

Town of Cazenovia Planning Board

Meeting Minutes

January 6, 2022

Members Present: Robert Ridler, Chairman; Anne Ferguson; Jerry Munger; Dale Bowers; Thomas Clarke; Gerald Rasmussen; Mary Margaret Koppers

Members Absent:

Others Present: John Langey; Roger Cook; John Dunkle; Donna Shaffner; Christian Hill; Matt Vredenburgh; Paul Williams; Enrique Armenta; Wendy Armenta; Doug Klepper; Jeremy Davidheiser; Caleb Sayers; Michael Frateschi; Andrew Leja; Matthew Kerwin; David Miller; Kyle Reger; Robert Giardina

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

Roll was taken.

Motion by A. Ferguson, seconded by M. Koppers, to approve the December 2, 2021 meeting minutes was carried unanimously.

The next regularly scheduled meeting will be Thursday, February 3, 2022.
The next regularly scheduled work session will be Thursday, January 27, 2022.
The next deadline day will be Wednesday, January 19, 2022.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*Shaffner, Donna -- Site Plan Review – Route 92, Cazenovia
File # 21-1360 (Robert Ridler)*

Donna Shaffner was present to represent the file.

She thanked the Town for their help with the situation involving the swale belonging to New York State as part of the Department of Transportation (DOT) right of way. She said she has been able to clear the land, the majority of the trash has been removed, and remaining dock should be taken away within the next couple weeks. She reported the dead vegetation on the upper lot has also been cleared. She believed the last item to be approved for the application was the proposed fence. Displaying a photograph on her phone, she explained that the style fence they would like to install was the same as what was found at the Crawford Farm. (The photograph of the fence was submitted to the file after the meeting.) She said the fence would be built in 8-foot sections which she indicated in orange on the site plan map entitled *Lot 2. Meadows Pt of the Town of Cazenovia Madison Co., N.Y. dated 06-23-03 by D. W. Hannig L.S., P.C.* Behind the fence she proposed the planting of phantom hydrangeas which grow to be 12-feet tall. She displayed on her phone a photograph of the bush as it would look in the summer as well. (The photograph of the bush was also submitted to the file after the meeting.) She explained the hedge would not need to be maintained or trimmed and it would naturally grow 10 – 12 feet. She said in the winter one could see through them.

R. Rider asked if the bushes would be installed inside the fence.

D. Shaffner affirmed they would. She explained they would be spaced between the poles of the fence, about 8-feet apart. She stated they grow “pretty quickly.” She described the neighboring property line and said they would like to put the fence a foot from the property line on all three (3) sides of the parcel, excluding the lake side. She was wondering if erecting the fence and planting the bushes would be an issue at the two (2) edges of the shoreline.

R. Cook knew of no issue with that and confirmed the regulation required the fence to be at least a foot from the property line.

R. Ridler asked where the driveway would be located.

D. Shaffner answered it would be in the present location because NYS DOT thought it should remain where it was.

D. Shaffner said when they are ready to develop the piece of the property across the road, she would submit a new application.

D. Shaffner stated they were hoping to close the access that was presently being used by others, hoping to make the site more secure.

A. Ferguson expressed agreement.

R. Ridler said the DOT met representatives of the Town to examine the culvert and believed the DOT was developing a plan to improve the situation in their right of way. He asked Mr. Dunkle if that was correct.

J. Dunkle explained the DOT owns a right of way from the pavement to the old railroad abutment on the swale. The DOT dug out that area with no other mitigation, which created erosion. Upon meeting with the DOT, they agreed it was not sustainable to leave that as it was, so they will devise a plan to reinforce the swale with riprap and create a sediment basin within their easement, upstream of the railroad beds, so sediment will be captured there and will flow through a stone filter before it reaches the lake. He said the plan would be prepared for the Town's review, and the DOT agreed it needed development. He related that the DOT said there had been a plan, but it had been crossed off, and that was why it had not been done previously, however they promise it will be done now.

