

2577 US Route 11
P.O. Box 193
LaFayette, NY 13084



Zoning Board of Appeals Meeting

Date: August 15, 2023

Time: 7:00 pm

Location: Town Hall

Meeting called by: LaFayette Zoning Board of Appeals

Chair: Christine Keenan

Secretary: Sue Marzo

Attendees: **Zoning Board members: Christine Keenan, Anita Miner, Gregg Shinneman**

Jeff Brown, Town Counsel, Ralph Lamson, Codes Officer, Michael Owen and Deborah Bradshaw, applicants, Nicholas Meyers, applicant

Minutes

Case # 1-2023-ZBA Public Hearing

Public Hearing for the application by Michael Owen & Deborah Bradshaw of 4170 Route 91, Jamesville, NY for an Area Variance to allow for an unattached family dwelling. Seeking to convert an existing office space & milk house into an in-law apartment. Property is zoned Agriculture-Residential (Tax Map # 001.-06-16.0)

Chairwoman Keenan began the meeting with the Pledge of Allegiance followed by introductions.

Attorney Brown explained that this application falls under an area variance. He has researched with the assistance of the Codes Officer, Ralph Lamson. Under our code we allow two family residences but not in multiple structures. Given that the two-family use is authorized, allowing it via multiple structures requires only an area variance.

The applicant has future plans to live in this proposed structure after selling the main living quarters to his daughter. They will eventually move into the milk house when they age out of

the main house. The applicant owns 20+ acres with no plans for subdivision. He reviewed the sketch with the Board. This dwelling was a former law office that will be renovated into an in-law apartment. The use of the barn and main house will not change. The fields are leased to farmers. The barn is used for storage of cars and boats.

Chairwoman Keenan asked about the septic. The applicant advised that there is an existing septic, but it may be too small. They also have a separate well. Chairwoman Keenan advised that this will all have to be approved by the Health Department.

SEQR Short Form Part 2 was completed by the Board as follows led by Attorney Brown.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? – “No or small impact”
2. Will the proposed action result in a change in the use or intensity of use of land? – “No or small impact”
3. Will the proposed action impair the character or quality of the existing community? – “No or small impact”
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? – “No or small impact”
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkway? – “No or small impact”
6. Will the proposed action cause an increase in the use of energy, and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? – “No or small impact”
7. Will the proposed action impact existing:
 - a. Public/private water supplies? -“No or small impact”
 - b. Public/private wastewater treatment utilities? – “No or small impact”
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? – “No or small impact”
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora, and fauna)? – “No or small impact”
10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? – “No or small impact”
11. Will the proposed action create a hazard to environmental resources or human health? – “No or small impact”

Attorney Brown advised, based on these answers, an appropriate motion is for the Zoning Board to serve as lead agency and determine that this project does not have the potential for any significant negative impacts on the environment. Motion was made by Greg Shinneman, second by Anita Miner. All Board members present were in favor.

Motion was made to open the public hearing by Greg Shinneman, second by Anita Miner. All Board members present were in favor.

There were no residents present to speak for or against the project.

Motion was made to close the public hearing by Anita Miner, second by Greg Shinneman. All Board members present were in favor.

Chairwoman Keenan completed the Zoning criteria for an area variance:

Can the benefit be achieved by other means? No

Will there be an undesirable change in neighborhood character or nearby properties? No

Is the request substantial? No

Will it have an adverse physical or environmental affect? No

Is the alleged difficulty self-created? Yes

Motion was made to approve the project by Anita Miner, second by Greg Shinneman. All Board members present were in favor.

Case #2-2023-ZBA Sketch Hearing

Sketch Hearing for the application by Nicholas Meyer of 6606 Colton Road, LaFayette NY for an area variance to allow for the building of a pole barn eight feet off the side and rear property lines. This is needed due to the location of the leach field and property being on a hill. Property is zoned agriculture. (Tax Map #008.-05-20.0)

The applicant is looking to build a pole barn for the purpose of dry storage, vehicle parking and lean to for tractor/lawn mower. He will hire a contractor to frame it 8' from the property line. This is required due to the location of the leach field. The requirement is 15' from property line so he is looking for 7' of relief.

Chairwoman Keenan advised the applicant that a Public Hearing will be required. She advised the applicant of the 5 criteria that will be reviewed at the public hearing.

- Can the benefit be achieved by other means?
- Will there be an undesirable change in neighborhood character or nearby properties?
- Is the request substantial?
- Will it have an adverse physical or environmental effect?
- Is the alleged difficulty self-created?

Chairwoman Keenan has advised that she will be abstaining from the final vote on this application due to a personal connection with the applicant. Four members will need to be present due to her abstention. She will continue to run the meeting but will not be eligible to vote.

Motion to set a public hearing for September 19 at 7:00 pm was made by Anita Miner, second by Greg Shinneman. All Board members present were in favor.

Motion was made to adjourn by Anita Miner, second by Greg Shinneman at 7:19 pm. All Board members present were in favor.

Respectfully Submitted,

Sue Marzo
Zoning Board Secretary

