

Minutes of the Town Board Meeting held by the LaFayette Town Board on March 10, 2008 at 6:30 p.m. in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette

Present: Gregory Scammell, Supervisor
David Knapp, Councilor
Thomas Bailey, Councilor
William McConnell, Councilor
Adrian Shute, Councilor

Recording Secretary: Mary Jo Kelly, Town Clerk

Others Present: Kevin Gilligan, Town Attorney
Leon Cook, Highway Superintendent
Ralph Lamson, CEO
Tom Chartrand, Bookkeeper
Marshall Taylor, Assessor
Connie Marion

1. Supervisor Scammell called the Meeting to Order at 6:31 p.m.
2. The Town Clerk took the Roll. All present.
3. Pledge to our U. S. Flag led by Town Councilor Tom Bailey.
4. **Councilor’s Knapp moved and Bailey seconded the motion to accept prior Meeting Minutes of February 25, 2008, as submitted by the Town Clerk. Voting was as follows:**

Supervisor Scammell	Voted	Yes
Councilor Knapp	Voted	Yes
Councilor Bailey	Voted	Yes
Councilor McConnell	Voted	Yes
Councilor Shute	Voted	Abstain

Motion passed unanimously.

5. **PUBLIC HEARINGS.** None.

6. **COMMUNICATIONS.**

A. RESIDENTS.

Connie Marion was present. She lives in the village next to Grimshaw School. She is part of a small group who are looking into starting a cohousing community in the town. It’s an idea that came from Denmark a number of years ago. She submitted some information to the Board. Basically it means that individuals have small homes that are clustered around a common house. The whole community is clustered together and there’s green space. They can have small houses because there is a big space in the common house. They can share meals there if they want to or entertain, etc. There are guest rooms in the common house. The community is governed by the residents of the community. They decide what will happen in the

community. The structures are a condominium type structure that individuals own and everyone owns the common house. This is a small group that has formed. They currently have 5-6 households. They had a meeting yesterday and had a dozen or so show up. They are interested in the 12-15 house range. Across the U.S. there seem to be 20-30 house range communities. There are about 100 of these communities across the country with waiting lists as people rarely move out. It's in the early stages. They have been looking at land all over the county for the past year. They have been looking at one up near the reservoir.

Ralph Lamson said he suggested she come before the Town Board because the property she is looking at will need a zone change.

Councilor Knapp asked from what to what.

Ralph Lamson said from Agricultural/Residential to Residential Planned Cluster.

Connie Marion said if the land can't be rezoned, they don't have interest in it.

Councilor Knapp asked Kevin Gilligan if water and septic would be the biggest concerns.

Kevin Gilligan said the density and the ability of the property to handle the septic without contaminating the water.

Connie Marion asked if a common septic would be better.

Ralph Lamson said it's entirely up to the County Health Department. Anyone that designs septic systems should be able to tell them whether it would work or not.

Connie Marion said it's about 15 acres and they would like to preserve a lot of it.

Councilor Shute asked if it's geared towards senior citizens.

Connie Marion said no. They would like to have all ages as they would like to have children there too.

Councilor Knapp thinks this would be a neat concept with kids as you know who your neighbors are, etc.

Connie Marion said they want to be neighbors like the way neighbors in communities used to be.

Supervisor Scammell asked what feature would make this a Residential Planned Cluster.

Ralph Lamson said the houses being clustered together. Basically the Residential Planned Cluster has the houses clustered and they must meet the setbacks for the whole property but the houses are clustered closely together. Houses could be 5' apart if they wanted to be.

Supervisor Scammell asked if there is any other category it would fit into.

Connie Marion asked about the Multi-Family.

Ralph Lamson said no. That is more like 2-3 houses attached.

Councilor Knapp asked about spot zoning.

Kevin Gilligan said the neighboring properties are residential which are conducive to this adjustment. The same type of issues such as drainage, septic, water, traffic, etc. come up with this and how they will be handled. They would probably want to form a Homeowners Association that they file with the State of New York. They must submit a plan to the Board for approval. He would recommend the applicant get someone to put a plan together for them.

Councilor Bailey asked if the town would have any input as far as setting up the rules or monitoring how the rules are set up.

Kevin Gilligan said the Board would review the covenants and might require further covenants for control.