A. Ferguson asked if a timeframe was given.

J. Dunkle responded that if he had not heard from the DOT in a week or so, he would contact them.

J. Dunkle said some representatives from the Cazenovia Lake Association also attended the meeting with the DOT and talked about what could be done as abatement on Ms. Shaffner's property, on the other side of the railroad embankment. He said there was a nice deposition of sediment with wetland vegetation now. He said the Lake Association talked about working with Ms. Shaffner to enhance that area and wondered if Ms. Shaffner was aware of that.

D. Shaffner responded that she had brought some of the old files that stated the State was to work up to the railroad bridge, and then cattails or some type of specified vegetation was to be maintained.

J. Dunkle suggested the Board make that vegetation and coordination with the Lake Association a condition of an approval.

R. Ridler asked about treatment for the lake shore.

D. Shaffner said she wanted to install new riprap, but after looking at the area she noticed a lot of it was sitting in the lake, so it needed lifting and repositioning along the shore.

R. Ridler asked if that was part of Ms. Shaffner plan.

D. Shaffner said it was.

T. Clarke asked if any type of permit would be needed to do that.

J. Langey and J. Dunkle said a (Department of Environmental Conservation) permit would be needed to do any work within the lake itself.

D. Shaffner expressed understanding and commented that the riprap work was not something she was hoping to accomplish in the coming year, so it could be part of the future proposal for the upper lot.

R. Ridler asked if the lakeshore work should be a condition for the present approval, to be in conjunction with the Cazenovia Lake Association (CLA).

J. Langey said he noted the condition to coordinate with the CLA for sediment control and revegetation along the lakeshore.

D. Shaffner asked if it would be possible to start to work on the fence.

It was affirmed she could.

D. Shaffner elaborated the reason she wanted to start work on the fence was because the site was very open as it was and not well-secured.

R. Ridler asked how far the fence would be from the highway.

D. Shaffner said it would be more than 25 feet from the center line.

R. Cook asked if the survey showed the distance.

D. Shaffner said it showed the distance of the culvert.

R. Cook asked if the highway setback was delineated.

D. Shaffner believed it was.

J. Langey asked if the map was labeled with the site features.

D. Shaffner believed it was and said she could submit it to the file.

J. Langey explained the need for the drawing with the defined elements of the plan. He said Mr. Cook needed to ensure the work that would be done matches the approval from the Board. He and Mr. Cook examined the drawing for adequacy.

J. Langey asked if the Board made a final determination for the style of the fencing.

A. Ferguson said it was agreed upon at this meeting.

D. Shaffner described the fencing as a 4-rail style, wooden fence.

R. Ridler clarified it would not be a split-rail.

D. Shaffner affirmed it would not be, saying she did not want people to think it was part of the Gypsy Bay area.

There was more discussion regarding an approval condition that Ms. Shaffner work with the CLA.

A. Ferguson informed Ms. Shaffner that she would have two (2) years to complete the work from the time of an approval.

D. Shaffner hoped to be done with the work in the coming spring.

After looking at the survey, it was stated that the exact location of the State's right of way was not clearly delineated on the survey.

R. Cook explained the law states that a fence should be out of the highway right of way. He felt at the corner of the property, the property line was quite close to the edge of the pavement. Typically, at least 33 feet from the center line of a highway was the right of way, and he did not feel there was 33 feet from the centerline to the proposed fence line at the one corner. He remarked that in some cases the right of way was even greater.

J. Langey elaborated that the State had its own rules about what can be placed in its right of way, so the Board could approve something, but the State could then tell the Owner what was approved by the Town would have to be removed. He wanted Ms. Shaffner to be aware of that possibility.

D. Shaffner expressed understanding.

J. Langey noted the wording of the approval would include a statement that the Planning Board approval would not override the DOT's regulations.

There was clarification regarding the plant and fence details.

