

Cazenovia Zoning Board of Appeals

Meeting Minutes

October 24, 2022

Members present: Thomas Pratt; David Silverman; Gary Mason; Luke Gianforte; Michael Palmer, Alternate Member

Members absent: David Vredenburgh

Others present: John Langey; Chuck Ladd; David Peterson; Paul Hoagland; Jonathan Brodock; Beecher Graham; Michael Basla; Kyle Reger

T. Pratt called the meeting to order at 7:30 p.m.

Roll was taken. Michael Palmer acted as a voting member in David Vredenburgh's absence.

Motion by D. Silverman seconded by M. Palmer, to approve the September 26, 2022 meeting minutes was carried unanimously.

The next regularly scheduled meeting will be Monday, November 28, 2022.

There will be a work session Tuesday, November 22, 2022.

T. Pratt asked that the rustling of papers, the clicking of pens, and other background noise be limited for the benefit of the recording.

T. Pratt said regarding public speaking, please come forward, provide one's name and address, present to the Board not the Applicant(s), refrain from asking questions but rather make statements, and refrain from repeating items if they have been already been stated once during the time for public comment.

Peterson, David - #21-1 – Bed & Breakfast Special Use Permit Renewal – 2964 West Lake Road

David Peterson was present to represent the file.

T. Pratt said the special use permit was issued for a Bed & Breakfast (B & B) in the Lake Watershed Overlay Zone. He said at the last meeting Mr. Peterson was asked to contact Chuck Ladd, the Assistant Code Enforcement Officer, to review and remedy non-compliant (Building) Code items, after which a B & B inspection would be done. He asked for an update regarding those matters.

D. Peterson distributed 14 photographs of items that he addressed, saying he works out of town so he was only able to work on these items during nights and weekends. He said he has a work order with National Grid (for a Code item as well). In addition, he was asked to update his listing on the website which he did before the last meeting, stating he “really pared that thing down.” He said he contacted renters scheduled to come next year to inform them of the limitations, and he said several have canceled, but that was “okay.” He said among the issues repaired were access holes in the deck and he stated the access hatches were found and replaced. He said railings were among the safety issues, and most were done. He stated he installed approximately 100 spindles/balusters and lacks about 52 spindles. Another item he was asked to install was graspable railings and he has installed two (2) of the three (3) that he was asked to do, replicating ones that were inside the house. He explained he used 4” X 6”s as railings previously, not knowing railings needed to be “grippable.” He elaborated that his house was an Adirondack-style so inside he used sticks for the railings, and he was copying the same for the outside. The one on the north side of the house remained, he said, because he still had to find sticks for that. He had believed outside railings needed to be 32” and inside railings needed to be 36”, but actually the reverse was true, so he added a 4” X 6” board to the 32” railing on the mezzanine section. Lastly, he installed the weatherhead for the moving of the service entry and he has arranged for the work order with National Grid “to get that moved over to an acceptable spot.”

T. Pratt explained Mr. Ladd would be the one to approve the improvements, so Mr. Peterson needed to coordinate a time to meet with Mr. Ladd. He also warned Mr. Peterson that more items may arise during the inspection.

D. Peterson said he understood and was appreciative, knowing such items need to be done.

T. Pratt repeated following the Building Code inspection, Mr. Ladd would then address the items for the B&B inspection.

D. Peterson understood. He said he was happy to attend to show his progress.

T. Pratt responded he appreciated that too.

T. Pratt asked if Mr. Ladd had any comments.

C. Ladd responded he just needed Mr. Peterson to schedule the time for his inspection, repeating when the Code issues were “put aside” they could then address the B&B.

D. Peterson asked if Mr. Ladd wanted to come after National Grid had moved the service entry.

C. Ladd answered they could address the other Code items before the National Grid work.

T. Pratt added if any other items of concern were found, those items could be remedied sooner.

T. Pratt reiterated that it was Mr. Peterson’s obligation to call Mr. Ladd.

D. Peterson assured the Board he would call once he had “more done.” He talked about his work schedule and wanted Mr. Ladd to know he wasn’t ignoring him.

