

Town of Cazenovia Planning Board

Meeting Minutes

June 3, 2021

ZOOM video <https://madisoncounty-ny.zoom.us/j/98189829878>

Meeting ID: 981 8982 9878

Or Dial by phone (no video)

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

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

Members Absent:

Others Present: John Langey; John Dunkle; Roger Cook; Don Ferlow; Malcolm Williams; Laura Jungkind; Matthew Vredenburgh; Peter Donohoe; James Scholefield; Jon & Kathy Verbeck; Charles (Sam) & Gail Woods; Donna Shaffner; Dana Song; Michael Barnes; Steven Calocerinos; Douglas Jones & Cathleen Jones; Kathy & Rick Stoeckel; Kyle Reger; Kristi Andersen; Gerald Mehlbaum; David Vredenburgh; Richard & Betsy Sadlon; Chris Anderson; Thomas Lampros & Maria DiElsi; Pamela Ryan; Kim Mitchell; Joan Curtis; Mary Pat Northrup

R. Ridler was ready to call the meeting to order at 7:30 P.M. but people were still joining until 7:33 P.M. He read the following announcements:

Town of Cazenovia – Planning Board – Meeting Minutes – June 3, 2021

“Welcome to the June 3, 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.”

Motion by A. Ferguson, seconded by T. Clarke, to approve the May 6, 2021 Zoom meeting minutes was carried as follows:

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

The next regularly scheduled meeting will be Thursday, July 1, 2021.

The next deadline day will be Wednesday, June 16, 2021.

The next regularly scheduled work session will be Thursday, June 24, 2021.

HEARINGS

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

Malcolm Williams was present to represent the file.

Motion by A. Ferguson, seconded by B. Wendel, to open the public hearing was carried as follows:

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

A. Ferguson said since the last meeting documentation was provided showing the envelope of the proposed house, the shed, and a proposed solar panel location. She asked Mr. Williams if the solar panels would be no greater than ten (10) feet tall and if there would be no neighbors whose views would be impacted (by the panels).

M. Williams said that was correct.

A. Ferguson also asked if the panel location would be as shown, to the side of the house.

M. Williams responded, "Correct."

A. Ferguson continued by saying this was a one-time carve out of a conservation subdivision and saw no other issues.

A. Ferguson asked if there was any one present wishing to speak in favor of or in opposition to the application.

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Hearing no one, motion by A. Ferguson, seconded by B. Wendel, to close the public hearing was carried as follows:

Anne Ferguson	Voted	Yes
Jerry Munger	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 approve the minor (1) subdivision as most recently submitted was carried as follows:

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

See discussion at the end of the meeting regarding clarification regarding the approval granted due to the mention of solar panels preceding the approval.

*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.

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

Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes

Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

G. Rasmussen explained that the existing lot would be split between Ms. Jungkind's other existing property on Delphi Road with the remainder of the property to be sold and added to the neighboring parcel owned by the James and Peter Holmes' farm.

G. Rasmussen asked if there was any one present wishing to comment.

Hearing no one, motion by A. Ferguson, seconded by G. Rasmussen, to close the public hearing was carried as follows:

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

Motion by G. Rasmussen, seconded by A. Ferguson, to approve the line change and the line elimination as most recently submitted was carried as follows:

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

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. Her file was moved forward in the agenda since she was in an airport, and her plane was leaving at 8:30 P.M.

R. Ridler asked Ms. Shaffner to explain her proposal.

D. Shaffner said they purchased land at the southwest corner of Cazenovia Lake which also crosses over to the other side, west of New York State Route 92. She elaborated that at some point they would like to build on the land, but that would not be until they retire in 3 – 5 years. Currently they would like to “clean up the property.” She said they have removed the trash that was on the property. She created a power point showing photographs of the site.

D. Shaffner elaborated one of the first things they would like to do was to remove the fence.

R. Ridler said the Board saw the schematic where the Applicants plan to remove the fence, cut grass, and remove brush and vegetation.

A. Ferguson shared her screen to show the photographs while Ms. Shaffner described the site and her plans.

D. Shaffner said they had spoken with New York State about the State-owned swale. She said there were plans for that to be dredged and cleaned, and she hoped to remove that debris, some of which would required a large excavator to remove.

D. Shaffner said she would like Jeff Stowell to remove the fence with excavation as well. She explained there was poison ivy with branches an inch thick in the area. She said the metal fence would be removed and replaced with a white 3-rail vinyl horse fence.