J. Langey then led the Board through the Short Environmental Assessment Form (SEAF) for the State Environmental Quality Assessment Review (SEQR).

J. Langey added the condition that this would not be used as commercial marina.

R. Ridler asked the number of docks that would be used.

D. Shaffner answered three (3) – one for her, one for her siblings, and a third for guests.

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 and to approve the revised site plan as most recently submitted with the conditions discussed was carried unanimously.

*McDonough, James & Pamela -- Site Plan Review -- 4555 East Lake Road, Cazenovia
File # 21-1395 (Thomas Clarke)*

No one was present to represent the file.

T. Clarke said the Board had not received anything new to date.

Motion by T. Clarke, seconded by D. Bowers, to continue the file was carried unanimously.

*Romagnoli, MaryBeth/Red Barn 20, LLC -- Site Plan Review -- 2527 US Route 20
File # 21-1399 (Robert Ridler)*

Christian Hill of Napierala Consulting was present to represent the file.

C. Hill explained Napierala Consulting was the civil site engineers for the project and explained they were the engineers for the original site plan approval for the event

center located on US Route 20. He said the proposal was for a 40' X 40' free-standing, open pavilion off the circular driveway for the main product area.

C. Hill said they have been given a special use permit approval (for the pavilion) from the Cazenovia Town Zoning Board of Appeals and they were now seeking site plan approval.

R. Ridler said he had spoken to Ms. Romagnoli and it was his understanding that the pavilion would serve as a shelter for wedding ceremonies.

C. Hill responded that was correct and he explained the Owners have had tent crews coming frequently for occasions as a precaution in the event of unfavorable weather, so they would replace temporary structures with this permanent pavilion. He said the structure could be viewed as a permanent tent with a roof and lighting.

R. Ridler noted that according to the ZBA approval, no amplified music would be allowed within the pavilion.

C. Hill responded that was correct. The Owners wanted it to be clear that they understood that the addition of the new structure would in no way change the terms of the original site plan approval. They had no intention of having amplified music or setting up a stage within the pavilion. He said it was meant as a seating area or a "back-up plan for the ceremony."

R. Ridler then addressed the lighting, which the ZBA had restricted to the interior of the pavilion and for illuminating the pathway to the structure. He said the walkway lighting was to match the current pathway lighting.

C. Hill said that too was correct. He elaborated that they did not intend to have any wall packs on the exterior, no flood lights, and no pole mounted lights. The interior lights would be downlit from the pavilion roof, and walkway lights would be bollard walkway lighting fixtures for safety.

A. Ferguson asked if the lighting would be shielded.

C. Hill affirmed it would.

R. Ridler asked if it would be dark-sky compliant.

C. Hill affirmed it would be.

R. Ridler said the color of the pavilion was to be determined by the Planning Board.

C. Hill said the proposal was for the pavilion to be white, and for the roof to match the existing barns.

R. Ridler said the pavilion would not be enclosed.

C. Hill affirmed it would not be.

R. Ridler asked the height of the building.

C. Hill responded it would be 27 feet including the cupola.

A. Ferguson asked about the location on the site.

Referring to drawing *C-1 Layout Plan Red Barn 20 Town of Cazenovia Madison County, New York* dated 16 Nov 2021 by Napierala Consulting, the Board was shown where the pavilion would be sited in relation to the parking lot and the circular driveway.

C. Hill said a couple trees may need to be removed, but it would be tucked into the tree line to the northeast of the main barn.

J. Langey said the ZBA did a full environmental review and returned a negative declaration. He recommended the Planning Board recognize those findings and make them theirs. He said he would reference the ZBA's conditions as well as any other conditions the Planning Board may have.