Motion by M. Palmer, seconded by L. Gianforte to continue the file was carried unanimously.

Hoagland, Paul - #19-1 – Bed & Breakfast Special Use Permit Renewal – 5099 Rathbun Road

Paul Hoagland was present to represent the file.

T. Pratt said the special use permit renewal was a B & B in the Rural A District which was issued in 2019. He said the Board had requested a floor plan.

P. Hoagland submitted a hand-sketched drawing entitled *B & B Studio: Hoagland* at this time.

T. Pratt said the Board wanted an update regarding the operation believing there were Building Code issues needing to be fixed.

P. Hoagland said he was aware of three (3) items.

T. Pratt said the Board was looking for those items to be remedied before renewing the B&B permit.

P. Hoagland responded that was fine.

T. Pratt asked if Mr. Ladd had any comments.

C. Ladd said he did not.

P. Hoagland asked about Roger Cook's health, saying he was very sorry to hear of his injury.

He was told Mr. Cook was doing well.

P. Hoagland said he drew the floor plan today and he also noticed some of the Board members visited the site today and took pictures, so he brought an aerial photograph of his home. He said it was a big property with 6.2 acres, and said the aerial showed how "private" and "quiet" it was.

T. Pratt informed Mr. Hoagland he was looking for a full floor plan of the house.

P. Hoagland countered that was not what was requested, he claimed he was asked to bring a floor plan of the Bed & Breakfast. (See email copied below:

Hi Paul,

Chair Pratt has asked that you attend the October 24th Zoning Board of Appeals meeting Monday night at 7:30 PM to discuss your Bed & Breakfast special use permit renewal. He has also asked that you bring a copy of your floor plan for the discussion. If you could send me a scan of the floor plan before the meeting, that would be even better. Please let me know if you are unable to attend.

Thanks so much,
Sue Wightman, Zoning Board of Appeals Secretary
Town of Cazenovia
315-655-9213 X 6)

T. Pratt asked if Mr. Hoagland had a floor plan of the entire house.

P. Hoagland responded, "No."

T. Pratt asked, "Can you make one?"

P. Hoagland answered, "I could."

T. Pratt said he would appreciate that, and asked that he identify what space was used for the B&B.

P. Hoagland responded, "Sure. Actually, I'm not using any for Bed and Breakfast. Since COVID, I haven't had any use at all."

T. Pratt stated that Mr. Hoagland was attending the meeting for the renewal of his B& B and asked if Mr. Hoagland no longer needed the renewal.

P. Hoagland clarified he was renewing for the right to do it, but stated he has not been doing it.

T. Pratt explained Mr. Hoagland would then need to indicate what space he would intend to use for the B & B on the floor plan.

P. Hoagland stated he did not intend to, but he reserved the right to. He said until COVID “goes away,” he did not want to operate. He said it was “totally dormant.”

T. Pratt said Mr. Hoagland would need to meet with Mr. Ladd to ensure all the Code items were corrected. He stated until Mr. Ladd informs the Board that all the items were corrected, “nothing would move forward.”

P. Hoagland said, “I get it.” He repeated, “It’s not moving forward anyway because of COVID.”

D. Silverman responded, “Got it.”

Motion by M. Palmer, seconded by G. Mason, to continue the file was carried unanimously.

T. Pratt said the file would be continued until next month and hopefully by that time everything would be fixed and ready to go. He reminded Mr. Hoagland to submit the floor plan for the whole house.

P. Hoagland thought the Board already had one on file.

T. Pratt said if that were the case, Mr. Hoagland could simply copy it.

P. Hoagland responded he did not keep copies. He thought the Board could find it looking through his original application. He said he could not find it anymore and he did not know what happened to it.

(See attached drawing for the document referred to.)

