

Cazenovia Zoning Board of Appeals

Meeting Minutes

May 24, 2021

Members present: Thomas Pratt; David Silverman; Gary Mason; Joseph Anderson; Val Koch; David Vredenburg, Alternate Member; Luke Gianforte, Alternate Member

Members absent: None

Others present: Roger Cook; John Langey; James Scholefield; Donald Christakos; Patricia Christakos; Mitchell Gelman; Richard Davis; Jack Cushman; Linda Cushman; Matthew Vredenburg; Robert Lloyd; Kyle Reger; “Anika Z”; “iPhone”

T. Pratt called the meeting to order at 7:30 p.m. He stated, “Welcome to the May 24, 2021 Meeting of the Town of Cazenovia Zoning Board of Appeals, 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. 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 Zoning Board of Appeals Secretary. Attendance will be taken, and votes will be conducted by roll call. When possible, the Board members and applicants are asked to state their name each time they speak for audio recording purposes. The public may be participating. When public speaking is allowed, speakers are asked to please state their name and address for the audio recording every time they speak. Please provide statements, please do not ask questions, and please address the Board, not the applicant. Please do not repeat the same ideas if they have been stated once. In an attempt to maintain orderly discussion, participants may be muted until it is their turn to speak and they will need to use the raised hand symbol to be recognized, or they may raise their hand on the screen, and they (the Chairman) will try to recognize them by that. Other than times allowing for public comment, the public is asked to remain silent during the proceedings. Thank you.”

Roll was then taken. All members were present except for Gary Mason who joined at 7:37 P.M. David Vredenburg was asked to vote in his place until he arrived.

Motion by J. Anderson, seconded by D. Silverman to approve the April 26, 2021 meeting minutes was carried as follows:

David Silverman	Voted	Yes
David Vredenburg	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

The next regularly scheduled meeting will be Monday, June 21, 2021.

There will be a work session Tuesday, June 15, 2021.

*Scholefield, James - #21-1339 – Area Variance – 5713 Rathbun Road, Cazenovia
(Joe Anderson)*

James Scholefield was present to represent the file.

T. Pratt explained this was a request for two (2) variances. One variance was for the creation of a lot smaller than the minimum three (3) acres allowed, and one variance was for the creation of a lot having less than the required 250 feet of road frontage.

T. Pratt said at the last meeting, Mr. Scholefield was asked to check with New York State (about the creation of family burial sites) as well as to consider the option of an easement rather than the creation of a new lot. He asked Mr. Scholefield to summarize his findings.

J. Scholefield said he was not able to receive much guidance from New York State because he was informed the State had no jurisdiction regarding his situation. He spoke with the Regional Investigator from Utica who told him family burials on family farms was not uncommon. Most pass to family

members in perpetuity. In some cases, additional burials took place and at some point, became overseen by towns, but small family plots generally stayed within family oversight. When he asked about the option of an easement, he was told that was a possibility, but the State Representative did not find that a favorable alternative because the maintenance issue remained, and there was the added issue of who was allowed to use the easement. So, the State steered Mr. Scholefield away from that option.

T. Pratt noted the arrival of Mr. Mason who assumed his role as a voting member at this time.

T. Pratt said the Board needed to consider what size the burial lot should be in addition to how they feel about the creation of the lot.

J. Anderson said when the Board received Mr. Scholefield's email regarding the information given by the New York Department of State, he returned to the websites he had researched and was surprised to see most of the websites had been changed, so his experience affirmed what Mr. Scholefield said about NYS not offering much guidance. He asked if Mr. Scholefield felt a subdivision was still necessary.

J. Scholefield felt the subdivision would be his first step, saying it would allow him to separate that plot from the existing mortgage which would then give him control. He said he could not legally do anything with the property regarding the mortgage or the deed change until it was "partitioned off."

J. Anderson asked how far from the road would the new lot extend if it was allowed to have 180 feet of road frontage. He thought a depth of 500 feet would create a lot of approximately two acres which he felt would create a natural environment for local habitat.

J. Scholefield answered that he was willing to be flexible regarding the size of the lot. He felt the amount of road frontage was the bigger issue. He said they would do what was needed to make the lot a good fit.