Councilor Bailey said for the best interest of the town as a whole, he would like to see the internal mechanism of rules of the Association enforce or prohibit a home based business or landscaper who starts to bring his vehicles home, etc. These things we wouldn't feel are in the best interest of the town and could be addressed.

Connie Marion said typically in the co-housing she knows about, the economy is not based in the neighborhood and the neighborhood cannot become the economy. Sometimes they do have office space that people share. She doesn't know of any immediate designs for that.

Councilor Bailey said it's the potential that it could have negative impact and having the language in place while this is being built could abort any of these types of actions.

Councilor McConnell asked if there are other cohousing communities close by that the Town Board could visit.

Connie Marion said there is EcoVillage in Ithaca. They have small narrow houses in a row that are connected. They have two levels. They primarily focus on saving green space. Her group is looking for homes they can age in. Her focus is spirituality and not ecology like the ones in Ithaca. There's a national association for cohousing which is having its conference this year in Boston. They have tours of the 5 cohousing communities around Boston.

Councilor Knapp would imagine the financing for this would be different than the norm.

Connie Marion said they have talked to a developer. If they can agree on a standard house with a few minor options, it can cut the cost. The developer was interested in the geothermal heating. She said there was a cohousing community in Virginia that got funding for the project. It has some rental units too. She said her group would like some rental units but doesn't want to have to fund them. They aren't to the point where they put down serious money yet. They will be working on a design, by-laws, finding land, etc.

Supervisor Scammell asked what the minimum acreage is that they are looking for.

Connie Marion said the one in Washington has 13 houses on 15 acres. They have only built on about 3 acres and the rest is gardens and forest. This is what she would like to have too.

Councilor McConnell would like to review her presentation. When would she like to hear something back from the Board? He asked if she was under a timeline.

Connie Marion said no. They are moving slowly. They would not be interested in this site if the Board wasn't interested in rezoning it.

Councilor Knapp said he is interested and would like to review the material she submitted.

Connie Marion said after the Board reviews the material, it would be very helpful if they could get back to her with some insight. She asked when she could come back to the Town Board to answer their questions.

The Board was in favor of her coming back in two weeks.

Connie Marion said she is having surgery but will try.

The Board advised she could come to any meeting on the second or fourth Monday of the month.

Kevin Gilligan said until there is a proposal, there is nothing to review. The folks would like to know if the Board is willing to look at this before they move forward on

the site. He would recommend making the purchase of the site with a contingency of obtaining any approvals needed.

B. Environmental Advisory Board: LaFayette Hotel.

Councilor McConnell said he spoke with Rainer Brocke a couple of times. He is going to meet with him Wednesday at 7:00 p.m. If anyone else wants to come they are welcome to do so. He is going to give the up-to-date information on what has happened with this building.

C. CNYRPDB: Cash reimbursement for Phase II Stormwater Compliance.

D. Time Warner Cable: rate changes.

Councilor Knapp said he got a call from a resident concerning Time Warner coverage. This person lives on Cascade Road. He wondered if there was any updates on this or who should we talk to.

Supervisor Scammell said there is a new manager.

Councilor Knapp asked if they would come to a meeting.

Councilor Bailey said they did attend one in the past.

Supervisor Scammell said there is a lot more competition now.

Councilor Knapp said before they just had T.V. and now they have T.V., internet and telephone. It would seem like it would be more worth their while. This gentleman indicated there was a program where farms were supposed to be able to get internet access.

Kevin Gilligan hasn't heard anything on this.

Supervisor Scammell said he hasn't either.

Councilor Knapp said this gentleman lives right near Nurse's. He will follow-up with the gentleman on this to see where he heard it from.

E. NYS ORPS: Residential Assessment Ratio 88.35%.

Marshall Taylor said this years Equalization Rate will be 93% which is the same as last year. This is for residential property only. The actual rate in LaFayette is about 75%. Since the last reval, houses are selling at about 25% more than what they are assessed at.

F. SMTC: TEP.

Councilor Knapp asked what the TEP is and if it has anything to do with us.

Leon Cook said no.

G. Onondaga County Agricultural and Farmland Protection Board: pre-proposal applications.

Councilor Knapp said he has spoken with Dr. Weiss. He is going to put an application in this year and will let us know how it goes.