Motion by T. Clarke seconded by A. Ferguson, for the purposes of the SEQR, to reaffirm the matter an Unlisted Action and to adopt a Negative Declaration based upon the same findings as previously stated by Zoning Board of Appeals in its prior resolution and the SEAF, and to approve the site plan as most recently submitted conditioned upon:

- 1) no amplified music will be played within the pavilion,
 - 2) new lighting will be restricted to the interior of the pavilion, and pathway lighting will match the current pathway lighting – all to be shielded and dark-sky compliant,
 - 3) the color will be white and the roof will match the existing barn roofs,
 - 4) the pavilion will not be enclosed,
- was carried unanimously.

*Armenta, Enrique & Wendy -- Site Plan Review -- 4761 Ormonde Drive, Cazenovia
File # 21-1400 (Mary Margaret Koppers)*

Matthew Vredenburgh of MDVLA, and Paul Williams of Architectural Arts were present to represent the file. Enrique and Wendy Armenta were seated in the audience.

M. Vredenburgh said the Owners were planning to renovate the existing house on Ormonde Drive. He said they were proposing to add a first-floor master bedroom. He stated all the changes would be in the current building envelope and no variances would be needed. He said the addition of a first-floor master bedroom would increase the impervious surface area, so to balance that increase, they propose to relocate the driveway (which would actually decrease the overall percentage).

M. Vredenburgh said some refinements had been made since speaking with the board at the last work session. Those changes were reflected in drawing L-200 *Site Analysis – Planning Board Review Process Armenta Residence* revised December 30, 2021. He said a stair access was added to a basement, a walk was eliminated, and the front door was relocated.

Elevation drawings were displayed designed by Mr. Williams which were added to the file, as were the floor plans.

Drawing EE, the *Proposed East Elevation*, showed the new entry door.

T. Clarke asked the height of the structure.

P. Williams thought the house was approximately 27' 6" with the chimney being another 3' and the covering of the chimney an additional 3', totaling about 33'.

Drawing EW, the *Proposed West Elevation*, showed the view from the lake, and Mr. Vredenburgh pointed out the visual of the master addition. He also pointed out where the patio that was at the top of the existing wall would be replaced by the smaller decks.

Drawing EN, the *Proposed North Elevation*, also showed where the existing patio was located from a side view.

A. Ferguson asked the material of existing patio and the material for the proposed decks.

M. Vredenburgh answered the existing patio was blue stone. He stated the new decking would have greater than 1/8 inch spacing which would be considered 50% impervious.

M. Vredenburg also showed the new bump-out for the entrance. On the drawing it showed it would extend 5' 4", but it would only extend 3' 4" to keep it within the setback requirement from Ormonde Drive.

Drawing ES, the *Proposed South Elevation*, showed the basement access.

M. Vredenburg said the current overall impervious surface percentage was 17.9% and the proposed would be 16.8%. He said there would be no changes in Zone A, closest to the lake; Zone B and Zone C would be reduced from the existing to the proposed.

R. Ridler asked about the relocation of the driveway and trees.

M. Vredenburg responded that he added two (2) white oaks in the northeast corner, where the current driveway connected to Ormonde Drive, to replace the cedar trees that would be removed to facilitate the new driveway location.

R. Ridler asked if there would be planting along the north side of the lot.

M. Vredenburg explained there were currently trees along the north side, with more sporadic growth long the south side.

J. Dunkle was just seeing the proposal for the first time and asked about drainage from Ormonde Drive. He asked for clarification that there was no ditch or culvert that would be considerations of a driveway relocation.

R. Cook answered the ditch was on the other side of Ormonde Drive. He asked if the Applicant had talked to the Town of Cazenovia Highway Superintendent about the relocation of the driveway.

M. Vredenburg responded he had not. He said the driveway would be moved 40' – 50'. He agreed to get approval for the relocation.

R. Ridler asked if the water which was currently flowing into the basement was being addressed by the new plan.

M. Vredenburg said water currently flows down the driveway into the existing garage, so they will remedy that situation and allow the water to now flow onto the lawn to the south before making its way to the lake.

J. Langey led the Board through Part 2 of the SEAF.

Motion by M. Koppers 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 conditioned upon the Town Highway Superintendent's approval of the driveway location was carried unanimously.