T. Pratt asked Mr. Scholefield what would be the smallest size acceptable. He thought a ½ acre was a good size.

J. Scholefield replied that the original request had been for .87 acres, so he thought ¾ of an acre would be adequate. He thought a ½ acre might cut it close considering the distance from the road.

T. Pratt asked D. Vredenburgh what the amount of lineal feet would be for that size.

D. Vredenburgh said ¾ of an acre would be about 180 feet from the road if the length of the plot was 186 feet, which was the original requested road frontage. He thought that would be about 60 feet beyond the existing burial location.

T. Pratt remarked that they could perhaps make it somewhat smaller. He was unaware of a specified setback related to a burial area.

R. Cook was not aware of one either, saying many cemetery plots, like those in the Town of Cazenovia, were near the cemetery boundary lines.

T. Pratt shared his screen to show a photograph of the area. He suggested that the condition that the plot would be maintained “equal to the adjacent properties,” be considered. Currently a field was on one side. He said if in perpetuity the field were to be sold and became a grass area, it would need to be known that the cemetery plot should then become a maintained area as well.

J. Scholefield expressed understanding.

T. Pratt wanted clarification from Mr. Langey that there would be no point in which the Town would be required to assume responsibility.

J. Langey affirmed that was correct.

T. Pratt informed Mr. Scholefield that the property would be his forever.

J. Scholefield said NYS also affirmed that was the case when Mr. Scholefield inquired.

G. Mason believed smaller was better in regard to maintenance, indicating ½ acre would make it easier in the future.

L. Gianforte agreed.

D. Silverman expressed concern about the reserves needed 50 years from now and the issues that could result for maintenance or for tax payments. He felt this was an unusual situation and was unsure how it came to be. He agreed a smaller lot would be better than a larger lot, and he wished Mr. Scholefield well.

J. Scholefield realized this was not a typical situation and said he had pondered some of the same questions. He said he would continue to explore good options and ways to manage the property in perpetuity. He said he found the smaller size to be more fiscally manageable as well. He said the problem exists “either way.” He thanked Mr. Silverman for his kind words.

D. Vredenburgh agreed smaller was better. He said he has seen a number of family plots as a surveyor, so the situation was not as uncommon as one would think. He said the issues Mr. Silverman raised were valid but they could be “worked out in some form” for maintenance and taxes for the future.

V. Koch did not feel he had anything else to add.

T. Pratt said the public hearing had been left open and asked if there was anyone wishing to speak at this time.

Hearing no one wishing to speak, motion by J. Anderson, seconded by V. Koch, to close the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

J. Langey led the Board through the questions found in the Short Environmental Assessment Form (SEAF) as they evaluated the impacts of this Unlisted Action in regard to the State Environmental Quality Review (SEQR).

T. Pratt asked the minimum dimension needed for the size of the lot the Board would permit.

D. Vredenburg suggested the Board create the lot based upon a certain distance from the burial site.

T. Pratt asked Mr. Langey if the Board could do that.

J. Langey answered the Board should state a width and a total lot area. Looking at the drawing he believed the distance from the center of the road was 120 feet.

T. Pratt asked if it was the burial area that was 120 feet from the center line of the road.

J. Langey replied, “Yes.” He continued by saying the language should include the lot depth of 130 feet which would give a ten (10) foot buffer between the burial area and the property line.

T. Pratt liked that number. He suggested the lot be 180’ X 130’.

J. Langey said the length proposed was 186 feet.

J. Scholefield said 180 feet was acceptable to him. He offered to have the surveyor return to illustrate the new dimensions.

T. Pratt said that was Mr. Scholefield’s choice. He could have a finalized drawing created for the next Zoning Board of Appeals meeting, or the Board could resolve the request this evening.

J. Scholefield believed 10 – 15 feet beyond the burial area would be sufficient.

There was more dialog regarding the size of the lot.

D. Vredenburg calculated that if the lot was 135 feet deep and 180 wide the lot would be approximately .55 acres.

The Board members expressed their approval of the size.

