

# Town of Cazenovia Planning Board

## Meeting Minutes

September 3, 2020

**ZOOM video <https://madisoncounty-ny.zoom.us/j/97249942934>**

**Meeting ID: 972 4994 2934**

**Or Dial by phone (no video)**

**+1 646-558-8656 US (New York)**

Members Present: Robert Ridler, Chairman; Anne Ferguson; Jerry Munger; Dale Bowers; Hugh Roszel; Bryan Wendel; Thomas Clarke; Gerald Rasmussen, Alternate Member; Jon Vanderhoef, Alternate Member

Members Absent:

Others Present: John Langey; John Dunkle; Don Ferlow; Roger Cook; Dean Slocum; Matthew Kerwin; Michael Frateschi; Eric Kenna; Bryan Bayer; Heidi Bianco; James Cinque; Ashley Cinque; Daniel Manning; Jennifer Wong; Kristi Andersen; Kyle Reger; Thomas Pratt; 315-399-3425

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R. Ridler called the meeting to order at 7:30 P.M. He read the following announcements:

“Welcome to the September 3, 2020 Meeting of the Town of Cazenovia Planning Board, which has been legally noticed in the *Cazenovia Republican*, on the Town Website and outside the Town Offices.

This meeting is a virtual meeting as authorized by New York Executive Order 202.1.

This meeting is being recorded and will be made available on the Town’s website.

The public may be participating. When public speaking is allowed, speakers are asked to please state their name and address for the audio recording. Otherwise the public is asked to remain silent during the proceedings.

Attendance will be taken, and votes will be conducted by roll call.

When possible, the Board members and applicants will be named while speaking for audio recording purposes.

Please note: The output of transcribing from an audio/video recording from Zoom, will be fairly accurate, although in some cases will be incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting. If you should need clarification for something said, please contact the Planning Board Secretary.”

Attendance was taken by roll call. All were present. (Jon Vanderhoef joined shortly after the roll was taken.)

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Motion by J. Munger, seconded by T. Clarke, to approve the August 6, 2020 Zoom meeting minutes was carried as follows:

|               |       |      |
|---------------|-------|------|
| Robert Ridler | Voted | Yes  |
| Anne Ferguson | Voted | Yes  |
| Jerry Munger  | Voted | Yes  |
| Hugh Roszel   | Voted | Yes  |
| Dale Bowers   | Voted | Yes  |
| Bryan Wendel  | Voted | Yes  |
| Thomas Clarke | Voted | Yes. |

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The next regularly scheduled meeting will be Thursday, October 1, 2020.

The next deadline day will be Wednesday, September 16, 2020.

The next regularly scheduled work session will be Thursday, September 24, 2020.

R. Ridler said at the end of the meeting he will ask the Board when they would like to schedule the November work session which will fall on Thanksgiving Day.

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**LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION**

*Crawford, Albert & Michelle – Site Plan Review –5039 East Lake Road, Cazenovia  
File # 18-1192 (Robert Ridler)*

No one was present to represent the file.

R. Ridler said there was nothing new in the file.

Motion by H. Roszel, seconded by B. Wendel, to continue the file was carried as follows:

|               |       |      |
|---------------|-------|------|
| Robert Ridler | Voted | Yes  |
| Anne Ferguson | Voted | Yes  |
| Jerry Munger  | Voted | Yes  |
| Dale Bowers   | Voted | Yes  |
| Hugh Roszel   | Voted | Yes  |
| Bryan Wendel  | Voted | Yes  |
| Thomas Clarke | Voted | Yes. |

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*Bianco, Heidi -- Site Plan Review – 5256 Temperance Hill Road, Cazenovia  
File # 20-1295 (Thomas Clarke)*

Heidi Bianco was present to represent the file.

T. Clarke explained the Biancos were proposing to build a 1485 square foot house with a pool, basketball court, and jacuzzi. Since the last meeting, the Biancos have submitted front, side, and rear elevations, as well as a more accurate map showing the location of the house without the addition or proposed garage, which may be done during

another phase of construction in the future. The map also shows the location of the septic and the well. All construction would be within the setbacks specified in the *Town Code*. The impervious surface calculation was corrected and will be within the required limits as well. An intermittent stream that he felt should be noted on the map has also been included. The proposed color scheme of the house has been submitted as was the list of material to be used. He said the only question he had was if there would be outside lighting and what that lighting might be since a pool and basketball court were proposed.

H. Bianco answered the lights for the house would be “basic porch lights.” She said she proposed three lights in the pool and around the pool there would be a fence. Outside the fence they would plant evergreens and rose bushes to block the view of the pool. She said her son would love to have the basketball court lit, but she would do whatever the Board permitted her to install in that regard.

