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# Joint Planning/Zoning Board Meeting

Date: December 19, 2023

Time: 6:00 pm

Location: LaFayette Town Hall

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**Meeting called by:** LaFayette Planning/Zoning  
Board of Appeals

**Chair:** Brad Bush/Christine Keenan

**Secretary:** Sue Marzo

**Attendees:** **Planning Board members: Chairman Brad Bush, Heath Kotula, Mark Whitney, Rick Markoff, Barb Lasky, Jeff Brown, Town Counsel, Ralph Lamson, Codes Officer, applicant Dorothy Danyew and daughter, Josh Shute**

**Zoning Board members: Chairwoman Christine Keenan, Anita Miner, James Nash, Mike Stiner, Greg Shinneman**

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- Agenda Items:**
1. Pledge of Allegiance
  2. Approval of September 19, 2023, Planning Board minutes and September 19, 2023, Zoning Board minutes
  3. Case #3 2023-PB Sketch Hearing
  4. Case #3 2023-ZBA Sketch Hearing
- Sketch Hearing for the application submitted by Dorothy Danyew, for Site Plan (PB) approval and Special Use Permit (ZBA) for the purpose of establishing a venue to hold wellness activities and small gatherings located within her 20' x 40' barn. The property is located at 6021 Commane Road and is zoned as Agricultural. (Tax Map # 022-05-12.2).

## Discussion:

Chairman Bush welcomed everyone in attendance and invited participants to join in the Pledge of Allegiance.

Motion was made by Rick Markoff, second by Heath Kotula to approve the Planning Board Meeting minutes of September 19, 2023. All Board members present were in favor.

Motion was made by James Nash, second by Mike Stiner to approve the Zoning Board Meeting minutes of September 19, 2023. All Board members were in favor.

Applicant is looking for approval to run a massage/therapy healing center. Additionally, she would like to host meetings/weddings for no more than 50 people. The healing center would have no more than 5 patrons at a time. As time goes on, she would like to open up the facility to host events/weddings in a quaint, manageable quiet setting.

Chairman Bush stated that the application did not represent a wedding venue as a requested use and that this addition opens up a lot of different issues. He said this is not how the application read. He asked if the use would be in an accessory building or the principal residence? Danyew stated it would be away from the home. The building exists and this would be a commercial for-profit use. The business is known as Stonewood LLC. She is looking to rent out to licensed massage therapists.

Chairwoman Keenan informed the applicant that 12-13 parking spaces are required for 50 people. Noise and traffic could be problematic as well as septic. Ms. Danyew stated that they are on septic, and she has had a perk test performed that passed for this requested use. Discussion with both Boards determined this would be a Commercial Recreation Facility similar to Rocking Horse Farm previously approved. The applicant stated this would not be a large venue similar to Oweria Winery but a venue that is more low key. Chairwoman Keenan stated that requirement states one parking spot for 4 people. James Nash was more concerned with noise ordinance. Bands/DJ's might be too noisy for the area.

Heath Kotula asked if she was tying into the neighbors well. The applicant stated that her septic is 100 ft. from the well. The applicant was informed of requirements for signage. Mike Stiner stated that a driveway cannot be on the neighbor's property and that will need correction.

Chairman Bush stated this is a dual use proposal and was not presented to the Board this way. Applicant was informed that no on street parking will be allowed. Mark Whitney suggested that the applicant update the paperwork to correctly present the request for a dual use purpose. Attorney Brown added that a wedding venue is not necessarily considered a meeting place. Application must be thorough and inclusive. He doesn't want the public blindsided by the purpose of the event venue. He stated that there may have to be a use variance. At this point, it was determined that Zoning Board should be reviewing this application first.

Motion was made to adjourn the Planning Board's participation by Rick Markoff, second by Barb Lasky. All Planning Board members present were in favor.

Chairwoman Keenan stated that the application has to be clearer to proceed. If this property is sold, the approved use runs with the land. The Board will determine the maximum number of guests at the venue. She asked other Board members if they were comfortable with the use. Board members Nash and Shinneman were, Mike Stiner said he could be, and Anita Miner said she was thinking about it. We need to get proper identification of use. Chairwoman Keenan asked Code Officer Lamson if this use is permitted in an Ag zone. Code Officer Lamson stated it would be an allowed use.

Motion was made by James Nash, second by Mike Stiner, that the proposed use is an approved use in the AG District. Christine Keenan advised the applicant she will not need to apply for a use variance. However, the ZBA still needs to issue a special use permit and the Board needs a lot more information in order to do so.

Applicant was advised to work with Ralph on parking, signage, lighting, noise, traffic, etc. Applicant was reminded that driveway can go directly on the property line but to not encroach on the neighbor's property. This is a Town road so the Highway Department will need to approve.

Attorney Brown stated that special use permit review requires an additional layer of review. Issuance of a special use permit is a little more intensive. Additional layer of review where the ZBA may improve conditions on curfew, noise, etc.

1. Is appropriate for the particular lot and location;
2. Is not unreasonably detrimental to neighboring properties, areas and districts;
3. Is consistent with an orderly and appropriate development of neighboring properties, areas and districts;
4. Where adjoined by existing or permitted uses, includes a suitable transition between neighboring uses and/or districts;
5. Is oriented in the location and upon the site as required in 290-37B;
6. Includes an appropriate evaluation of the Comprehensive Plan for the Town of LaFayette; and
7. Includes stormwater pollution prevention plan (SWPPP), if required by local law.

Anita Minerd asked about septic being good enough to handle 50 people. Applicant stated that the proposed septic location will be at the back of the structure. Code Officer Lamson stated that the Health Department will need to approve. Chairwoman Keenan stated there will need to be 12-13 spaces along with handicapped spaces. Hours of operation will need to be established. Lighting would need to be planned out as well.

Attorney Brown advised applicant to refer to Chapter 290, 290-37 of our Zoning Code regarding site plans.

Chairwoman Keenan stated that the applicant must come with a detailed site plan with specifics on parking, signage, lighting, septic, traffic, and bathrooms. Christine Keenan asked if there was concern with the home being used for short-term rentals. Code Officer Lamson stated there are no requirements for Air BNB in LaFayette.

The Zoning Board will require one more preliminary meeting with site plan specifics provided before setting a public hearing.

Motion was made by Mike Stiner, second by James Nash to adjourn. All Board members were in favor. Meeting adjourned at 6:51 pm.

Respectfully submitted,

Susan M. Marzo  
Planning/Zoning Board Secretary