Padgett, William - #00-162 – Special Use Permit Renewal – 2514 Damon Road, New Woodstock

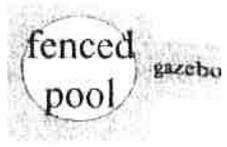
T. Pratt said this was a special use permit renewal in the Rural A District for an art studio issued in 2000. He said Mr. Ladd inspected the property and asked Mr. Ladd if there were any complaints or issues.

C. Ladd said there had been no complaints and there were no issues with the inspection.

Motion by M. Palmer, seconded by L. Gianforte, to renew the special use permit for another year with the original terms and conditions was carried unanimously.

B&B Usage Diagram: 5099 Rathbun Road, Cazenovia, NY 13035

↑
MOUNTAIN RIDGE & SKI HILL



tree house

balcony

3-Car Garage & Studio Apt.

patio

House

balcony

2-Car Garage

Car-port

driveway

fence

W
S
E
N

Rathbun Road

CHITTENANGO CREEK & WATERFALLS
↓

Brodock, Jonathan - #22-1435 –Special Use Permit – 5125 Temperance Hill Road, Cazenovia (Luke Gianforte)

Jonathan Brodock and Beecher Graham were present to represent the file.

T. Pratt explained the area variance application was to place a storage building in front of the house in the Rural A District. He said Mr. Brodock attended the work session, shared some thoughts, and had some discussion with the Board. He asked Mr. Brodock to relate his position at this time.

J. Brodock said the change they had proposed was to move the proposal 27' up the driveway (to the west of Temperance Hill Road and to the south of the driveway).

T. Pratt asked Mr. Brodock to display the site plan (by D. W. Hannig L.S., P.C dated 6/21/2021).

B. Graham said Mr. Silverman had visited the site and discussed possibilities with them.

J. Brodock said they originally calculated the distance between the road and the proposal to be 117 feet and it would now be 27 feet farther, and it would be squared to the road rather than angled.

T. Pratt figured that would put it 144 feet from the road. He asked if there would be no electricity, no water, and no sanitary associated with the structure.

B. Graham said that was correct.

The Board then reviewed the rendition of the building and the sketches of the elevations.

T. Pratt asked Mr. Brodock to show as a reference on the site plan drawing where the proposal would now be located.

As Mr. Brodock was doing that, B. Graham repeated that it would be squared to the road, as the Board had requested.

J. Brodock said one option they had been asked to explore was moving the structure to the north of the driveway and trying to move it 50 feet farther from the proposed distance. He said the closer the barn was to the house, the more the contrast between architectural styles became apparent. He felt that option was a poor choice aesthetically. He said they had also considered changing the design of the barn to resemble the modern design of the house, but that option did not appeal to them either.

M. Palmer asked if it would be stick-built.

J. Brodock answered it would be a pole frame with a cement slab.

L. Gianforte noted moving the structure back 27 feet would still result in a variance greater than 50%.

After some calculating it was determined the relief now sought would be 61% - 62% because the house was 376 feet from the centerline of the road.

G. Mason questioned the reason the barn could not be placed behind the house, believing the contours were not drastic. He believed a couple of sail boats would be stored in the barn so the owners would not need to access the barn often.

B. Graham said they would need a road/driveway for the trailers.

G. Mason thought they would not need a road if they were only to access it a couple times a year. He remarked the existing trees would block the view of the building for quite some time. He thought it would look more natural closer to the neighbor's barn. He commented that the home was beautiful, but the proposed new structure would not match at all.