T. Pratt then posed the area variance criteria questions. Regarding an undesirable change to the neighborhood, he believed it would not be unless it were not sufficiently maintained. Regarding an alternate solution, he did not feel there was a better one considering the existing condition, feeling this had a lesser impact than a larger lot or an easement. Regarding whether this would be a substantial variance, it would be approximately 82% percent of relief for the size of the lot and 28% variance for the amount of road frontage relief , however he felt it was reasonable for the conditions. Regarding physical and environmental impacts, he repeated that would only become an issue if it were not maintained. Regarding whether this was a self-created hardship, he believed it was. He concluded he believed the variances were a beneficial solution to the situation.

Motion by J. Anderson, seconded by G. Mason, to appoint the Zoning Board of Appeals as Lead Agency for the purposes of the State Environmental Quality Review (SEQR), to affirm the matter an Unlisted Action and make a Negative Declaration, based upon the Board’s review of the Short Environmental Assessment Form (SEAF) and to approve the area variances to create a 180’ X 135’ lot as a private burial plot to be maintained equivalent to the adjacent sites and upon the subdivision approval by the Cazenovia Town Planning Board was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

T. Pratt instructed Mr. Scholefield to appear at the upcoming Planning Board meeting to continue the process and to modify the survey for the Planning Board.

Patricia A Christakos Trust - #21-1347 – Area Variance – 4681 East Lake Road, Cazenovia, (Gary Mason)

Donald (Sparky) and Patricia Christakos were present to represent the file.

T. Pratt said an area variance was being sought for an addition over an existing porch needing seven (7) feet of relief. He wanted it to be known that a letter was sent to the New York State Historic Preservation Office (SHPO) requesting Lead Agency consent however no response had been received presently, so the Board could not take action at this point.

G. Mason referred to a letter received by Mr. Silberberg (the neighbor who would be affected by the encroachment). One concern Mr. Silberberg expressed was that the addition would impact his view. Mr. Mason believed the addition would have the same roofline, so Mr. Mason questioned that concern since there would be no change in elevation. Also, the letter stated the structure was used as guest rental space and Mr. Mason asked Mr. Cook if that had any bearing on the Board's decision.

R. Cook responded, "No." He said the request was to add onto an existing building closer to the property line, and the use was not a factor.

J. Langey agreed that was not a relevant issue for the Board.

G. Mason invited Mr. Christakos to explain his project.

D. Christakos explained that they have "scaled down" the project from the original request. He said they initially intended to expand the deck portion closest to the lake as part of the project, but they now intend to leave the deck area as is, so the only request they have now was for the enclosed room which would measure 14' X 22' replacing the eastern most part of the deck and expanding into the setback.

D. Christakos said the cottage was a one-story structure, and he felt it was outside the viewshed (of the neighbor impacted). He conceded the neighbor would see the cottage, but stated the cottage would not block the view.

D. Christakos explained the cottage was rented by the week, and according to Madison County Tourism files they have rented it seven (7) weeks per year on average since 2003 so 85% of the time, the cottage was empty. Although it was stated that the use was not a consideration, he wanted it known that they were very conscientious about what was done at the cottage since it was next to their home, and explained that his wife screened guests extremely carefully.

T. Pratt asked if the modification of the plan was reflected in the application.

D. Christakos explained that the area indicated in the application was 14' X 34', but now the proposed area would be 14' X 22'. The 12 feet of existing deck which was the western most section and closest to the lake would not be changed.

T. Pratt asked that a written amendment to the file be sent.

T. Pratt said the public hearing was open and invited comments at this time.

There was no one wishing to speak

Motion by D. Silverman, seconded by J. Anderson, to continue the file and the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

T. Pratt encouraged the Board members to visit the site.

D. Christakos said the orange and yellow strings identified in the application and that make visualizing the project easier were still in place, however they would have to remove those soon to maintain the property.



*Gelman, Mitchell & Melissa - #21-1350 – Special Use Permit – 3937 Number Nine Road, Cazenovia
(Joe Anderson) & Number Nine Road, Cazenovia*

Mitchell Gelman was present to represent the file.

V. Koch recused himself for the project.

D. Vredenburgh was a voting member for this application.

T. Pratt explained the application was for a private stable. Due to the location of historic properties, the Board will have to seek Lead Agency consent from SHPO, so the 30-day response period will be in effect for the June meeting, so it may not be until July that the Board can act.