A. Ferguson asked if the lights for the court would be mounted on the house or the barn.

H. Bianco responded the lights would be mounted on the basketball hoops so the hoop would be illuminated by a light shining down.

B. Wendel explained the lights were usually mounted on top of the backboard.

A. Ferguson said if the lights were downward-facing and night-sky compliant, they would be fine. She asked if there was a picture of the lights.

T. Clarke said there was not a picture; that was the reason he asked about them.

A. Ferguson asked if Ms. Bianco would ensure the lights would be shielded, and night-sky compliant so that her neighbors would not be affected by the light.

H. Bianco assented. She added the lights would only be on when someone was using the basketball court, they would not be lighted otherwise.

T. Clarke said the other item he wanted to note was that the pool would need to be fenced.

H. Bianco responded that she had met with pool company and she had chosen black aluminum, posted fencing.

T. Clarke asked Mr. Langey if this would be a Type II Action in regard to the State Environmental Quality Review.

J. Langey affirmed it was. He said the condition he advised the Board to have for the approval would be that the lighting associated with the basketball court be shielded, downcast, and dark-sky compliant as Ms. Ferguson had discussed. He also added that the condition state the lights will only be used when the basketball court was in use.

Motion by T. Clarke, seconded by A. Ferguson to approve the site plan review as most recently submitted conditioned upon the lighting associated with the basketball court be shielded, downcast, night-sky compliant, and only in use when the basketball court is used was carried as follows:

|               |       |     |
|---------------|-------|-----|
| Robert Ridler | Voted | Yes |
| Anne Ferguson | Voted | Yes |
| Jerry Munger  | Voted | Yes |
| Dale Bowers   | Voted | Yes |
| Hugh Roszel   | Voted | Yes |
| Bryan Wendel  | Voted | Yes |
| Thomas Clarke | Voted | Yes |

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*Dorrance, Chad & Richards, Jacquelyn -- Site Plan Review – 3985 East Road, Cazenovia*  
File # 20-1296 (Bryan Wendel)

No one was present to represent the file.

B. Wendel said the Board was waiting for multiple items and Mr. Dorrance was unable to attend this evening.

Motion by B. Wendel, seconded by T. Clark, to continue the file was carried as follows:

|               |       |     |
|---------------|-------|-----|
| Robert Ridler | Voted | Yes |
| Anne Ferguson | Voted | Yes |
| Jerry Munger  | Voted | Yes |
| Dale Bowers   | Voted | Yes |
| Hugh Roszel   | Voted | Yes |
| Bryan Wendel  | Voted | Yes |
| Thomas Clarke | Voted | Yes |

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*Cinque, James & Ashley -- Review Request – 5199 Temperance Hill Road, Cazenovia*  
File # 20-1298 (Hugh Roszel)

James and Ashley Cinque were present to represent the file.

H. Roszel explained the Cinques would like to extend their rear setback line an additional 100 feet. When the lots were created in 2013 it was stated that if the Owners desired to change the specified setbacks determined at that time, the Owners would have to petition the Planning Board to make changes. He said letters from the neighbors had been received stating their approval of the proposal. He explained the Board would need to have a public hearing (before making a determination). He indicated the reason for the request was because the Owners want to extend their deck and install a swimming pool. He felt the request was “straightforward.”

J. Langey went through the eleven (11) items of Part 2 of the Short Environmental Assessment Form (SEAF) with the Board with all answers being “no impact,” except item number two (2) which was “small impact.”

Motion by H. Roszel, seconded by B. Wendel, to appoint the Planning Board as Lead Agency for the purposes of the SEQR, to affirm the matter an Unlisted Action and make a Negative Declaration based upon the Board’s review of the SEAF, and to move the application to a public hearing at the next meeting was carried as follows:

|               |       |      |
|---------------|-------|------|
| Robert Ridler | Voted | Yes  |
| Anne Ferguson | Voted | Yes  |
| Jerry Munger  | Voted | Yes  |
| Dale Bowers   | Voted | Yes  |
| Hugh Roszel   | Voted | Yes  |
| Bryan Wendel  | Voted | Yes  |
| Thomas Clarke | Voted | Yes. |

Motion by H. Roszel, seconded by J. Munger, to continue the file was carried as follows:

|               |       |      |
|---------------|-------|------|
| Robert Ridler | Voted | Yes  |
| Anne Ferguson | Voted | Yes  |
| Jerry Munger  | Voted | Yes  |
| Dale Bowers   | Voted | Yes  |
| Hugh Roszel   | Voted | Yes  |
| Bryan Wendel  | Voted | Yes  |
| Thomas Clarke | Voted | Yes. |

