

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



## Zoning Board of Appeals Meeting

Date: April 23, 2019

Time: 7:00 pm

Location: LaFayette Town Offices

---

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

**Chair:** Christine Keenan

**Secretary:** Sue Marzo

**Attendees:** **Zoning board members: Karl Field, Christine Keenan, Anita Miner, Mike Stiner, absent James Nash**

Jeff Brown, Town Counsel, Sue Marzo, Secretary, Ralph Lamson, Codes Officer, Mark Chambers, Town Engineer, Doreen Quinn, resident/applicant, Suzanne Bradley, resident, Peg Martin, resident, Mike Bradley

## *Minutes*

---

- Christine Keenan opened the meeting with introductions by all at 7:00 pm
- Motion to accept minutes of March 26, 2019 was made by Anita Miner, Second by Mike Stiner. All other Board members present were in favor.

**Agenda item:** Public Hearing Case #4-2019 – Application of Doreen Quinn for a variance to build a 1 ½ car garage next to home located at 3044 US Route 11N. LaFayette NY for parking and storage. The garage will be 20’ wide x 24’ deep between house and property line. Property is located in an AG/Residential District. (Tax Map # 023.-04.06.0)

**Discussion:**

Ms. Quinn publicly stated that she is withdrawing her request for a variance. No further discussion was held.

**Agenda item:** Case #5-2019  
An Application by McDonald’s Corporation for an area variance for a number of signs, two (2) signs maximum are allowed in the hamlet district, six (6) signs are proposed. A variance is requested for the height of the sign near the highway, 25’ maximum height is allowed, and 60’ is proposed. Additional variances are requested for setback from the property line, 50’ is required and both proposed free-standing signs are approximately 10’ from the property line.

**Discussion:**

Ms. Keenan reviewed the Planning Board minutes and advised that they collectively had no opposition to the proposed variances. She wanted to convey thanks to the Planning Board for review of the application. She stated there are a lot of moving parts and approval does not have to be made as a package deal. Anita Minerd stated she was ok with the signs on the building but was concerned with the free-standing signs. Attorney Brown is still looking for renderings of what the signs will look like visually. He also stated that McDonalds was in discussions with the State as to any restrictions they may have for the project. The applicants need to comply with New York State right of way regulations. If ZBA approves, it will be conditional on approval from New York State.

Christine Keenan asked Attorney Brown about SEQR. He stated it was an unlisted action and should be a straight forward review. SEQR will be done next meeting before the public hearing. Attorney Brown’s update to the Zoning Board was that the Planning Board review yielded no issues with the application. It is the ZBA’s purview to review and approve this application. ZBA will need to review schematics and go through the five-part

test and weigh the outcome. The applicant is asking for a 100% height variance which is significant. Karl Field stated that height limitation in Section C of the Zoning Code states no structure shall exceed 35'. He doesn't want to set a precedent for other businesses in the hamlet. Ralph Lamson, Code Officer stated each case is reviewed on its own facts. If we allow this one to be approved, you need to be very clear why you are granting it. Karl Field also stated there are a lot of trees that make the signage very difficult to see coming from the North. The sign is physically located behind Route 20. He inquired whether it is possible to move the sign to another location that may not be owned by McDonald's. All agreed that was not an option under our Town code. Mike Stiner suggested photoshopping the signage to scale in the photo renderings previously supplied. The ZBA has agreed that they need to see what the signs will look like pictorially before any approval is granted.

Motion was made to for a Public Hearing to be set for the Board's next meeting by Mike Stiner, second by Anita Miner. All other Board members in attendance were in favor. SEQR will be done prior to the public hearing.

**Agenda item:** Case #6-2019 – Application by Stewart Shute for variance for construction of a 14' x 75' building at property located at 5247 Route 20, LaFayette, NY with 3' of north property line, north side of Route 20 to the west and east side of Tully Farms Road. The purpose of the building is for storage. Tax Map No. 0-21-03-09.2

**Discussion:**

Stewart Shute was unable to attend the meeting as planned. Ralph Lamson stated that Mr. Shute would like the Board to review his sketch for acceptability in his absence.

Ms. Keenan explained to Attorney Brown that it is her understanding that our Zoning Code states that a hand drawn sketch to scale is acceptable over a site plan. Ms. Keenan would like to ask the applicant if there is somewhere else he can put the proposed structure. If not, why not? This application will have to go to County Planning and will require SEQR. It is a County road. Karl Field asked what the setback from the property line is. Ms. Keenan stated 25 or 30'. This would not work at all with those measurements which is why he needs the variance. Future buildings are also proposed. If available, the applicant should provide the Board with a professional survey and sketch the proposed building on the survey. The Board would like to set a new sketch hearing for next

meeting. There are too many questions to schedule a public hearing at this time. Mr. Lamson will contact Stewart Shute and advise him what information is required.

Motion was made to adjourn the meeting by Karl Field, second by Anita Minerd. All Board members present were in favor. Meeting adjourned at 7:35 pm.

**Action Items:**

- **Visual renderings of proposed McDonald’s free-standing signage – Bohler Engineering/McDonald’s Corp.**
- **Survey of Shute property with proposed building sketched on it – S. Shute**

Respectfully Submitted

Sue Marzo

Zoning Board Secretary