D. Shaffner said where brush would be removed under the mature trees, they would like to plant hostas, ferns, and native plants. They were also considering planting red bud trees along the side of the fence.

The next photograph displayed some of the debris currently in the swale.

The following slide showed the existing gravel drive which had become overgrown with grass. Ms. Shaffner said they did not want to use pesticides thinking Mr. Stowell could scrape that area with his equipment and they would then install new gravel, or an alternative the Board may suggest.

Another picture showed the brush growing in the swale area which was honeysuckle, poison sumac, and similar species.

D. Shaffner said they would keep all remaining trees, that were not poisonous. She also spoke about repairing an area with new rip rap where the stone was washed away.

D. Shaffner said the application mentioned a boathouse, but they were informed that the house would have to be built prior to having any auxiliary building, so that part of the proposal had been removed. They were hoping to bring electric service to the site.

A. Ferguson asked if the approval being sought at this time was for a land disturbance permit to do the clean-up or if specific landscaping approval was also being sought. She said if landscaping was requested, the Board would want Don Ferlow of the Cazenovia Area Conservation Commission to review the plan for any proposals along the lakeside.

D. Shaffner responded, "That would be fine."

R. Ridler asked John Dunkle if he had any comments regarding the proposal.

J. Dunkle answered that he would like to review the plan, but he did not think any impervious surface area was being added. He said he would like to see the details of the proposal.

T. Clarke asked Mr. Dunkle if any permits would be needed from the New York State Department of Environmental Conservation (DEC) or the Army Corps of Engineers (ACOE) for the rip rap.

J. Dunkle responded that if the Applicants disturb the shoreline, they would.

D. Shaffner interjected that they have contacted the DEC and the ACOE and a representative said there was an endangered species found in the southwest corner of the site. She was unsure if it was a plant or an animal. She had spoken with Cynthia Hill of the DEC who advised they not do anything with that corner currently. She said they would not do the rip rap replacement until the spring of 2022. She indicated if this component would delay the other work, they would not include it.

J. Langey said he was just seeing the power point for the first time, and he would be more comfortable if the Board had a better understanding of the scope of the project. He was unsure what the Board was being asked to approve tonight. He saw some potential waterfront issues as well as some driveway access questions. He cautioned the Board to be careful about giving any approvals until they had a complete and full picture of what they were being asked to approve and considering what other agencies might be involved. He heard mention of the DEC, the New York State Department of Transportation (DOT), and the ACOE. He believed the Board should see letters from these agencies confirming their positions.

D. Shaffner expressed understanding. She said this meeting was to help her understand the process. She explained the replacement of the fence, the clean-up of the overgrown brush and mowing were the items they would like to do at this time, saying they could stay away from the shoreline. As she told Mr. Cook, she wanted to do things within the letter of the law but they would like to improve the property and make it attractive since it has been "an eye sore" for quite some time.

R. Ridler asked Mr. Langey if the Board needed approval in writing for the plans from the DOT, the DEC, the ACOE, not only for removal of the fence but for access to the property with a new use.

J. Langey agreed saying he did not want to overreact, and he thought the Applicant could mow the lawn, but he believed any other removal should be reviewed by Mr. Dunkle to ensure the vegetation was not serving a drainage purpose. He thought Mr. Dunkle should review any material being removed. Acknowledgement that there were no concerns with the project from the agencies mentioned was also needed.

J. Dunkle said it would be helpful to the Board to have a site plan submitted by the Applicant.

A. Ferguson added the site plan should be more detailed than a sketch. She asked if all the docks and boats currently using the property as a “quasi-marina” were going to remain on the newly acquired property.

D. Shaffner explained the previous owner, John Thomasmeyer, had promised the people using the site that if the property were not sold before April 1, 2021, they could use it for the remainder of 2021. She said it was not her intention to have the marina past this summer.

A. Ferguson asked if the docks would be removed as part of the future plan.

D. Shaffner said knowing they could not construct a boathouse at this time, they might want to have three (3) docks for family use.

A. Ferguson said to Mr. Dunkle’s point, if Ms. Shaffner could prepare a site plan that shows what they are proposing to do, even if it will not be until next year, so the Board could review the project in total and see what will be happening in the CEA versus the remainder of the property, that would be an official survey for the Board to work from.

D. Shaffner said she was hoping to have some excavation of the fence arranged after this meeting, but she asked if at this point, she would need to put material together for the Board and wait for the next meeting in July.

