

Town of Cazenovia Planning Board

Meeting Minutes

March 5, 2020

Members Present: Robert Ridler, Chairman; Dale Bowers; Hugh Roszel; Bryan Wendel; Gerald Rasmussen, Alternate Member; Jon Vanderhoef, Alternate Member

Members Absent: Anne Ferguson; Jerry Munger; Thomas Clarke

Others Present: Wendy Lougnot; John Dunkle; Matthew Vredenburgh; Michael Silberberg; Heidi Bianco; Thomas Gunerman; Martin Slocum; Kit Lewis

R. Ridler called the meeting to order at 7:30 P.M.

Motion by H. Roszel, seconded by B. Wendel, to approve the February 6, 2020 meeting minutes was carried unanimously.

The next regularly scheduled meeting will be Thursday, April 2, 2020.

The next deadline day will be Wednesday, March 18, 2020.

The next regularly scheduled work session will be Thursday, March 26, 2020.

HEARINGS

*John E Libby Living Trust/ Pratt, Norval & Kathleen -- Line Change – Bass Road &
File # 19-1268 (Hugh Roszel) 2555 Bass Road, New Woodstock*

No one was present to represent the file.

H. Roszel said the Applicant has asked for the file to be continued.

Motion by H. Roszel, seconded by B. Wendel, to continue the file and the public hearing was carried unanimously.

*Silberberg, Michael -- Line Elimination – East Lake Rd & 4577 East Lake Road
File # 19-1269 (Bryan Wendell) Cazenovia
Silberberg, Michael – Site Plan Review – 4577 East Lake Road, Cazenovia
File # 19-1270 (Bryan Wendell)*

Michael Silberberg and Matthew Vredenburg were present to represent the file.

Motion by B. Wendel, seconded by H. Roszel, to open the public hearing for the line elimination was carried unanimously.

R. Ridler asked that those wishing to speak would come forward, state their names and addresses.

Thomas Gunerman of 4576 East Lake Road said he has no objection to the proposal.

Hearing no other comments, motion by B. Wendel, seconded by H. Roszel, to close the public hearing was carried unanimously.

Motion by B. Wendel, seconded by H. Roszel, to approve the line elimination as most recently proposed was carried unanimously.

Discussion regarding the accompanying site plan review then followed.

M. Vredenburg displayed drawings for the original proposal saying he recalculated the impervious surface area and he reduced the width of the driveway. He said without changing the architecture, the functionality, and the aesthetics of the proposal, it was not possible to reduce the percentage in Zone C to 15%. He asked the Board to keep in mind that the percentage in Zone B would be 1%. He also wanted to clarify the size of the house which some thought to be 7000 SF; the house itself would actually be 4800 SF. The area of the garage, the porches, and the pool house he has listed separately. He said the proposed total amount of impervious surface area would be 13.99%; the existing impervious surface area of the combined lots was 14.5%. He explained how he derived the percentages since he originally calculated the existing to be 14.7% with a proposed total of 14.7%. The reduction in the proposal was partially due to the revised calculation as well as the reduction in the width of the proposed driveway.

H. Roszel asked the percentage in Zone C.

M. Vredenburg said the percentage in Zone C would now be 21.1%. Previously it was thought to be 21.5% with 5830 SF rather than 5700 SF. The existing impervious surface area is 16.9%. In Zone B the existing would be reduced from 12.3% to 1.8%. The pool, patio, and house would be pulled back further from the lake from Zone B into Zone C. He also had the *Environmental Conditions Plan* which included environmental benefits that would be gained as “a trade-off” for exceeding the maximum amount of development in Zone C such as mitigation of the current stream condition which daylight into the lake. They propose to bring the pipe above ground to give the sediment the “opportunity to settle out” as well as check dams and other drainage features to reduce the velocity of the water running into the lake. The planting of better-quality trees was another benefit. They also propose to collect all the roof run-off into dry wells.

