

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



Zoning Board of Appeals Meeting

Date: August 27, 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, James Nash

Jeff Brown, Town Counsel, Sue Marzo, Secretary, Ralph Lamson, Codes Officer, Stewart Shute, applicant, Rick Rarick, Valerie Rarick, Elizabeth Esmark, Bryan Stump, Cypress Creek, Paul Blust, Michele Blust, Erin Sullivan, Shane Sullivan, Dave Knapp, Julia Zogg

Minutes

- Christine Keenan opened the meeting with introductions by all at 7:00 pm
- Pledge of Allegiance
- Christine Keenan asked that minutes regarding the McDonald's application of May 28, 2019 be amended to include that the Board does not believe it is compatible per Article 2, Section H, Paragraph 1. She also asked that Onondaga County Planning Board Comments be added. Motion to accept minutes as amended from May 28, 2019 was made by Mike Stiner, second by James Nash. All Board members in favor.

Agenda item: Public Hearing - 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:

Mr. Shute is looking to build a shed within 3’ of the property line on the backside and will need 22’ of relief. Mike Stiner stated that he did not foresee a problem with the request. This is a SEQR unlisted Area Variance. The Short Environmental Form was filled out and signed and filed in the Town Offices.

The SEQR was completed to evaluate whether there was no, small or moderate to large impact. All questions received a NO response.

Based on this a motion was made by Mike Stiner and second by Anita Minerd to declare the Zoning Board as lead agency and to declare that the proposed action will not have any significant adverse environmental impacts. All Board members in favor.

Motion was made by Mike Stiner, second by Karl Field to open the public hearing. All Board members in favor. Rick Rarick of 2795 Webb Rd. stated he was a 5th generation resident. He manages Mathew 25 Farm on 2574 Tully Farms Extension. He stated that Mr. Shute is an exceptional neighbor and restored the building and made the property look better. Elizabeth Esmark of 2830 Webb Rd. is the owner of Vera Vintage and stated that Mr. Shute was very supportive of them when they received their variance. She is 100% in favor of the variance. No persons spoke against the application.

Motion was made by Mike Stiner, second by Anita Minerd to close the public hearing.

Christine Keenan reviewed the five statutory factors for area variances:

Whether the benefit sought by the applicant can be achieved by some other method?

No

Whether undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties?

No

Whether the requested area variance is substantial?

Yes – request is a substantial request for 22’ of relief.

Whether the proposed variance will have an adverse impact on neighborhood?

No

Whether the alleged difficulty was self-created?

Yes – don't have to build the shed

Motion was made by Mike Stiner, second by Anita Minerd to approve the request for variance. All Board members in favor.

Agenda item: **Case #5 – 2019** - An application by McDonald's Corporation for an area variance for 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:

This agenda item was tabled since McDonald's was not present at the meeting. Action items below are still open.

Action Items:

- **Bohler Engineering to provide rendering of Route 20 signage for Board Review**
- **Bohler Engineering to investigate signage illumination only during hours of operation**

Agenda item: **Public Hearing - 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 ¾ mile north of Palladino Road in an Ag/Residential District (Tax Map No. 006.-03-01.3).

Discussion:

Bryan Stump representing Cypress Creek briefly explained the project. He advised of the benefit to subscribe to the project and power your house using solar energy. He advised of the harmonious partnership they expect with the community. There are benefits to the Town and local schools. They are anxious to hear from residents on thoughts for the site plan. He said that residents can choose a particular tree species at the site plan review. He also spoke of the

native wildflowers, nature trees and purple and white clover around the panels to boost the agriculture ecosystem.

Christine Keenan asked about the 20-year duration of the project. Mr. Stumpf advised that the land is to provide supplemental income to the farmer and the land will be fallow for 10-15 years. The land will become agriculturally viable or rejuvenated at the end of the project.

Anita MinerD asked if they are leasing the property. Mr. Stump advised yes.

Karl Field brought up impact of glare from the panels. Mr. Stump advised that there is only an issue with private planes that may fly overhead. The position of the panels are oriented to get as much sun as possible. The frame is the only thing that would bounce lights. It will not affect anything on the ground and the glare from the frame would only occur during certain times of the year.

Christine Keenan asked if a solar glare analysis was performed. Mr. Stump advised that it had been done and he can provide the results for anyone wishing to see them.

Motion was made by Mike Stiner, second by Anita MinerD to open the public hearing. All Board members in favor.

Paul Blust of 3721 Apulia Rd. asked for the location of the panels. All residents were asked to come up and review the maps that Cypress Creek had on hand. Mr. Stump explained the layout and location of the panels to the residents in attendance.

Residents were concerned about the project's effect on property values. Erin Sullivan asked if they would consider better than a 10% reduction on energy costs for those impacted.

Paul Blush stated that thus far he does not see a problem and is in favor of renewable energy. He is a bit of a distance from the site so has no concerns visually.

Shane Sullivan of 6725 Palladino Road advised of his disapproval of the project.

Motion was made by Mike Stiner to close the Public Hearing, second by Anita MinerD. All Board members in favor.

The residents were informed of another chance for public comment at the Planning Board Site Plan Review in July on the 3rd Tuesday of the month.

Ms. Keenan asked if this was a recognized scenic view shed. Attorney Brown said it certainly is a view shed but not designated as such.

Mr. Stump advised that he had a joint meeting with Jamesville and LaFayette Fire Departments on safety. The area will be fenced with 7' chain link with barb on top. Each access road will have

a Knox box at each entry. The Fire Departments will have the ability to shut off power. The area will be plowed locally for snow removal.

Attorney Brown stated he has had communication with the applicant on specific requirements and this would be contingent on Highway Superintendent approval. Mr. John Greeley, Highway Superintendent has given a list of specifications to Mr. Stump.

Regarding fish, wildlife, wetland or critical habitats, SEQR is complete and coordinated with DEC. Attorney Brown stated it is appropriate to see DEC approvals.

Setbacks – 25’ buffer of trees – Board was asked if more setback was needed. Board members did not think so.

Onondaga County Planning states the area must be paved, and the applicant must obtain a highway work permit. Mr. Stump stated that he had attended the Onondaga County Planning Board meeting and they intend to pave the roads.

Storm Water Prevention Plan and Drainage Studies will be made part of the Site Plan Review.

Motion was made by Mike Stiner, second by Anita Miner to close the public hearing. All Board members in favor.

Motion was made by Mike Stiner, second by Anita Miner to approve the specific use permit contingent on the applicant obtaining all necessary permits and approvals, including written approval from the Town of LaFayette Highway Superintendent re: access. All Board members in favor.

Motion was made to adjourn by Mike Stiner, second by James Nash. All other Board members were in favor.

Meeting adjourned at 7:47 pm.

Respectfully Submitted

Sue Marzo
Zoning Board Secretary