H. Syracuse Post-Standard: "State to push prevailing wages."

Kevin Gilligan said he has been telling all his towns and villages that this was coming. Basically they are checking.

Supervisor Scammell asked how this worked out with SOTS.

Councilor Knapp said they have pretty much come to an agreement. The argument was over the rate itself. There is a driver and a thrower who were both

getting the driver prevailing rate. The driver has to have certain qualifications. Ultimately the state backed down on this and lowered the thrower rate.

I. NYS DEC: Dam safety regulations public hearings.

Councilor Knapp confirmed Jamesville Reservoir is owned by the state so we don't have to worry about this.

Supervisor Scammell said it's under the regulation of the N.Y.S. Thruway.

J. OCRRA: Earth Day Clean-up 2008.

Councilor Knapp asked if we are all set for Earth Day.

Leon Cook said yes. He reported on this at the last meeting.

K. Other.

7. SPECIAL REPORTS. Environmental & Conservation Advisory Board Member Mark Distler: SPDES. ???

Councilor McConnell said he spoke with Mark today and he didn't know why he was put on the agenda. He has nothing to report.

Supervisor Scammell said he was put on the agenda at the request of Rainer Brocke.

Councilor McConnell said Mark doesn't know what Rainer Brocke's intention was.

Councilor McConnell said he submitted a packet to the Supervisor for his signature tonight for SPDES reimbursement.

Supervisor Scammell said Kevin Gilligan sent a memo advising it's a New York State requirement that the town adjust its administrative section of the building code to include the N.Y.S. Building Code changes. He asked what kind of changes they are making.

Kevin Gilligan said they are basically tweaking things, i.e. if there is a fire then the Fire Chief must notify the Code Enforcement Officer so he can inspect the building after the fire. There's probably about 30 changes we need to check to be sure are in our ordinance.

Supervisor Scammell asked Ralph Lamson about this.

Ralph Lamson said it sounded good to him.

Councilor Shute asked if we could just go by what the state has.

Kevin Gilligan said we do that but this is about the administration which is controlled locally. He needs the O.K. from the Board to set this up. This needs to be done as soon as possible as these changes were made in early 2007.

The Board was in agreement for Kevin Gilligan to proceed with this.

8. REPORTS

A. DEPARTMENTAL (4th Monday).

1. Assessors: Marshall Taylor & Shawn Adam and vacant.

a) Cold War veteran's exemptions.

Kevin Gilligan said he has been working on this with Marshall Taylor. They decided to hold off until the County acts on it. This was pulled from their

agenda last month and he thinks it may go back on their agenda in April. He or Marshall will let the Board know what happens.

b) Condominium assessments.

Kevin Gilligan said he is waiting for direction from the Board on whether they want him to draft legislation for this.

Supervisor Scammell said he would be in favor of it.

Marshall Taylor said this law addresses the clusters like the lady that was here earlier talked about. When they are classified as a condo you have to assess them under the income approach. There is about a 50% savings in taxes without this law in place. When folks come in and build these developments and use the same services as the other residents in the town they only pay ½ of the cost.

Supervisor Scammell believes there are two ways of saving. One is that you have a particular type of housing and then there is the additional item which is the condo part of it.

Marshall Taylor said for the shared area they can deduct their fuel oil, electricity, snowplowing, lawn mowing etc.

Supervisor Scammell asked Kevin Gilligan if his other towns are doing this.

Kevin Gilligan said the Town of Onondaga will be voting on this legislation.

Marshall Taylor said the Town of Tully has voted on it. The intent is to try to stop this and to treat people equally.

Kevin Gilligan said these are found in the planned developments where there are shared services and the charges can all be deducted from the taxes. The average resident has these charges but can't deduct them from their taxes. This usually comes up where there are shared services.

Councilor Shute said this really isn't a problem for us in the regular agricultural/residential areas.

Kevin Gilligan said probably not.

Councilor Shute asked how much of the town is zoned Planned Cluster.

Ralph Lamson said around the Q-Track it's zoned this and around Applewood Estates. He asked if condos could be eliminated from being built in the Town of LaFayette.

Kevin Gilligan said you could advise they need approval from the Town Board. This legislation doesn't prohibit condo's, it just prohibits the reduction in assessments.

Councilor Knapp said we are looking to be able to let them go ahead but they don't get any tax exemptions for it.