B. Wendel asked how many dry wells would be installed.

M. Vredenburg responded that as many as would be needed to collect from the downspouts. He commented the fewer the better, but they have not determined where the downspouts would drain at this point of the development.

M. Vredenburg said shoreline development would be another environmental benefit; they would follow the *Guidelines* to establish the goal for the lakefront.

M. Vredenburg said the removal of structures from Zone B was an environmental benefit as well.

J. Vanderhoef asked about the driveway reduction.

M. Vredenburg said he reduced the proposed width from 16 feet to 12 feet.

R. Ridler asked about the patio proposed at the shoreline.

M. Vredenburgh said the patio would be on the bluff, about seven (7) feet above the water with cedars screening it from the lake.

R. Ridler asked the square footage of the patio.

M. Vredneburgh said it would be 240 SF. He added the existing shed in the northern corner of the lot at the lake would be revitalized.

B. Wendel asked if Mr. Vredenburgh had been able to speak with Don Ferlow of the Cazenovia Advisory Conservation Commission (CACCC).

M. Vredenburgh said he had not, nor had he received a report about the project.

It was noted that the Board had not yet received a report from Mr. Ferlow.

M. Vredenburgh believed the comment Mr. Ferlow had previously made was regarding a species of plant selected for the new plantings. He said the Owners would be happy to replace anything on the proposed planting list with anything recommended. He said he updated the shoreline planting plan with a note to that effect.

M. Vredenburgh said he was asked to look at the visual impact of the proposal from the lake view, so he showed the Board an enlarged photograph he recently took with the computer-generated simulation of the structures, with both full growth and with winter conditions, showing the visual screening provided by the existing vegetation.

R. Ridler asked about an alternative proposal.

M. Vredenburgh displayed a plan he developed. He said he flipped the architecture, maintaining the same footprint, reducing the driveway, reducing all he could in Zone C, which resulted in moving features into Zone B. Putting the pool house into the existing footprint, using the same footprint of the house which was 94 feet from the lake, and pushing the patio into Zone B resulted. He said this in his opinion was not a better alternative, nor is it what the Owners want. He felt the new plan resulted in adverse impacts, foremost being development closer to the lake. He felt one of the benefits of asking for greater development in Zone C was the mitigation the Owners were willing to install. He said those mitigations would benefit the property, the neighbors, the lake, and the Town.

R. Ridler asked the percentage in the zones for the alternative plan.

M. Vredenburgh responded that there would be 10% in Zone B, 16.7% in Zone C.

H. Roszel asked how much would be found in Zone A.

M. Vredenburg responded 5%, the maximum allowed according to the Code.

It was clarified that 5% would be in Zone A for either plan.

R. Ridler noted the reduction of approximately 4% in Zone C amounts to an increase of about 8.2% in Zone B.

B. Wendel asked John Dunkle if he wanted to comment about the engineering of the original plan.

J. Dunkle said he visited the site earlier today displaying enlarged photographs of the existing drainage features. He said as Mr. Vredenburg has pointed out, a major drainage area transverses the property. He said there is a low-point in East Lake Road with catch basins on either side of the street that collect the run-off from East Lake Road as well as water draining west from the Jephson properties. He said there is a 3' X 3' box culvert that daylights at the edge. He repeated this "is a major drainage way." He said it is so large there is flow in that location throughout the year. He said this is so significant the Board must make sure that whatever is done, the plan will be able to manage this huge amount of run-off. It must manage not only what comes into the pipe, but also what runs over the road because of the low-point. When the capacity of the catch basins is exceeded, water will course downward across the property. Whatever the design, whether open channels or pipes, it must be able to accommodate the amount of water anticipated. He said Mr. Vredenburg will have to do a hydraulic analysis to calculate the flows and to size the channels accordingly to prevent erosion. He said currently what exists looks like "a mess" but is actually quite stable. He said there is a 36" pipe that is $\frac{3}{4}$ full of silt which daylights to the lake. There is also a small plunge-pool. He repeated the condition of the whole system is quite stable. He said as much as they would ordinarily discourage pipes directing water into the lake, he would suggest, however they reroute the water, they still keep this condition near the lake rather than trying to manipulate the entire shoreline or reconstruct some of the existing engineering.