J. Anderson said the property was approximately 17 acres and 14 of those acres are fenced for pasturing. He said it was an historic farm. He assumed a structure would be associated with the special use permit request for the private stable, however the plan was to use one of the two (2) existing barns which are at the back of the property for stabling, so there would be no change to the existing number of structures. The request was to stable two (2) horses and a donkey. Three (3) letters of support have been received from neighbors for the project.

T. Pratt had requested an operational plan and what was received lacked some details so he spoke about the information the Board would like to receive in writing to supplement what has been received.

T. Pratt asked about the animals that would be kept.

M. Gelman answered one pony, one Quarter Horse and one donkey.

T. Pratt asked the number of barn stalls.

M. Gelman replied four (4) barn stalls would be used in the barn that currently exists. He explained they would be repairing and reenforcing existing stalls.

T. Pratt asked if that would meet the code requirements for area.

M. Gelman replied, “Yes.”

T. Pratt said they would need the area defined. He explained the Code requires a total area based upon the number of animals. He said 450 square feet was required for the first animal and 350 square feet was required for each additional animal. He asked Mr. Cook if he had that number correct.

R. Cook affirmed it was correct.

M. Gelman asked for clarification.

R. Cook explained that 1150 square feet of building would be needed for the number of animals Mr. Gelman proposed.

T. Pratt said the Board would need details about the manure maintenance plan including its location, which should be 150 feet from property lines, as well as the schedule for removal.

M. Gelman indicated that the manure would be removed from the barn weekly at a minimum and said they would drag the pastures as well. He had put a note on the drawing that manure would be stored adjacent to one of the barns and stated it would be acres away from neighboring properties.

T. Pratt asked that the distances be indicated on the drawing.

T. Pratt asked about noise control if noise were to become an issue.

T. Pratt asked about outside lighting.

M. Gelman answered there would be lighting around the barns.

T. Pratt said the lighting would need to be dark-sky compliant and shielded.

T. Pratt asked about the use of pesticides.

M. Gelman responded he would not be using pesticides.

T. Pratt asked if there would be retail sales associated with the property.

M. Gelman answered, “No.”

T. Pratt said the fencing must be eight (8) feet from the property line and noted Mr. Gelman would have much more fenced area than was required in the Code, which was 4 ½ acres. He asked that the number of acres be stated in the narrative.

T. Pratt repeated the need to have these items outlined in writing and offered his and the Town’s services if Mr. Gelman had any questions while creating the expanded operational plan.

Motion by J. Anderson, seconded by G. Mason to open the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
David Vredenburgh	Voted	Yes
Thomas Pratt	Voted	Yes.

Val Koch said the Gelman property was around the corner from his house. He said when they moved to the area they chose not to live in the Village. They toured the area and noted a number of horse farms and other settings with the keeping of farm animals. He felt this proposal would have no impact on the neighborhood and welcomed the addition. He and his wife appreciated the letter the Gelmans sent as well.

M. Gelman thanked Mr. Koch for his support.

Robert Lloyd of 3954 Number Nine Road said they lived almost directly across the street from the Applicants and he and his wife have “seen the progress with the great pastures and the beautiful fences” and they look forward “to see the horses and hear the donkey from across the street.” He felt in addition to the chicken and roosters crowing and the cows mooing, “it was great thing.”

M. Gelman thanked Mr. Lloyd and expressed his appreciation for the community and neighbors.

Motion by J. Anderson, seconded by D. Vredenburgh, to designate the Town of Cazenovia Zoning Board of Appeals as Lead Agency, and to identify New York State Historic Preservation Office as an Involved Agency for this Type I Action and to continue the file and the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
David Vredenburgh	Voted	Yes
Thomas Pratt	Voted	Yes.

M. Gelman asked what was SHPO.

T. Pratt explained it was the New York State Historic Preservation Office and its oversight and the procedure involved.

M. Gelman said he would send information regarding the points raised in the meantime.



*Davis, Richard - #21-1352 – Area Variance – 5560 Huntington Drive, Cazenovia
(David Silverman)*

Richard Davis was present to represent the file.