Councilor Shute isn't sure that something like this necessarily generates the demand for charges that 15 separate houses would.

Marshall Taylor said if you have 30 houses with 60 extra kids or 40 ambulance calls it might make a difference.

Councilor Shute said it would depend on how they set this up.

Marshall Taylor said the services would be highway, school, ambulance, etc.

Councilor Shute would like a chance to think this over.

This will be on the agenda for the next meeting.

2. **Building & Zoning Code Enforcement: Ralph Lamson & Jack Sutton.**
 - a. **2386 Route 11A, Springhill Construction – Home occupation/Business in Agricultural-Residential. Court.**
 - b. **Route 11 – graffiti and abandoned vehicles (spring cleanup).**
 - c. **Certification paperwork completed (RL)?**
 3. **Dog Control: Jim Moore & Doug Scholes.**
 - a. **Dog enumeration – review, town-wide notice in newsletter.**
 - b. **Quarantine law - draft.**

Mary Jo said a survey will be going out in the April Newsletter along with dog enumeration information.

Councilor McConnell said he would not be in favor of this law.

Councilor Bailey agreed.

Councilor Knapp would like to see what kind of response we get back from the survey before deciding on this.
 4. **Highway Superintendent: Leon Cook.**
 - **4. 25 & 26 – Earth Day.**
 5. **Justice Court: Malcolm Knapp & Maureen Perrin.**
 - **Unified Court System 06.13.07 request (January, '08 review): town letter to NYS Office of Court Administration.**

Supervisor Scammell said a letter went out on this along with a copy of the Minutes.
 6. **Library Director: Scott Kushner.**
 7. **Recreation Director: Regina Reinschmidt.**
 8. **Tax Collector: Teresa Mech.**
 9. **Town Clerk: Mary Jo Kelly.**
 10. **Town Supervisor: Greg Scammell.**
- B. COMMITTEE (2nd Monday).**
- 1) **Agriculture (Dave Knapp & Mary Jo Kelly).**
 - a. **Ag district public hearing – June 5th, '08 @ 7PM, main meeting room.**
 - b. **Farmland Protection query.**
 - 2) **Communications & Technology (Mike Forte, Pat Keefe, Mary Jo Kelly, Marshall Taylor, & Greg Scammell).**
 - a. **New town website – functional requirements in process, new email addresses, conversion & file transfers.**
 - b. **Senior website being designed by S.U. student Gail Burleigh.**
 - c. **Evaluate communications line.**

The Board was in favor of having an evaluation done as it was quite awhile ago this was looked into.

The Board asked Marshall Taylor to follow-up on this.

Marshall Taylor asked if he can make his presentation at the second Board Meeting in April.

The Board was in favor of this.

Supervisor Scammell thanked him for his expertise in this matter.

3) Economic Development (Bill McConnell & Greg Scammell).

a. Thoma/Comprehensive Plan proposal.

b. Water survey – review.

Councilor McConnell said he has done a count of residents along the area of the survey and now he will take the number of residents and put it into the cost. He asked if once he has this done, does the Board want Thoma to go ahead to look for funding. He will update the Board at the next meeting.

4) Emergency Response (Tom Bailey, Bill McConnell & “Pete” Paul).

a. Onondaga County Department of Communications - OCICS.

b. NIMS training (TB members, etc.).

c. NIMS contact information (05.07.07 letter)

1. Local resolution similar to county’s needed?

2. Jurisdiction contact sheet

3. CNY Business Journal – “Legal, HR considerations before a pandemic flu strikes. “

d. Mass shelter response.

5) Employee Policies & Benefits (Mary Jo Kelly, Adrian Shute & Mary Doster).

6) Environmental & Conservation Advisory Board (Rainer Brocke, Barb Ferro, Knowlton Foote, Eileen Gilligan, Nancy Mueller & Mark Distler).

- LaFayette Hotel.

7) Highway (“Pete” Paul, Leon Cook, Dave Knapp, Sumner Palmer & John Greeley).

8) Insurance (Adrian Shute & Bill McConnell).

Councilor McConnell said the tower on Groth Road has not been on any Statement of Value so now it will be added. He will be meeting with Tom Dadey this week to get it added to the insurance coverage.

Councilor Knapp asked about the voting machines being on the policy.