J. Brodock asked if that was becoming an issue again.

G. Mason answered that he was just one (1) vote.

D. Silverman said he had given the proposal a lot of thought, and he recalled the Board had asked that the building be squared to the road, which they did. The Board asked the Applicants to pull the location back from the road, which they also did. He noted there were some limitations due to the grade, and he felt the newly proposed location was "a good spot." He said along this road there are many existing barns which were built years ago (close to the road). He noted no neighbors have expressed objections or concerns regarding the proposal, and all the neighbors were notified regarding the request. He said if the Board considered the percentage of relief, it is large, but that was due to the extreme distance between the house and the road. He did not feel the owners should be penalized for having their home so far from the road. He did not feel the addition of this structure would change the character of the neighborhood very much. He also presumed a request to plant more trees to screen the view would not be distasteful to the owners. He expressed his approval of the project if the owners would agree to planting more trees as a vegetative barrier.

B. Graham responded, "Absolutely."

G. Mason did not think the contours of the land made it difficult to develop. He thought 60% of relief was "huge."

J. Brodock said the new location would be just on the knoll and said the elevation starts to drop from there.

G. Mason responded he saw it (when he visited), and he commented it was not as dramatic a drop as he has seen on other sites.

M. Palmer agreed it was too great a variance. He was unsure what the "magic number" would be, but he did not feel they had achieved it. He felt the Applicants could compromise more to get the building farther from the road.

L. Gianforte appreciated the squaring of the orientation, but he felt the size of the lot enabled the owners to put the building behind the house and eliminate the need for an area variance. He struggled with the size of the variance.

T. Pratt still saw it as a substantial variance. He felt the Applicants had been given a sense of the Board's position. He said typically the application would now have a public hearing, the State Environmental Quality Review (SEQR) would then be done, and then the Board would move to approve or deny the request.

B. Graham questioned who would review the file further.

T. Pratt explained the Board would be doing the review and elaborated about the process.

D. Silverman said the Applicants also had the option to consider their application for another month if they so choose, or to withdraw their request.

J. Langey said if they continued the file, the Applicants would have the opportunity to consider other adjustments of their proposal. He explained if the Applicants were to withdraw the application, which they could do at any time, they would have to resubmit alternative options (with a new application).

J. Brodock said they had already reconsidered their options for this meeting. He asked Ms. Graham what she wanted to do.

B. Graham answered she thought they "knew where everybody stands."

More discussion followed regarding the explanation of SEQR.

M. Palmer told the Applicants the environmental impacts were not the problem for the Board's approval, and he thought the current proposal would only receive one positive vote when three (3) would be needed for an approval. He said one option was to withdraw the proposal, but he told them it would not cost them to think about their options for another month. He said they needed to decide if they can accept (locating the structure) where the amount of relief would be less substantial or if they only want the structure where they want it, so they would continue storing the boats as they currently store them.

D. Silverman asked if it would be appropriate for the Board to indicate the distance that they would feel comfortable approving.

M. Palmer said the Board had indicated a number last month, but he was unsure what it was.

It was determined 50 feet farther from the original proposal was considered last month.

D. Silverman asked if Mr. Palmer would still be comfortable with that distance.

M. Palmer answered he would.

L. Gianforte said moving it 50 more feet on the south side of the driveway would help, but it would still be “tough” for him.

J. Brodock responded that because of the grade, they would not be able to move it back 50 more feet on that side of the driveway. Not only that, but it would put it “in front of the house.”

T. Pratt said what Mr. Brodock was saying was that they would not be able to move it back 50 feet.

J. Brodock clarified they would not be able to move it back 50 feet on that side of the driveway.

T. Pratt asked if they would consider putting it on the other side (of the driveway).

B. Graham and J. Brodock both answered that would be too close to the house.

D. Silverman pointed out they were agreeable to 27 feet farther back and to move it 50 feet would only be 23 additional feet. He said there would be two people in favor of that distance. He asked Chair Pratt how he felt about the distance.

T. Pratt felt 50 feet was insufficient and not adequately shielded.

M. Palmer added he would want more shielding on the “road side” of the barn, saying he could not imagine that “would be a deal-breaker” for the Applicants.

B. Graham replied, “No, not at all.”

T. Pratt stated he still had an issue with the general location.

M. Palmer repeated only three (3) votes were needed for an approval.

G. Mason stated he thought moving the structure back 50 feet was still too little saying it was only a 23-foot reduction from this proposal.