T. Pratt explained that Mr. Davis was seeking an area variance to construct a vestibule on the front of his house which requires front yard setback relief.

T. Pratt shared his screen to show an aerial view, a photograph, and the site plan.

D. Silverman said he toured the area and found Huntington Drive to be “a buzz of activity.” He felt the amount of relief being sought was only about 14% and he believed it would be “an exciting project to enhance the beauty” of Mr. Davis’ road, his property, and the neighborhood. He called it “a much-needed improvement” to the house. He found the proposal to be “very positive.”

T. Pratt asked Mr. Davis to explain his proposal.

R. Davis said the distance from the center line of the road to the house was currently 90 feet. He said the bump-out he would like to add would be a 12-square foot addition including the stoop on the front of his house. The vestibule would be 8’ X 12’. He included photographs with his submittal and he explained that when the front door was open there was only 7 ½ inches to the stairs directly behind the door. He explained the area to hang coats and to store boots was beyond the door, so to access that area,

especially when two or more people were there, one must close the door to completely enter and hang outer apparel. The proposed entry way would have a closet as well as room to enter the home conveniently. The exterior of the addition would blend with the exterior of the house. In the future he plans to paint the house to match the shop. He talked about his desire to continue to improve his property which neighbors have noticed and approved.

T. Pratt asked about the 50-foot building line noted on the site plan.

R. Davis answered that was a notation from older drawings, but he noted the area variance application stated the front yard setback requirement was 85 feet from the center line of the road or 50 feet from the property line, whichever was greater, so that was the reason he noted the distance from the center line of Huntington Drive on his drawing.

R. Cook explained that the 78-foot dimension was the distance between the center line of Huntington Drive to the closest edge of the proposed construction which was the measurement needed for the relief sought. He clarified the variance needed was seven (7) feet.

T. Pratt asked if the 7-foot dimension included the deck area.

R. Davis affirmed it did.

T. Pratt commented that as one observes the aerial view of Huntington Drive, there was a building line along the same side of the street which the houses follow. This addition will “bump out” into the area about 8%. He said that did not sound like a lot, but he felt it was worthy of consideration.

G. Mason understood Mr. Pratt’s point, but he did not find that to be significant. He said viewing the photographs of the existing entryway, he could understand the desire to expand, and he felt aesthetically the house would look better with the addition.

J. Anderson was sympathetic to the homeowner’s plight. He felt the resolution of the situation was in the homeowner’s best interest as well as the neighborhood’s best interest.

V. Koch understood Mr. Pratt’s point, but he agreed with the other Board members saying if one considered the area where the existing sidewalk was, he felt it would occupy a similar footprint; he agreed it would enhance the overall property.

D. Vredenburgh said he had no issues with the proposal agreeing with the other Board members.

L. Gianforte had no issue with it either believing the Board had already mentioned the compelling points.

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

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

Hearing no one wishing to speak, motion by G. Mason, seconded by D. Silverman, to close the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

J. Langey said this was a Type II Action in regard to SEQR.

T. Pratt summarized the area variance criteria. Regarding an undesirable change to the neighborhood, he said it would encroach into the front yard setback but most felt it would be aesthetically positive. Regarding an alternate solution, he said it was an existing location with an existing circumstance. Regarding its being a substantial variance, he said it would be approximately 8% which did not seem substantial. Regarding the physical and environmental impact, he did not see any. Regarding its being a self-created difficulty, he felt it was.

Motion by D. Silverman, seconded by J. Anderson to approve the area variance for this Type II Action for the construction of a covered entryway requiring seven (7) feet of front yard setback relief as most recently submitted was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes

Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

*Cushman, Jack & Linda - #21-1359 – Area Variances – 4182 Route 92, Cazenovia
(Thomas Pratt)*

Matthew Vredenburgh was present to represent the file as was Jack & Linda Cushman.

David Vredenburgh recused himself.

T. Pratt said the request was for multiple variances. He asked Matt Vredenburgh if he had a modified site plan.

M. Vredenburgh said he did not.

T. Pratt shared his screen and displayed the drawing previously submitted. He explained the location of the property. He said the proposal was for a new garage to be placed near the road, Route 92. The variances needed were for construction within 100 feet of the lake, for the garage to be constructed between the road and the house, and for front yard setback relief. The other component of the proposal was the construction of a 16' X 20' plunge pool between the house and the lake, just outside the Critical Environmental Area (CEA).

