

# Town of Cazenovia Planning Board

## Meeting Minutes

May 6, 2021

**ZOOM video <https://madisoncounty-ny.zoom.us/j/96416993478>**

**Meeting ID: 964 1699 3478**

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

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

Members Present: Robert Ridler, Chairman; Anne Ferguson; Dale Bowers; Bryan Wendel; Thomas Clarke; Gerald Rasmussen, Alternate Member;

Members Absent: Hugh Roszel; Jerry Munger; Jon Vanderhoef, Alternate Member

Others Present: John Langey; John Dunkle; Roger Cook; Matthew Vredenburgh; Nathan Hickey; Peter Donohoe; Michael Borkowski; Whitney Hughes; Richard & Betsy Sadlon; Rebecca Sadlon; Pamela Sadlon Clements; David Miller; Jocelyn Gavett; Malcolm Williams; Laura Jungkind; Lisa Baker; Brian Rapp; Jon & Kathleen Verbeck; Charles (Sam) & Gail Woods; Kerri & Wade Skidmore; Dan Bargabos; Steve Calocerinos; Barb Circillo; Edward Keplinger; Kathy & Rick Stoeckel; Alan Brandolini; Kristi Andersen; Gerald Mehlbaum; Doug Klepper; Kim Mitchell; Dylan Anderson; Chris Anderson; Jim Curtis; "bcking"; dp1"

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R. Ridler was ready to call the meeting to order at 7:30 P.M. but people were still joining until 7:40 P.M. He read the following announcements:

Town of Cazenovia – Planning Board – Meeting Minutes – May 6, 2021

“Welcome to the May 6, 2021 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 except Hugh Roszel, Jerry Munger, and Jon Vanderhoef. Gerald Rasmussen assumed the position of a voting member.

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Motion by T. Clark, seconded by A. Ferguson, to approve the March 31, 2021 Zoom meeting minutes was carried as follows:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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The next regularly scheduled meeting will be Thursday, June 3, 2021.

The next deadline day will be Wednesday, May 19, 2021.

The next regularly scheduled work session will be Thursday, May 27, 2021.

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

*33 Rippleton, LLC/Meiers Creek Brewing Co -- Site Plan Review – 4025 NYS Route 13 S  
File # 20-1313 (Thomas Clarke) Cazenovia*

Matt Vredenburgh was present to represent the file.

T. Clarke said there have been several major changes to the proposal and asked Mr. Vredenburgh to explain those changes.

M. Vredenburgh said an updated narrative was submitted April 21, 2021 as well as a revised site plan, updated elevations, and an updated floor plan with building details including colors and style.

M. Vredenburgh continued by saying they had addressed concerns of the neighbor to the south by adding 20 Norway spruce to act as a vegetative buffer; moving the proposed barn to the north, away from his property, and moving it from 59 feet from the property line to 83 feet 5 inches; adding a 6 – 7 – foot berm at the high point on which the spruce would be planted for added elevation and additional screening. A fence has been added to help conceal trucks at the loading dock. The fence would not be visible because of the berm and trees. The proposed building has been reduced from 7200 to 6000 square feet. The proposed loading dock on the southern end of the building has been eliminated so there would only be one loading dock. The barn design no longer includes a cupola and the height of the building would now be 33 feet 2 inches. Impact to the site has been reduced as well by reducing pavement. The original proposal for 19.1% has been reduced to 15.2%, with 20% being allowed in this zone. Phase 1A and 1B of the archeological studies have been conducted and they have received New York State’s Historic Preservation Office (SHPO)’s agreement with the findings. Lastly, the narrative has been updated to include additional information such as hours of operation.

M. Vredenburgh said one question they received at the work session was whether there would be floor drains, so a recent plan was submitted to show the addition of floor drains and the narrative has been updated to describe that feature.

T. Clarke asked if any design criteria were submitted for the interceptor and the oil separator.

M. Vredenburg responded that nothing specific has been submitted.

T. Clarke asked Mr. Dunkle and Mr. Cook what should be submitted.

R. Cook said a plan for the floor drains should be part of the building permit application for this commercial building.

M. Vredenburg responded that the location of the drains has been identified but they have not identified the specifics associated with the interceptor between the drains and the septic field.

T. Clarke asked why so many drains were proposed. He indicated that six (6) drains were too many.

M. Vredenburg said he did not know. He said they could reduce the number if the Board preferred fewer.

T. Clarke asked Mr. Dunkle and Mr. Cook if there were any New York State Department of Environmental Conservation (DEC) requirements.

J. Dunkle asked if the floor drains would be going to the septic system or the drainage system.

M. Vredenburg answered they would be going to the septic system. He explained the drains were only included in case there was an accidental spill, otherwise nothing would be going into the drains. He did not think it would be appropriate to daylight them to the ground outside, nor to put anything collected in a drywell.

J. Dunkle said he agreed with the approach. He asked Mr. Cook if this would fall under plumbing codes in terms of a regulatory requirements or if the Madison County Department of Health would be looking at the septic system design.

R. Cook responded if it was a conventional septic system, it would be part of his review. He said the system might have to be sized according to the scope of any potential accident and the additional amount of flow that might go from the floor drains into the septic system.

J. Dunkle said if that were the case, then the septic system should have some type of valving associated with it in case there were a spill with contaminants so it could be contained in the holding tank before it could disperse.

J. Dunkle said in answer to Tom’s question, he felt Mr. Cook and he should review the design concepts.

T. Clarke agreed.

M. Vredenburg asked if this would delay an approval or if it could be submitted for approval by Mr. Dunkle and Mr. Cook later.

R. Cook felt it was part of the overall review of the building plans for a building permit, but it was the Board’s decision when they wanted that done.

J. Dunkle did not think it would affect the overall site plan considerations for the Board. He agreed it could be a condition of the site plan approval.

T. Clarke asked if maintenance records would be required.

J. Dunkle did not believe so, saying the onus was on the Owner to report any spills.

R. Cook said he was not aware of any inspection requirements after installation. He said the inspection would take place prior to installation to ensure that the system installed will be appropriate for what it must handle.

J. Dunkle said there were standard ways to deal with this, saying many commercial properties have similar situations.

T. Clarke said regarding the berm, trees, and fencing, he had talked to Mr. Krumsiek the owner of the adjacent Bed & Breakfast who had not received the revised information and who was not in favor of the trees on top of the berm. Mr. Krumsiek preferred to see a natural flowing landscape.

M. Vredenburg said they could absolutely remove that from the proposal. He said they were just seeking to provide additional screening.

J. Dunkle interjected that he has noticed several attempts to grow trees on top of berms and the trees fail to thrive due to the dryer conditions when elevated above natural ground level.

A. Ferguson noticed within the operating plan the mention of the house being used as offices or for accommodations for occasional guests. She asked about the occasional guest use.

T. Clarke said in conversation with Mr. Cook the house could not be used for short-time use (for guests). It would either have to be used for offices or as a full-time rental.

R. Cook explained all the Town regulations were regarding Bed & Breakfast (B&B) establishments, no other short-term rentals were allowed in the Town. The regulations for B&B's require that Owner of the building reside and be present within the structure at certain times when guests stay. He did not believe the Owner of Meiers Creek would be living on site. He concluded the use of the space for offices was fine, but short-term residential use was not.

