

# Cazenovia Zoning Board of Appeals

## Meeting Minutes

December 27, 2022

Members present: Thomas Pratt; David Silverman; Gary Mason; David Vredenburg; Luke Gianforte; Michael Palmer, Alternate Member

Members absent:

Others present: Wendy Loughnot; David Peterson; Kyle Reger

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T. Pratt called the meeting to order at 7:30 p.m.

Roll was taken.

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Motion by D. Vredenburg seconded by L. Gianforte, to approve the November 28, 2022 meeting minutes was carried unanimously.

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The next regularly scheduled meeting will be Monday, January 23, 2023.

There will be a work session Tuesday, January 17, 2023.

All requested information must be received prior to the work session.

T. Pratt asked that the rustling of papers, the clicking of pens, and other background noise be limited for the benefit of the recording.

T. Pratt said regarding public speaking, please come forward, provide one's name and address, present to the Board not the Applicant(s), refrain from asking questions but rather make statements, and refrain from repeating items if they have already been stated once during the time for public comment.

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*Peterson, David - #21-1 – Bed & Breakfast Special Use Permit Renewal – 2964 West Lake Road*

David Peterson was present to represent the file.

T. Pratt said the property was located in the Lake Watershed (LW) district and the special use permit renewal was for a Bed and Breakfast (B & B) establishment which was initially approved in 2021.

T. Pratt said here had been some corrections that needed to be made for some (Building) Code items, and there was an inspection throughout the residence which Mr. Ladd, the Town Codes Enforcement Officer, performed and now found satisfactory. He asked the Board if they had any comments or questions.

G. Mason thanked Mr. Peterson for getting the Code items done.

Motion by G. Mason, seconded by D. Vredenburg, to approve the special use permit renewal for the B & B for another year with the same terms and conditions as the original approval was carried unanimously.

D. Peterson wanted to tell the Board that Mr. Ladd “was excellent” and had helped him “do a good job of that.”

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*Hoagland, Paul - #19-1 – Bed & Breakfast Special Use Permit Renewal – 5099 Rathbun Road*

No one was present to represent the file.

T. Pratt said this property was in the Rural A (RA) district. He said the special use permit renewal was for a B & B that was originally issued in 2019. He said there were corrections related to (Building) Code items that were required as well as a Bed & Breakfast inspection. He said Mr. Ladd reported all the Code items were completed, and the inspection also has been completed finding no issues. He asked if the Board had any comments or concerns.

M. Palmer asked if Mr. Hoagland needed to be present for an approval.

T. Pratt answered that Mr. Hoagland did not need to be present. He added that a floor plan had been provided for the file as well.

D. Vredenburg asked if the approval was for the use of all the structures on the property.

T. Pratt affirmed it was.

D. Vredenburg asked if it was determined if the original approval specified the areas of use for the B & B.

T. Pratt did not believe the original approval was specific. He believed that at the time of the original approval, other projects were approved similarly for whole properties. He noted the structures on this particular property were all connected.

D. Silverman asked if there was a limit on the premises.

T. Pratt answered the limit was six (6) (guests).

D. Silverman asked if the maximum was for the entire property and was for any combination of rooms.

T. Pratt affirmed it was and added all the other conditions such as parking applied overall as well.

There was more discussion about the use of variance parts of the dwelling which was connected and viewed as a whole.

M. Palmer pointed out that all the dwelling had to be inspected by Mr. Ladd since it was now specified to be used as part of the B & B.

T. Pratt assured the Board Mr. Ladd has inspected “the whole area.” He elaborated that Mr. Hoagland had to make a couple additional corrections in relation to that, which included the addition of a smoke detector and a handrail.

M. Palmer recalled in the past, applicants were not asked where guests would sleep; the Board emphasized the maximum number of guests who could stay at one time.

G. Mason believed this B & B was similar to the Peterson B & B which has two separate sections that are connected. He said guests could stay on either side, but they were limited to six (6) guests as well.

D. Silverman asked for clarification that the two (2) areas Mr. Hoagland plans to use were not separated.

G. Mason affirmed that the two (2) separate areas were connected so they were considered a single structure.

Motion by G. Mason, seconded by D. Silverman, to approve the B & B for another year with the same terms and conditions as the original approval was carried unanimously.