M. Vredenburg was told the new Highway Superintendent was Bryan Smith.

*Hanlon, Robert & Terrell, Colleen -- Site Plan Review -- 1331 Owahgena Road
File # 21-1402 (Thomas Clarke)*

Douglas Klepper of Klepper Construction Inc. was present to represent the file.

He explained the parcel was 109 acres of what had been part of the Vadeboncoeur estate on Owahgena Road. The proposal was to build a 2700-square foot home in the center of the property. He said all the related drawings had been sent electronically, but he had paper copies if the Board needed to see them.

D. Klepper said he needed to amend his application slightly regarding the amount of disturbance that would be done. Originally, he had indicated that an acre (43,560 square feet) would be disturbed, but that figure would actually be about 30,000 square feet. He explained that the Owners do not want to mow grass. Farmland exists to the east and west of the site. Formerly there had been an agreement between Denise Hanlon, Robert Hanlon's sister-in-law who was the previous owner, and a farmer to use the property. The current owners were unsure if that agreement to grow corn would continue; that was their intent, but no agreement had been formalized. Regarding the disturbance, however, the Owners would like to have only 40' – 50' feet of landscaping around the residence which would amount to 12,500 square feet plus another 17,500 square feet of disturbance for the house, driveway, and patios.

T. Clarke elaborated that the original figure of an acre would trigger an erosion control plan whereas this lesser amount eliminates the need for that detail.

T. Clarke said the General Municipal Law Recommendation Report (GML) was received and was fine. He said the lake watershed overlay had been noted on the site plan map. He stated impervious surface area was not an issue. He reported Mr. Klepper had spoken with the Town Highway Superintendent and the driveway location had been approved.

T. Clarke asked the height of the home.

D. Klepper referred to the elevations created by Hagan Architects P.C. dated 9 December 2021 entitled *Residence For Colleen Terrell and Robert Hanlon*.

A. Ferguson noticed some landscaping had been added to the drawing.

D. Klepper responded that they were “a long way away from a solid landscape plan.” He said they hope to begin construction of the house in the spring.

T. Clarke asked about some concrete surfaces.

D. Klepper said there would be two (2) patios on the backside of the house and a conventional walkway to the front door.

D. Klepper thought the house would be under 26 feet from the front; the garage would be under 20 feet; and from the back, the house would be about 30 feet, being a walkout.

R. Ridler asked the orientation of the house.

D. Klepper answered the front of the house would face due east with the back facing west. He explained it would be parallel to the existing tree line, not skewed. He said the grade lends it to a walkout on the southwest corner.

T. Clarke asked about lighting along the driveway.

D. Klepper presumed there would be a couple lights, but he did not think they would be anything resembling 10-foot-post lights. He explained they were in the preliminary stages of planning.

A. Ferguson suggested it be agreed that the lighting would be night-sky compliant, bollard lighting to avoid the need to return to finalize the plan.

D. Klepper readily assented.

J. Langey said this would be a Type II Action regarding SEQR.

Motion by T. Clarke, seconded by G. Rasmussen, 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 conditioned upon all lighting being dark-sky compliant, shielded, and with no spillage was carried unanimously.

*Crawford, Al & Michelle -- Site Plan Review -- 5039 East Lake Road, Cazenovia
File # 21-1403 (Robert Ridler)*

Jeremy Davidheiser was present to represent the file.

Referring to his drawing L-204 entitled *Crawford Residence 5039 East Lake Road, Cazenovia, NY. 13035 Albert & Michelle Crawford Lakefront Removals, Site Plan & Landscape Plan dated 03/01/2021*, Mr. Davidheiser said the proposal was to add a 10' X 10' roof addition on the end of an existing boathouse/shed to cover part of the existing pavers that exist there now.

A. Ferguson asked if the existing stucco structure would be kept.

J. Davidheiser said that was correct. The structure will stay and the 10' X 10' roof structure would be added to the gable end of it over an already impervious surface.

