

Minutes of the Public Hearings held by the Town Board of the Town of LaFayette in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette on August 11, 2003 at 6:30 p.m.

Present: Gregory Scammell, Supervisor  
Norman Paul, Councilor  
Sandra Smith, Councilor  
David Knapp, Councilor  
Thomas Bailey, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Leon Cook, Highway Superintendent  
Kevin Gilligan, Town Attorney  
Tom Chartrand, Bookkeeper  
Anne Smith, Historian  
Edward Carroll, Hedgerow Lane  
Marvin Bodley, Hedgerow Lane  
Cindy Heckerman, Sentinel Hgts Rd.  
Bruce Freund, Sentinel Hgts. Rd.

Supervisor Scammell called the meeting to order at 6:30 p.m.

The Town Clerk took the Roll. All present.

Councilor Bailey led in the Pledge to the U. S. Flag.

**Councilor's Knapp moved and Paul seconded the motion to accept the July 14, 2003, Town Board Public Hearing Minutes as submitted by the Town Clerk. Motion passed unanimously.**

**Councilor's Knapp moved and Bailey seconded the motion to accept the July 14, 2003, Regular Town Board Meeting Minutes as submitted by the Town Clerk. Motion passed unanimously.**

**Councilor's Knapp moved and Paul seconded the motion to open the Public Hearing for the application of Lok-n-Logs (James Webb) for a zone change request from Agricultural/Residential to Business for property located on the west side of Route 11 approximately ¼ mile north of the Commene Rd. and Route 11 intersection.**

Supervisor Scammell asked Kevin Gilligan to give a brief overview of this application.

Kevin Gilligan said this is an application for land located just north of the casket company which used to be a bowling alley. It would be south from Mr. Chapman's property and across the road from Willowood. The application was

originally brought before the Board back in April or May and the idea is to zone it Business so the applicant can basically construct, market and exhibit some log homes on that site probably similar to their existing site where the old Booher Lumber property was. It would also include the sale of mulch as it currently does on the other property. The Board went through one Public Hearing and scheduled another one for tonight as there is a neighboring property owner (Cromley's) asking for a zone change as well.

Councilor Paul asked the total acreage.

Kevin Gilligan said 8.5 acres. The amount of land they actually plan on putting log homes is 2-4 acres.

Supervisor Scammell asked for any further questions or comments. There were none,

**Councilor's Knapp moved and Bailey seconded the motion to close the Public Hearing. Motion passed unanimously.**

The Public Hearing closed at 6:34 p.m.

**Councilor's Knapp moved and Paul seconded the motion to open the Public Hearing for the application of James and Christine Cromley for a zone change of their property on the west side of Route 11 at 3033 Route 11 approximately ¼ mile north of the Commune Rd. and Route 11 intersection from Agricultural/Residential to Business. Motion passed unanimously.**

Supervisor Scammell asked Kevin Gilligan to give a brief summary of this application.

Kevin Gilligan said this is just north of the Lok-n-Logs request. It is an original application to allow their home to be located on the Route 11 side of the property and on the Route 81 side they are proposing to locate a dog kennel.

Supervisor Scammell asked for any questions or comments.

Councilor Knapp asked if the Town Board should grant a zone change tonight, what would happen next?

Kevin Gilligan said each applicant would have to make an application to the Planning Board for Controlled Site Approval. It's up to this Board whether they wish to proceed tonight with the zone change or to close the Public Hearing and wait until the Planning Board has an opportunity to review these cases. As far as he knows, the Lok-n-Logs people will not be here tonight and we need to have them sign a new EAF form. It would be difficult to proceed with their request until this is signed. He doesn't believe the Board can proceed with the Cromley request until the Lok-n-Logs application is completed.

Councilor Knapp feels if the Planning Board finds the applications are appropriate, he would support a zone change.

Mary Jo Kelly expressed concern that the applicants could pay an application fee and Developer Deposit to the Planning Board and then be denied a zone change by the Town Board.

Councilor Bailey asked if conditions could be attached to their applications to the Planning Board regarding refunds if the zone change is not granted.

Kevin Gilligan said the application fee could be refunded but he thinks it would be a wrong precedent to send if you start refunding Developer Fees based on whether something is approved or not. When these applications are before the Planning Board, the Town Board should ask for their recommendation regarding the zone changes. County Planning has determined there would be no significant adverse-community or county-wide implications from these two applications for a zone change, however, for both referrals it commented that they encourage the Town to complete a corridor plan for Route 11 to manage expansion of commercial uses and protection of residential neighborhoods.

Supervisor Scammell agreed with Councilor Knapp that if the Planning Board is O.K. with this request, he doesn't have a problem with it. He asked for any further questions or comments. There were none.

**Councilor's Knapp moved and Smith seconded the motion to close the Public Hearing. Motion passed unanimously.**

The Public Hearing closed at 6:42 p.m.

Respectfully submitted,

Mary Jo Kelly  
Town Clerk