M. Vredenburgh said Mr. Pratt aptly described the application for a new garage near the road and a small plunge pool tucked in by the house. He said the proposed location of the garage would be tucked into existing woods. He said they could request one variance for the location of the garage but that would move it nearer to the lake. He said there were some small trees with some slightly larger trees along the edge of the road. They propose to plant evergreens for further screening. He stated it was not unusual for garages to be by the road in that neighborhood, saying there were several to the north on Route 92.

M. Vredenburgh explained the proposed plunge pool would be out of the CEA. He said they considered alternative locations. The area north of the house would be shaded by the house and in the northwest corner the grade would drop about eight (8) feet which was access to a crawl space under the house so access to the location from Route 92 would be difficult. There was also a stream that runs between the trees to the north.

T. Pratt noticed the grade where the garage was proposed drops significantly toward the lake and asked about fill.

M. Vredenburg believed the location proposed was in an area before the grade descends. He said the grade drops in the area where there was a power line.

T. Pratt pointed out the location of the power line on the survey and on the site plan drawing.

M. Vredenburg said they found no record of an easement for the power line but said they would check with National Grid to ensure that building close to the line would be acceptable. He remarked farther up the power line there were structures built beneath the line, so they do not anticipate an issue.

T. Pratt noted if the garage were attached to the house, away from the lake, it would almost be beyond the 100-foot lake setback.

J. Cushman responded the leach field was located to the west of the driveway in front of the house and the septic system was located to the west of the house.

T. Pratt asked Matt Vredenburg to locate those features on the drawing.

T. Pratt asked about the color and character of the proposal.

M. Vredenburg submitted elevations with the application and said the architecture and colors of the garage would mimic the architecture and colors of the house.

T. Pratt said he was not in favor of the plunge pool, being so close to the CEA, and the creation of impervious surface area within the 100-foot setback.

M. Vredenburg responded that the pool would have a vanishing edge so it would not factor as impervious. He felt it would be a minor increase because it would be placed over an existing sidewalk.

T. Pratt believed the impervious surface area in Zone B was 25% whereas 10% was allowed. He felt impervious area in that Zone should be significantly reduced.

M. Vredenburg elaborated that it was currently at 21.5% and as proposed it would become 25.1%.

T. Pratt thought the goal should be less than the original amount now there. He felt the Planning Board would encourage that reduction as well.

D. Silverman shared a concern regarding the amount of fill needed to construct the garage. He was unsure how construction could accommodate the change in grade in that area. He complimented the owners for the work they have done at the property and expressed confidence in the quality of future improvements.

D. Silverman commented that he did not understand the need for the plunge pool and said he did not have an opinion one way or another regarding that.

J. Anderson believed the property was relatively narrow in comparison to others along the lake and the space has become open with the removal of the fence. He felt the property made “quite a statement” in its location on the corner of US Route 20 and NY Route 92. He felt it was a good statement. However, he did not think the plunge pool was a necessity, and he was not in favor of either it or the garage since the property was so “obvious” and thinking it would “advertise” development.

L. Gianforte indicated being a new member he was unsure if setting a precedent would be a concern that the Board should consider.

G. Mason expressed concern with the amount of impervious surface area proposed. He commented that the barn “looked nice” and recognized there were few options for its location, but he questioned the need for the size, 24’ X 45’. He also shared the concern about the visibility of features on the property such as the plunge pool. He repeated his concern about impervious surface area commenting they knew the size of the lot when they purchased it.

D. Silverman noted a number of trees have been planted along the road, but remarked it would take time for those trees to grow.

M. Vredenburg clarified that 60 – 70-foot Norway spruce were along the road.

V. Koch echoed the concern regarding the impervious surface area as well as the plunge pool’s nearness to the CEA.

M. Vredenburg reiterated the grade drops to the east of the power line and the proposed location of the garage would be to the west of the power line. He explained the purpose of the plunge pool was for lounging, wading, and cooling, not for swimming or exercise. He said being tucked up near the house meant it was not proposed in an area that was not currently developed or active. He said the visibility of the pool would be at the level of the house, on a bank with juniper trees, so it would not be visible from the lake.