R. Ridler asked how close that area is to the lake.

M. Vredenburg believed it is 18 feet from the lake. He said it is an unsightly pipe, but he agreed with Mr. Dunkle about the area with the plunge-pool.

J. Dunkle reiterated the area is vegetated and stabilized. He said it would take a lot of work to recreate a similar stabilized condition. He thought the flow is so great that trying to send it underground would be impractical. He suggested they armor the plunge pool and the sides and perhaps create a check-dam across from those features. He repeated that his point was that this is a major drainage way. As he mentioned at an earlier meeting, the Town will need an easement regardless of what is designed. He

said he is not in favor of the sharp angle included in the first site plan, believing the water will not want to make the proposed 90-degree bend, so they would need to make the channel 4 - 5 feet deep with rip-rap. He said they cannot expect it to be “a pretty little, trickling brook.” He said not only will they need at least a 36” pipe, but they would also need to design a flood route over the top of the pipe for times when the capacity of the large pipe will be exceeded. He said the drainage will not be a landscaping feature, it will need to be a functioning flood lane.

D. Bowers asked if there are easements for the Town, will it still be the Owners’ responsibility to do the project.

J. Dunkle explained it would be the Owners’ responsibility with a Maintenance Agreement with the Town.

D. Bowers elaborated that the drainage can be engineered however the Owners desire, but no matter what the proposal is, this mitigation must be addressed; it is not optional nor negotiable, and it must be acceptable to the Town, which means it must be approved by Mr. Dunkle.

J. Dunkle remarked there were many ways the drainage could be addressed.

D. Bowers said the fact remains that the initial proposal maximizes the amount of development in Zone A and exceeds the maximum allowed in Zone C. He said the alternative maximizes Zone A, maximizes Zone B, and still exceeds Zone C. He asked if the Applicants can use part of the existing footprint in Zone B without having to use the exact footprint.

W. Loughnot affirmed they could.

H. Roszel was wondering if the Board is being asked to choose between the two (2) proposals.

M. Vredenburg clarified that they still seek approval for the first proposal (but with the narrowed driveway). The alternate proposal was to illustrate to the Board how moving the development back into the existing footprint was a disadvantage. He created the alternative in response to the request of the Board to show how to reduce the impervious percentage in Zone C.

D. Bowers believed more options existed than the two (2) plans depicted. He said the Board needs to remember the existing structure was built before the three (3) zones were created for lakefront development.

M. Vredenburg responded the only way to get below the 15% maximum impervious surface area in Zone C would be to change the architecture.

D. Bowers indicated that the onus of the design is up to the Applicants.

R. Ridler asked how much of the original footprint is utilized in the alternate plan.

M. Vredenburg responded that one cannot worsen a pre-existing, non-conforming condition without requesting a variance, which they did not want to do. He said if they use the existing footprint the shoreline development, the down-spouting, and the addition of better trees would not have to be part of the plan.

D. Bowers believed the plan needs to be further developed in regard to the drainage plan for Mr. Dunkle's approval, and at the same time Mr. Vredenburg may want to further develop the site plan according to the Board's indication of their overall acceptance.

More discussion followed regarding the impervious percentages.

M. Vredenburg pointed out that the proposal removes 2700 SF of impervious surface area and distributes 2400 SF into Zone C, so an overall reduction is achieved.

J. Vanderhoef remarked that perhaps the better way to design the house would be to see how much development would be allowed and work within those parameters.

M. Vredenburg said he was working from the history he has had with the Board for the allowance of an increase in Zone C if there was a reduction in Zone B. He said he could produce many examples of such allowances over the course of the last year. He said he had no reason to think the Board "would not continue to work that way."

H. Roszel asked if he understood correctly that the increase in Zone C was 4% greater than the existing and 6% greater than the allowed.

