

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



Date: March 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, resident/applicant, Doreen Quinn, resident/applicant, Steve Wilson of Bohler Engineering representing McDonald's, Jackie Roorda, Town Clerk

Minutes

- Christine Keenan opened the meeting with introductions by all at 7:02 pm
- Minutes of March 19, 2019 were amended on page 2, paragraph 1 stated Planning Board when it should have stated Zoning Board.
- Motion to accept minutes as amended was made by Anita Miner, Second by Mike Stiner from the March 19, 2019 Zoning Board meeting. All other board members also accepted as amended.

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:

Chair, Christine Keenan asked the board if they had any questions pertaining to the project. The board had no questions. Part 2 of the SEQR short environmental assessment form was reviewed with the Board by Attorney Brown resulting in no anticipated negative impact to environmental resources. Motion was made by Mike Stiner and second by Anita Minerdt for Zoning Board to be designated lead agency and to make a negative declaration. All board members present voting in favor.

Mike Stiner motioned to open the Public Hearing, second by Anita Minerdt, all board members present voting in favor. There were no residents present favoring or opposing the variance. Motion was made to close the Public Hearing by Anita Minerdt, second by Mike Stiner, all board members present voting in favor.

Ms. Keenan stated that the survey was updated to satisfaction. Zoning Ordinance criteria was reviewed with successful results. Mike Stiner motioned to grant the variance as presented, Anita Minerdt second. All board members present voting in favor.

Agenda item: Case #4-2019
Sketch Hearing – Application of Doreen Quinn for an area 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:

Chris Keenan, chairperson asked the applicant to show where the well and the septic were located on the survey provided. Ms. Quinn pointed out locations. Ms. Keenan would like to see a drawing to scale showing the footprint of the garage being proposed. The house side yard setback is 25’ under the Town zoning ordinance. The proposed

garage would have a 2' setback when done. Ms. Keenan asked board members if they had any questions. Mike Stiner asked how close the proposed garage would be to neighbor's home. Ms. Quinn stated it would be 20-25' to neighbor's home. Attorney Brown asked if the neighbor was opposed. Applicant stated that she was aware of the project but not in favor of it. Attorney Brown asked if the applicant was working with an architect or engineer. Applicant stated that she was not. Attorney Brown asked if the garage could be located behind the house. Resident stated that she investigated it, but she has an above the ground pool which would prohibit that. Anita Minerd said they might want to consider a one car garage instead of the 1.5 car garage proposed and make it deeper. Ms. Keenan stated that the Zoning Board may have an issue with a 2' setback. She suggested that her neighbor come to the next meeting to give her opinion. It would be easier to pass as a one car garage than a 1.5 car garage. Anita Minerd also suggested using the other side of the house for the garage, but applicant's driveway is on the proposed side making it a more suitable location. Additionally, putting the garage on the other side would involve going over a very deep ditch. Karl Field stated that there does not appear to be enough room to put a garage on the location proposed. Mr. Stiner proposed also a one car garage as a potential solution. Ms. Quinn asked if a garage 16' wide x 26' deep would be acceptable. Single car would be the max per Ms. Keenan, but the Board will have to decide what is appropriate. Attorney Brown asked if this project will need to go to County Planning. Jackie Roorda, Town Clerk advised that yes it did. They also may comment on how close it is to the neighboring lot. SEQR will need to be done at the next meeting followed by a Public Hearing. Motion to set Public Hearing was made by Mike Stiner, second by Anita Minerd, with all board members present voting in favor. Tuesday, April 23 will be the date of the Public Hearing. Drawing to scale of the proposed garage should be submitted one week prior to the Public Hearing for Board review.

Agenda item: Case #5-2019

Sketch Hearing – 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:

Steve Wilson of Bohler Engineering presented on behalf of McDonald’s. Mr. Wilson stated that renovations to the current McDonald’s restaurant proposed include tearing off the iconic roof and applying a new scheme with a more modern look. They will also be renovating the dining room, digital kiosks, bathrooms, and generally freshening the facility up. 50% of their customers typically comes from impulse traffic. LaFayette location may be higher than that. The applicant is trying to increase the visibility of the building to help support the investment in the building. Remodeling doesn’t change the footprint. The current signage can easily be missed. Cars traveling 70 miles an hour don’t see the current sign until they are upon the exit and there is no time to safely exit. The current sign literally sits behind the overpass. Moving the current sign at the same elevation won’t help. They are asking to raise the sign above all obstructions. Raising the sign 35’ is the proposal. There are currently 4 signs; 3 wall arches and a one-word mark. They are proposing the addition of two signs on the building itself. Ms. Keenan asked for a display of what the new building will look like. The applicant will bring that to the next meeting. Anita Minernd asked if the signage would be lit. Mr. Wilson stated that they are internally lit. They are proposing adding one to the building and increasing the size of the current one. They also want to add a sign in the setback. Ms. Keenan asked for the size off the sign in the setback. Mr. Wilson stated 10 x 10 25’ tall which is allowed by Town code. Two signs are allowed in the hamlet. Ms. Minernd asked if there were other building design options. Mr. Wilson stated that this is a renovation and not new construction which limits the design options. A small area of the parking lot will be refurbished. Attorney Brown asked when they would be proceeding. Mr. Wilson stated that they are still scheduling construction. Construction can begin without signage approval. Tentatively to begin over the summer months. Mr. Keenan requests that the

Planning Board look at this and give its recommendation due to hamlet regulations. The variance will be the ZBA's purview. Attorney Brown stated that the project must go to County Planning. Turnaround timeframe was asked by Mr. Wilson. Attorney Brown stated typically 30 days. SEQR would need to be done and ZBA would be lead agency. Karl Field asked if there were any regulations regarding height from the state. Mr. Wilson will investigate state regs to make sure it would be ok from them. Pictures of buildings and signs will be made available by Mr. Wilson at next meeting.

Motion to adjourn was made by Anita Miner, Mike Stiner second all board members present voting in favor.

Meeting adjourned at 7:58 pm.

Action Items:

- **Doreen Quin to provide sketch to scale of proposed garage for Case 4**
- **Steve Wilson to provide pictures of proposed building and signs for Case 5**
- **Steve Wilson to investigate New York State sign height regulations for Case 5**

Respectfully Submitted

Sue Marzo

Zoning Board Secretary