In response to the GML that was returned in which it was stated that, "we did not see updated impervious surface calculations per zone (based on the Town's graduated systems of allowable percentages of impervious surfaces in the watershed)," Mr. Davidheiser said he did not submit a graduated impervious calculation initially. He said he would be happy to submit that if the Board needed it, but the overall impervious surface area would be reduced by 6800 square feet as proposed. He explained there would be not any net addition by the water and deleting an approved basketball court would decrease the percentage.

J. Davidheiser said the percentages were updated in the submitted application basing the existing calculation upon the prior approval granted before construction.

R. Ridler asked for the two (2) calculations.

J. Davidheiser said the approved would have been 15%, and the proposed would now be 11%.

D. Bowers asked about additional construction within the Critical Environmental Area (CEA). Even though the impervious surface area would not increase, he wondered how the Town views that development. He felt additional building was discouraged even if there would be no change in impervious percentages.

A. Ferguson questioned whether the existing deck results in the same amount of disruption.

R. Cook felt from an environmental standpoint the impervious condition would be the same.

J. Davidheiser repeated there would be no change in the impervious surface percentage (since the pavers were already considered impervious).

R. Cook felt the water would be handled environmentally the same.

A. Ferguson did not think that was Mr. Bowers' point. She thought he was questioning the intrusion of a structure along the shoreline regardless of impervious calculations.

As Mr. Cook considered the issue, he said the pavers were approved during some point in the past, prior to the definition of the CEA, so now it could be considered as a change in a nonconforming condition, so he wondered if that might require a variance, viewing it as new construction within the CEA.

J. Davidheiser questioned if it was a nonconforming condition since an accessory structure was allowed.

J. Langey said the Town, however, did not allow construction within the CEA.

R. Cook elaborated that a boathouse would be allowed. He thought defining the existing structure as a boathouse was a stretch of the definition. He felt the addition of a roof might be considered new construction within 20 feet of the lake.

D. Bowers believed Mr. Cook and Mr. Langey needed to determine what should be done.

J. Langey suggested Mr. Cook should be given an opportunity to examine the Code since this question has been raised and to submit his written determination.

J. Davidheiser said a sketch was submitted showing the roof addition and he thought it would have a minimal visual affect.

J. Langey thought it might not be an issue visually as much as it would be a technical question as it pertains to the Code.

R. Cook stated he would like to see the history of the building in question, which he felt was obtained when the Fallons owned the property.

J. Langey felt further examination was appropriate.

D. Bowers commented that he had no problem with the removal of the basketball court.

J. Davidheiser said he would wait to hear from Mr. Cook.

Motion by D. Bowers, seconded by T. Clarke, to continue the file was carried unanimously.

*Cazenovia Partners, LLC/Monforte, Ralph -- Site Plan Review -- 2090 Sunset Lane
File # 21-1405 (Gerald Rasmussen)*

Caleb Sayers of Daniel Manning Architect PLLC was present to represent the file.

He said the proposal was for a modest second-story addition to Mr. Monforte's lakeside house, which was on a very small, non-conforming lot right by the lake. He said approval was being sought, not to change the footprint at all, but to convert the partial second-story level by extending it over the entire footprint of the building. He displayed drawing SK-0 *Monforte Residence 2100 Sunset Lane Cazenovia, New York* dated 12/21/2021 by Daniel Manning Architect PLLC. (Note the address of the building was the mailing address, not the physical address.)

Showing SK-2 *Schematic Plans*, Mr. Sayers said the existing second floor had a cramped staircase leading to a little hallway, which he described as "a very restricted space" and "difficult to use." The proposal was to make the second floor a master-suite, adding a bathroom but eliminating a bedroom. He said the occupancy would be less, but there would be more fixtures.