Mary Jo said the town purchased the voting machines. She has been told the County has taken them over. Can they take machines the town paid for?

Supervisor Scammell asked Kevin Gilligan about this.

Kevin Gilligan said the County has said if anyone wants to keep them, they may.

Mary Jo said when she spoke to a gentleman in the warehouse about the school purchasing one, he believed there would be a fee but said they could contact the Board of Elections to see what the cost would be.

Supervisor Scammell asked if the county has decided on a voting machine yet.

Kevin Gilligan said yes. It's a paper ballot that will be run through a scanner. Councilor Knapp asked if we will have to set up cubicles for the voters.

Kevin Gilligan said probably. He believes we will be using the existing voting machines in the fall with one scanner per voting poll to be used by the handicapped voters.

9) Physical Plant (Herb Salladin, Dave Knapp & Bill McConnell).

- a) **Next heat pump replacement and programmable thermostats.**
- b) **Fire & smoke alarms at Town Offices (1st & 2nd floor) & Community Center. Code requirements (Rick Storrer/DK).**
- c) **Town offices - Loose clapboards – estimate needed (DK).**

Supervisor Scammell said there was some fairly serious flooding at the Community Center over the weekend. There was about 1' of water in the basement. The L.F.D. came and pumped it out. Someone suggested we get an additional sump pump there. He is concerned that the integrity of the wall might be in jeopardy.

Councilor Knapp would recommend having John Dunkle take a look at it.

Leon Cook said up by the garage there is a catch basin. This basin got plugged with snow and didn't get cleaned out like it usually does. Normally the state doesn't clean the catch basin very much and usually the town cleans it. It didn't get cleaned out before this rain storm. Doupe's restaurant got flooded again too.

Supervisor Scammell will call Dunn & Sgromo.

Leon Cook will talk to the State D.O.T. about this.

10) Recreation & Youth (Dave Knapp, Adrian Shute & Regina Reinschmidt).

a) Marion Bailey Park.

1. Short term.

- **Park signs "children playing" - 76% (location needed).**
- **Basketball court improvement (new nets, paint backboards, straighten basketball pole, remove old volleyball pole) - 73%. (price needed for grant)**

2. Long term.

- **Resurface basketball court.**
- **Add fencing (north side) to protect children from ditch & road.**
- **Speed limit reduction to 30 mph (resident petition)**
- **Traffic flow control (light, sign, 4way stop @ 11A & Rowland).**
- **Parking area from 11A (Leon Cook).**

b) LaFayette Beach.

- 1. Evaluate survey/transfer LaFayette Beach from LCC to town.**
- 2. Roof/cover over sandbox (Herb Salladin). Bids. (DK).**
- 3. Repair/move lacrosse box, lifeguard station repair.**
- 4. Structural repairs – bid (DK).**

c) Fred Stafford/Optimists Park.

- **Park entrance signs (consolidate, carry in – carry out).**

Councilor Knapp said the grant application is done and has been submitted so we should hear from them around the end of April. We got the bill from Thoma. Originally we approved \$1,000 and the bill came to \$1,391. They did a very nice job.

Councilor's Knapp moved and McConnell seconded the motion to amend the first motion to have Thoma do the application for an amount not to exceed \$1,400. Motion passed unanimously.

11) Safety (Tom Rezsnyak, Adrian Shute, Leon Cook & Regina Reinschmidt).

- **NYS Workplace Violence Prevention Law (NYS boilerplate & DVD).**

12) School District liaisons (Bill McConnell and Adrian Shute & Pete Paul).

Councilor McConnell said he and Councilor Knapp met Mr. Tigh. They will be meeting to look at areas where the school and town would have equal interests.

Councilor Knapp handed out an invitation to the Welcome Reception for Mr. Tigh which will be March 12th from 6:30 to 8:30 p.m. at Grimshaw.

13) Senior Transportation & Housing (Beverly Oliver & Greg Scammell).

14) Service Awards (Bill McConnell, Dave Knapp, John Harper & Larry Paige).

- Validation and posting.**
- Billing cycle.**

Councilor McConnell said both of these items can be scratched from the agenda as they are completed.

15) SOTS & OCRRA Liaison (Dave Knapp & Bill McConnell).