M. Palmer thought the situation was unique and felt a compromise was appropriate.

G. Mason said it was still a significant amount of relief.

M. Palmer said the Board was asking the Applicants to compromise and he felt the Board could also compromise. He said at the last meeting the Board felt 50 feet “was not a bad number.”

G. Mason said he had not agreed 50 feet to be sufficient then.

J. Brodock felt three (3) members “were not happy with 50 feet.”

M. Palmer said the Board was concerned with precedent because they have to defend their positions, but he felt the uniqueness of this situation would not result in a significant change to this neighborhood where there were a limited number of homes and where there were already barns closer to the road than

houses. He stated it would still be a substantial variance, but it would not really be a change to the neighborhood.

T. Pratt said another consideration was whether there were alternate solutions.

M. Palmer believed the Board was not likely to encounter this situation in other parts of the Town.

J. Brodock understood that helped an approval to not set a precedent.

M. Palmer felt he would be able to defend his position that 50 (more) feet was approvable.

T. Pratt explained (as he reviewed the five [5] criteria for the granting of area variances) he still found at least three (3) negatives.

G. Mason felt on 30 acres there were many alternatives.

T. Pratt saw the situation differently (than those in support of the variance). He opined there were many alternate solutions. He felt the placement of the barn would impact the neighborhood and he did not see the situation as being unique. He did not foresee a physical or environmental impact, unless one considered the change to the neighborhood. He felt 61% of relief was substantial, conceding there were other considerations other than the raw percentage. He said the hardship was self-created. He concluded there were four (4) negatives in his mind when he performs the test.

M. Palmer said even with 50 feet, they wouldn't have three (3) votes (to approve).

T. Pratt did not think they did.

J. Brodock responded, "Okay, let's withdraw – we withdraw."

B. Graham asked the procedure for withdrawing.

J. Langey explained that if they withdrew, they would be able to return at a later time with the same request for the building or for a different request for the building. He explained that if the vote were taken and the request were denied, they would not be able to request to have that same variance considered in the future unless every member of the Board voted "Yes" to rehear the exact same variance.

M. Palmer said, "It would be more prudent to continue."

B. Graham asked how long they could continue the file.

M. Palmer answered until the Board sent them a letter telling them they could not "do it anymore." He thought that would be a couple months.

J. Langey added that the application would not be included in the agenda until the Applicants were ready for more discussion.

T. Pratt clarified that they were welcome “to keep coming back.”

M. Palmer said that would give the Applicants time and “the door remains open.” He repeated it does not cost money and it preserves their right to “come back.” He felt a withdrawal or a negative vote were two (2) “things you probably don’t want to see happen today.”

J. Langey added that if they were to withdraw, they would have to submit a new application (for an alternative request). He said technically their file would be on the agenda for the next meeting, but they could call and ask to be postponed saying they were not ready. He said he did not want to “load up the agenda” with lots of continued files, but he supposed that was an option for the Applicants.

B. Graham said to “keep it open.”

Motion by M. Palmer, seconded by L. Gianforte, to open the public hearing was carried unanimously.

The public was invited to speak at this time. There were no comments.

T. Pratt said the public hearing would continue to be open.

Motion by M. Palmer, seconded by D. Silverman, to continue the file and the public hearing until next month was carried unanimously.

*Maples of Madison County, LLC/Madison County Distillery LLC - #22-1444 – Area Variance – 2410 US
(Thomas Pratt) Route 20 East, Cazenovia*

*Maples of Madison County, LLC/Madison County Distillery LLC - #22-1445 – Special Use Permit -
(Thomas Pratt) 2415 US Route 20 East, Cazenovia*

Michael Basla was present to represent.

