

Town of Cazenovia Planning Board

Meeting Minutes

November 5, 2020

ZOOM video <https://madisoncounty-ny.zoom.us/j/98146692932>

Meeting ID: 981 4669 2932

Or Dial by phone (no video)

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

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

Members Absent: Jon Vanderhoef, Alternate Member

Others Present: John Langey; John Dunkle; Don Ferlow; Roger Cook; Matthew Kerwin; Michael Frateschi; Brian Coughlin; Jeremy Davidheiser; Richard Cote; Barbara Hile; Gary Foster; Mary Foster; Thomas Lampros; Marie DiElsi; Matthew Vredenburgh; Nate Hickey; Jeff Davis; Rich Huftalen; Peter Muserlian; Rick Ruggaber; Carolyn Brink; Kristi Andersen; Kyle Reger; Jennifer Wong; Brian Keeler; Bruce Race; Charles Woods; Marsa Avery; Maddie (No last name given); 1315418156; "Five Bracali"; fbg guest 315-708-3160

R. Ridler called the meeting to order at 7:30 P.M. He read the following announcements:

Town of Cazenovia – Planning Board – Meeting Minutes – November 5, 2020

“Welcome to the November 5, 2020 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.”

Attendance was taken by roll call. All were present except for Jon Vanderhoef, Alternate Member.

Motion by T. Clarke, seconded by H. Roszel, to approve the October 1, 2020 Zoom meeting minutes was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Hugh Roszel	Voted	Yes
Dale Bowers	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

The next regularly scheduled meeting will be Thursday, December 3, 2020.

The next deadline day will be Wednesday, November 18, 2020.

The next regularly scheduled work session will be Tuesday, November 24, 2020.

HEARINGS

Coughlin, Brian -- Minor (1) Subdivision & Line Change – West Lake Road
File # 20-1304 (Dale Bowers) & 3544 West Lake Road (Thomas & Danielle Miller)

Brian Coughlin was present to represent the file.

D. Bowers said a completed survey was submitted to the file. He said the survey showed there was adequate road frontage, over 300 feet. There was successful percolation (perc) and a witnessed Deep Hole test was done.

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

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

There was no one present wishing to speak.

Motion by D. Bowers, seconded by T. Clarke, to close the public hearing was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

Motion by D. Bowers, seconded by A. Ferguson, to approve the minor (1 Lot) subdivision and line change as most recently submitted was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*Crawford, Albert & Michelle – Site Plan Review –5039 East Lake Road, Cazenovia
File # 18-1192 (Robert Ridler)*

Jeremy Davidheiser was present to represent the file.

J. Davidheiser said he submitted the Bartlett Tree report. He asked if any Board members had a chance to walk the site.

R. Ridler said he received the report and he had walked the site. He thought he recalled at the work session that it was said the trees to be removed would be marked.

J. Davidheiser said it was stated in the Bartlett proposal that the trees would be marked, but he was unsure if that had been done.

R. Ridler responded that the trees were not marked. He spoke with Don Ferlow of the Cazenovia Area Conservation Commission (CACC) regarding the inventory Mr. Davidheiser provided. He asked if Mr. Ferlow was in attendance.

At the time, Mr. Ferlow had not yet joined.

R. Ridler asked if 41 trees were to be removed.

J. Davidheiser thought that was correct if one included honeysuckle and other shrubs.

R. Ridler asked about the types of trees proposed to be removed, thinking there were willows, cedars, basswood, ash...

J. Davidheiser believed the majority of the trees to be removed were ash, most of which were showing signs of ash borer, and a number of Norway maples. He stated the goal was to predominantly remove damaged and invasive trees. He said if Mr. Ferlow had questions or concerns, he would be happy to meet with Mr. Ferlow at the property.

R. Ridler asked how many trees along the lakeshore would be removed.

J. Davidheiser answered approximately 25.

A. Ferguson asked how many would be replaced.

J. Davidheiser did not have the information with him, but he believed 15 – 25 trees were proposed. He clarified that when he referred to the lakeshore he was talking about the first 40 feet of shore, not the first 15 feet of shore. He said Sheet #L-104 that he created and submitted documented the trees to be removed with X's. He said one of the issues at the lakefront was that a number of trees were intertwined or were multi-bole trees. He said the Owners prefer to have a less manicured aesthetic at the lakefront for this property than they had at their last house. He said although the proposal was for a number of trees to be removed, they were trees in poor condition or invasive trees, and the proposed replantings would be native material. For example, new, native, medium-growing shrubs will be planted where washes of invasive honeysuckle would be removed. He said there would be minimal impact to ground and soil disturbance; they would be cutting close to the ground but leaving the roots intact. He said the new design also would incorporate a scaled back patio. Where two (2) patio areas were previously proposed, they now wish to reset pavers on the existing patio footprint with the removal of a small area of patio pavers as well, having one (1) area of patio space at the waterfront.

R. Ridler asked if the footprint of that patio would be enlarged.

J. Davidheiser said it would be a replacement of 1-for-1, with the removal of most of the second patio that was next to it and returning that to lawn. He said the small area next to the boathouse was the area they were looking to reduce, calling it a "redundant paving area." He also said there was no wall work proposed at the shoreline. He said there was an existing abutment wall there that "holds up the existing patio." They plan to keep that for now since it is in relatively good condition. The concrete pavers that are there are 15 – 20 years old and show signs of failure. He said the site plan now, in comparison to the last one, also has a reduced garage. Originally the garage was to have five (5) bays, that has been reduced to three (3). He said they "have lopped off most of one of the porches out front and one of the side porches" reducing the overall impervious area on the site. The pool was now shown tighter to the house and oriented differently. They are also keeping a second retaining wall that they had originally planned to remove.