M. Vredenburg asked the Board to consider the overall percentages rather than the individual zone percentages. He said two (2) driveways were being reduced to one more narrow driveway. He felt the Board "was splitting hairs."

M. Silberberg pointed out that no matter how one looks at the impervious surface area overall, the proposal results in a reduction.

M. Vredenburg added it was lowered from 14.5% to 13.9%.

R. Ridler asked if the Board wanted more time to review the plan particularly since they were waiting for more information regarding the drainage system.

M. Vredenburg asked Mr. Dunkle if he needs the hydraulic analysis at this time for site plan review.

J. Dunkle affirmed that he did, believing it would affect the site plan. He believed Mr. Vredenburg could “get a feel about how the Board feels about the plan.”

Motion by B. Wendel, seconded by D. Bowers, to continue the file was carried unanimously.

R. Ridler asked Mr. Vredenburg if he wanted to submit any of his drawings to the file at this time.

M. Vredenburg responded, “Not at this time.”

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 unanimously.

*AMD Creative Glamping (Luca Trails, LLC) -- Site Plan Review – Route 20 East
File # 19-1267 (Thomas Clarke) Cazenovia*

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 unanimously.

Bianco, Heidi -- Site Plan Review – 5256 Temperance Hill Road, Cazenovia
File # 20-1272 (Anne Ferguson)

Heidi Bianco was present to represent the file.

J. Vanderhoef said the application was to demolish the existing barn.

H. Bianco clarified she wanted to remove the middle section of the existing barn. She said after having the builder look at the structure and another architect look at the structure they concluded that it would be more cost-effective and a better use of time and energy to rebuild the main barn section.

J. Vanderhoef asked if the same footprint would be used.

H. Bianco said it would. She said only the roofline would be changing. They would replace the gambrel roof with a gable roof. She said she knew she needed to provide more detailed drawings but she wanted to know if she would be allowed to change the original site plan approval and remove the main section of the barn.

J. Vanderhoef indicated using the original footprint was acceptable. He said in the past Ms. Bianco had provided information regarding the materials.

H. Bianco said she intends to still use metal siding and a metal roof. She added the color may change from the original approval. She said the barn doors may be replaced with aluminum garage doors as well, since the barn doors were not “as great” as she first thought, saying the wooden doors had rotted. She said she would do whatever the Board told her to do.

The Board viewed the sketches submitted with the application.

H. Bianco said many of the features were the same as those approved initially, but she would be adding a dormer if she was allowed “to start over.”

J. Vanderhoef asked if there were any new patios proposed.

H. Bianco said the patio had been part of the prior approval. She explained the part of the barn she plans to replace was 200 years old, whereas the additions she will keep had been added at later dates.

H. Roszel verified the square footage of the structure would not change. He also asked if the height would remain the same.

H. Bianco affirmed it would.

B. Wendel asked if Ms. Bianco was asking for approval to (partially) demolish the barn.

H. Bianco answered she was asking to (partially) demolish and rebuild.

The floor plan of the original approval was viewed.

R. Ridler asked if she would be manipulating the interior space.

H. Bianco said the only change would be the addition of the dormer.

R. Ridler asked if the Board needs to see more specific architectural plans.

H. Bianco knew Roger Cook would need to see them (for the building permit).

H. Roszel answered, "Yes."

D. Bowers said Ms. Bianco should also submit the color schemes since she will be submitting other documentation.

H. Bianco thought she would be making the barn white now instead of red.

D. Bowers said the architectural drawings should also show the garage doors replacing the barn doors.

Motion by D. Bowers, seconded by H. Roszel, to continue the file was carried unanimously.

H. Bianco asked if she should submit the drawings to the Zoning Secretary.

She was told she should.

Motion by D. Bowers, seconded by H. Roszel, to adjourn the meeting was carried unanimously at 8:24 P.M.

Sue Wightman, Planning Board Secretary - March 5, 2020