J. Cinque asked for clarification regarding what would be expected of them for the public hearing.

H. Roszel and J. Langey explained the process.

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*Citylake Properties, LLC -- Site Plan Review – 5041 East Lake Road, Cazenovia*  
File # 20-1301 (Jerry Munger)

Daniel Manning of Daniel Manning- Architect PLLC was present to represent the file. He explained he has been retained by Neil and Robin Goldberg who own and live next door to the property in question. He said their intent was to demolish the existing 2-family home and construct a new home in the lake watershed for their family's use. The subject property was 1.85 acres with 130 feet of frontage and 432 feet of depth. For purposes of impervious surface calculation, he determined the lot has 76,584 square feet which eliminates the highway setback. The new home with all the associated impervious surface coverages would be 8328 square feet which would be 10.87%. On the sheet he prepared for zoning review entitled *New Goldberg Residence 5041 East Lake Road Cazenovia NY 13035 Z-5 Existing/New Site Plan And Photos* dated 08/31/2020 he provided the impervious surface percentages for Zones A, B, & C as well as the overall percentage. He said in Zones A & B the Owners were not requesting any changes. He said they intend to leave the existing dock and the existing shed in those areas. He described the existing shoreline as "very natural" with existing trees and plantings. He said the Owners intend to leave the shoreline intact as well with "normal maintenance." He said if new plantings were needed as a result of "normal maintenance," they would use natural species recommended by the Town for stabilization. He said in Zone C the proposed house will be very similar in size and location of the existing house. He said the new house will meet all the zoning requisites for setbacks and height limitations. Doug Klepper will be the contractor. Mr. Klepper and Mr. Cook were at the site today digging test pits to ascertain soil conditions for a septic system as well as a drywell. The Owners have agreed to stormwater remediation which would entail the installation of drywells calculated upon the soil analysis to receive all roof run-off and all footing drain run-off and to maintain that run-off on site. The site currently is predominantly grass, and any existing trees, and hedgerows will remain intact. The site has a slight topography of 2% from the back of the existing home to the shoreline. The driveway will remain in its present location so the curb cut would not change. The total lot coverage would only be .87% over the allowed 10%.

A. Ferguson said with new construction the Board would prefer the garage doors not to face the road. She wondered if the design had flexibility to accommodate that preference.

D. Manning said his original design had the doors facing the side, but that resulted in an increase in impervious surface area, so the Owners assented to having the doors face

the same direction as the doors on the existing structure. He said he endeavored to make the front of the home as aesthetically pleasing as possible. The Owners attempted to replicate the same color scheme and materials of dryvit, natural stone, and architectural shingles, as their adjacent home.

A. Ferguson asked the Board how they felt about the garage doors, wondering if they value the impervious surface reduction more than the aesthetics.

R. Rilder asked the difference in impervious surface area if the garage doors were to face away from the road.

D. Manning explained it would create a larger radius to enter the garage and a turn-around area would be needed which would result in 15% of coverage in Zone C and 13% overall.

B. Wendel believed the impervious surface area was a more important issue and expressed that he was fine with the garage doors facing the road.

H. Roszel added that as the project was now proposed it was much more aesthetically pleasing than what was there now .

A. Ferguson wanted the record to reflect the Board discussed the issue. She asked the size of the deck which was making the impervious percentage so high in Zone A. She believed it was 10.8% and the acceptable amount was 5%.

D. Manning answered the deck was 20' X 9.5' saying he also included the stairs making the gradient from the deck in his overall calculation of the Zone.

D. Bowers asked about the three (3) cedar trees in Zone B that would be cut.

D. Manning said the cedars were planted immediately against the foundation (of the shed) so they were causing some damage.

D. Bowers asked the plan for the structure.

D. Manning answered the Owners plan to paint it and fix the doors. He said development in Zone B was 1.53%.

R. Ridler asked if there were any plans to replace the three (3) cedars that will be removed.

D. Manning responded the Owners do not want to change the natural shoreline appearance. He said if he was to tell the Owners that the Board does not want them to cut the cedars, they would leave them.

B. Wendel asked if the trees in question were shown in the photograph of the shed found on drawing Z5.

D. Manning affirmed they were.

R. Ridler asked Mr. Ferlow to give his opinion.

D. Ferlow said the shoreline would remain; the cedars were against the foundation and were not “in the best of places for growth”; it was mentioned in the application that plantings would be part of the proposal so he did not believe the Cazenovia Area Conservation Commission (CACC) would find removing the cedars that were against the foundation to be significant.