M. Vredenburgh said they would commit to just using the building for office space.

T. Clarke asked if a deep hole test and if a percolation test had been done.

M. Vredenburgh answered, "Not yet."

T. Clarke asked if construction vehicles would enter from the Brewery or from Route 13.

M. Vredenburgh assumed the driveway would be installed first and after some thought he believed vehicles would be entering from Route 13 since the Brewery probably would not want construction vehicles going through their site.

T. Clarke said he sent the Board a condensed list of proposed conditions based upon the narratives they had received as the operation plan. He had two other conditions not suggested by Mr. Vredenburgh. One was that no outdoor or indoor dining, music events, or public or private gatherings would be held at the storage barn or on the property.

M. Vredenburgh agreed.

T. Clarke said the second condition was that after the construction of the barn was completed if there were a significant visual impact from Route 13 or to the neighboring B&B, the Board may ask that more trees be planted.

M. Vredenburgh agreed.

T. Clarke asked Mr. Langey if the Board needed to include a condition that the Applicants notify the Village of Cazenovia, or if the Town notifies the Village, regarding approval of this project so that an amended plan (for Meiers Creek) can be filed with the Village.

J. Langey felt sending the Village a copy of the final resolution was appropriate.

A. Ferguson asked if a public hearing was a consideration.

T. Clarke felt the neighbors' concerns and questions had been addressed. He received a letter from Mr. Heath who was fine with the proposal as long as it meets the Board's

criteria. He said Mr. Krumsiek voiced his concerns and he felt Meiers Creek was willing to oblige.

H. Krumsiek wanted to clarify what would take place 83 feet north of his property line. He said he would not mind a berm, but he would want the plants between the berm and the building. He wanted to know what they would do on the land between the back of the storage shed and his property line. He wondered if it would be green belted and made into forest or if would they use it for something.

M. Vredenburg asked if it would help if he showed a plan.

H. Krumsiek said he had seen the landscaping plan.

M. Vredenburg elucidated the space between the property line and the barn would be filled with trees planted in a natural configuration. He said if Mr. Krumsiek liked the berm, they would put it in. They could make it lower and somewhat more subtle. The existing trees to the northwest will remain.

H. Krumsiek asked that he be given assurance that the space will be treed. He said a berm built along the property line would be fine, but without plantings on top of the berm. He wanted to be sure the strip of land would not become a cherry orchard as mentioned a few months previously or anything similar where people would be sitting in the open area creating a disturbance.

T. Clarke felt the restriction that no public or private gatherings would take place would prevent those concerns.

M. Vredenburg added that there was no intention for anyone to go on that side of the building. He said that side of the building would have no doors or lights. There would just be trees.

T. Clarke clarified Mr. Krumsiek wanted the berm, the trees, and the fence.

H. Krumsiek answered he would like all of that.

J. Langey clarified the trees would be planted in the ground, not on the berm.

T. Clarke asked the length of the fence.

M. Vredenburg answered, " the length of a tractor trailer." He elaborated by saying it would extend from the building to where a tractor trailer would be temporarily parked to unload.

J. Langey said the Board would need to complete Part II of the Full Environmental Assessment Form (FEAF) for the State Environmental Quality Review (SEQR). He then led them through the ten-pages of questions assessing 18 impacts. All items were found to be have no negative impact or a small negative impact upon review of the sub-questions with special consideration of Item #1 Impact on Land, Item #4 Impact on Groundwater, Item # 10 Impact on Historic or Archeological Resources, Impact #14 Impact on Energy, and Item #15 Impact on Noise, Odor, and Light.

J. Langey then reviewed his notes for the list of conditions mentioned during the discussion this evening. Among them were:

- 1) review and sign-off by the Code Enforcement Officer and the Engineer for the Town regarding floor drain detail/septic design
- 2) agreed upon berm, fencing, and tree planting for buffering
- 3) final submission for review for the tree lay-out detail

J. Langey asked Mr. Dunkle his thoughts about guaranteeing the trees.

J. Dunkle suggested that any time there was a landscaping plan having major screening uses rather than merely aesthetics that there should be a mechanism to ensure the plant material survives at least two (2) growing seasons. The responsibility would fall on the Owner to replace plantings if they did not survive. Because vegetation was being used in this instance for a significant amount of screening, he suggested the concept be applied to this situation in some form.

A. Ferguson said that was used as part of the Barrett Road solar project approval and thought similar language could be used. She recalled the guarantee was for five (5) years.

J. Langey thought it was two (2) years and said he would check and use that as the guide. Continuing his list of requirements, he included:

- 5) the additional structure may be used as office space and not any type of living quarters or guest house
- 6) an acceptable deep hole test and percolation test will be performed
- 7) any final resolution will be sent to the Village of Cazenovia in regard to the main use of the Brewery
- 8) tree planting in the area Mr. Krumsiek spoke about

9) Mr. Clarke’s list of conditions based upon Mr. Vredenburg’s business plan as well as the two (2) additional conditions he mentioned earlier during the meeting.

J, Langey asked Mr. Vredenburg to send him a complete updated list of the plans that the Board was acting upon if this was approved.

M. Vredenburg responded, “Absolutely, John.”

J. Dunkle asked the limits of disturbance.

M. Vredenburg answered the area of disturbance would be 41,000 square feet.

J. Dunkle said that would be less than an acre. He asked if there was a Stormwater Review and Agreement as part of this project.

J. Langey asked if the Applicant was opposed to entering into a typical Stormwater Maintenance Agreement.

M. Vredenburg asked what that would cover.

J. Dunkle believed they had proposed some stormwater detention to mitigate some of the impervious areas.

M. Vredenburg responded, “ Yes, yes, okay, okay.”

J. Langey further explained that it would be the typical agreement – the DEC form agreement - which he would tailor to this project, and he would record with the County Clerk’s Office in the event the property was to change hands, so subsequent owners would know about the continuous maintenance requirement. He said he would work with Mr. Vredenburg and Mr. Dunkle if they needed to create a schedule for mowing to keep it working properly.

M. Vredenburg responded that would be fine and he said any refined design of the basin, located in the northeast corner of the property, could be reviewed by Mr. Dunkle as well.

Motion by T. Clarke, seconded by B. Wendel, to appoint the Planning Board as Lead Agency for the purposes of the SEQR, to affirm the matter Type I Action and make a Negative Declaration based upon the Board’s review of the FEAF, and to approve the site plan as most recently submitted conditioned upon all the items mentioned and listed was carried as follows:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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*Donohoe, Peter -- Site Plan Review – 4895 East Lake Road, Cazenovia  
File # 20-1323 (Jerry Munger)*

Matthew Vredenburgh was present to represent the file.

R. Ridler understood that Mr. Vredenburgh had some additional information regarding the application and asked him to discuss that.

M. Vredenburgh said since the previous meeting, the Board requested building elevations from all sides which were provided. He also provided an illustrative elevation from the west. In Addition, he resubmitted the site plan, adding a dimension for the side yard setback. Those were all provided by April 21, 2021, the deadline.

