

Town of Cazenovia Planning Board

Meeting Minutes

June 2, 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; John Dunkle; Roger Cook; Jonathan Alley; Douglas Jarvis; David Miller; John Templin; Christopher Curran; Ronald Milback; Robert Hollembaek; Zachary Titus; Glenn Savage; Jo Anne Gagliano; Joseph Falco; Richard Ruggaber; John David Hunter; Brian Keeler; Berta Keeler; Bruce Race; Michael Annesi; Debbie Richer; Gail Woods; Charles (Sam) Woods; Kyle Reger

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

He asked that those in attendance sign the sign-in sheet legibly.

Roll was taken.

The next regularly scheduled meeting will be Thursday, July 7, 2022.

The next regularly scheduled work session will be Thursday, June 30, 2022.

The next deadline day will be Wednesday, June 22, 2022.

Motion by T. Clarke, seconded by M. Koppers, to approve the May 5, 2022 meeting minutes was carried unanimously.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*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 nothing new had been received.

Motion by T. Clarke, seconded by A. Ferguson, to continue the file was carried unanimously.

*Alley, Jonathan & Abigail -- Site Plan Review – 3969 East Road, Cazenovia
File # 21-1415 (Dale Bowers)*

Jonathan Alley was present to represent the file as was Douglas Jarvis of Green Visions Solar, LLC.

D. Bowers reminded the Board the project was for solar panels adjacent to an historic property on the National Register of Historic Places in New York State. He asked Mr. Langey about the response received from New York's State Historic Preservation Office (SHPO).

J. Langey said SHPO did not have any direct concerns and offered any assistance the Planning Board might request of them.

J. Langey then led the Board through Part 2 of the Full Environmental Assessment Form (FEAF). He said the only issue the Board had identified was the one Mr. Bowers had mentioned (about the proximity to the Parker Farmhouse) which was Item #10 on the form and that impact was found to be minimal.

D. Bowers said the Applicants had been asked to submit a planting plan to hide the array, which had been submitted and reviewed by the Board. He invited questions or comments from the other Board members.

A. Ferguson felt the planting plan was adequate.

Motion by D. Bowers, seconded by A. Ferguson, to affirm the matter a Type I Action, to make a Negative Declaration, based upon the Board's review of the Full Environmental Assessment Form (FEAF), and to approve the site plan as most recently submitted was carried unanimously.

*2974 West Lake Rd Realty Trust/David Miller -- Site Plan Review – 2974 West Lake Road,
File # 22-1415 (Anne Ferguson) Cazenovia*

David Miller was present to represent the file as was John Templin of Leatherstocking, LSC who will be doing the work.

A. Ferguson explained the project was to restore the shoreline of Mr. Miller's property and asked him to give the Board an understanding of his proposed undertaking. She said she would display the photographs included in the submission as he explained his request.

D. Miller spoke about a marshy wetland that exists along his shoreline approximately 30 feet from the hill to the water. Since he's lived at the location, about four (4) years, he has noticed significant erosion. He said this wetland was a critical area because it significantly filtered the water, and his fear was if he were to do nothing, it would all erode in ten (10) years. His first thought was to have Leatherstocking, LSC install boulders to stop the erosion. He had emailed a video of the shoreline which showed a number of stumps in the water where once there had been trees. He would like to preserve that area as much as possible. He had the New York State Department of Environmental Conservation (DEC) and the Army Corp of Engineers (ACOE) visit the site and changes to the original design were suggested. They wanted the stones 12 inches in diameter at the mean water level to facilitate animals being able to "get up and down" in that area. It would be a 2-foot section of stone from the shoreline out; the shoreline itself would not be touched; all the work would be done from a barge. A 24-inch piece of fabric would also be placed to help stabilization. He also proposed to install some planting behind that to help stabilize the soil using viburnum and fox sedge, which were two choices suggested by Ms. Ferguson.

A. Ferguson explained when she and Mr. Ridler visited the site, they observed that there was a lot of skunk cabbage growing in the area in question which she thought looked quite nice, so it was not necessary to do much extra planting.

A. Ferguson noted the DEC approved of the plans as did the ACOE, however it was noticed today that the project expiration date given by the ACOE was March 2022. It was her understanding that the approval was given in November, but the work could not be undertaken in the winter. She sought guidance from Mr. Cook and Mr. Langey about the expired approval. She found the overall report from the ACOE was positive, but the expiration date was a problem.