T. Pratt said the proposal was in the RA district with the Commercial Overlay and the Wellhead Protection Overlay. He explained a special use permit revision was being sought in conjunction with an area variance to locate a storage building in front of the main building. He stated the General Municipal Recommendation Report (GML) from the Madison County Planning Department was received today. The building would be 40’ X 80’. He said because of the location contiguous to an historic site, when the Board performs SEQR, the Board will have to notify the New York State Historic Preservation Office (SHPO) which will delay the file for at least another month.

M. Basla responded, “Okay.”

T. Pratt asked Mr. Basla to share his proposal.

M. Basla explained he was looking to build a storage building, a board and batten pole barn with a red roof and similar to the structure they currently have, but on a much smaller scale. He said the location chosen would be the best location for the storage unit which will contain farming equipment as well as the material for the production of spirits. He relayed the challenges of his current situation not having a storage area on site.

Displaying the drawing by MDVLA dated 1/18/2021 entitled *L-100 Madison County Distillery Route 20 East, Town of Cazenovia, Madison County, New York Site Plan – Special Use Permit* M. Basla showed where the main building was on the site and where the proposed building would be located to the south of Route 20. The drawing showed two possible orientations of the storage building and the one M. Basla proposed was the north-south orientation.

M. Basla explained that he had asked Matt Vredenburgh to ensure he could fit the structure in the location according to the existing Code requirements of 25 feet from the east property line, and Mr. Vredenburgh illustrated how the structure could fit either way. He had discussed his options with Roger Cook and Mr. Cook felt the north-south orientation was preferable considering the view from the road and to minimize the profile. M. Basla said he understood the reasoning.

M. Basla said another consideration was the power lines, so he checked with National Grid and that would not be an issue either.

M. Basla said Mr. Vredenburgh also checked the elevations knowing there would be a concern with storm water runoff, and he verified that the storm water protection pond would be more than adequate to offset the impervious surface water that would be displaced.

T. Pratt asked if a letter had been submitted to that effect.

M. Basla answered an email from Matt Vredenburgh had been submitted and David Vredenburgh had issued a letter regarding the size as part of the as-built which had also been submitted with the application.

T. Pratt recalled the letter was dated 2021.

M. Basla explained that the letter was dated 2021, but the email exchange with Matt was March of 2022. He stated not only would the pond accommodate this proposal, but it was oversized for other expansion of the business. He said Matt also talked about the “normal swale and the normal runoff” along with the suggestion of installing a culvert under the road/driveway and the natural path of the runoff.

M. Basla understood another concern of the Board would be the view from Route 20, so he took a photograph from that perspective and distributed copies for the Board to show the vegetation that

already exists between the road and the proposed location of the structure. He also took a photograph of the proposed location from the driveway showing the foliage from that perspective.

T. Pratt noted that the predominant trees were deciduous. He thought the view in the wintertime would not be as shielded.

M. Basla responded when people enter the premises, “they rave about the beauty of the structure,” and the proposed structure would be equally attractive on a smaller scale. He contended that one would not know the primary structure from the secondary structure.

M. Basla went on to explain the farm fields around the site. He indicated where 13.2 acres of corn were planted and showed where he intends to plant pumpkins. He pointed out the area to the west of the existing structure where the Board has previously approved other activities. He said not only was the chosen location among the few that would be available, but it would also be very close and convenient to operations.

M. Basla said he had discussed with Mr. Cook enclosing the porch on the west side of the main building to expand operation which initially seemed like a good option, but upon further exploration of the Code could not be considered because of the fire suppression system and all that would entail. Mr. Cook had told him a separate building would be easier. He said on May 24, 2022 Mr. Cook visited the site and discussed the proposal and at that time he concurred that the location was good and commented on the orientation.

M. Basla recalled being asked about the doors so he explained that he would have a barn door on the south end, a barn door on the southwest side, and a man door on the west side as well. He also showed where there would be four (4) windows.

T. Pratt said there was an elevation included with the application (that showed those details).

M. Basla responded the peak would be 15 feet.

The elevation drawing was displayed.