16) SPDES (Bill McConnell, Jim Nakas, Steve Beggs, Nancy Mueller, Ralph Lamson, Mark Parrish & Kevin Gilligan).

Councilor McConnell said he submitted reimbursement for \$9,303 in engineering, attorney, etc. fees. You can submit funding for up to \$9,000. He is hoping to get \$4,500 back for the town as you can only get half of what you spent up to \$9,000.

Councilor's Knapp moved and Bailey seconded the motion to authorizing the supervisor to sign and submit the request for reimbursement. Motion passed unanimously.

Councilor McConnell said the Stormwater Management Plan has been given to everyone on the committee. This is a very complicated document. They are waiting for the state to make the two permits we will operate under.

Councilor Knapp asked if the two engineers working together has been addressed with the Planning Board and the Zoning Board of Appeals.

Councilor McConnell said this will only affect property within the MS-4 area. The only time the SPDES engineer will have to be involved is if the property is located within a MS-4 area.

17) Water (Greg Scammell & “Pete” Paul).

- a) **Northeast LaFayette Water and Smokey Hollow Service Improvement districts.**
 - **Spring restoration.**
- b) **Hamlet drainage study – request submitted to NYS DOT, intersection of Routes 11 & 20 to be reconstructed in 2010-11.**

18) Zoning Review (Mary Jo Kelly, Ralph Lamson & Greg Scammell).

- a) **Jamesville Reservoir Preservation District/JRPA change.**
- b) **SOCPA subdivision guidelines to distribute to local subdivision applicants.**
- c) **Digitized zoning map, correction & amendments.**
- d) **Streamlining of similar uses, controlled site approvals and specific permits.**

9. LITIGATION & OTHER LEGAL MATTERS.

A. ONONDAGA NATION LAND/LAND RIGHTS CLAIM.

B. SPRINGHILL FARMS.

Ralph Lamson said this will go to court on Wednesday at 5:30 p.m. Councilor Knapp asked if Sam Young will come out for this. Kevin Gilligan said yes.

C. PENDING ZONING ISSUES LIST.

D. SPDES REQUIREMENTS FOR ADMIN (WSR).

E. JOSEPH JERRY: JAMESVILLE GROVE ESTATES/COHEN SUBDIVISION.

Kevin Gilligan said John Dunkle, Ralph Lamson and Leon Cook were not advised correctly by Joe Jerry. When the document was signed, the binder wasn't even down. Ralph Lamson was signing off on the drainage. No one was looking at the road at the time. John Langey sent a letter to Joe Jerry stating the towns position on this and that the application isn't done and they will not be getting their security back at this time.

Leon Cook said the binder is all done.

Councilor Bailey asked if they corrected the problem the D.O.T. had.

Leon Cook said they corrected that when they put the binder down.

F. OTHER.

Ralph Lamson said he has been subpoenaed in the Watson vs. Watson case in April. Greg Watson is suing Kurt Watson for how long it's taken to build the building on Route 11.

Supervisor Scammell asked how Ralph would be involved in this.

Ralph Lamson believes by just giving time-frames for Building Permits, etc.

Councilor McConnell asked Ralph about their conversation regarding the erosion of the site.

Ralph Lamson said he doesn't know if they still have the fabric up in the back or not.

Councilor Knapp asked what court it is in.

Ralph Lamson said it's in the Supreme Court.

10. UNFINISHED BUSINESS & ACTIVE PROJECTS.

A. COMMUNITY DEVELOPMENT GRANT APP - 2008.

- 1) Stafford Park.**
- 2) LaFayette Beach.**
- 3) Grant writer.**

B. FOR TB REVIEW.

- 1) Assessor: tbd, (replacing Jim Munnell).**
- 2) GBoR member: tbd, mm/dd/yy – mm/dd/yy (replacing Shawn Adam).**

Councilor McConnell said he has not heard back from Matt Amidon so he is assuming Matt's work is taking too much of his time so he would consider this still open.

3) Commercial Planned Development (CPD) District – Crossroads Development Corporation.

Councilor McConnell said he spoke to Bruce Donohue before the meeting tonight and there may be six things Bruce would like to pursue before going forward with this. On the other hand, he still would have to think that it's the Board's responsibility to decide if it's a zone change or not and then to have Bruce go through with the 6 items to see if they are approved.