R. Cook said it was his opinion, which he had expressed earlier today, that unless there was an exception, he felt the approval would need to be reissued.

J. Templan said the ACOE would give them an extension. He said they had made a telephone call to see about that earlier today, but they had not heard back at this point. He was certain they would hear tomorrow.

J. Langey counseled that any approval should be subject to the receipt of the extension being filed at the Town Office.

A. Ferguson asked if that condition was acceptable to the Board.

The Board expressed acceptance.

A. Ferguson asked if there were any other questions.

There were not.

Motion by A. Ferguson, seconded by G. Rasmussen, to appoint the Planning Board as Lead Agency for the purposes of the State Environmental Quality Review (SEQR), to affirm the matter an Unlisted Action and make a Negative Declaration based upon the Board's review of the Short Environmental Assessment Form (SEAF), and to approve the site plan as most recently submitted conditioned upon the documentation of the ACOE written extension being filed at the Town Office prior to the undertaking of the work was carried unanimously.

*Curran, Christopher & Ashley -- Site Plan Review – 3340 Cannon Crest Drive
File # 22-1422 (Dale Bowers)*

Christopher Curran was present was present to represent the file as was Ronald Milback of Milback Custom Homes, LLC.

D. Bowers explained this parcel was on the opposite side of Cannon Crest from the site in the development approved at the last meeting. He said as far as he was concerned there was no problem with the site. He said Madison County Planning had returned the General Municipal Law Recommendation Report (GML) and the County had no issue with the proposal.

J. Dunkle asked if there were any restrictions on the lot.

D. Bowers said there were not, explaining it was on the west side of the road. He asked if the Board had any questions.

No one asked any questions.

J. Langey said this was a Type II Action.

Motion by D. Bowers, seconded by T. Clarke, to approve the site plan for a new home as most recently submitted was carried unanimously.

*Hollembaek, Robert & Eileen -- Minor (1) Subdivision – 2186 Dqmon Road,
File # 22-1425 (Jerry Munger) New Woodstock*

Robert Hollembaek and Zachary Titus were present to represent the file.

R. Hollembaek explained that Mr. Titus lives at the property. He explained there were 50 acres of land and MITHVA Farms presently farms it. They would like to subdivide 40 acres to sell to MITHVA Farms and then the remaining 10 acres with the house, the barn, and the riding arena would be sold to Mr. & Mrs. Titus who have resided on the property for six (6) Years.

A. Ferguson asked if MITHVA Farms was a neighbor.

R. Hollembaek answered it was owned by the Hirt family. He said Mike McCully was in the process of creating the survey showing the new property line.

D. Bowers remarked the survey would need to be submitted for the public hearing.

R. Ridler asked if there were any other questions.

J. Langey asked that the map be on file as soon as possible because the public may want to view it once a public hearing notification has been done.

R. Hollembaek asked if would need to be submitted by June 22, 2022.

He was told it would.

Motion by D. Bowers, 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 move the file to a public hearing at the next meeting was carried unanimously.

Instructions regarding notification of the neighbors for the public hearing were given to Mr. Hollembaek at this time.

D. Bowers informed Mr. Hollembaek that the file would be continued another month in the event the maps were not ready for the July meeting deadline.

R. Hollembaek asked the number of maps needed.

He was told to submit three (3) paper maps and two (2) mylar maps.

J. Dunkle asked about the need for a percolation (perc) test location to be included on the newly created lot.

Because it was stated in the application that the 40-acre lot would be sold to MITHVA Farms for farmland use, no perc test needed to be included.

*Budnar Joint Revocable Trust -- Site Plan Review – 5700 Rathbun Road, Cazenovia
File # 22-1426 (Thomas Clarke)*

Douglas Jarvis of Green Visions Solar, LLC was present to represent the file.

T. Clarke said the proposal was for a solar array and asked Mr. Jarvis to explain the details.

D. Jarvis described the location of the parcel as the second from the end of the road, on the right side of the dead-end road past the ski club. Viewing the aerial Site Assessment, he said the array would be about 300 feet from the road and about 130 feet from the rear of the house in a wooded area.