M. Vredenburgh said on April 22, 2021 he spoke with Mr. Bowers who asked to see a comparison of the new house with the two (2) houses to the south – Eagan and Franklin, and the one to the north – Stoeckel. He explained to Mr. Bowers that it would be challenging to get all those houses in one view because Stoeckel and Donohoe face west and Franklin and Eagan face more toward the south, but he created a graphic based upon photographs he took from the lake.

M. Vredenburgh said Mr. Bowers also requested a view from the road and asked about the elevation from the east, the road side. The elevation previously submitted was from the lake side which was the customary way to measure height. From the road side the house would measure 29 feet, 5 inches. He submitted the requested information April 29, 2021.

M. Vredenburgh said they have also been working with the neighbors, the Stoeckels, to address their concerns. One of Stoeckels’ main concerns was preserving and protecting their oak tree which was 15 feet from the property line and is a 39-inch caliper tree. He said he met with them on the site May 3, 2021 and they came to an agreement to use an air spade instead of a backhoe to remove the topsoil and expose the roots. If there were any roots in the area of the excavation, they would properly prune them and provide water for the tree. The Stoerckels requested that the critical

root zone be fenced from construction activity and vehicles, which Mr. Vredenburg said was a standard operating procedure. The Stoeckels also asked for permission to prune trees from the Donohoe property. Both requests were agreeable to Mr. Donohoe.

D. Bowers appreciated Mr. Vredenburg's efforts, but said he still had two (2) major concerns which he has had from the start. He felt the new construction was too tall. He worried that once the existing camp was torn down, "it would open up that whole front." He said putting a 30-foot-tall house would change the neighborhood. He said he was also concerned that once this structure was allowed, at some point in the future the two houses to the south would be sold and those structures would be removed to be replaced by larger homes as well. He said the two houses to the south sit on the lots nicely, and did not appear gargantuan in size, being split-levels. He concluded the height was considerable as was the glass on the lake and repeated it would change the neighborhood.

A. Ferguson said she shared the concern. She applauded the proposed house being moved away from the lake, but she felt the house, overall, was too big and too tall for the site. She said she was concerned about the impact upon the southern properties in terms of changing the character of that section of East Lake Road. She said she was not comfortable with what the architect was proposing. She felt there "was another way."

T. Clarke asked about the impervious surface area.

M. Vredenburg reported the existing impervious surface area was 15.7% and the proposed would be 15.7%. He said when they were before the ZBA they were asked to move the house back and not to build in the same location. They agreed to the relocation. He said they had to shift the impervious surface area from Zone A to Zone B. He explained there would be an approximate 857 square foot shift decreasing development in Zone A and increasing development in Zone B.

R. Ridler asked if 15.7% represents the total impervious coverage on the site.

M. Vredenburg said that was correct.

D. Bowers said that was one way to look at the proposal and he applauded their achievement. He said however when he views the overall picture, the proposed house would be eight (8) feet taller on the road side than Stoeckels', which he felt was significant.

R. Ridler asked about the drawing with the proposed house inserted along the shoreline of the lake.

M. Vredenburg clarified that the drawing in question was the one he created dated April 29, 2021 and he spoke about its creation. He said he added foliage in the rendition but said he would be happy to show the Board the views without the foliage.

R. Ridler said in the photograph beneath that, there was a photograph of the Herrs' house as well as the existing Donohoe camp with the Stoeckels' house partially visible between the two.

M. Vredenburg said the Herr house to the far left had a walk-out basement, was two-stories with a peaked roof which was the same as the Donohoe proposal. He said the only difference was their proposal would be farther from the lake.

R. Ridler remarked the line imposed on the photograph seems to indicate the height of the Stoeckels' house will be in line with the proposal if not appearing higher than the Donohoe proposal.

M. Vredenburg said it may not be higher in actuality, but that was the perspective from the lake. He attributed that to the angled view and said the point of the exercise was to show how close the houses appeared in height from the lake. He felt to say their proposal would be significantly taller was "splitting hairs."

R. Ridler said another concern expressed by the Board was the amount of glass that would be facing the lake as proposed. He asked if there were any restrictions in the amount of glass allowed in terms of energy.

M. Vredenburg was not aware of any.

R. Cook said there were no restrictions in particular. He said it was part of the architect's job in designing a structure. He explained if there was a lot of glass in one section of the building, there would be a lot less in another part, but it was the architect's to design.

M. Vredenburg said he would have to politely disagree that the house would be too big or too tall for the site.

B. Wendel understood Mr. Bowers' and Ms. Ferguson's perspective. He felt the Herr residence was more subtle than the proposal. He said there was a deck and there were not three (3) stories of glass. He said he was "on the fence" and didn't "know where to go with this."

T. Clarke said he was used to seeing the small cottage in that location, and felt the new house would be very noticeable from the lake. He leaned toward Mr. Bowers' and Ms. Ferguson's opinion that it would be too large for the site.

G. Rasmussen said he was leaning the same way, agreeing the house was too large for the site.

M. Vredenburg calculated the percentage of coverage versus the other percentages of coverages in the neighborhood. He said the house and garage would occupy 5.4% of the lot compared to 10.2%, 5.6%, 5.6%, 10.1%, 7.3%, 7.7%, 9.2% - he said he could go on and on. He said it would not occupy a larger portion of the lot.

M. Vredenburg said it also would not occupy a larger portion of the shoreline any more so than the other nearby properties. He said the Eagan and Franklin houses were large houses which occupy a high percentage of their shorelines. The Donohoe shoreline was a lot shorter than those, but the Donohoe shoreline was a lot longer than the shorelines for the four (4) properties to the north.

M. Vredenburg said as far as the proposed height, they were 29 feet on the east side, 33 feet 8 inches on the lakeside, and the Code allows 35 feet. He thought it was “hard to say it was too big” in his opinion.

R. Ridler asked Mr. Langey his thoughts.

J. Langey said listening to the comments of the Board and gauging their temperature, not knowing how any particular Board member would vote during a roll call vote, he felt it appeared possible to have a split vote and noted there were only six (6) members in attendance this evening. He said an approval would require four (4) affirmative votes. He said the Applicant's options were to vote tonight and to see if they could be given an approval. If the Board denied the request, then the application would fail. A second option was to wait until the following month to see if a seven-member Board would provide a different outcome. He suggested asking if the Applicant would like another chance to take the comments heard tonight into consideration and potentially offer additional modifications to their plan, or they could return next month asking for a vote for the current plan. The Applicants would not have to decide tonight what they would like to do at the next meeting short of asking for a continuance. He cautioned the Applicants regarding the potential for a split vote again, saying he did not know how they would fare.

D. Bowers offered to allow the Owner to raze the existing camp and the Board could evaluate how that would affect the proposal, having the structure removed.