T. Pratt asked that a floor plan would be submitted.

M. Basla responded he did not have a floor plan.

T. Pratt said the floor plan should show the location of the windows and doors.

M. Basla said that was shown in the sketches.

T. Pratt explained that he would like to see it on a floor plan showing the interior with dimensions in addition to the elevations.

M. Basla was unsure about what was required but he indicated agreement saying he “reserved the right to be smarter today than he was yesterday.” He understood an aerial view of the interior was being requested and said he could do that.

M. Palmer asked who was doing the drawings.

M. Basla answered Scenic Vista Builders.

M. Palmer responded if Mr. Basla told Scenic Vista Builders that he wanted a floor plan showing all the openings, they would know what to produce.

M. Palmer asked why the new structure could not be placed behind the main structure by the rear parking lot.

M. Basla responded behind the parking lot was farmland.

M. Palmer felt 320 square feet out of 13 acres was not a great loss of farmland.

M. Basla also objected because of the challenge of snow removal in the winter. He elaborated that he has not been plowing the second parking lot during the winter because the customer demand had not required it. He was unsure if that was a valid point, but he said it was a fact.

T. Pratt questioned if it would be an operational issue.

M. Basla affirmed it would.

T. Pratt indicated another area, but he believed the slope presented a problem.

M. Basla responded, “Yes Sir.” He explained the grade was uphill from the parking lot. He also showed where the farm road was located for access to the field. He did not want to interrupt that access.

M. Palmer explained the Board had to ask about alternative options for the (requested) variance.

M. Basla felt the limitations had been explained and was unsure if he had answered the question adequately.

J. Langey recapped that Mr. Basla did not want to displace farmland, that a slope exists that prevents the reasonable choice to be on the south east side.

M. Basla repeated the area to the west had been dedicated for other uses.

J. Langey explained this Board needs to make sure they have considered all other reasonable, to the Applicant, possibilities before they grant anything. He said they have “to kick the tires on the application.” He said the Board would ultimately have to do the balancing test to find out if they can grant the area variance. He said the amendment to the special use permit was allowed of course. He

went on to say at some point the Board would want to make themselves Lead Agency, just as they did for the last project.

M. Basla expressed understanding.

T. Pratt asked about sewer, electric, and water (for the proposal).

M. Basla said for now there was not a plan for that. In said in the future, he may want “to do that”, but right now he had no plan “to do that.”

M. Palmer questioned not wanting electricity.

M. Basla responded “right now, I don’t intend to do that.”

C. Ladd pointed out that soon it would be dark at 4:30 PM.

M. Basla asked how many times the Board wanted him to say he did not plan to have it. He said he intends to put conduit under the driveway in case he wanted to add that in the future, but at this time he does not intend to have it.

C. Ladd commented it would wise to “put it out there.”

M. Basla responded that he had conduit around the parking lot as well that he has “not been able to activate.”

T. Pratt advised Mr. Basla to include the use of electricity in the proposal.

J. Langey asked if the use of electricity would change any member’s opinion of the proposal.

The members indicated that it would not.

M. Palmer asked why not include electricity in the plan now rather than Mr. Basla’s installing it at a later date, contrary to this approval if Mr. Basla does not include it now.

The other members agreed.

J. Langey explained Mr. Basla was not required to put electricity in if it was part of this approval, but if he wanted to install it in the future, including it now would give him the option without having to reapply for it in the future.

M. Palmer elaborated that the Board would be more concerned with outside lighting than inside lighting. He said interior lighting is part of the functionality and safety of the building. He said the Board would prefer not to see outside lighting or for it to be kept to a minimum.

J. Langey explained that outside lighting should be downcast and dark-sky compliant, and it should not bleed into the highway or surrounding properties.