A. Ferguson asked the size of the array.

T. Clarke answered approximately 31' x 13'. He explained it would be surrounded by mature trees on three (3) sides. He elaborated that the only side exposed would be the homeowners' side.

D. Bowers asked if there was any need to (further) screen the array.

T. Clarke responded, "No." He thought the array might be visible as one drove down the driveway and said there was only one other house beyond this locale down the road. He concluded he saw no problem with the proposal.

T. Clarke asked the height.

D. Jarvis answered they "would make it under ten (10) feet," which was required in the ordinance.

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 to approve the site plan for ground mount solar as most recently submitted was carried unanimously.

*Savage, Catherine & Glenn -- Line Change – 2529 Juddville Road & Juddville Road
File # 22-1427 (Gerald Rasmussen)*

Glenn Savage was present to represent the file.

G. Rasmussen asked Mr. Savage to describe his proposal.

G. Savage said they own two (2) adjacent lots with one being abandoned agricultural land. They would like to build a shop, so they want to transfer a small amount of land (from the vacant lot) and incorporate it into the land that accompanies the house.

R. Ridler asked the amount of land that would be transferred.

It was calculated to be about ½ acre.

R. Ridler asked Mr. Cook about the transaction.

R. Cook asked the resulting sizes of the lots.

G. Savage answered the lot having the house would be 4.83 and the other lot would have 9.43 acres.

Motion by G. Rasmussen, seconded by D. Bowers, 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 file to a public hearing at the next meeting was carried unanimously.

Instructions regarding notification of the neighbors for the public hearing were given to Mr. Savage at this time.

*EBAC, LLC/Owera Vineyards -- Site Plan Review – 5276 East Lake Road, Cazenovia
File # 22-1428 (Robert Ridler)*

Jo Anne Gagliano and Joseph Falco of EDR, and Richard Ruggaber of EBAC, LLC were present to represent the file.

A. Ferguson asked that the Applicants speak audibly so the many in attendance for this application could hear.

J. Gagliano explained they were at the end of the lifespan of the tent, and she showed the location of that component, which she said was adjacent to the parking lot where events are held, on the site plan drawing displayed. She said it has been ten (10) years since their original discussion with the Planning Board, so she felt it was helpful to show the stages of approval throughout the years, and she had a second rendition to illustrate that.

The first panel showed the existing building, the tent structure, and a piece of the parking lot which was the footprint of the project in 2012 when it was first approved. The second block showed what was approved in 2015. She reminded the Board that they had proposed a solid building with a terrace at that time as a remedy for the sound issues associated with the activities in the tent. That building was never constructed. The request today was to know whether they should replace the tent structure with another tent structure or if they should endeavor to help minimize some of the impacts that have arisen over the years.

J. Gagliano continued saying they have looked at the site starting from the entrance all the way to the event area to see how they could improve the impacts based upon the commentaries they have received over the years. She said the yellow circled areas on the drawing were where the existing lighting was located. She said their intent was to remove those light fixtures and replace them with today's current technology which she said has changed significantly, and which would be certified dark-sky compliant. She offered to have a manufacturer bring some examples. She felt they could work with the Board to address the complaint in the past about the brightness of the lights.

R. Ruggaber added they could try to install a light.

J. Gagliano said the Board could then view it. She said the site is a beautiful, pastoral setting so without changing the character of the property, they additionally sought to increase screening at different levels throughout the property by using new vegetation in hedgerows or natural massing forms without creating blockages to ruin people's view. They propose to bolster the evergreens behind the street line, as well as in an area near an adjacent neighbor, along the driveway as one leaves the site, and along the parking lot. She said they drove the site and looked at where headlights would be (seen) and where cars would be visible during the day.

A. Ferguson asked if there was a way the Applicants could measure that, so that it could be said that lights would be blocked to the neighbors across East Lake Road.

J. Gagliano explained mock-ups could be done to demonstrate the effects of the shielding from the cars one evening. She mentioned they would also install plantings off site if it was permitted, but at this time they only proposed plantings on their own property. She said the parking area has a hedge along a section now, which could be extended so the parking lot would not be visible at all.

J. Gagliano said the terrace that was approved in 2015 they now feel needed to be enclosed to become a 3-season-type room which would create more buffer between the activities inside the building and the outdoors. She explained it would not be heated, but it would have a roof and sides and be useful to walk through.

