

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



Date: February 26, 2019

Time: 7:00 pm

Location: LaFayette Town Offices

Zoning Board of Appeals Meeting

Meeting called by: LaFayette Zoning Board

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, Tim Manahan of McClurg Remodeling, Jeff Barbero, home owner, Bryan Stumpf of Cypress Creek, Jackie Roorda, Town Clerk, Ralph Lamson, Codes Officer

Minutes

- Christine Keenan welcomed new town attorney, Jeff Brown
- Christine Keenan opened the meeting with introductions by all at 7:00 pm
- Minutes from the July 24, 2018 Zoning Board were approved as written by all board members present.

Agenda item: Case #1-2019 – Application by Tim Manahan of McClurg Remodeling, on behalf of Jeff and Patricia Barbero; for a 10’ variance of front yard setback to be within 40’ of the road at property located at 6067 Holcomb Hill Road, to allow for a 20’ 7” x 10’ addition for a new garage and converting the current garage to a mudroom. Property is located in an Ag/Residential District. (Tax Map No. 014.03-30.0)

Discussion:

Tim Manahan, representing McClurg Remodeling for homeowners Jeff and Patricia Barbero requested a garage addition with a 10’ variance from front setback. Christine Keenan asked about the septic system location. Mr. Manahan stated it was in the back corner. There is a paved driveway and the plan is to set the garage on the existing driveway. Mike Stiner asked if there was a ditch. Ralph Lamson was unaware. Home owner Jeff Barbero stated there was a ditch on the opposite side of the road. Mike Stiner asked if there were any neighbors opposed to the addition. To the knowledge of the applicants there is no opposition. Jeff Brown asked if they were going to provide an updated survey/site plan. He advised that the current survey, dated 1978, does not show the proposed addition, septic and well locations. Owner stated he would provide an updated survey/site plan. Karl Field asked that the location of the garage addition be added to the updated survey/site plan.

Christine Keenan stated the criteria to be considered as part of the ZBA’s review to assure addition is not undesirable to the neighborhood for an area variance. We need to assure there is no adverse physical or environmental affect. It is proposed to get the application rolling and the updated survey/site plan should be provided prior to the next meeting for review. Next month a public hearing will be held for neighbors to weigh in. Jeff Brown asked for the updated survey/site plan a week prior to the public hearing. SEQR process will have to be done to make sure there is no harm to the environment.

Motion was made for Public Hearing to be held at March meeting of the Zoning Board. Mike Stiner motioned, seconded by all board members present.

Case #1 adjourned at 7:12 pm

Agenda item: Case #2-2019 – Application by Cypress Creek for a specific use permit for a solar farm located at 3660 Apulia Road, Jamesville, NY 13078, west side $\frac{3}{4}$ mile north of Palladino Road in an Ag/Residential District. (Tax Map No. 006.-03-01.3)

Discussion:

Applicant Bryan Stumpf appeared representing Cypress Creek Renewables owner/operators of solar projects in the range of 10-15-20 acres enough to make 2 megawatts able to power 300-500 homes.

The project is located at 3660 Apulia Rd and Palladino Rd., two projects, each one will be providing 2 megawatts enough to power 600-1000 homes in total. The reason there is not just one project is there is a wetland feature separating both parcels. There will be a chain link fence surrounding the property as a safety code measure. There is emergency vehicle access. There are 6 poles, 3 belonging to the utility and 3 belonging to Cypress. This is to assure that Cypress is in sync with metering. The emergency response team would have the ability to shut off the site in the case of an emergency. The area will be maintained during the summer months and snow removal in winter. The panels have a maximum height of 12', typically 3' off the ground. If there is any circuitry concerns these panels are encased in glass. The land is multifamily zoned. A small portion of the land is family and the rest is agricultural. Jeff Brown asked if it needed to be rezoned. Ralph stated that it did not. It is allowed in our Zoning Ordinance. It would just require approval from the board. Christine Keenan asked what is the current use of this land. Per Mr. Stumpf, it is mostly agricultural. There is a wooded area present providing some natural screening. One section does not have natural screening and Cypress will plant trees. Christine Keenan asked who owned the property. Bryan stated Dan Dimon is the owner of the property and it is leased from him. It is a 20-year lease with an option for 5 more years at the end. Stormwater permit correspondence with DEC has been done so as not to go in the wetlands at all. Mike Stiner asked what will be on the ground under the panels. Response was grass and natural wildflowers. After 4 years of maintenance it takes care of itself, so it does not have to be mowed so often. There will be zero traffic once built, however, they check the site remotely and with a physical visit every two months. They will check for cracks in panels. Christine Keenan asked if there was a permit required from the DEC. Mr. Stumpf said they are staying out of the wetlands and delineated the area. Flood zone has also been delineated. Cypress will need to send their storm water plan to the Town of LaFayette engineers and it will need to be

approved per Ralph Lamson. The Town of LaFayette has a storm water law. This project will need to go through both Planning and Zoning boards. Multiple additional copies of the project books are required to send to all the different agencies. SEQR will need to be done before this can be approved. A joint meeting to review SEQR can be held. Planning Board could serve as lead agency and review before ZBA can approve. Jeff Brown suggested getting both boards together to review SEQR. The lead agency will coordinate with all the different involved agencies.

Zoning Board ordinance will need to be reviewed to grant or deny the application, Article 4, Section B of the Town of LaFayette Zoning Ordinance. Public hearing will need to be put off until at least April. Both boards will need at least 30 days to coordinate.

Mike Stiner asked for project timeline. Mr. Stumpf said it typically takes 12-14 weeks to perform the construction process, but this project will likely take 16-18 weeks due to the two sites. More concern was raised about the wetlands. Mr. Stumpf said TRC Environmental Consultants were employed and he can provide more examples of locations that are close to wetlands. Jeff Brown stated that a key part of the process will be review by the Town Engineer. Ralph Lamson requested that this be sent to Mark Chambers right away for review. The Town's engineer and legal fees associated with processing the application will need to be paid by the applicant. Once reviewed by the Town Engineer, this will go to County Planning. Anita Minernd asked if there were houses close to the proposed farm. Mike Stiner showed the location of the homes on the map provided. Bryan said that Eastern White Pines will be planted near any homes.

Jeff Brown said that we must do SEQR before we open up to a public hearing for the application. You can give members of the community the opportunity to provide informal comment, but you don't need to have a public hearing as part of the SEQR process unless a positive declaration is declared.

Karl Field had more concern about public safety. Fencing and padlocked egress only available to emergency crews was again mentioned. They do not need sewer or municipal resources. Anita Minernd asked if there were transformers on the poles. Bryan stated there was an inverter and substation not too far away.

Karl Field asked where cutoff is for Jamesville and LaFayette Fire Departments. Both departments would likely be considered emergency response teams. Fire departments should have lock box keys per Ralph Lamson. Bryan will go over the emergency response

plan to show egress to the project. It was also suggested that Pompey Fire Department go through the emergency plan as well.

Jeff Brown requested a signed version of the EAF. More copies of the application will be required. We need a minimum of 15 more copies of the documentation. Discussion on who would be lead agency. It was recommended that Planning Board should be the lead agency with Jim Nakas chairing due to his lengthy experience.

Motion was made by Anita Minerd to adjourn, all board members present were in favor.

Motion was made to adjourn at 7:48 pm

Respectfully Submitted

Sue Marzo
Zoning Board Secretary