M. Basla responded that he was already following those guidelines.

J. Langey said any additional exterior lighting should be consistent with what was existing.

D. Silverman repeated including interior lighting as part of the proposal would be “a good idea.”

M. Basla remarked that when appealing to the Board one did not know what “a right answer” was. He said he likes to provide the facts but “sometimes those fall on the good side and sometimes they don’t.” He stated it would be a storage building, so he does not plan to have water or sewer, but he understood lighting “makes good sense.”

T. Pratt advised that if Mr. Basla ever planned to have water, now would be a good time to include that in the proposal as well, but the Board would have to address where the waste would go.

M. Basla repeated it would be a storage building.

T. Pratt reiterated the requirement to provide a floor plan.

T. Pratt asked Mr. Gianforte for his questions, comments, and thoughts.

L. Gianforte recused himself from this proposal.

D. Silverman felt the Board had covered the issues.

G. Mason felt the location of the building “was fine.” He did not believe it would be a change to the neighborhood and actually thought it would be better than what is already along that stretch of Route 20 East.

M. Palmer said the reason to not put it in the back southeast corner was to preserve farmland and because it would be too far from the production building.

M. Basla asked the purpose of the Code. He believed it was to prevent creating “an ugly environment.” He felt he would be improving the environment and that patrons would find it appealing.

T. Pratt countered that was an opinion, believing some would find its placement behind the main structure as being better.

D. Silverman understood the concerns with the location in the winter.

M. Basla said safety concerns were discussed and he felt putting the building in the rear corner of the property would become a safety issue in the wintertime.

M. Palmer asked if the addition of evergreen screening should be requested.

T. Pratt believed it should.

J. Langey said Matt Vredenburg could assist Mr. Basla with that detail and then the Board could review the plan.

T. Pratt said they should bear in mind Route 20 was considered a scenic byway.

D. Silverman asked the speed limit on that section of Route 20.

J. Langey believed the speed limit change occurs near that spot.

T. Pratt mentioned that the Cazenovia Advisory Conservation Commission members had reviewed the plan and they did not object.

M. Palmer asked if Mr. Basla might want to have a hose bib on the new structure. He remarked if it were his barn, he would want a garden hose.

M. Basla asked if he needed to decide about that now.

M. Palmer thought it would be advisable to incorporate that into the plan.

M. Basla responded, "Let's do it."

T. Pratt said conduit was being placed anyway, so why not add another for water.

C. Ladd interjected water needed to be four (4) feet under the road.

M. Basla mentioned he thought he "had a go for this in May." He stated between May and now interest rates have increased significantly. He said "as an entrepreneur who has not taken a nickel out of this business – and put a lot into it... it's really a labor of love" for this community and his family. He stated he does not intend to "make any money on this" unless he sells it someday. He said right now he doesn't "see any money coming into" his pocket saying he is living on his retirement pay

Motion by M. Palmer, seconded by D. Silverman, to open the public hearing was carried unanimously.

There were no comments 'in favor of' or 'in opposition to' the project.

T. Pratt said the public hearing would be kept open.

J. Langey explained the SEQR process for this Type I Action.

Motion by M. Palmer, seconded by G. Mason, to appoint the Zoning Board of Appeals as Lead Agency for the purposes of the SEQR, to affirm the matter Type I Action identifying SHPO, the New York State Department of Transportation (DOT), the Madison County Planning Board, and the Village of Cazenovia as the Involved and Interested Agencies to be contacted by Mr. Langey's office with the Lead Agency notifications and to commence the 30-day period was carried as follows:

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David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Michael Palmer	Voted	Yes
Luke Gianforte	Voted	Recused
Thomas Pratt	Voted	Yes.

Motion by M. Palmer, seconded by D. Silverman, to continue the file was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Michael Palmer	Voted	Yes
Luke Gianforte	Voted	Recused
Thomas Pratt	Voted	Yes.

Motion by M. Palmer, seconded by L. Gianforte, to adjourn the meeting at 8:38 p.m. was carried unanimously.

Sue Wightman, Zoning Board of Appeals Secretary – October 25, 2022