R. Ridler asked Mr. Ferlow if he had any other comments (about the overall proposal).

D. Ferlow’s only suggestion was if the Applicants did any work along the shoreline to follow the *Lakefront Guidelines*.

D. Manning responded the Owners were happy to leave the shoreline and the trees just the way they are.

J. Munger had no objections to removing the cedars that were so close to the foundation.

A. Ferguson said she had no objections either.

B. Wendel agreed.

R. Ridler asked that the cedars be replaced to shield the shed.

J. Munger thought replanting along the lake side would be a better option.

R. Ridler said that was his thought.

D. Manning said that would not be an issue.

J. Langey asked if there was any additional information that Mr. Dunkle needed to comment about regarding stormwater.

J. Dunkle said he had not seen the plan, but he said collecting the rooftop run-offs and directing them into drywells was an acceptable treatment method providing there were viable soil absorbing capabilities, which the test holes should prove or disprove.

He approved as long as the tests proved the soils were permeable, otherwise they would have to seek an alternative type of management.

D. Manning said they would provide the soil information for Mr. Cook’s approval as soon as they have the results.

D. Bowers asked the number of bedrooms in the proposed house.

D. Manning said there would be one (1) on the first floor and four (4) on the second floor.

D. Bowers was unsure if the bunk room would be considered more than one bedroom.

D. Manning believed that would be converted to a bedroom when the Owners’ young grandchildren were grown.

J. Langey explained the proposal was essentially for the building of a single-family home, so this was a Type II Action in regard to SEQR. He asked if there were any other conditions other than stormwater detail be provided to Mr. Cook, and he suggested stormwater detail be provided to Mr. Dunkle as well.

D. Manning affirmed he had Mr. Dunkle’s contact information so he will provide the stormwater details to both Mr. Cook and Mr. Dunkle.

A. Fergsuon noted another condition was the replacement of the three (3) cedar trees by the shed along the lakeside.

D. Manning responded he would be happy to provide that information as well.

R. Cook stated he had not heard it said that an additional percentage of lot coverage would be mitigated by the stormwater treatment proposed and he thought that should be noted.

J. Langey explained that the Board would not ordinarily allow more than 10% of overall coverage unless stormwater mitigation measures were taken “going above and beyond in order to protect the lake.” He said even though the percentage being exceeded was small, the system proposed would achieve the mitigation. He said he would incorporate the language from the Code in his documentation substantiating the allowance.

Motion by J. Munger, seconded by H. Roszel, to approve the site plan as most recently submitted with the conditions discussed was carried as follows:

Robert Ridler

Voted

Yes

|               |       |      |
|---------------|-------|------|
| Anne Ferguson | Voted | Yes  |
| Jerry Munger  | Voted | Yes  |
| Dale Bowers   | Voted | Yes  |
| Hugh Roszel   | Voted | Yes  |
| Bryan Wendel  | Voted | Yes  |
| Thomas Clarke | Voted | Yes. |

D. Bowers asked when this project will begin.

D. Manning believed he would have construction drawings completed in September. He thought the contractor would be ready to apply in October.

D. Bowers asked when the demolition would start.

D. Manning answered the hazardous material testing had been completed. He said once that has been reviewed Doug Klepper would take the appropriate action. He said they have done visuals walking through the subject property, but they did not have the results yet.

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*Lucas, David -- Site Plan Review – Barrett Road, New Woodstock*  
File # 20-1280 (Anne Ferguson)

Matthew Kerwin of Barclay Damon, LLP law firm in Syracuse, NY was present to represent as well as Michael Frateschi of TJA Clean Energy, LLC.

A. Ferguson said she would begin by discussing the topographical (topo) site survey wondering if the unnumbered one received in July had been replaced.

M. Kerwin answered the overall C-102 now includes the topo in a form more legible and replaces the earlier versions.

A. Ferguson said Mr. Dunkle had some questions regarding the one the Board received in July that was unnumbered and she wondered if his questions about the teeter-tottering design had been addressed.

J. Dunkle responded that he has a better understanding how those panels function and he actually concluded the design benefits run-off in that the design does not have a fixed dripline. He said they also discussed the default angle of the panels at night and how they function when it is cloudy.

M. Frateschi elaborated by saying cloudy days the panels rotate from east to west tracking the position of the sun in case the sun was to come out of the clouds. At night the panels enter into a tabletop position. He said this would be a programmable system that would operate remotely, so in his discussion with Mr. Dunkle it was decided the tabletop position would be best at night.

J. Dunkle explained the reason that was the preferred position was because when it was level, it would allow runoff to flow around the whole edge rather than being concentrated along one edge. The only better position would be vertical.