A. Ferguson opposed that, saying she would rather see the proposed design and approval first.

P. Donohoe said he was hearing concerns. He assumed they would have the right to build a house 35 feet tall. He said everything Mr. Vredenburg has said was correct. He said regarding the proposed height being eight (8) feet taller than the Stoeckel house

from East Lake Road, one would not see the house from East Lake Road. He said regarding the concern that the proposed house would be greater in altitude than the Stoeckels' he said it would have a similar profile as the Herr's house. He said the Stoeckels' house was a 1920's style and the current camp on his property was circa 1900, the proposal would be a more modern design. He disagreed that it would be "a big wall of glass." He explained there would be a deck at the first floor and a balcony on the upper floor. He conceded there would be a lot of glass because the charm of the property was the great view. He said hearing the negativity after having complied with the Zoning Board of Appeals request to move the structure away from the lake, having been granted the area variances, keeping the proposed height under 35 feet, maintaining the amount of impervious surface area and just shifting the zone for the betterment of the lake, made him wonder what specifically should they do. He did not think Mr. Vredenburg nor his architect knew what more they could do. He did not think the Board was supposed to impose their personal tastes but were supposed to follow the Codes. He recounted in his initial conversations with Mr. Cook regarding a piece of property on the other side of the lake that he was instructed to propose his dream house. He stated this proposal was not his dream house. He said there were 8000 - 9000 square-foot houses on or being built on the lake. He said they can afford a 3000 square foot residence and they would like to improve upon what was now there. He thought that was more in keeping with what was happening on the lake, remarking it was not staying 1900 – 1920 vintage. He said there were newer and more modern designs being built and approved by the Board. He repeated he did not know what to do. He asked if there were specifics that the Board would approve, commenting that "the guessing game was getting expensive." He felt they had followed the rules.

A. Ferguson said if she was hearing Mr. Donohoe correctly, he was indicating he did not want the Board to vote this evening, but would like an opportunity to get input as to how to modify and possibly present at the next meeting.

P. Donohoe said he was just as happy voting on it or not voting on it, being unsure how it would change anything. He said if it was approved that would be wonderful but if it was disapproved, they would have to come back. He asked that someone tell him what was wrong with the proposal and what would be approved. He asked if he cannot build something 35 feet high, what can he build, he was unsure (what would be acceptable). He asked if he cannot build something the same square footage or a similar footprint as his neighbor, what can he do. He asked if the Zoning Board of Appeals made a mistake in approving the variances. He felt he was only hearing the Board's personal tastes. He did not hear anything that violates a rule or a regulation. He remarked he did not know their personal tastes.

A. Ferguson said she would like to correct that statement saying this was not about the Board's personal tastes. She said the Board was charged with upholding the character of the community. She said speaking for herself, she does not feel the design keeps with the character of that community. She repeated that was not her personal taste;

she believed the scale of the proposal and the glass, and the appearance (were not in keeping). She stated that as he said, many of the 1900's homes are being knocked down and she did not believe that was necessarily the right move either. She felt many historical homes around the lake were being demolished realizing that cannot be stopped per se, but she thought those being rebuilt could be in keeping with the historical character of the neighborhood.

R. Ridler agreed. He was looking at the proposed rendition of the proposal superimposed on the site and felt the issue was the character of the neighborhood which plays an important part in the Board's decision. He felt the Board needs to discuss this issue further regarding the proposal. He commended Mr. Vredenburg on his efforts to capture the Board's feelings, but he did not think the proposal was quite there yet.

P. Donohoe asked if that meant he had to build something that looked like a style between 1920 – 1950.

D. Bowers said his only issue was the height. He felt the proposal should be lower like Stoeckels', Franklins', and Eagans'. He said Mr. Donohoe could design whatever style house he wanted. He said his issue was not the glass; he understood the desire to have glass on the lake side.

P. Donohoe countered it would be the same height as the other houses.

D. Bowers replied it would be taller than Stoeckels'. He repeated his concern about the setting of a precedent for taller houses in the area in the future.

M. Vredenburg said in that case, if they were, for example, to propose a contemporary house with a flat roof, they would get Mr. Bowers' vote, but they would not get the rest of the Board's votes because the Board would not feel that style would fit the neighborhood.

D. Bowers responded that he could only speak to his vote, remarking that there were several contemporary-styled homes around the lake. He remarked that Eagans' and Franklins' were perfect examples of houses that set so nicely on their lots, regardless of their size and shape.

R. Cook wanted to make everyone aware of what the site plan review law said in Article 4 wherein was found the general design objectives the Board was charged to uphold. He read, "that the proposed site plan would be in harmony with the purposes of" (this chapter in the Code) and more particular to the site, "the location, arrangement, size, design, and general site compatibility of buildings, lightings and signs." He paraphrased what he quoted from the Code by stating whatever goes on that site should fit in with the general character of the neighborhood. He wanted it to

be known that it was not (the Board's) personal preferences or personal decisions that dictate, but it was the charge given to Board members.

R. Cook also explained, to Mr. Donohoe's point, that whenever an applicant applies, he advises the applicant to "ask for the moon" because the applicant can only negotiate down, but ultimately it was the decision of the Board as to the harmony of the area and its protection.

R. Ridler thanked Mr. Cook for the insight and agreed with the charge given to the Board.

A. Ferguson thought it would be helpful to continue the file and allow Mr. Donohoe to reflect on the comments.

M. Vredenburg agreed.

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

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

R. Ridler said he believed there has been a good deal of exchange and complimented Mr. Vredenburg again for his efforts to provide all the information the Board has suggested and requested.

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*Sadlon, Richard & Elizabeth -- Review Request – Soils – 2208 Ballina Road, Cazenovia  
File # 20-1330 (Robert Ridler)*

Whitney Hughes and Mike Borkowski of Community Power Group, LLC were present to represent the file.

R. Ridler explained that the purpose of the review and the discussion this evening was to discuss the soil analysis with regard to the commission as to whether the soil can be restored to its current existing state. He read from a section of the Code regarding solar farms found in 165-104.7 "(A) Districts where allowed. Subject to the issuance of site

plan approval and a special use permit and other requirements as set forth herein, solar farms shall not be a permitted use in any zoning district other than the Rural A (RA) District, Rural B (RB) District and Industrial Overlay (IO) District within the Town.

“(B) Districts where prohibited. Solar farms shall be prohibited in the Lake Watershed and Riparian Corridor (LW & RC) District, New Woodstock Central Business Overlay (NWCBO) District, Commercial Overlay (COMO) District, Wellhead Protection Overlay (WPO) District, Village Edge Overlay (VEO) District and the Agriculture Overlay (AO) District. Notwithstanding anything contrary to the above, such use may be permitted by the Planning Board in the Agriculture Overlay (AO) District but only when it is demonstrated not to have negative impacts on the soils deemed to be USDA prime soils and only upon the issuance of a special use permit.”

R. Ridler said given that guidance the Town Planning Board has asked for review of the soil and an analysis of the soils. They have discussed this analysis with M. N. Gilbert Environmental which provides environmental consulting and planning services. He said the individual who was prepared to perform that analysis was Mallory N. Gilbert who has provided a proposal of his services which has been distributed to the Board and to the Applicant.

R. Ridler asked if Mr. Borkowski and Ms. Hughes had a copy of the proposal.

They affirmed they did.

R. Ridler said they were prepared to proceed with the services of Mr. Gilbert, but that required the agreement by the Applicant for payment.

M. Borkowski said in reading the Code it appeared the objective was to determine whether the solar proposal would have a negative impact upon the soil. He asked if he was correct about his interpretation of the Code.