J. Gagliano said the existing structure on the footprint would be modified if it were to be attached to a solid structure. The new proposed structure would be smaller than the approved 2015 structure. This proposal would eliminate an additional room, feeling it was no longer a necessary component. Also removing that room would allow them to create outdoor space in that area having the solid structure between the outdoor space and the road to impede sound traveling.

J. Gagliano said the intent of the proposed building was for enclosure, making it like the other building on the site which does not have noise transmission. She said they desire to ascertain if it makes sense to go forward with a permanent structure which they feel

will lessen or mitigate some of the issues that have been brought up to them in the past in lieu of a tent structure. She said they could take any questions about the architecture which would be very much in keeping with the existing building, being cognitive of how it would look as well as how it would function. She said if this were determined the right direction to go, there would be many details that would be addressed such as stormwater management, wastewater, the number of restrooms, with plenty of room to expand what they were asked to do originally, and the same with the septic system if need be. They would work with John Dunkle on those details.

J. Langey said in 2015 a lot of time was spent talking about the enclosed building and its ability to attenuate noise. He asked if the same noise attenuating properties were being proposed for this building.

J. Gagliano answered that everything would be different. She said the products would be different – they were not reproposing the same structure because so much time has passed.

A. Ferguson asked if the technology has improved.

J. Gagliano said she could not speak to that yet because they did not have those details together, but in general, all the (newly proposed) materials transmit noise less than the materials for the original proposal.

J. Langey recalled the window and door systems were sealed which was touted to dampen down the sound coming from the inside.

J. Gagliano said they would have to get into the detail component (in the future).

J. Langey asked when she would have that information.

J. Gagliano answered they “would continue on with this as we go.” She said they would be coming back to the Board monthly; it would be “in the near-term, not the far-term.” She said tonight was about their introducing the project and showing what they have conceptually before spending a lot of time “digging into details and cross-sections.”

R. Ridler said at the beginning of the conversation there was talk about the lighting and minimizing the impacts of headlights, and he wondered what would minimize the impact of the headlights right at the gate when cars exit, with lights shining across and up and down the road.

J. Gagliano believed off-site vegetation on other properties, if the property owners were willing to have it, would be very helpful.

R. Ridler asked if they would be prepared to install that off-site vegetation.
J. Gagliano said, "Yes." She said they had proposed that originally in 2015.

A. Ferguson recalled that and believed the neighbor had declined.

J. Gagliano said that was correct.

D. Bowers said if he understood correctly, the Applicants' desire this evening was to determine from the Board whether the Applicants should move forward with this project or get another tent.

J. Gagliano said that was correct.

D. Bowers said to that end, he did not see an issue with the building and its components such as landscaping, but he felt the real issue was the proposed, extended hours of operation. He felt Ms. Gagliano needed to know that to make her decision.

J. Gagliano agreed that was a good step to start the consideration because that was why the 2015 building was not built; in addition to the cost and effort of making the structure sound-attenuating, the hours were reduced which rendered it not financially feasible.

A. Ferguson asked if they were faced with the same situation now.

J. Gagliano believed if other hours were not allowed, operating as they are operating today, the tent would be chosen. She said the expense of the structure was the reason. She said they are seeking to have the same hours as the Tasting Room. She questioned having two (2) buildings with very different hours of operation regardless of the different sizes of the congregations of people using them. She commented building a full building with reduced hours did not make sense. She felt a dialogue of (how to expand) the hours and how to make it work should at least be discussed. She explained their thought process was the existing building was enclosed, they do not have sound leaving it, they have music in it, and it has hours that allows it to have flexibility for parties, events, "and regular traffic." They would like to see the same thing for the new proposal.

D. Bowers asked what activities were anticipated in the new structure during weekdays.

J. Gagliano said they could bring that information.

D. Bowers asked if they anticipated having weddings on weekdays.

J. Gagliano stated they did not. She said it was her understanding that there was a desire for gathering places with more room since COVID – bigger spaces for fewer

people for business get-togethers since people work less in office environments. She felt there would be conferences, team-building events, and seminars, and she said they have not been able to provide that since they do not have weekday hours. She believed the weekday hours were important to the financial feasibility. She said they could get more information for the type of events that would be happening.