M. Frateschi said the angle would never be greater than 60 degrees.

J. Dunkle said in his opinion these panels would be less detrimental in regard to stormwater because the drip-edge moves throughout the face of the hillside.

A. Fergusons said there was a follow-up question regarding the stabilization of the disconnection area and wondered if that would be addressed in the Erosion Control Plan or the Stormwater Pollution Prevention Plan (SWPPP).

J. Dunkle affirmed that would be an appropriate item to address in those plans.

A. Ferguson continued by saying the next item for follow-up was the Army Corp of Engineers (ACOE) wetland permit. She said the Applicants submitted a very comprehensive report prepared by C & S Engineers, Inc. In summary, she believed there were eight (8) wetlands identified, none of which fall under the jurisdiction of the New York State Department of Environmental Conservation (DEC), but do fall under the ACOE guidelines. Her question was whether this report was submitted to the ACOE or if the report was a supplement to what they had submitted.

M. Frateschi said Bryan Bayer an Environmental Manager from C& S who prepared the report had joined the meeting this evening and could explain the report.

B. Bayer confirmed he authored the delineation report. He said the report provided an overview of their findings from field visits; it provided the boundaries of wetlands as delineated per the ACOE wetlands delineation manual. The report provided what the ACOE needs to review and approve the wetlands boundaries. He explained it would be a supplement to the formal submittal that they would typically send with respect to permitting.

A. Ferguson asked if the information would be submitted to the ACOE in the month of September.

M. Frateschi said they would like to request a few minor changes when the time was appropriate.

A. Ferguson encouraged Mr. Frateschi to discuss the changes.

M. Frateschi believed if the site plan changes were acceptable to the Board, they would submit their documentation to the ACOE before the beginning of October.

A. Ferguson said she surmised there would be very little work done in the wetland areas and asked if that was correct.

M. Frateschi answered that any wetland they would be working in they would only be driving piles which would not be considered disturbance. There is a wetland in one area that work would require the removal of trees, so a permit would be needed, consequently they will not be working there.

A. Ferguson said they had received a Soil Resource Report from Madison County. She asked if there was anything in the report that contradicted what had been submitted previously.

Eric Kenna of C & S Engineers, Inc believed the question had been raised as to whether the soils in the soil map could exist in a wetland. Everything they had shown as far as soils has been taken from the United States Department of Agriculture (USDA) Soil Maps.

D. Ferlow said the data was more informative from the wetland report they submitted because he could see the soil profile information. He said they essentially have answered the questions relative to what the CACC was concerned about with the original map.

A. Ferguson concluded she would consider that item closed.

A. Ferguson said another open item was in regard to roads. She said the Highway Department inspection of road regarding impact on conditions and impact upon drainage was pending. She asked Dean Slocum the Highway Superintendent if he had reviewed that.

D. Slocum said the concern was the condition of the road after construction and that any related disturbance be addressed. While reviewing the new information another concern he had was meeting the minimum sight distance for the proposed driveway cuts.

A. Ferguson asked Mr. Frateschi if that concern had been considered.

M. Frateschi said to date it had not.

D. Slocum explained that until he knows the precise locations of the driveways, he cannot ensure that sight distance would be sufficient, but he suspects one of the proposed driveways will not meet the minimum required.

E. Kenna said once the site plan changes have been okayed, the surveyor can set stakes so Mr. Slocum can determine the sight distance.

J. Dunkle said another concern would be that runoff should not discharge directly onto the road. He said if there was a slope, they would want to make sure there will be a low point before water can enter the road.

E. Kenna said it was standard that they try to “dump it the first 25 – 30 feet away from the right of way.”

J. Langey asked if Mr. Dunkle was requesting a detail about that engineering.

J. Dunkle said he and Mr. Slocum would want that as well as the turning radius for each of the two (2) driveways.

E. Kenna said when they devise the “full-blown grading and erosion control for the SWPPP” they will include those details on a separate sheet with a blow-up of the two (2) entrances so it would be easier to see.

J. Dunkle said the culverts will need to be sized, analyzed, and approved by Mr. Slocum as well.

J. Langey said concerning the impact of construction on the road, last month there was discussion about doing a preconstruction inventory of the Town roads perhaps utilizing photographic evidence. He said he would work with Mr. Kerwin about creating a bond for the roads and then the bond would be released “when everything seems satisfactory.”

A. Ferguson asked Mr. Kenna if the details about the blow-up for the driveway would be part of the SWPPP.

E. Kenna affirmed it would, saying that would be where the detailed grading issues would be addressed. He said in the SWPPP there would be a sheet about the Erosion Control Plan and a sheet about the driveway details.

A. Ferguson said a list of the roads to be used had been submitted. She asked Mr. Langey if he suggested they photograph those roads.