R. Ridler believed the question was can temporary impacts be remediated at the time of decommissioning. He asked Mr. Langey if he was correct.

J. Langey said it was a good question. He said at the creation of the Code, the Ag Overlay was deemed to be of the highest sensitivity for solar use so it becomes more of a rebuttable presumption. It allows the applicant to rebut the presumption. He said one would not be allowed to have that use on these Ag Overlay Districts – it is banned, except where one would rebut that presumption. To “get there” he said they have an expert gauge or confirm that. He said the idea was that this (activity) cannot happen until “we clear that hurdle.” He said “that was where the bar was set” and explained it was carefully studied at the time the language was placed in the Code.

M. Borkowski asked if the purpose of the consultant was to determine that there were prime soils.

J. Langey responded, "No." The purpose was to determine if the use the Applicants propose will not have a negative impact on the viability of the soils either in the short-term (recording garbled). That was what the Board was trying to determine. He said perhaps the Consultant will be able to prove that, but the Board will not know until it is done.

M. Borkowski asked if the Board has seen the letter from the New York State Department of Agriculture & Markets (Ag & Markets) when they performed an analysis of the site.

R. Ridler answered, "Yes."

M. Borkowski said Ag & Markets reviewed the site and reviewed the soils and they determined "the proposed action would not have an unreasonable adverse effect on the continuing viability of farm enterprise within the district or State environmental plans, policies, and objectives."

J. Langey said that was helpful and instructive, but ultimately it was "the determination of the Planning Board with the use of its consultants, whether they can confirm or not, whether this would happen." He explained a specific review of the actual site would be obtained with the report.

M. Borkowski said when he examined the proposal (by Mr. Gilbert) it appeared it would be merely a soil analysis.

A. Ferguson asked, "as opposed to...?"

M. Borkowski responded as opposed to doing what the State did in determining whether solar would have an adverse impact upon the soils, which was what he thought was what the Code required. He said he was confused because the Code asks if solar will have an adverse on the soils. The State has done numerous, well-funded studies to determine the answer to that question, setting up a Department to research and determine these things, and issued a letter accordingly. He believed the Consultant's report focused upon doing a soils analysis rather than doing an analysis on solar's impact on soil.

R. Ridler read from the proposal, "Additionally, the Board may also be seeking input/guidance regarding restoration of these soils to their predevelopment condition and potential upon decommissioning of the solar facility at some future date." He said that was what the Board was looking for as well and which was part of the proposal.

M. Borkowski asked if part of the proposal was the measures needing to be done to restore the soils to the original state.

J. Langey said they could not anticipate the information in the report. He said that was the purpose of engaging an expert.

M. Borkowski responded that they were happy to pay for the services, but when their attorney read the proposal, it seemed the information to be provided was not specifically addressing what the Code was asking for. He stated if the Board feels specifically that the output from the letter will provide the assurance “that solar will have an impact upon the soils that would be irreversible and can never be dealt with again,” then of course the Board would have to rule that this project cannot move forward, or if the findings stated that “with proper remediation this will be fine and the soils will continue into the future.” He wanted to be sure the “result from this consultant that will be actionable.”

J. Langey responded that the Consultant could be asked to refine his proposal and the Applicant could return next month expressing whether they were pleased or displeased.

M. Borkowski indicated it was not a question of whether he was pleased, it was whether the Board was. He asked if they knew what was inside a solar panel, about the wires, the design. He said those were the things that would potentially have an impact. He did not get a sense from the letter that “that was what they were going to do.” He said if this analysis “will meet that, great” saying he was “all for it – let’s do it – I have no issues whatsoever with that.” He wanted to make sure that when this analysis was completed, the Board was getting what they wanted.

J. Langey repeated they could clarify that with the consultant. He said it was a fair question and they were happy to do that. They will make sure that was what they would get and they would have the Consultant restructure the proposal to include that language and resubmit it.

M. Borkowski indicated that if the Board was satisfied, he was willing to proceed, saying they would submit the letter from New York State in addition hoping to “marry the two up” and everyone could “get comfortable with this.”

R. Ridler expressed his desire that the expert refine his proposal.

M. Borkowski said they would be happy to share all New York State documentations and findings from their research if the Consultant would like to review it.

M. Borkowski said fees have already been paid to the Town so he felt the funding for the report was in hand. He said they do “not have an issue with this.”

J. Langey clarified the \$3500.00 submission fee was not for the Consultant fee. He said he understood Mr. Borkowski’s comment.

J. Langey said they can recontact the Consultant to ensure the Consultant understands the mission to address the Applicant’s concern.

M. Borkowski asked if payment should be written to the Town or to the Consultant.

J. Langey said for all such matters the Town would be reimbursed.

A. Ferguson asked if there were a formal application at this time.

J. Langey said this was not “a full, formal application.”

M. Borkowski asked what he could do to make it a formal file. He said to date they have not been allowed to file formally. He said they have all the information ready to submit.

R. Cook said he was the “gatekeeper.” He explained until the Board can get the answer to what the Board was looking for (when it is demonstrated not to have negative impacts on the soils deemed to be USDA prime soils) an application cannot be accepted. He said once the Board receives confirmation and is satisfied that the proposal can go forward, the Applicants will be asked to submit the necessary applications.

M. Borkowski responded, “Okay”

Motion by A. Ferguson, seconded by T. Clarke, to continue the discussion and review was carried as follows:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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*2974 West Lake Rd Realty Trust -- Site Plan Review – 2974 West Lake Road, Cazenovia  
File # 21-1346 (Gerald Rasmussen)*

David Miller was present to represent.

G. Rasmussen said the Millers would like to have a winter storage facility on their property for their boats. He shared his screen to show the drawing entitled *David and Jean Ann Miller 20974 West Lake Road Cazenovia NY 13035 Miller Residence Site Plan & Details S-2/2 Overlay on Original Survey* by Gavitt Associates dated April 2021. Using the drawing Mr. Rasmussen showed the proposed location of the structure saying it would be approximately 800 feet west of the lake.

G. Rasmussen then showed the elevation drawing created by Eggleston & Krenzer, Architects PC dated 1 Mar 2021 entitled *Boat Storage Bldg: David & Jean Ann Miller 2974 West Lake Road Tn of Cazenovia, NY* saying the structure would “fit right into the site.”

G. Rasmussen then displayed a photograph of the proposed area where the Applicants would put the building. He said it would be screened from the view from West Lake Road, from the neighbors, and he felt it was nicely located on the site.

R. Ridler asked if Mr. Miller had any other comments.

D. Miller explained the main purpose for the structure was to store his two (2) boats on site. He currently pays about \$2000 per year to store them in Cicero, so the proposal was for economic reasons and convenience.

D. Miller elaborated saying he wanted the construction to be consistent with his house. He would use “Smart” siding so it would not be a pole barn made with metal. It would also be “Smart” trimmed. The color of his house was *Timber Bark* which he described as a medium brown color, and he endeavors to match, and to make it as unnoticeable as possible. He said it would be placed in an area where he would not need to disrupt trees. He said he would replant some of the open area, which was used as a storage and parking area during construction, over the long-term and once the building was in place.