R. Ridler affirmed that was the case.

D. Shaffner asked if they could remove the trash – the large pieces of wood - that were in the swale.

R. Ridler asked if that was on the State right of way.

D. Shaffner responded that it was in it. She elaborated that the wood was old bridges that the State let rot in there. She was certain she could get a letter allowing its removal because she had been verbally informed she could remove it since the State did not want to.

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

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

D. Shaffner expressed appreciation for the Board’s moving her file ahead on the agenda.

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

Matthew Vredenburg was present to represent the file and Peter Donohoe was in attendance.

J. Munger invited them to address some of the issues the Board has had and to let the Board “know where they stand.”

M. Vredenburg summarized the changes they have made since the previous meeting based upon the Board’s comments. The height of the house was lowered from 29’ 5” to 28’ 2” as measured from the east side. The height of the house was recalculated per the Town’s measurement formula and would be 25’6” as measured from the lake side. They have affectively buried the basement. A walk-out basement was originally proposed and now only a small window in the southwest corner under the deck would be revealed which would help light the basement – that was done to reduce the visual impact from the lake. The proposed second floor deck had been removed from the plan. The proposed floor to ceiling windows on the first floor and the second floor have been removed from the plan resulting in a large reduction in glass. At Mr. Bowers’ suggestion they will conserve a cedar forest to the depth of 100 feet that exists along East Lake Road.

J. Langey said at a prior meeting there was talk about protecting the neighbors' older tree using an air spade method. He asked if that was still part of the proposal.

M. Vredenburg responded, "Absolutely," and he described the method they would be using.

R. Ridler asked if that method would be used for the other large tree on the property to the south.

M. Vredenburg affirmed it would be used to preserve the Owners' oak tree as well.

A. Ferguson commented the proposed redesign was "much improved." She asked if the Applicants would be agreeable to providing photographs of the existing structure from all sides before it will be demolished as part of the permanent record to retained in the file.

M. Vredenburg already had those, and he indicated that he would gladly submit them.

J. Munger asked if the Stoeckels wished to comment.

K. Stoeckel said their comments were submitted in writing the day before. They understood the challenges of the constraints of the buildable area, and said their final concern was regarding the garage. The initial request was for a garage, but after the variance was granted a second story to the garage was added to the plan. The height of the garage has been lowered but it still would have a large dormer and three (3) windows that would face their property.

D. Bowers thanked Mr. Vredenburg for genuinely listening to the Board and doing his best to provide, in a fair way, what the Board had asked of him.

R. Ridler agreed.

K. Stoekel said they agreed the newer proposal from the lake view was "significantly better." She also said the added vegetative screening and the smaller windows "were definitely improvements."

J. Munger asked Mr. Langey about the State Environmental Quality Review (SEQR).

J. Langey then led the Board through the questions on Part 2 of the Short Environmental Assessment Form (SEAF).

J. Langey then reviewed the conditions he gathered from the discussion. He said the construction would be specifically done according to the last revised plans submitted

to the Town and Mr. Vredenburgh would provide him with a list of those drawings which:

- 1) capture the lowering of the height of the house as Mr. Vredenburgh just described;
- 2) show the grading which in affect will bury portions of the basement;
- 3) reflect the removal of the second-floor deck;
- 4) reflect the removal of the floor to ceiling windows – reduction in the glass area;
- 5) the protection of 100-foot-deep area for the cedar stand near East Lake Road;
- 6) the use of the air spade method to protect the neighboring tree and the Applicants' tree on the site; and
- 7) the request for photographic documentation for all elevations to serve as a matter of record of the existing, current house.

K. Stoeckel said another item they wanted to protect their tree was fencing around the critical root zone to ensure there would be no construction vehicle damage that would compress and damage the roots. That request was included in a letter they sent about a month ago.

A. Ferguson said she had no issue with that request.

M. Vredenburgh said that request had been agreed upon.

J. Langey said he recalled the Applicants already agreed to that and he would include that stipulation as well.

Motion by J. Munger, 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 approve the site plan as most recently submitted was carried as follows:

Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	No
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

R. Ridler thanked all involved for their work on this.

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

Richard and Betsy Sadlon were in attendance.

R. Ridler explained the status of the request saying at the last meeting a soil expert was identified but at this time he “was asked to stand down.” He said the solar company provided a check in the amount of \$1500.00 as reimbursement for the analysis which was on file but will not be cashed. The basis for the delay was the pending review of a proposed moratorium by the Cazenovia Town Board on commercial solar projects.