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*Henneberg, Shirley - #04-243 – Special Use Permit Renewal – 3104 Thomson Road, Cazenovia*

T. Pratt said this renewal was located in the Rural A (RA) District and was for a special use permit. He asked that the address for the endeavor be verified since two addresses were listed within the file. He said the special use permit was for cedar furniture and collectibles and was issued in 2004. He explained Mr. Ladd has been trying to connect with Ms. Henneberg (to inspect the site). He believed the name of the business was *Bears & Chairs*.

M. Palmer thought the location of the business was on Delphi Road rather than Thompson Road.

G. Mason thought it was Delphi Road as well.

While the Board waited to receive the inspection details from Mr. Ladd, the location of the business would be verified.

Motion by L. Gianforte, seconded by D. Vredenburg, to continue the file was carried unanimously.

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*Maples of Madison County, LLC/Madison County Distillery LLC - #22-1444 –Area Variance – 2410 US  
(Thomas Pratt) Route 20 East, Cazenovia*

*Maples of Madison County, LLC/Madison County Distillery LLC - #22-1445 – Special Use Permit -  
(Thomas Pratt) 2415 US Route 20 East, Cazenovia*

No one was present to represent the file.

T. Pratt said the project was in the RA Zone with the Wellhead Protection Overlay and the Commercial Overlay. He said the project would be for a storage building in front of the main building requiring an area variance as well as a modification to the special use permit. He said grading and drainage details have been submitted to the Engineer for the Town and the Board was awaiting his comments. He said

additional plantings have been added to the proposal as well. The Board was still waiting for an updated floor plan.

T. Pratt invited public comment at this time.

There was none, and Mr. Pratt said the public hearing would remain open.

Motion by D. Vredenburg, seconded by L. Gianforte, to continue the file and the public hearing was carried unanimously.

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*Loftus, Jon - #22-1447 –Area Variance – 3380 Pompey Hollow Road, Cazenovia  
(David Vredenburg)*

There was no one present to represent the file.

T. Pratt said this application was in the RA Zone and was an area variance to construct a bathroom on an existing accessory building was requested.

D. Vredenburg said the Applicant had asked for the discussion to be postponed until the next meeting so that the Applicant could get his public hearing letters sent to the neighboring property owners. He repeated the project was to add a bathroom to an existing bedroom which was located in a separate building from the house and which was only a foot from the side yard property line.

M. Palmer asked the amount of relief being sought.

D. Vredenburg said it would be over 90%.

T. Pratt thought the Applicant might be willing to relocate the addition a bit farther from the property line, but the project would still require a variance.

D. Vredenburg concurred that even if the bathroom were added to the farthest end of the structure, it would still be within 25 feet of the side yard property line.

M. Palmer asked if there were no other place for the proposal.

T. Pratt said the Board had not heard all the particulars at this point, but the structure was an existing tobacco shed that had been converted to a bedroom and the proposal was to connect a bathroom to that bedroom in the (existing) accessory structure. He felt the question was where could the bathroom be best located and why was it being added seeing that a pantry and a kegerator were included in the proposal.

M. Palmer asked about the application and was shown the plan and the drawings included in the file.

The other structures on the plan were explained to be a riding arena and a barn.

L. Gianforte noted the house was also located near the same side yard property line.

D. Vredenburgh thought the location of the septic system should be known.

It was noted in the file that the new septic system had been already approved by the Town of Cazenovia.

M. Palmer was shown the floor plan that was included in the file.

D. Silverman also viewed the drawings.

There was discussion about the orientation of the floor plan.

T. Pratt thought a more detailed drawing would be helpful.

D. Vredenburgh thought the Applicants would be able to answer questions the Board has regarding the proposal.

Motion by D. Silverman, seconded by G. Mason, to open the public hearing was carried unanimously.

There were no comments at this time.

Motion by D. Vredenburgh, seconded by L. Gianforte, to continue the file and the public hearing was carried unanimously.



Motion by G. Mason, seconded by L. Gianforte, to adjourn the meeting at 7:51 p.m. was carried unanimously.

Sue Wightman, Zoning Board of Appeals Secretary – December 27 2022