A. Ferguson asked if the current hours (for the tent) were Monday – Thursday 11:00 AM – 5:00 P.M.; Friday – Saturday were 11:00 A.M. to 10:00 P.M. She asked about Sunday hours.

J. Gagliano said currently the hours were Sunday – Thursday 11:00 A.M – 5:00 P.M.

J. Langey asked the current proposal for amplified sound, if there would be no amplified sound outside the building.

J. Gagliano stated there would be no amplified sound outside the building, saying they have never been allowed to have that.

R. Ridler asked the capacity of the tasting room.

Per the Building Code, it was estimated to be 115 patrons inside and 64 patrons outside.

A. Ferguson said the proposed capacity for the new building would be 250.

J. Gagliano responded that would be the maximum; she did not think they would often have that many. She said they could get more specifics for the use, and she could request data from the last year to identify what's been happening to give the Board a good sense of it.

A. Ferguson asked if the last year would be indicative of future use.

D. Bowers thought that would be helpful.

A. Ferguson did not believe corporate events lasted until 10:00 P.M. She said with COVID she did not feel the last two (2) years were indicative, since hours have been shorter.

J. Gagliano said they could collect information regarding the number of people and the number of events to have a sense of who was "coming and going."

A. Ferguson felt that was helpful to provide a baseline.

J. Rasmussen asked how far back.

J. Gagliano said they could research prior to COVID.

A. Ferguson thought 2019 to present would be appropriate.

R. Ridler asked if a tent was used to replace the existing tent, would the new one be identical to the current.

R. Ruggaber said the structure would not be changed, but the tent material would be different. He said the aluminum framework would remain.

A. Ferguson asked how COVID impacted the usage of the tent.

J. Gagliano answered people were “pretty locked down” the first year, but in 2021 there were weddings, often due to the open space (they provided). She said they could supply that information.

J. Langey said he knew Ms. Gagliano reviewed the entirety of the prior approval for the building that was never constructed and was familiar with the conditions the Planning Board had placed. He said if she had comments on those conditions outside of the new aspects of the proposal, perhaps that would be helpful at the next meeting. Although he made it clear nothing was decided (at this time), he suspected that many of those “conditions would find their way back” into the next resolution, if there was one. He explained if the hours were a non-starter, the Applicants would want to know the other conditions that may be (part of a potential approval).

A. Ferguson stated she was concerned about the linkage of the expanded hours to the other improvements on the site. She did not want the Applicant to waste time creating detailed specifications only to find the (approved) hours would be unacceptable. She said she was trying to figure out how to navigate, saying she applauded the proposed improvements to the site, which she felt would benefit the neighbors. She said if those improvements were contingent upon the expanded hours, she felt there was an issue.

D. Bowers said that was his reason for asking, (since there was no reason to discuss details that may not be implemented).

A. Ferguson agreed about not wanting to anyone’s waste of time.

D. Bowers indicated the Board has been made aware of the Applicants’ position, and thought now the Board needed to consider it to determine what was right individually and collectively.

J. Gagliano asked what could be provided to help the Board make that decision in the best way possible. She thought getting a record of when, what, and how things happen on site, (types of) events, and also providing what they feel will make it

financially feasible knowing what they could or could not bring in would be useful, unless the Board was not interested in that information. She said they do want to take the proposal to the next step for the Board's consideration, but if the Board felt the tent was a better option, they wanted to understand that was the case.

R. Ridler said to be clear, the current hours (for the tent) were 11:00 A.M. – 5:00 P.M. Sunday – Thursday, and Friday – Saturday 11:00 A.M – 10:00 P.M.

J. Gagliano affirmed that was correct.

R. Ridler then repeated what was being requested to make the building feasible was 11:00 A.M – 10:00 P.M. daily.

J. Gagliano responded that was in the document submitted because those were the hours of the existing solid building. She said that was a starting point, and they know the approved hours of the prior approved (2015) building would not work, which were Monday – Thursday 10:00 A.M – 6:00 P.M.; Friday – Saturday 10:00 A.M – 9:00 P.M.; Sunday 10:00 A.M. – 5:00 P.M. She said they “need to show a true picture of what happens there and how it can be mitigated and how we can work with you and talk to you about it.”

D. Bowers asked, to that end, how many Board members “see a red light.” He said if the Board saw a problem with the hours, Ms. Gagliano needed to know that now. If the Board was willing to look at it, perhaps with caution, “that was different too,” and Ms. Gagliano needed to hear that.