Kevin Gilligan believes Bruce Donohue thinks he has made an application. The application is inadequate. Once he does the 6 things and gets a plan together, the first thing the Town Board would do is send it to the Planning Board. That is when you would receive a developer fee for the application.

Councilor McConnell asked why that would happen before a change or disapproval in the zoning.

Kevin Gilligan said you can't do the zone change before you know what the plan is. The applicant doesn't know whether he will have shared utilities, a public or private road, etc. He really has to figure out what his plan is before the Board can approve it.

Councilor McConnell said we have made zone changes before when people have come in and asked for a change from Agricultural/Residential to Business.

Kevin Gilligan said in those cases it wasn't a Planned District. In this case because it's a District, you demand developer fees under your law. Based on what the applicant has told us so far, it's a complex plan. He has to make the initial decisions of what he wants first.

Councilor Knapp said we have to make sure the area is suitable logistically and that water, septic, etc. is suitable for what he wants.

Kevin Gilligan said he must get through the SEQR Process and it's impossible to do that without answering these questions.

Councilor Knapp asked if the Board was just going to change this to Commercial, would the Board have to do the same thing?

Kevin Gilligan said yes.

Councilor McConnell asked what the Planning Board workup would be.

Kevin Gilligan said once there is a plan that is reviewable, it would come to the Town Board. The Town Board would look at it and say they would consider a Planned Development District for this site if it's doable. The Town Board or Planning Board could do the SEQR for the property. The plan gets referred to the Planning Board for their review. They look at it and come back with a recommendation to the Town Board for the ultimate determination.

Councilor McConnell said when Bruce Donohue was at the last Town Board Meeting, he advised he had one person interested in a 5 acre site. Does this require the whole area be done?

Kevin Gilligan said you could do just that area. When he gets to the next area of the site, he could add this area in to the Planned Development District.

Councilor McConnell asked about the next step.

Councilor Knapp would recommend the email from Kevin Gilligan be sent on to Bruce Donohue.

Councilor McConnell would recommend that the 6 items Kevin Gilligan listed should be taken from the email and given to Bruce Donohue for him to decide on.

Kevin Gilligan will draft this and email it to the Town Board for their review.

Councilor Bailey said when he read the outline, it appeared Bruce is going to have to meet this criteria anyway, no matter what it is.

Kevin said yes.

Councilor McConnell thinks this letter sums up all the things they have discussed and advises what is needed or required.

4) Condominium assessments.

5) Budget initiatives.

Councilor McConnell thinks what we control in our town is the tax rate. We can't control assessments. As time goes on in our budget cycle which is too short for any creative dialogue, he thinks this is the point in time that we go through line-by-line of the budget. He thinks we should take the point in time right now and find the things that make the budget a better product. Maybe it's time to look at each department to see what they really need. Do we set a priority of infrastructure the town really needs to look at in the next 5-10 years? He would ask each Town Board Member to take an interest. Councilor Shute and Marshall Taylor are already doing some research.

Councilor Knapp thinks we are on a major role. He thinks switching to another bank is working out. Everyone seems happy and our interest rate is respectable. We are saving money in insurance. He thinks this is the logical time to start reviewing the budget items.

6) Dog quarantine.

Councilor McConnell is not in favor of a dog quarantine if it's a leash law. He could agree with dogs needing to be on a leash in the parks.

Councilor Shute would not be in favor of this either.

Councilor Knapp would like to wait and see what the survey says.

Councilor Bailey is not really in favor of the language "at large". He doesn't see a public outcry from the community on this issue.

Supervisor Scammell believes Jim Moore is looking for another method to help with dog control.

Ralph Lamson said when he drives around town, he rarely sees a dog loose.

Councilor McConnell said the only place he has seen them coming from is the Onondaga Nation or up the hill from Cardiff.

Ralph Lamson said a leash law won't stop these dogs anyway.

Supervisor Scammell said there may be some additional tools we could give Jim Moore that would help him out.

10. NEW BUSINESS.

A. RX ZONING CLASSIFICATION – COMPREHENSIVE PLAN.

B. BILL MOENCH'S DONATION - "DON'T TREAD ON ME" FLAG.

C. STAFFORD PARK – FLAG POLE.

D. EDUCATION REQUIREMENTS – PB, ZBA & CE.

E. OTHER.

Leon Cook said they have to take the Safety Training every year. He is working on getting this paid for from grant money. He is pretty sure it will work out.