Motion by R. Ridler, seconded by T. Clarke, to continue the review request pending review of the moratorium by the Town Board was carried as follows:

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

*Scholefield, James -- Minor (1) Subdivision – 5713 Rathbun Road, Cazenovia
File # 21-1340 (Dale Bowers)*

James Scholefield was present to represent.

D. Bowers said the application was for a minor subdivision which had been before the Zoning Board of Appeals (ZBA) because the proposed new lot did not meet the minimum acreage allowed. He asked Mr. Scholefield to share his intentions.

J. Scholefield explained they worked through the variance for the subdivision to carve out about .55 acres of the 35-acre lot for the management of a small (1 plot) family cemetery in perpetuity.

D. Bowers mentioned this was near the end of Rathbun Road which he thought “was a great spot for something like this.” He asked Mr. Langey if there was anything he would like to add in addition to reviewing the SEQR.

J. Langey said the issue of the family cemetery portion of the proposal was heavily vetted by the ZBA. He said during the three (3) meetings a lot of information was exchanged and provided. The ZBA was satisfied that granting the variance was appropriate in this instance which was a unique circumstance. The ZBA did their own SEQR but he said he would take the Board through the SEAF if they would allow him to at this time.

The Board did so.

A. Ferguson asked if the Town would be asked to take over the maintenance of the cemetery lot.

J. Langey answered, “No,” saying a condition of the area variance was that the Town would specifically have no involvement in any regard whatsoever with the private cemetery, and the Applicant was agreeable to that stipulation.

A. Ferguson asked if the property were to be sold, would the cemetery be sold with it.

J. Scholefield explained the intent would be that the cemetery would pass to his heirs and be managed by them in perpetuity.

D. Bowers explained by it becoming a separate lot the house portion could be sold while the family could retain the cemetery lot property.

R. Ridler asked about the level of maintenance for the lot, believing that if the neighboring properties were to be converted from the wooded, meadow state to lawn, the cemetery lot would be similarly maintained.

J. Scholefield responded that the topic was “heavily discussed” by the ZBA and the terms and conditions of their approval was that it would be maintained in like condition to the adjoining properties.

J. Langey confirmed that was correct and that it was part of the written resolution based upon the ZBA’s approval.

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, 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
Jerry Munger	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.

J. Munger said Mr. Verbeck submitted an updated site plan with information regarding the impervious surface area by zone. He reported in the CEA, the first 20 feet from shore, there was an existing brick patio which they proposed to remove resulting in no impervious surface area in the CEA. In the next zone, 20 – 100- feet from the lake, they would be removing the existing house. He said based on the previous discussion for the Donohoe demolition, he presumed Ms. Ferguson would like photographs of the existing home to be submitted as part of the permanent record.

A. Ferguson affirmed she would.

J. Munger continued saying the house would be removed so there would be no impervious surface area in the second zone. He said that zone comprised 9550 square feet where there would be no impervious surface area. The remainder of the property would be in Zone C. There was 87,685 square feet overall, so the square footage of the portion found in Zone C was 76,760. The proposed impervious area in that zone was 12,285 square feet which would be 16.0044%; the allowed percentage of impervious surface area in Zone C was 15%. He summarized by saying they would be removing all the impervious surface area from Zones A & B, moving all development into Zone C where they would be slightly over the allowed amount.

D. Bowers commented that “it was a big plus getting it out of the 100-foot.”

A. Ferguson said she was sorry to see this house come down but believed moving it back was better for the lake overall.

J. Munger asked Mr. Verbeck to give some history of the house.

J. Verbeck said it had been in the family since the early 1960's and that it was a camp dating back to the early 1940's. It was renovated in the mid-1980's. He described it as having a "camp feel" and said it currently needed structural work.

J. Munger asked Mr. Langey about the SEQR requirements for the project.

J. Langey led the Board through the SEAF.

Motion by J. Munger, 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 approve the site plan as most recently submitted was carried as follows:

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

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

Charles (Sam)Woods was present to represent the file.

A. Ferguson said at the last meeting the Board reviewed the plans to build an outbuilding and some concerns were raised relative to the drainage. Mr. Dunkle and Mr. Cook were to visit the site. Since then, the Board has received additional drawings showing gutters and leader pipes. She asked if Mr. Dunkle felt confident the revised plan, which would direct drainage toward the house and down the lawn, would satisfy any concerns he might have regarding the drainage.