R. Ridler asked if they should poll the Board.

J. Langey interjected that some members of this body were not present in the past and he was not sure if it was fair to request their temperature even knowing that would not be a final decision. He asked Ms. Koppers if she had enough information.

M. Koppers responded she had attended the meetings for the previous 2015 (proposal).

A. Ferguson asked if the original approval was given in 2008.

J. Gagliano said discussion about it had started in 2008.

A. Ferguson explained when the original site plan approval was given, the Vineyard “operated for a while and did not live up to what was in the original proposal and that’s resulted in the constrained hours that were adopted.”

J. Gagliano recalled the problem was that there were no hours specified until 2015.

A. Ferguson countered there was a reason for the set hours. She said she was trying to anticipate if the same situation would arise if the new building were built with approved hours, and issues would then result involving the Planning Board in the future. She stated that was her concern.

J. Gagliano said the issue of hours had arisen multiple times, and she recalled the other issues resulted from not having the hours specified. She said the problems were not intentional or anticipated. She continued saying she has been cautious since then to review past resolutions and recite the hours found in them. She agreed if they broke rules that was a problem, but she did not recall that was the situation. She said she would double-check the records she has. She stated that in preparation for this proposal, she went through all the documents, including past Planning Board minutes, to record and categorize the complaints, in an effort to fix the situation “in any way possible.” She said there were 3 – 4 main issues which they have endeavored to remedy. Regarding hours, she felt they were not “put in concrete” until 2015. She said the hours were important in considering the financial side (of the proposal), so it could be affordable to operate.

A. Ferguson spoke about community confidence if the building were silent and able to dramatically improve the situation for everyone involved, which would then support an expansion of hours of operation.

T. Clarke mentioned other similar endeavors such as the (Madison County) Distillery, and Golubs’ Farm having certain hours and the precedent of expanding hours of operation for this one business.

A. Ferguson believed the terms should be site-specific, however. She said there were no universal standards for all event locations for farm operations.

J. Langey said in 2015 the Board made certain findings, recognizing the residential character of the particular neighborhood adjacent to Ower, which set the baseline for the approved hours at that time.

T. Clarke added there has been a history of noise complaints (associated with the Vineyard from the neighbors). He asked Mr. Cook if that was correct.

R. Cook answered, “Yes.”

J. Gagliano repeated they had researched the complaints and categorized them. She said they could play loud amplified music from inside the building, as they had done before, so the Board could experience the sound outside. She said they were willing to do whatever it took to ensure (satisfaction), but she could not guarantee that no sound would escape when a door was open, but speaking in general, a solid structure would “make a huge difference over the tent for sure.” She stated they prefer to build the

structure, feeling they will continue to get complaints if another tent were erected using a fabric like canvas rather than a building wall. She repeated that was the reason they were before the Board, to consider how they can improve it without making people feel uncomfortable, hitting those detailed components, and saying they will be flexible through the process. She said in the past, if there was an issue and Mr. Cook was called, the issue was addressed; she did not think there were any major complaints in the last year even though weddings and other events were held.

J. Langey asked for the wedding calendar from the last year until present.

J. Gagliano responded she would like to do that including 2019.

J. Langey said any information provided to the Board would be beneficial. He also felt the mock-up would be helpful, if the Board wanted to entertain that possibility.

J. Gagliano mentioned they had considered fencing, but because it was a beautiful sight from the road, they did not feel stockade fencing throughout to be appropriate, however, hiding a stockade fence within a vegetative buffer in a certain area may be an option.

J. Langey asked how many houses were impacted by headlights across the street, wondering if it was two (2) at the most.

J. Gagliano thought two (2) would be impacted by cars exiting onto East Lake Road. At the top of the site, where the parking lot was located, she was unsure.

R. Ridler asked if they thought they could mitigate that impact with (additional) plantings.

J. Gagliano believed they could or with the installation of a fence within the plantings.

R. Cook mentioned another house to the north that probably was impacted.

J. Gagliano spoke about the trees in one area that were planted atop a berm, saying there was an opening that could be filled as well.

A. Ferguson asked about the trees removed by Madison County Highway Department.

J. Gagliano clarified the County removed the dead sugar maples (along East Lake Road) but the Norway maples remain. She felt if some were removed, the remaining maples would develop more.