J. Langey said he would defer to the Engineers, but he said some photographic inventorying of specific areas of the road(s) prior to construction could be requested.

He said they would certainly be inspected. At the completion of construction another review would take place. The Applicant would first be offered the opportunity “to fix any problems with the road that can be tracked back to their use of it. The bond would stand in its place” in the event that was not done.

J. Dunkle suggested the roads be videoed, saying that was the best way to record the pre-development condition.

M. Frateschi said they could do that.

A. Ferguson said the Road Maintenance Agreement that Mr. Langey spoke of was in progress.

E. Kenna asked if that would be relevant to the Town roads, not the State roads.

J. Langey clarified it would be for the Town roads.

A. Ferguson asked if there were any updates to the Notice of Intent (NOI) to New York State Department of Agriculture & Markets (Ag & Markets).

M. Frateschi responded that when they submit to Ag & Markets, they want to have a complete application with no modifications. One item they needed to determine was if there were underdrains on site. He spoke to Gary Brink who is a neighbor and who was able to identify one underdrain. Now that they have determined that, once they have discussed the revisions to the site plan with the Board and have the site plan finalized, they will be able to submit the NOI before October.

A. Ferguson continued by saying the only open item regarding operations was outreach by TJA to the local First Responders.

M. Kerwin reported that he sent letters to all the First Responders on the list he was given by Mr. Cook and Mr. Langey. He requested their comments, consent, and confirmation of their ability to provide services, but had not heard from anyone to date.

A. Ferguson then turned the discussion to tree removal and site mitigation. The Applicants had submitted reports on the trees that were existing providing an inventory outlining the types and sizes of the trees by area. She commented that the report was well-done. It was stated at the last Planning Board Work Session that the removal of trees by TJA will be in accordance with Federal guidelines regarding animal nesting, hibernation, and migration.

M. Kerwin added that as part of the Environmental Assessment Form, no endangered or threatened species were identified near the property. At the work session it was mentioned that perhaps bat habitat would be a consideration. Since then he has

received a letter from the New York State Department of Fish and Wildlife confirming there was no endangered bat habitat in the area, so there should be no concerns regarding tree removal. He will provide a copy of the letter he received.

The Board expressed their approval.

A. Ferguson said new computer simulations were submitted showing the views before and after solar installations with tree plantings. She asked if those could be displayed for the Board's discussion.

M. Frateschi shared the photo simulations on his screen of the various vantage points, while he and Mr. Kenna explained each orientation.

M. Frateschi asked the Board to bear in mind the photographs were taken when there was no foliage on the existing trees.

A. Ferguson pointed out the simulations showed the installation of evergreens at early height.

*Aerial Site Plan C-101* was also displayed to help orient the Board.

While viewing *Photo #3c- Barrett Road* (1100 feet) M. Frateschi explained he had an opportunity to meet with Jim Wright and Gary Brink as well as Jason Zelenka, and it was concluded after the conversation with Mr. Wright and Mr. Brink that the area along the western edge of the western array was prime farmland for Mr. Brink – not prime farmland, but prime for Mr. Brink individually. Mr. Brink has requested that the section of panels be relocated to the eastern side of the western array, west of the gas easement. Not only would that change expand the field to the east so Mr. Brink can continue farming that section, but it would also improve the viewshed from Mr. Wright's looking southwest as well as the viewshed from Route 80. He estimated about 20% of the western array panels would be relocated if the Board was agreeable to the change.

A. Ferguson thought it was a good idea.

T. Clarke and R. Ridler agreed.

M. Frateschi said they would make that change to the site plan for the next meeting. He said new photo simulations would be created to show the Board the improvements especially from the Route 80 perspectives.

A. Ferguson asked about screening on the north side of the eastern facility.

E. Kenna explained that as one advances east on Barrett Road, the field is 10 -15 feet above the road, so the field is not visible from the road.

M. Frateschi said a second item for the Board's consideration was moving the access road from its original location connecting it to the north where it would be very steep. He had been talking to Mr. Zelenka, who owns the field to the east of the array, about granting them an easement that would connect the array to Barrett Road to the northeast. He stated this would minimize grading, it would help with stormwater rates, and it would give them an access point for deliveries coming from Barrett Road to the east on a flatter terrain rather than through the winding road. He saw this as a benefit to all.

E. Kenna believed the field was currently accessed from the new location discussed.

A. Ferguson asked the Board how they felt about the change.

The Board expressed their assent.

A. Ferguson requested the site plan be updated to reflect the new location adding she sees it as an improvement.

M. Frateschi then spoke about the third change they wanted to propose. He said originally, they proposed a method of installation of conduit tying the two (2) facilities together by horizontal directional drilling through the woods.