J. Dunkle said collecting the rooftop run-off from the new building and redirecting away from the adjacent property toward a natural area was a "good move."

A. Ferguson said the Board reviewed the landscaping and the plan for tree removal and asked if there were any other concerns.

Hearing none, motion by A. Ferguson, 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 site plan review as most recently submitted was carried as follows

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

Song, Dana & Sophan -- Line Change – 2159 Rippleton Cross Road, Cazenovia & File # 21-1363 (Gerald Rasmussen) 2157 Rippleton Cross Road (Owned by Thomas Lampros & Maria DiElsi)

Dana Song was present to represent the file, and Thomas Lampros and Maria DiElsi were in attendance.

G. Rasmussen explained the proposal was for a line change to move the Song’s property line 26 feet to the west. He said this would be a small change giving the Songs the adjacent trees where they plan to build a treehouse for their son.

J. Langey reviewed the SEAF.

Motion by G. Rasmussen, 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
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

*Barnes, Michael & Heather -- Site Plan Review – 3161 West Lake Road, Cazenovia
File # 21-1364 (Bryan Wendel)*

Michael Barnes was present to represent the file.

Bryan Wendel said this was a 12-acre lot. The new single-family home would have less than 2% of impervious surface area. He said the Board at the work session talked about the garage doors, which would face toward the road, and he wanted to be sure the Board saw Roger's response regarding any Code that addressed that feature.

A. Ferguson asked for confirmation that there would be no one within the view sight and that the distance from the road would be 100 feet.

M. Barnes responded that the location would approximately 120 feet from the road. He explained that the way the proposed driveway would be situated, the garage would be offset from the two (2) houses across the street. He remarked that the driveway would also have a hook in it as well.

B. Wendel stated that if the garage was rotated, the Applicant would lose the dormer view of the lake from the back, significant grading would be needed, and a couple mature trees would need to be removed.

B. Wendel said Mr. Barnes filled out Part 1 of the SEAF and he had a couple questions regarding Mr. Barnes' answers. He asked Mr. Barnes the distance from North Lake Road, thinking it was ¼ mile away.

M. Barnes thought that was accurate.

B. Wendel noted that the question asking, "Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?" was answered "Yes," and asked Mr. Langey if he had any concerns about that and if there was a distance requirement.

J. Langey responded that it did not appear to be substantially contiguous to such a site. He noticed that response as well, but he could not tell from the Cultural Resource Information System (CRIS) map that had been attached; he said it was his opinion it did not look like an area where they would need to be concerned.

B. Wendel said the other note he had was the response of "Yes," given to the question, "Does the site of the proposed action contain any species of animal, or associated

habitats, listed by the State or Federal government as threatened or endangered?” He asked what Mr. Barnes meant by his answer.

M. Barnes said that was a response he “picked up from the DEC website.” He did not recall what specifically was identified.

B. Wendel repeated that Mr. Barnes had completed the SEAF on his own and thought he was being “cautious” in his answers.

J. Langey did not know of any endangered species on the site.

R. Cook added that there were none found when Matt Wallace built on the adjacent lot.

B. Wendell thanked Mr. Cook and asked if the Board had any other questions.

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
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

*Jones, Douglas & Catherine -- Site Plan Review – 1272 Owahgena Road, Cazenovia
File # 21-1365 (Anne Ferguson)*

Steven Calocerinos of Calocerinos Engineering, PLLC was present to represent the file as were Douglas and Catherine Jones.

A. Ferguson stated this was an application for a new house on a large tract of land and asked the Owners to present their proposed plan.

S. Calocerinos said this was 12.3-acre parcel. He said it was the first property within the Town of Cazenovia with the westerly lot line being the border between Onondaga County and Madison County. At this point they were hoping to clear the lot and to locate the septic system, the driveway, the house and the well.

S. Calocerinos described the lot as wooded with much mature tree growth as well as understory growth. They would like to clear the undergrowth and brush, leaving most of the mature trees.

S. Calocerinos said a house plan was submitted with the application. The house itself would be about 2000 square feet with a 500-foot attached garage. The total impervious surface area, including the house, the driveway and the proposed pole barn, would be approximately 2.7%. Tree clearing limits were shown, which he repeated would mainly involve clearing the understory growth, brush, and small trees.