J. Langey then lead the Board through the Short Environmental Assessment Form (SEAF), after which he mentioned that there was a special use permit and an area variance granted for the proposal by the Zoning Board of Appeals (ZBA) conditioned upon the color of the structure matching the color of the main home. He said the Board could make that a condition of their approval as well.

G. Rasmussen added that two (2) other conditions of the ZBA approval was that there would be no water and no lighting associated with the structure. He felt those conditions should be included in the site plan approval as well.

Motion by A. Ferguson, seconded by G. Rasmussen, to appoint the Planning Board as Lead Agency for the purposes of the SEQOR, to affirm the matter an Unlisted Action and make a Negative Declaration based upon the Board’s review of the SEAF, and to

approve the site plan as most recently submitted with the same conditions as previously approved by the Cazenovia Town Zoning Board of Appeals was carried as follows:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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*Malcolm Williams Living Trust -- Minor (1) Subdivision – Delphi Road  
File # 21-1351 (Anne Ferguson)*

Malcolm Williams was present to represent the file.

A. Ferguson explained Mr. Williams has approximately 36 acres of property on Delphi Road and would like to carve out about 5 ½ acres for his son. She said given the size of the lot, a conservation subdivision would be required going forward, but after viewing the site with Mr. Ridler, they did not feel that at this time and for this proposal there were any specific constraining areas.

A. Ferguson asked if Mr. Williams had updated his site plan as they had requested to show the building envelope, the existing well, and the existing septic.

M. Williams answered that he had not yet complied but he would.

A. Ferguson explained this application would require a public hearing and asked that Mr. Williams guarantee that he would provide the requested information within the next day or so.

M. Williams responded, "Yes, I will."

A. Ferguson said the details could be sketched on the drawing already provided.

A. Ferguson asked if the Board found that acceptable.

The Board expressed consent.

Motion by A. Ferguson, seconded by T. Clarke, 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, to move the application to a public hearing at the next meeting and to continue the file was carried as follows:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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*Silberberg, Michael -- Revisit Site Plan Review – 4577 East Lake Road, Cazenovia  
File # 20-1270 (Bryan Wendel)*

Matthew Vredenburgh was present to represent the file.

B. Wendel asked Mr. Vredenburgh to give a quick and in-depth recap regarding the situation.

M. Vredenburgh said they had applied to the Board in January of 2020 and received an approval in June of 2020. He said at that time they locked the location of the house on the parcel due to the location of a utility pole near the road which prevented them from centering the house on the lot. In the autumn, Walker Tree Service began removing scrub and unhealthy material coordinating with Mr. Cook and himself to ensure they were only removing what was approved to be removed. He said much of the vegetation was six (6) inches or smaller and many were ash trees or unhealthy and were in areas that would be graded or for the flood route. Among those were a couple of large walnut and another tall healthy tree that was removed as well. All other large trees were kept, including those along the road, those along the shore, and those along the northern and southern borders. A few months ago, Mr. Silberberg learned the utility pole was scheduled for replacement and he asked if it could be relocated. National Grid said they could move the pole up to 35 feet, so Mr. Silberberg decided to have it moved that distance to provide more space between it and the driveway which would provide better visibility of northbound traffic along East Lake Road when exiting. That also allowed them to better center the home on the site. Mr. Vredenburgh suggested shifting the house 23 feet which would place the house 140 feet from the south line and 135 feet from the north line. After more consideration, Mr. Silberberg decided he would like it shifted 15 feet.

M. Vredenburg said he approached John Dunkle about the possibility of relocating the drainage pipe 29 feet to the south. He said the upper channel that feeds into the pipe that goes from the culvert in the road to the pipe veers slightly to the northwest. They would have to redirect it to flow slightly to the southwest. They would have to recreate the western half of the open channel leading into the pipe. The channel would be the same size as the original, the pipe would be the same size, but would not be compressed and filled with sediment as is the existing pipe. They felt a 36-inch pipe was appropriate because the culvert that feeds into the pipe was 36 inches.

M. Vredenburg said currently there would be three (3) trees impacted by the change, a 10-inch maple, a 6-inch locust, and a multi-bole, 4-inch red oak. Mr. Wendel suggested mitigation for the tree loss, so Mr. Vredenburg revised the initial plan submitted April 5, 2021 with a proposal to plant two (2) oak trees and two (2) maple trees. He said in addition to those trees there are plans for approximately 30 trees to be planted across the property after construction of the house. He said the final landscaping plan was on hold until they are certain of the location of the house.

D. Bowers wanted to be sure John Dunkle was agreeable to the drainage changes.

A. Ferguson thought approval should be contingent upon subsequent review of the final landscaping plan once the final siting of the house has been approved.

B. Wendel asked Mr. Vredenburg if the trees were in the updated submitted plan.

M. Vredenburg affirmed the four (4) replacement trees were included in the updated plan.

B. Wendel asked about the 30 other trees.

M. Vredenburg said they were in the planting plan.

B. Wendel understood that to mean they were not part of the current, updated plan recently submitted.

A. Ferguson clarified that she was looking for the final planting and landscaping plan once they knew where the house would be located.

M. Vredenburg said he could show that.

There was confusion about the planting plan.

M. Vredenburg said he submitted a plan that showed the pipe relocation and identified the trees that would be removed as a result. He updated that plan to show the addition of the four (4) new trees. He said separate from that, the Silberbergs plan

to landscape their property, adding a lot of vegetation as well as approximately 30 trees. He had a preliminary plan for the overall.

A. Ferguson said she was asking that the final landscaping plan be reviewed after they sited the house (and completed the plan).

M. Vredenburgh said that could be done, he added that he thought it was quite similar to the plan that had been previously approved.

R. Ridler asked if Mr. Vredenburgh meant it was similar to the plan the Planning Board previously approved.

M. Vredenburgh answered it was.

A. Ferguson said if it has not significantly changed and was just a matter of relocating some beds, she was fine with it.

D. Bowers asked the size of the four (4) trees to be planted.

M. Vredenburgh said he had not discussed that, but thought 2 ½ - 3 inch would be used.

D. Bowers indicated replacing a 10-inch tree should warrant larger replacements.

M. Silberberg said he was agreeable to installing a larger tree.

D. Bowers said he would love to see a 6-inch tree to be used.

M. Vredenburgh mentioned about the difficulty of finding 5-inch trees for a nearby project but said they could “put one of those in.” He asked if using 2 ½ - 3-inch trees for the other three (3) was acceptable.

D. Bowers said that was fine.

B. Wendel asked if Mr. Dunkle had anything to add.

J. Dunkle said the stream relocation was physically possible. He said he was “not a big fan of it,” preferring to leave things as they were with existing drainage patterns and flood routes in place, but it was physically possible to do the relocation they were proposing if it was done correctly. He said he was most worried about the flood routes, and what would happen when the East Lake Road culvert becomes full. He thought the property owner would want to know that there was a proper flood route from East Lake Road to the lake that protects the house and with regrading does not push flood flows onto adjacent properties. He had not finalized his review, waiting for the Board’s

decision regarding trees and other details of the relocation, so he would like the opportunity review the more technical aspects of the actual drainage flows.

