

Town of Cazenovia Planning Board

Meeting Minutes

June 23, 2023

Members Present: Robert Ridler, Chairman; Anne Ferguson; Jerry Munger; Dale Bowers;
Linda Cushman, Alternate Member

Members Absent: Thomas Clarke; Gerald Rasmussen; Mary Margaret Koppers; Roger
Cook, Alternate Member

Others Present: John Langey; Chuck Ladd; Timothy Yousey

R. Ridler called the meeting to order at 1:45 P.M.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*Frank L & Bonnie Damazo Revocable Living Trust – Site Plan Review – 3574 Rippleton Rd,
File # 23-1471 (Dale Bowers) Cazenovia*

Timothy Yousey, the Damazos' contractor, was present to represent the Damazos and he used his cell phone to allow Frank and Bonnie Damazo to hear the conversation and to speak.

D. Bowers said at the last meeting it was concluded that the surveyor was to be contacted to include the flood map on the survey indicating where the house would be located in relation to the floodplain. The Engineer for the Town, John Dunkle, had communication with the Surveyor, Michael McCully, and it was determined the house would not be in the floodplain.

A. Ferguson added that the updated map was to be ready by Tuesday, June 27, 2023 and to include the topography elevations illustrating where those elevations lie within that flood zone.

D. Bowers continued saying the Attorney for the Town, John Langey had informed the Board a conditional approval could be given (having received an email from J. Dunkle stating the Surveyor confirmed the house would not be built within the floodplain).

J. Langey recommended the Board would include the condition that the requested map be formally submitted and reviewed by the Engineer who would provide his opinion that it was sufficient to meet the requirements of Chapter 93 in the Town Code (*Flood Damage Prevention*).

D. Bowers expressed agreement.

J. Langey said the Board would need to do the State Environmental Assessment Quality Review (SEQR).

A. Ferguson advised speaking be loud enough to be audible for the Owner listening by cell phone.

T. Yousey asked if Mr. Damazo was hearing everything.

F. Damazo asked if he was hearing that a condition was being proposed.

J. Langey affirmed it was and repeated what that condition would be. He explained the condition was that the map be physically delivered to the Engineer who could then confirm what the Surveyor communicated. He assured the Applicants that he had no doubt about that happening, but he advised that be a condition of the Board's approval.

F. Damazo replied he received a message from Mr. McCully that the map could be picked up Monday. He said he has "been delayed for two weeks now" and he "was in a terrible crunch."

J. Langey expressed that it would be a simple matter of picking up the map and getting it to the Town Office to forward to Mr. Dunkle, or emailing it to the Town Office and forwarding the electronic version to Mr. Dunkle. He asserted as far as he was

concerned, the Board had to make an approval conditional upon the submission of that map. Without the condition, the approval would be granted without the map.

T. Yousey asked if Mr. Langey was saying that the Damazos could not start work.

J. Langey answered if Mr. Damazo started work, it would be at his own risk, if that map does not show what was said.

T. Yousey expressed understanding.

J. Langey felt if work was not going to resume until Monday, they would fine.

F. Damazo reread the email from Mr. McCully and it said Mr. McCully would be finalizing the prints over the weekend, and they would be ready to pick up on Monday.

J. Langey suggested a scan be sent now, if it was ready now, saying that would suffice and be quicker.

T. Yousey believed Mr. McCully was in the field and that he would be working on it over the weekend.

J. Langey thought it was said that the Surveyor was done.

T. Yousey affirmed it was done, but Mr. McCully had not reviewed it.

R. Ridler noted the General Municipal Law Recommendation Report (GML) from Madison County Planning Department had been received.

J. Langey conveyed that the GML had been another item that had prevented the Board from being able to take action earlier, but the County had obliged the Town by getting it done now. He asked if the Board had any other conditions, other than the standard conditions ensuring the structure will be built as stated.

Hearing no other conditions, J. Langey then led the Board through Part 2 and Part 3 of the Short Environmental Assessment Form (SEAF) to complete SEQR. He also briefly recounted the necessity of performing the review.

All items were found to have no impact except items #2 (*Will the proposed action result in a change in the use or intensity of use of land*) and # 4 (*Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area [CEA]*) which were found to have small impacts, with #4 to be verified by the findings of the new survey.

J. Langey then repeated that the contingency of an approval would be the submission of the map with approval by the Engineer.

Motion by D. Bowers, 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 review of the SEAF and to approve the site plan for a new single-story house as most recently submitted and conditioned upon receipt, review, and approval of the updated survey showing construction of the house would not be in the floodplain of Chittenango Creek by the Engineer for the Town, was carried unanimously.

Frank and Bonnie Damazo thanked the Board and Mr. Yousey.

Motion by D. Bowers, seconded by J. Munger, to adjourn the meeting at 1:54 P.M. was carried unanimously.

Sue Wightman, Planning Board Secretary – June 23, 2023