T. Clarke asked about a decibel limit.

J. Langey explained there was a decibel limit as part of the approved resolution, however, there was not an overall noise ordinance, clarifying certain uses have had that constraint.

R. Ridler commented that he has heard Ms. Gagliano use the word “flexible” a number of times and thanked her for that. He asked if there was any flexibility regarding the hours.

J. Gagliano responded, “they would have to talk about (hours), but they have to make that decision in an educated way.” She thought the hard part for the people operating the Vineyard was the “random” restriction without having gotten data from those operating the business. She said they need to determine when people want to be in facilities such as this one, when they (typically) visit. She believed if the Board was willing to understand that, and if she was able to bring that information to the Board, together they could determine what would make sense.

J. Langey responded that the last time the Board made a determination, the Board considered information regarding other wineries, he believed in the Finger Lakes, that hosted weddings.

J. Gagliano believed the proximity to the city (Syracuse) made their situation different. She emphasized the importance of making an informed decision about the hours (of operation). She felt there was “no rhyme or reason” previously. She stated they were willing to provide the information they had, and spoke about their willingness to provide research for other businesses similarly placed around a city for discussion. She stated their flexibility was regarding their changes to the site, to help them demonstrate what they were trying to accomplish.

R. Ridler said a consideration he had was the level of activity that would be generated regardless of the hour or if the traffic could be seen (on the site). He felt the increased traffic proposed every day of the week in this area was a consideration.

J. Gagliano said last year videos were taken “of comings and goings of events” because it was noted in the resolution and in the minutes that the number of cars was a concern. She said an interesting observation was the number of people who take buses or shuttles to events.

M. Koppers pointed out the events suggested differed from the types of events that would use that mode of transportation.

J. Gagliano believed evening events were the ones found to be the most bothersome, however, according to what she read.

R. Ridler asked if there would be approximately 125 cars for the maximum occupancy of 250 people.

R. Ruggaber answered the maximum number was based upon the Building Code and the square footage of the building.

J. Gagliano added that typically that size event was not the norm. She said they could compile the information showing when the events took place, what the events were, how many people and cars came, and whether shuttles were used. She affirmed they were not proposing to change any parking on site. She stated the square footage of the proposed structure would be essentially the same as the tent, being only 4 – 8 feet more.

D. Bowers repeated the Board needed to decide what the hours of operation should be. He said the rest of the details could be developed to meet whatever the Board determined was appropriate. He felt the Board needed to do its due diligence regarding the hours of operation.

A. Ferguson expressed her desire to see data.

D. Bowers pointed out the data the Vineyard would provide would be data that was satisfactory for the Vineyard. He repeated the Board needed to do their own due diligence (in collecting data). He told Ms. Gagliano she could provide whatever information she felt was helpful, but the Board needed to wrestle with what they believed would be fair hours, if they wanted this to move forward. Or they could decide they want to leave it with a tent, which was fine too.

J. Gagliano said she would provide information for the Board.

M. Koppers expressed curiosity about the events that would be taking place weekday evenings.

R. Ridler repeated his concern regarding the impact of (increased) activity seven (7) days a week, including the related traffic associated with the execution of events.

D. Bowers called that the cumulative impact.

J. Gagliano did not believe there would be activities seven (7) days a week, but understood it was upon them as Applicants to show what would happen if they were given the opportunity.

Motion by R. Ridler, seconded by T. Clarke, to continue the file was carried unanimously.

A. Ferguson suggested Ms. Gagliano show the charts that they have been using this evening to the audience.

J. Gagliano took them to be viewed by those in attendance and offered to leave them if they so desired.

D. Bowers asked if the Board wanted to move forward by determining if there were certain components of the proposal each member should tackle, for example events other such businesses may host, which could then be discussed at the next work session.

M. Koppers believed there was a lot the Board needed to know before making a decision.

J. Langey said he wanted to spend some time reviewing the previous resolution, and encouraged the Board to do so as well, saying they had taken a great deal of time explaining the reasoning for the conditions. He said some of those things may have changed over the last seven (7) years.

Motion by D. Bowers, seconded by A. Ferguson, to adjourn the meeting at 8:38 P. M. was carried unanimously.

Sue Wightman, Planning Board Secretary – June 3, 2022