D. Bowers said the Board would predicate their decision on Mr. Dunkle's.

J. Dunkle said he was comfortable saying it was physically possible to do.

M. Vredenburgh said he spoke with an individual with knowledge of the area and it was his understanding that the 36-inch pipe under the road has not been the problem in the past. Torrential rainfall has been the problem in that area which happens when water has not been able to enter the catch basin along the street fast enough.

J. Dunkle said, "Exactly," and asked where that water would go when that happens (in the future).

D. Bowers thought Mr. Dunkle and Mr. Vredenburgh could discuss this in detail at a later time since they both agreed it could be engineered.

J. Langey said an updated Stormwater Management Agreement that would track whatever the new plan would be was needed.

M. Silberberg said that document had been finalized and asked if a corrective agreement changing the legal description could be used.

J. Langey assented saying they could amend it that way and that it would not be a problem.

Motion by B. Wendel, seconded by A. Ferguson, to reappoint the Planning Board as Lead Agency for the purposes of the SEQR, to reaffirm the matter an Unlisted Action with a Negative Declaration based upon the Board's review of the SEAF, and to reapprove the site plan as now submitted with the updated tree mitigation and conditioned upon the drainage details being resolved and approved by Mr. Dunkle, and entering into an amended Stormwater Maintenance Agreement with the Town, which agreement will be recorded in the Madison County Clerk's office was carried as follows:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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*Jungkind, Laura -- Line Elimination & Line Change – Delphi Road/1926 Delphi Rd &  
(with JPJ, LLC formerly James & Peter Holmes) & 2876 East Road  
File # 21-1353 (Gerald Rasmussen)*

Laura Jungkind was present to represent the file.

G. Rasmussen shared his screen to show the sketch Ms. Jungkind submitted and invited her to explain her proposal.

L. Jungkind said the hashmarked section of drawing adjacent to her main parcel would be blended into that main parcel and she would then sell the back property to a neighboring property on East Road

Motion by G. Rasmussen, 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:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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*Baker, Lisa & Rapp, Brian -- Site Plan Review – 4657 Ridge Road  
File # 21-1354 (Thomas Clarke)*

Lisa Baker and Brian Rapp were present to represent the file.

T. Clarke said the project was for the installation of a French drain and he asked the Applicants to explain their situation.

L. Baker explained that they live “on the downhill side of Ridge Road.” She said the fully-finished basement also houses a sump which has had a continuous stream of water running into it since they purchased the house in early December. She said they have timed the pump and it runs every 3 – 4 minutes, 24 hours a day. She explained the pump takes the water from the sump area, through the ceiling, across the house and to the rear of the house outside, which is downhill, and into the ditch that runs along Hoffman Road. They would like the water not to go through their house. They would like the water to flow around the house into a French drain to be installed by Rob Hotaling. They would route the water around the north side of the house since there was a driveway and carport on south side of the house. They would have it skirt the septic tank and leach field and empty into the same ditch into a different location than it now empties.

T. Clarke said he has been on site and said there was a major problem there. He said they may have to deal with the leach field, having to keep 20 feet from it when they run the pipe, but Mr. Cook would give them guidance when that time comes. He said the line would end before and not empty directly into the drainage ditch along Hoffman Road.

Motion by T. Clarke, seconded by A. Ferguson, 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 approve the site plan as most recently submitted was carried as follows:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

*Verbeck, Jon & Kathleen -- Site Plan Review – 4509 Seven Pines Drive, Cazenovia  
File # 21-1355 (Jerry Munger)*

Jon Verbeck was present to represent the file.

R. Ridler said the application involved the demolition and the reconstruction of a house.

J. Verbeck shared his screen to display the drawing created by D. W Hannig L.S. P.C. dated Aug 19, 2004 and last revised 4/08/2021 entitled *Proposed Plan Only 4509 East Lake Road Town of Cazenovia, Onondaga (sic – actually Madison) Co., N.Y.* which showed the proposed house in relation to the existing structures. He said the home was on 2+ acres of land and their thought was to move the location of the house 100 feet back from the lake. The existing 1961 camp to be removed was within 100 feet of the lake.

R. Ridler asked the square footage of the new construction in relation to the existing house.

J. Verbeck responded they would be about the same, about 2600 square feet.

R. Ridler asked if the impervious surface coverage including the calculations for each zone could be provided.

J. Verbeck affirmed they would be able to provide that information.

D. Bowers asked about elevations.

J. Verbeck shared his screen to display the elevation drawings from all four (4) perspectives as well as a brief display of the floor plan.

R. Ridler asked if there would be an attached, 2-car garage.

J. Verbeck answered, "Yes."

R. Ridler asked if one of the two (2) other structures currently on the property was a garage.

J. Verbeck answered one was.

T. Clarke asked if the current garage would be removed.

J. Verbeck said it would be removed.

R. Ridler asked if the structure being proposed would be approximately the same square footage as the existing house which does not have an attached garage.

J. Verbeck said that was correct.

A. Ferguson instructed them to determine the sum of the house and detached garage and compare that to the proposed new structure having an attached garage when they do their impervious surface comparison.

R. Ridler asked if it was correct in saying that the impervious surface area would be reduced approximately the amount of the detached garage.

J. Verbeck said that was correct. He said there was a shed on the property as well.

R. Ridler asked if that would be removed or retained.

J. Verbeck answered it was undetermined at this point.

T. Clarke asked if there would be any modifications to the sewer.

J. Verbeck explained that they were connected to the existing sewer system on Seven Pines Drive and they would continue to use that.

R. Ridler asked if they would use the existing well.

J. Verbeck replied that was to be determined also. He said they hope to use the same well on site.

A. Ferguson asked if any thought had been given regarding how they would landscape the area in front of the new house (on the lakeside).

J. Verbeck responded that they have not determined that at this point, but it would not be hardscaped. He said, "it would be relatively natural going down to the lake."

A. Ferguson informed Mr. Verbeck that the Board would need to see a landscaping plan, saying optimally they would not be making any changes in the Critical Environmental Area (CEA).

A. Ferguson said this was a large house, but it does fit on the lot. She said she has a concern, not specific to this proposal, but noted this was the eighth demolition on East Lake Road to be approved in the last 18 months. She said they would be speaking about another demolition later this evening on the west side of the lake. She spoke about her concern that by having no ability to address demolitions, they were

sanctioning wholesale change to the character of East Lake Road over the last several years and in the years going forward. She believed this was an issue needing to be addressed. She concluded by repeating the need for a landscaping plan.

J. Verbeck remarked this would not be visible from East Lake Road and said they would provide a landscaping plan.

R. Ridler reminded the Applicant to also provide the impervious surface coverage broken down by zone in addition to the landscaping plan.

Motion by T. Clarke, seconded by G. Rasmussen, to continue the file was carried as follows:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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*Woods, Charles (Sam) & Gail -- Site Plan Review – 5211 East Lake Road, Cazenovia  
File # 21-1356 (Anne Ferguson)*

Charles and Gail Woods were present to represent the file.

R. Ridler said this was a site plan review for an additional structure.

A. Ferguson said the additional structure would be basically in the same horizontal line as the house in an area where ash trees were previously approved to be removed. She asked the Owners to explain how they positioned the proposal, any landscaping details, and how they propose to handle any water from the structure relative to a nearby house.