Motion by J. Anderson, seconded by V. Koch, to open the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

J. Cushman informed the Board that he previously removed a section of driveway parking area that was about 2 – 3 car lengths in size.

T. Pratt shared his screen again to show the area Mr. Cushman was describing on an aerial photograph. He explained that area was where the pipes were underground for the leach field so he did not think it was an appropriate area to park. He indicated that had he known the correct procedure, he would have waited to remove that impervious surface area to coincide with this project. He said he also made the driveway narrower when he resurfaced it. He said the trees were designed by a landscape architect to help “trim up” the 100-year-old pine trees and so that the installed trees would grow beneath the older trees so that when the older trees expire, growth would remain in place for privacy. He felt in a short amount of time the new trees would be about 40 feet high and 20 feet wide, commenting it was too open for their liking now. He said the planting was professionally done by Cross Creek.

T. Pratt asked if they knew the length of time it would take for that growth, thinking it would be at least ten (10) years.

J. Cushman responded that was not his impression. He thought they were fast-growing trees, saying they were intended to recreate privacy that had been removed, to allow a breeze to minimize the bugs, and to make it aesthetically sound from the road.

J. Cushman conceded there was a significant drop-off to the east of where the former train tracks had been, but they propose to build the barn to the west of that. He thought the grade in the proposed location would be 3 – 4 feet as opposed to the 7 – 8-foot drop-off closer to the lake.

T. Pratt asked Matt Vredenburgh to create a topographical drawing for that area.

M. Vredenburgh answered, “Sure.”

J. Cushman asked if they should consider reducing the size of the barn. He explained the challenges of his current storage situation saying he has to get his lawnmower and his snowblower from a crawl space. He said he has no place to store his boat. The function of the barn was for storage of such items, so he said even if it were smaller, it would be useful.

T. Pratt thought reducing the size of the barn would help the impervious surface percentages.

J. Cushman also stated the plunge pool could be smaller than proposed and said it would be used by his three (3) granddaughters. He said the teenagers could use the boat, so the pool was for the smaller children. He also said they would consider putting it to the north of the house; he said he misunderstood the alternate location. He just did not want it to be across the creek in the more wooded area where it would be inaccessible. He stated if the Board found the location, nearer the house on the north side of the house, more suitable, he would entertain the idea.

V. Koch asked Matt Vredenburgh if the relocation would be much change in regard to the CEA.

M. Vredenburgh said instead of being 20 feet from the water, it would be about 60 feet from the water.

V. Koch said that would make a difference to him.

J. Anderson agreed moving the plunge pool to the north would be preferable to him as well. He approved of scaling down the garage with proper screening also.

D. Silverman said he was more comfortable with the smaller garage and the relocation of the plunge pool. He understood the desire for the plunge pool for the grandchildren.

L. Gianforte said he echoed the other comments believing smaller and further from the lake would help.

G. Mason said he was onboard with that as well and appreciated the Owners' flexibility. He said 60 feet sounded much better than 20 feet from the water. He approved of the barn size adjustment but wanted the size to make sense to the Owners.

T. Pratt said he had reservations regarding the plunge pool. He approved reducing the size of the garage saying the impervious surface percentage needed to be addressed. He said the other item to be addressed was confirmation from National Grid regarding the location of the barn.

T. Pratt asked Matt Vredenburgh to submit all new documentation at least a week prior to the next meeting to allow the Board time to see and review the new information.

M. Vredenburgh understood what he should do and appreciated the feedback.

Motion by V. Koch, seconded by G. Mason, to continue the file and the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

*Trush, Glen - #19-1214 – Special Use Permit – 1876 US Route 20 West, Cazenovia
(Thomas Pratt)*

T. Pratt said the application was for a special use permit and it had been about a year since the Applicant has attended or submitted any new information, so he thought the Board should send a letter determining the status of the project.



Motion by V. Koch, seconded by J. Anderson, to adjourn the meeting at 9:16 p.m. was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

Sue Wightman, Zoning Board of Appeals Secretary – May 25, 2021