town and applicant must ensure the proposed plan meets the requirements of local emergency service providers;
7. Use of the premises shall be limited as follows:
 - a. Music to end at 11:00 p.m. sharp with final clear-out of the site, including all clean-up and workers by 12:00 a.m. (midnight);
 - b. Initial events shall be conducted one (1) time per week and at the Applicants' option either a weekend or weekday and should the Applicants require additional days, they will return to the Planning Board for consideration;
 - c. All activities will be conducted as set forth in the Applicants' application

and supplemental materials and as per the findings of this approval resolution;

8. All food service shall be through contracted catering, including the service of alcohol. Caterers may utilize the premises for processing food service on-site, *i.e.* catering prep areas;
9. Applicants shall install screening as proposed with the application and utilize existing landscaping; and it is further

RESOLVED that the recommended modifications of the Onondaga County Planning Board are hereby incorporated and adopted into this resolution; and it is further

RESOLVED that the Town of LaFayette Code Enforcement Officer shall review the satisfaction of all conditions prior to the issuance of a Building Permit/Certificate of Occupancy, with particular review of impacts to on-site lighting to determine no glare spilling onto adjacent properties or the County right-of-way; and it is further

RESOLVED that the Zoning Officer is hereby authorized and directed upon payment of any required fees to issue such permits and certificates and to take such other action as may be required to effectuate and enforce this Resolution subject to the above conditions; and it is further

RESOLVED that this Resolution shall be effective as of the date of its filing with the Town Clerk.

The question of the adoption of the foregoing Resolution was duly put to a roll call vote, which resulted as follows:

Brad Bush, Acting Chairman	Voting	YES
Barbara Lasky, Board Member	Voting	YES
Shawn Adam, Board Member	Voting	YES
Dr. Markoff, Board Member	Voting	YES
James Nakas, Chairman	Excused	-----

The Acting Chairman, Mr. Bush, then declared the Resolution to be duly adopted.

Julie Liebmann thanked the Planning Board, Secretary, Code Enforcer and Attorney for their assistance in this process of getting this matter completed.

Case 2)

Application for Controlled Site approval by S. Paul Swimm of 2733 US Route 11 North

to run his landscaping business in a zoned Business District. The property is approximately one mile north of Route 20, next to Watsons Landscape.

Tax Map Number 020.-04-17.0

Chairman Bush advised that Mr. Swimm received a positive recommendation from the Town Board regarding the recent change of his zoning from Ag/Res to Business with the understanding that it would be a landscape business. He then asked Mr. Swimm to explain his application and desires to the Planning Board.

Mr. Swimm that advised that the only change in that he wants to store landscape materials such gravel and mulch in the back and may need to put up another barn. He advised that this will remain a small landscaping business and he wants to be able to utilize the property. There will not be customers on the premises as he will not be selling any products at this location.

Chairman Bush asked if there were any question from the board.

Discussion regarding signage; Swimm advised he would like some kind of a sign and will check with Code Enforcer Lamson regarding that; parking will not be an issue as customers will not be on site; sending this application to Onondaga County Planning Board; Lamson advised of the need of a better site plan; and Bush discussed scheduling a Public Hearing for the June meeting. Attorney Langey will do the SEQR at that meeting as well.

Chairman Bush asked if there were any further questions or comments from the Board. None were voiced.

Secretary Roorda advised Swimm to get a better site plan to her before the end of the week and she can submit this matter to the County Planning Board before May 27th, 2016 so that it will be reviewed at their June 8th meeting.

Chairman Bush advised that this matter can be scheduled for a Public Hearing on June 21st, 2016 as long as Swimm get the improved site plan to the Planning Secretary on time.

Member Markoff moved and Adams second the motion to adjourn the

meeting. Chairman Bush adjourned the Meeting of the LaFayette Planning Board at 7:35 pm.

Respectfully Submitted,

Jacqueline Roorda,
Plan