C. Woods said he owns a small Kubota tractor he uses to plow and mow. He said they would like to be able to park their cars in their garage so they would like the additional storage space, Mrs. Woods would like an attached garden room, and there would be a small porch attached to the side. He explained it would be in a wooded area, but as Ms. Ferguson mentioned, a number of trees in that area have been removed. He said they would replant some hemlock and sugar maple trees behind the small barn.

C. Woods said in terms of roof runoff, he did not think a significant amount would be created. He said if the Board felt otherwise, he has about six (6) French drains around the property and he would be happy to install another off the roof as a holding French drain.

A. Ferguson asked if Mr. Dunkle needed to review this further.

J. Dunkle asked if the Board wanted his further review. He said conceptually if they were able to have roof runoff drain into the ground that would be fine. He was unaware of any specific drainage concerns beyond what would typically be done.

C. Woods said the location would be over 200 feet from the lake.

J. Dunkle asked what was immediately downstream.

C. Woods answered another wooded lot and a house.

G. Woods explained the location would be 25 feet from the property line and the neighbors' house would be another 30 – 50 feet from that property line.

Mr. & Mrs. Woods both thought there was quite a distance between where the roof would drain and the neighboring house, but they said the new structure would be uphill from the neighbor's house.

D. Bowers asked about the trees between the two (2) houses.

C. Woods responded there were "a lot of old trees." He said that was part of the problem. They have had to remove an old maple and additional ash trees.

G. Woods described it as a heavily wooded area with big trees and saplings. She said when she walked the area with Bartlett Tree Service and with Walker Tree Service there were red maples that they would keep. She said now that they have removed a dying Norway maple tree which both services said was not safe to leave, there would be more light (for the remaining trees). She said there were numerous trees there now and they would add more as well. She said the house below them also has lots of trees, most of which she thought were evergreens.

R. Cook interjected that it has been his observation throughout the years that probably water has occasionally drained to the neighboring property, but now that a structure will be installed 25 feet from the property, the neighbors will contact him objecting to the water that may now "be dumped" on their property. He said if there was any way they can move the water and ensure that it was directed and kept on the Woods' property, all would benefit.

C. Woods thought that would be fairly easy to do.

J. Dunkle agreed that needed to be done; he was unsure how easily it could be done. He said given the sensitivity of the situation he should review the design with Mr. Cook.

R. Cook expressed his confidence in Mr. Woods.

C. Woods said he would be happy to submit a plan.

J. Dunkle advised Mr. Woods to contact Mr. Cook and then he and Mr. Cook would visit the site with Mr. Woods.

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

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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*Skidmore, Kerri & Wade -- Site Plan Review – 2076 Hoffman Road, Cazenovia  
File # 21-1357 (Bryan Wendel)*

Kerri & Wade Skidmore were present to represent the file as was Dan Bargabos of Heritage Homes, Steve Calocerinos, and Barb Circillo.

B. Wendel said the plan was to build a 2560 square foot new home on 3.3 acres with an existing well. The house needed to be 85 feet from the center line of Hoffman Road, so the plan was revised to accommodate that requirement. Also, at the Board's request, the garage has been rotated 90 degrees so it would no longer face the road and plans have been nicely updated to show that change as well.

T. Clarke asked about impervious surface percentages.

B. Wendel indicated that due to the size of the lot, 3.3 acres, and the size of the house, 2560 square feet, impervious surface area would not be an issue.

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

Motion by B. Wendel, seconded by T. Clarke, to approve the site plan as most recently submitted was carried as follows:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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*deCordova, Noel III-- Site Plan Review – 2076 Hoffman Road, Cazenovia  
(Owned by deCordova, Melissa)  
File # 21-1358 (Dale Bowers)*

Edward Keplinger of Keplinger Freeman Associates was present to represent the file.

D. Bowers explained for those familiar with the area the proposal was for the house next to the Schepps' house on Tunnel Lane. As Ms. Ferguson had mentioned, the present house would be razed and a new house would be constructed.

E. Keplinger shared his screen to display the drawing created by Keplinger Freeman Associates dated 4/19/2021 entitled *New Residence deCordova Residence 1040 Tunnel Lane, Cazenovia, New York 13035 L1.0.*

D. Bowers explained the house (to be removed) was an existing 2-story house, not a camp. It was primarily in the second zone. The new home will be moved back from the lake past the 100-foot line. The impervious percentages in Zone C will increase but the overall percentages for the entire site will increase less than ½%.

E. Keplinger displayed drawing *L2.1 Area Plan Preferred Option Progress Set 4/30/2021* showing the pervious surfaces in each zone.

D. Bowers said his perspective was that it was an improvement with the removal of structures from the first 100 feet of the lake and with the increase of less than ½% of impervious surface area which he did not think would be a problem.

A. Ferguson agreed believing it was a fair trade.

D. Bowers said a large maple tree would be removed, so he suggested a couple trees at least six (6) inches in diameter be added.

E. Keplinger said they would be willing to do that.

A. Ferguson asked where the new trees would be located.

E. Keplinger responded they would definitely be located between the house and the lake. He mentioned there was a lot of existing vegetation along the shoreline as well as along the north property line.

D. Bowers said one tree could be added where the maple would be removed.

E. Keplinger said they were proposing some additional landscaping along the north property line and along the south property line of evergreen trees. He said the landscaping plan would be developed as they progress. He felt the house would be constructed in about a year. He said they would be adding more trees and vegetation.

A. Ferguson said she would be in favor of approving the site plan relative to the house at this time, but requiring they return with their final landscaping plan in the future.

B. Wendel questioned the size of the proposed driveway, wondering if it needed to be so elaborate.

E. Keplinger said the driveway could be modified which would reduce the impervious surface coverage by 1 – 1½%.

B. Wendel expressed his admiration for the rest of the plan.

More discussion followed regarding the driveway design.

R. Cook asked the distance of the driveway from Tunnel Lane.

E. Keplinger estimated it to be 100 – 150 feet.

R. Cook explained a driveway 300 feet or longer would require a turnaround space.

It was clarified that there was a section of existing driveway on the parcel that belongs to the adjacent house that will be retained.

It was also noted that drainage from that driveway for the neighboring house would flow toward Tunnel Lane with a steep drop of about 14 feet, and not toward the lake.

Elevations were submitted with the application and Mr. Bowers commented that it would be a nice-looking structure in his opinion.

Motion by D. Bowers, 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 approve the demolition and the building of the new residence parts of the site plan as most recently submitted conditioned upon the addition of the two (2) referenced 6-inch diameter deciduous trees, one being located in the vicinity of where a maple tree will be removed and one in front of the house, and upon a future review of the landscaping plan was carried as follows:

Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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J. Langey complimented the Board on their handling of the agenda and invited any Board members to call him regarding anything requiring attorney-client privileged information.

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Motion by D. Bowers, seconded by T. Clarke, to adjourn the meeting at 10:03 P. M. was carried as follows:

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Anne Ferguson	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

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Sue Wightman, Planning Board Secretary – May 7, 2021