S. Calocerinos said a proposed well location and a proposed septic system location were shown. A Deep Test hole was dug today, no ground water was encountered, and the soils looked reasonable. A septic system design would be prepared for submittal and approval of the Town with the building permit application. The 100-foot separation between the well and the septic system would be maintained.

S. Calocerinos reported the proposed setbacks would be 420 feet between the road and the house; 245 feet from the west property line; 145 feet from the east property line; and the proposed pole barn would be 530 feet from the rear property line.

A. Ferguson said the proposal would be situated in the woods. At the site visit they saw the location of the proposed driveway, and the bulk of the property would remain wooded. She said there was no formal landscaping being proposed nor would it be appropriate.

J. Munger asked the purpose for the pole barn, wondering if animals would be kept.

D. Jones responded it would be used for storage for their personal items such as their boat and tractor.

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

Motion by A. Ferguson, seconded by D. Bowers, to approve the site plan as most recently submitted was carried as follows:

Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes

Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes
Robert Ridler	Voted	Yes.

J. Munger suggested the Board do a group review of the Shaffner property with the property owners to have a better understanding of their intentions.

R. Ridler said he would make the arrangements. He spoke of the difficulty for ingress and egress for the site.

A. Ferguson concurred. She wondered if the Applicant fully understood what the site plan should be.

R. Ridler said he would help with that.

R. Cook said he had a question regarding the approval given for the Malcolm Williams Living Trust minor subdivision. He noted during the approval there was mention of a proposed solar array.

R. Cook said approval for a ground mounted solar array would require site plan review to ensure proper screening from the road and neighboring properties.

J. Langey said the solar array was not part of the approval. He said the application before the Board this evening was not for the solar, but for the subdivision.

There was confusion regarding the approval.

A. Ferguson believed the approval was for the site features including the panels.

J. Langey referred to the agenda which listed the project solely as a minor subdivision.

A. Ferguson said when the original application was submitted there was no mention of solar panels, but when the site visit was done, it was explained that the new lot was to create a building lot for Mr. Williams' son, so he was asked to provide the building envelope, the septic location, the well location, as well as the proposed location of the solar panels.

J. Langey said those considerations would be addressed by an application for site plan review.

R. Cook was unsure if the Board would consider this a newly created building lot or the expansion of an existing lot, but a newly created lot would require site plan review for the construction of a new home.

J. Langey wanted the minutes to clearly establish there was no record of application being made for the placement of a solar use on the property. He said an approval for solar could not be given if it was not appropriately applied for.

A. Ferguson asked if one could not combine the request for (ground mount) solar with the site plan review for a new home.

J. Langey said the Applicant did not apply for any site plan review. He confirmed solar could be an aspect of the (required) site plan review (for the new home).

R. Ridler suggested Mr. Williams be informed of the need for site plan review.

Discussion followed regarding the best method of clarifying and remedying the situation for Mr. Williams.

J. Langey wanted to ensure that Mr. Williams understands that the Board's intent "was to get him where he wants to be." He also wanted the Board to be careful to not approve anything for which there was no application submitted.

R. Ridler clarified the Planning Board Secretary would contact Mr. Williams and inform him of the situation.

Thomas Lampros and Maria DiElsi said they lost battery and internet connection at the same time while their neighbors' proposal for a line change with them was being discussed and they asked what had transpired.

They were told the application was moved to a public hearing for the next month.

R. Ridler explained what the public hearing would entail.

T. Lampros asked if any additional information was needed.

R. Ridler answered, "Not at this time."

T. Lampros then asked about the solar moratorium. He asked if the moratorium would only apply to commercial solar farms or to residential ground mount solar as well.

J. Langey answered it was for commercial only and was defined it as being for systems that upload to the grid.

T. Lampros asked if a typical residence that would net meter be allowed.

J. Langey answered that it would subject to any approvals needed.

T. Lampros said he asked because they may have a vested interest, saying at some point they have talked about establishing a small community solar farm – nothing on the scale that has been discussed in Fenner, “or anything like that.” He said he has worked in the solar industry for 40 years. He asked how best to follow the moratorium.

J. Langey responded they should monitor the agenda for the Town Board meetings which will be in-person meetings. He said the agenda could be found on the Town’s website or they could call the Town Office. He believed the next step for the moratorium was the public hearing.

T. Lampros asked the date for the next meeting. It was June 14, 2021.

Motion by D. Bowers, seconded by T. Clarke, to adjourn the meeting at 8:52 P. M. 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.

Sue Wightman, Planning Board Secretary – June 4, 2021