A. Ferguson believed the neighbor noted that method might require cutting trees if they needed to install trenches.

M. Frateschi said Mr. Wright had spoken with him regarding the geology of the area on the hillside, saying there was some concern about shallow rock and potential rock outcroppings which would make horizontal directional drilling as well as open trenching difficult. What they would now like to propose was overhead poles between the two (2) facilities through the woods and over the gas easement and after which they then would go underground. Moving the panels from the west side of the western facility to the eastern side would shorten the run. Overhead poles would provide easier access over the gas easement. They would still need an easement from the gas company, but they would not need to use dye coated concrete, they would not need to bury the conduit, and they would not need to follow some other protocols. He said installing poles in rock would be easier than running conduit through rock.

H. Roszel asked how many poles would be needed.

J. Munger asked the height of the poles.

M. Frateschi said the poles would be 40' – 45' poles, or lower. He asked Mr. Kenna what the dimension of the swath needing to be cleared.

E. Kenna answered it would depend on how the lines on the poles will be stacked. He was waiting to hear about the cross-arms. He said they would need just enough clearing basically to set the poles.

A. Ferguson thought one of the benefits was that the trees were probably as tall as the poles would be.

E. Kenna agreed that it would be located in the old-growth area at the top of the hill.

M. Frateschi said it would be about 450' through the woods. With the steepness of the slope he thought the poles would be spaced about 250' apart. He thought they would need a pole at the top of the hill, two (2) poles through the woods, and one pole at the other end.

D. Bowers said he was fine with that change.

A. Ferguson asked Mr. Cook his opinion.

R. Cook said he was fine with it as well.

R. Ridler spoke about the Board's desire to meet on site with the Representatives for the solar company and with Mr. Langey. He said they would like to do that before the October meeting.

J. Langey said he would be available for a daytime visit.

R. Ridler asked Ms. Ferguson to coordinate a date for those interested.

M. Frateschi mentioned he would be on site to take photographs with a drone tomorrow in case anyone was available at that time.

A. Ferguson asked if the Board needed to be concerned about the number of members together at one time.

J. Langey said the law allows for site visits. He cautioned the Board against deliberating about the project. The purpose of the visit will be to observe and inspect.

A. Ferguson said the other issue relevant to tree removal and site mitigation was the selection of species. She said the Board was "not real thrilled" with the species selected. She asked that Mr. Ferlow send the Applicants a list of potential choices. She felt mugo pine and the weeping eastern white pine, as well as the formalized hedging could be improved upon. She conceded the Fat Albert blue spruce was acceptable. She thought evergreens mixed with deciduous and large shrubs would provide a more

naturalistic, effective screening design. She suggested they could perhaps enlist the help of a landscape architect.

M. Kerwin said this was the third landscaping design they had submitted. Initially they had proposed arborvitae and then they transitioned to juniper. He said the Fat Albert blue spruce was a variety from Colorado that would grow to only 15 feet in height. He said specific species were chosen to limit the tree height to prevent shading on the arrays which would be critical to the operation of the facility.

A. Ferguson said she did not have an issue with the Fat Albert blue spruce variety other than the massing of hundreds of them. She felt the other choices to be too exotic and suggested the use of something “more indigenous.”

M. Kerwin asked for specific direction from the Board.

A. Ferguson said that was her intent in asking Mr. Ferlow to make recommendations.

M. Kerwin asked if the Board preferred to see some sort of hedgerow as opposed to the linear planting scheme proposed.

A. Ferguson said the use of some evergreens was good, but she repeated the suggestion of intermixing some deciduous varieties with shrubs so the overall effect will be 10’ -12’ in height but without looking artificially planted.

R. Cook elaborated by saying that if one looks to the hillside where the panels will be located there are very few blue spruce and similar types of trees growing in the area, so seeing linear rows of them will appear very artificial, whereas mixing other species and spacing them more naturally would be more palatable.

E. Kenna said the landscape architect they have on staff created the design and said he had asked that the landscape architect use varieties that would not grow more than 15 feet. He expressed his willingness to use the list Mr. Ferlow will create to have the landscape architect create a new design.

D. Ferlow asked that the landscape architect call him to discuss the design with him directly. He said the CACC’s goal was to create a more naturalistic (buffer). He said the first plan submitted “was deer food.” The second plan incorporated plants that were good but uncommon in Cazenovia, which in quantity might become a host to a fungus or disease. The third plan was subjective, and “very ornamental.” He commented that species such as weeping white pine were expensive and they also grow wide so in time the weeping white pine would “fight” with the Fat Albert blue spruce which also grows quite wide.