Family Accessory Units were discussed.

Kevin Gilligan submitted a draft of an amendment for Accessory Units in the Zoning Ordinance.

Councilor McConnell said about 3 years ago when this subject came up, it never defined that it had to be adjoining.

Kevin Gilligan said when we originally drafted this accessory unit we discussed separate building vs. having to be attached to the existing building. The Board didn't want to have two units. Apparently the language wasn't tight enough and we ended up with two separate structures being attached by a breezeway. The Board wanted to tighten this up which is what this proposal does.

It was confirmed this would not effect the two dwellings already built but would be for all future applications.

TOWN BOARD RESOLUTION

March 10, 2008

Councilor Knapp introduced a proposed revised Zoning Ordinance Amendment to clarify the legislative intent with regard to family accessory units, that such units be part of the main residential structure and not a detached, separate structure either unconnected or connected by artificial means in the Town of LaFayette which was seconded by Councilor Bailey.

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the adoption of an Ordinance in the Town of LaFayette, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed adoption of said Ordinance, with the result that the Town Board shall act as lead agency in this matter.

NOW, THEREFORE it is

RESOLVED AND DETERMINED, that this proposed legislation is an unlisted action for purposes of SEQR, and this Board hereby ratifies and reaffirms the negative declaration issued on this legislation on July 22, 2005 based upon the reason that this is clarifying legislation only and introduces no new regulation or restriction that was not contemplated and considered at that time; and it is further

RESOLVED AND DETERMINED, that the following proposed Ordinance Amendment is hereby introduced for the Town Board's consideration:

**AMENDMENT TO THE 1970 ZONING ORDINANCE
OF THE TOWN OF LAFAYETTE, AS PREVIOUSLY AMENDED**

BE IT ORDAINED, by the town of LaFayette, acting through its duly constituted Town Board and pursuant to the authority conferred by Section 265 of the Town Law, the 1970 Zoning Ordinance of the Town of LaFayette, as amended, is hereby further amended as set forth below

Section 1. So that Article IX, Section B2 of the Zoning Ordinance is amended to read, in its entirety, as follows:

“2. A maximum of one family accessory unit shall be allowed on any one lot and shall be attached to and share at least one wall with the principal dwelling (excluding garage areas). It shall not be sufficient that two dwelling units be joined with a breeze way, porch, garage, roof, foundation or other connecting structure. It is the intent of this provision that the family accessory unit shall be part of the main structure, not a separate structure artificially attached with such connecting fixtures.”

Section 2. All other provisions of Article IX of the 1970 Zoning ordinance, as previously amended, shall remain in full force and effect, unchanged.

Section 3. Effective Date. This Amendment to the 1970 Zoning Ordinance of the town of LaFayette, as previously amended, shall take effect as provided in Section 265 of the Town Law.

and it is further

RESOLVED AND DETERMINED, that the Town Board shall conduct a public hearing as to the adoption of this proposed Ordinance at the LaFayette

Town Hall located at 2577 Route 11, LaFayette, New York on April 14, 2008, at 6:30 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Gregory Scammell, Supervisor	Voting	Yes
David Knapp, Councilor	Voting	Yes
Thomas Bailey, Councilor	Voting	Yes
William McConnell, Councilor	Voting	Yes
Adrian Shute, Councilor	Voting	Yes

The foregoing resolution was thereupon declared duly adopted.

Supervisor Scammell said Kevin Gilligan submitted some samples of Commercial Planned Development Districts from other communities. He is in the process of reviewing these.

12. Suggestions for improvement and positive contributions.

13. Executive session (if needed).

14. Councilor’s Knapp moved and McConnell seconded the motion to audit & pay the following bills:

HIGHWAY FUND	#1404 - 1415
GENERAL FUND	#1416 - 1448
SPECIAL DISTRICT FUND	#1469
TURST & AGENCY FUND	#1384, 1470 - 1476

Motion passed unanimously.

15. Councilor’s McConnell moved and Knapp seconded the motion to adjourn. Motion passed unanimously.

The Regular Town Board Meeting adjourned at 8:37 p.m.

Respectfully submitted,

Mary Jo Kelly
Town Clerk

Adopted 3/24/08