C. Sayers said this was the early planning of the space, so there may be some changes, but they would not change the footprint at all, but they would increase the height somewhat. He showed SK-3 *Schematic Elevations* to show how the structure would be changed from the view from the lake. He pointed out that the window scheme would be replicated with a reduction in roof pitch to ensure they remain within the maximum height of 35 feet from grade to peak. He said 3' - 5' would be increased but that would gain "a lot of usable space."

A. Ferguson asked if the increase in height would block the view of anyone living behind the lot.

C. Sayers did not think it would because of the elevation.

A. Ferguson asked if Mr. Sayers knew for sure that it would not impact anyone.

C. Sayers stated Mr. Monforte had spoken with all his neighbors and no one had a problem with the proposal.

J. Langey said unless there was a covenant, the Town did not have a rule (that one's view could not be obstructed).

R. Cook spoke about the change in elevation between the houses on the lake and those beyond.

G. Rasmussen said when he visited the site, they walked to the neighboring home, and it did not appear that a significant change would result from that viewpoint.

R. Ridler and R. Cook thought the overall view behind the house would not be greatly impacted.

M. Koppers asked about the impact of an additional bathroom upon the septic system.

D. Bowers and R. Cook said the capacity of the system was based upon bedrooms, not bathrooms, so in this case the capacity improved.

J. Dunkle asked about the lot.

R. Cook said the lot and the existing setback and coverages were all pre-existing, non-conforming. He said the proposal actually would bring the second story into Code compliance.

C. Sayers added none of the nonconformities would be increased.

J. Langey said this was a Type II Action regarding SEQR.

Motion by G. Rasmussen, seconded by T. Clarke, to approve the site plan as most recently submitted was carried unanimously.

HEARING

*Lucas, David -- Site Plan Review – 2405 Barrett Road, New Woodstock
File # 21-1387 (Anne Ferguson)*

Matthew Kerwin of Barclay Damon and Michael Frateschi of TJA-NY-Barrett Rd New Woodstock, LLC were present to represent the file. Andrew Leja of Barclay Damon was in the audience.

A. Ferguson said unless the Applicants had something new, they did not need to reopen anything the Board has already reviewed.

M. Kerwin said the only item that had been changed was the impervious surface percentage figure that was modified per the Board's request.

Motion by A. Ferguson, seconded by G. Rasmussen, to open the public hearing was carried unanimously.

A. Ferguson recounted that at the last meeting all the revised plans, the photographs from Kinney Road, the amended Storm Water Pollution Prevention Plan (SWPPP), the post installation items, and the conditions on the approval were all accepted and confirmed. The only item left open was the impervious calculation on the application, and that figure was revised and explained as being 1.07% overall, clarifying from the December minutes that the 3.4% calculation reflected only that area where the panels would be installed, and the grade was greater than 10%. She concluded there were no other open issues at this time.

Public comment was invited at this time.

Robert Giardina of 9 Hurd Street, Cazenovia was present to speak in favor of the proposal.

Hearing no other comments, motion by A. Ferguson, seconded by T. Clarke to close the public hearing was carried unanimously.

J. Langey said the conditions for this amended site plan approval would mirror the conditions of the original approval, incorporating the new sets of drawings, modifications and changes, and saying he and Mr. Kerwin will work together to complete the other associated documents needed to finalize the process.

J. Langey also recommended the original SEQR findings be reaffirmed acknowledging that this project will overall have a lesser impact upon the environment, particularly with regard to items Mr. Dunkle has signed off on in the SWPPP, and that visually it will be an improvement over the previously approved project.

Motion by A. Ferguson, seconded by J. Munger, to reaffirm the matter as a Type One Action, to reaffirm the Negative Declaration previously determined by the Board acknowledging that the modifications of the project will result in no significant

environmental impacts, and to reapprove the site plan as most recently submitted with the same terms and conditions as previously approved was carried unanimously.

Motion by D. Bowers, seconded by G. Rasmussen, to adjourn the meeting at 8:33 P. M. was carried unanimously.

Sue Wightman, Planning Board Secretary – January 7, 2022