A. Ferguson suggested the professionals “put their heads together” either by telephone or by email.

R. Cook asked if there was any language to address how long the Owners will be responsible to see that the trees are growing.

A. Ferguson thought that a specified time such as five (5) or ten (10) years be a condition of the resolution, saying Mr. Cook raised a good point.

R. Ridler agreed the maintenance of the trees would be a wise condition to include in the resolution.

H. Roszel commented that was another reason to diversify the species.

A. Ferguson asked if that was agreeable to the Applicants.

M. Frateschi and M. Kerwin answered, “Yes.” Mr. Frateschi asked that the information (from Mr. Ferlow) be given in time to update the photo simulations for the next meeting.

A. Ferguson said the next item was the Decommissioning Agreement. She said that was in progress in July and asked for an update.

J. Langey said he has reviewed it and he had “a handful of comments.” He just needs to go through it with Mr. Kerwin.

M. Kerwin said he does as well and thought they could review it together in the next week.

A. Ferguson asked about the updated SEQR.

J. Langey believed the Applicants had provided a new Part 1 (of the FEAF).

M. Kerwin said that was correct and he believed Mr. Langey had what he needed to start the Lead Agency process.

It was confirmed that the notices had been sent.

J. Langey asked if Mr. Kerwin had seen the comments/requests received by the New York State Office of Parks, Recreation and Historic Preservation (SHPO) for information about homes 50 years old or older in the area.

M. Kerwin said he has emailed the (SHPO) representative and was awaiting a response.

J. Langey informed Ms. Ferguson the SEQR process was “about as far along as we could have at this time.” He said he would report on it at the next meeting.

A. Ferguson asked Mr. Dunkle if there were any updates regarding the SWPPP.

J. Dunkle explained the Applicants are waiting until the site plan issues have been resolved before they prepare the SWPPP. He said that way they will only have to prepare one version and he will only have to review one version. He said that stays on the “To Do” list.

Addressing the drawings, A. Ferguson said C-101 will be revised. They received a new version of C-102 and C-103 and asked for clarification.

E. Kenna said C-103 was created so Mr. Dunkle could better see the topography.

M. Frateschi said C-102 had the solar array details superimposed over the topo.

A. Ferguson presumed both drawings would be updated for the next meeting.

M. Kerwin said when new documentation is sent, the Board can expect that all the new information submitted supersedes previous submissions.

A. Ferguson expected to receive a new *Landscaping Plan* (C-104) and a new list of tree selections (C-501). She said no new information was received regarding the *Gate & Fence Detail* (C-502) so she asked the Board if they could close that item.

The Board indicated they could.

A. Ferguson noted there was no change for the panel details either, so that could be considered final as well. She thought maybe next month they could close the tree mitigation and that the Board could complete a site visit.

M. Frateschi encouraged the Board to call him if they wanted to meet him at the site, saying he would be coming from Pompey so it would not be far for him.

There was discussion regarding those who could meet on site with Mr. Frateschi the following morning.

A, Ferguson said she would contact those who could not meet that Friday and arrange a visit for the following week with Mr. Frateschi.

Motion by A. Ferguson, seconded by H. Roszel, to continue the file was carried as follows:

Town of Cazenovia – Planning Board – Meeting Minutes – September 3, 2020

|               |       |      |
|---------------|-------|------|
| Robert Ridler | Voted | Yes  |
| Anne Ferguson | Voted | Yes  |
| Jerry Munger  | Voted | Yes  |
| Dale Bowers   | Voted | Yes  |
| Hugh Roszel   | Voted | Yes  |
| Bryan Wendel  | Voted | Yes  |
| Thomas Clarke | Voted | Yes. |

H. Roszel asked if some could visit the site Saturday, September 5, 2020 since he already contacted the Owner about visiting then. He said he would visit a second time to meet with Mr. Frateschi if it could be arranged on a weekend.

More discussion followed about who would be visiting when.

R. Ridler then asked when the Board wanted to meet for the November work session. It was decided the work session should be scheduled for Tuesday, November 24, 2020.

Motion by D. Bowers, seconded by A. Ferguson, to adjourn the meeting at 9:08 P. M. was carried as follows:

|               |       |      |
|---------------|-------|------|
| Robert Ridler | Voted | Yes  |
| Anne Ferguson | Voted | Yes  |
| Jerry Munger  | Voted | Yes  |
| Dale Bowers   | Voted | Yes  |
| Hugh Roszel   | Voted | Yes  |
| Bryan Wendel  | Voted | Yes  |
| Thomas Clarke | Voted | Yes. |

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Sue Wightman, Planning Board Secretary – September 4, 2020