A. Ferguson asked if Mr. Ferlow had given any feedback regarding the proposed planting species.

R. Ridler said Mr. Ferlow had declined his invitation to walk the property with him, but

Mr. Ferlow had indicated an arborist would need to be consulted “to make sense of the tree and shrub work being proposed.”

R. Ridler said the tree replanting seemed to be along the shoreline and along the north and south boundary lines. He stated he hoped the tree removals would not “open up that shoreline.”

J. Davidheiser said the Owners had indicated that they are interested in preserving the viewsheds that were there now, in the southwest corner near the boathouse and near the patio where it is already “pretty open.” He said they were not as interested in the view north. He repeated the goal was to clear the dead and dying material. The Bartlett representative strongly recommended addressing the ash issue due to ash borer. He said there were a couple of crimson king maples that will be preserved even though they are Norway maples. There will be a number of green leaf Norway maples that will be removed and replaced with either sugar maples or red maples. He said based on what was planted at their last house, the Owners were interested in replacing with larger materials. He thought the hardwoods would have 3 ½ - 4-inch calipers which would be a 25-foot tree to start. The flowering trees would have 2 ½ - 3-inch caliper, which would be a “good-sized flowering tree.” The evergreens that would be installed would 8 -10-foot and 10-12-foot tall.

J. Langey said the last time an approval had been given for this project was August 1, 2019. Since that was over a year ago, he suggested the Board review the Short Environmental Assessment Form (SEAF) for environmental impacts that this may now have. He asked if this was to be considered Phase II.

J. Davidheiser wanted to be clear that this was not a phased project.

A. Ferguson suggested this be called “Landscaping Plan.”

J. Langey then guided the Board through the SEAF. During the review he asked John Dunkle about drainage impacts wondering if a stormwater management plan or agreement would be necessary.

J. Dunkle answered he had not seen the latest plan that the Board was reviewing.

J. Davidheiser said the erosion control plan that he developed last year was based on this eventual site plan. He said the grading plan was the same and they have actually reduced the impacts since the last time they presented.

J. Langey asked if the disturbance was still less than an acre.

J. Davidheiser affirmed it was. He said previously they were at about .8 acres and now they would be about .6 - .65.

J. Langey said final review by Mr. Dunkle could be a condition prior to any issuance of permits.

J. Dunkle assented.

J. Langey finished the SEAF questions.

Motion by H. Roszel, seconded by A. Ferguson, to make a Negative Declaration based upon the Board’s review of the SEAF and to approve the site plan conditioned upon John Dunkle’s final review and with the conditions previously stated in the preceding resolution which were still applicable was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

J. Davidheiser said he would be contact Mr. Cook next week regarding permits. He also repeated his offer to meet with Mr. Ferlow on site.

R. Ridler said he would relay the invitation to Mr. Ferlow.

*Cote, Richard & Lisa -- Minor (1) Subdivision – 2964 Pompey Hollow Road, Cazenovia
File # 20-1282 (Dale Bowers) (Lots shared with the Town of Pompey)*

Richard Cote was present to represent the file.

D. Bowers said this file was regarding a property that was both in the Town of Pompey and the Town of Cazenovia. He said the Owners would like to divide the original parcel into two (2) lots in the Town of Pompey. They received approval for the subdivision and the map for that approval was now on file. Their application was to give the Town of Cazenovia the courtesy of showing how much of each parcel will now be in the Town of Cazenovia. He believed in one lot was about 3.2 acres in the Town of Cazenovia, and in the other parcel there was approximately ½ acre. He said there were no buildings in the portion of the lots in the Town of Cazenovia. He concluded that he saw no issue.

J. Langey clarified this was a Minor Subdivision saying the Town of Pompey has done the “heavy lifting” for this proposal and has completed its process. He then guided the Board through the SEAF with all answers being no or small impact.

Motion by D. Bowers, 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 was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

R. Ridler asked if Mr. Cote had any remarks.

R. Cote expressed appreciation for the Board’s time. He said the Town of Pompey “did have the heavy lifting,” saying the process has taken over two (2) years. He said an easement will be on each created lot. He explained the existing lot is being divided in half so that a dairy barn can be rebuilt into a single-family home for himself. The easement ensures that if a lot (which fronts in the Town of Pompey) is sold, the (back) portion of the lot that falls within the Town of Cazenovia must be sold with it.

Motion by D. Bowers, seconded by B. Wendel to move the application to a public hearing at the next meeting was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

Hile, Barbara/ Brodock, Jonathan -- Line Changes – 5089/5157/5125 Temperance Hill, File # 20-1308 (Dale Bowers)

Barbara Hile was present to represent the file, but she was unable to unmute herself to participate.

D. Bowers explained the application is for a line change with the Brodocks (who own land between two parcels owned by Ms. Hile). (Ms. Hile is also changing the size of the two properties she owns via a line change.). He talked about the shape of the lots to the north of the Brodock property, one having development and the other being open with 40 feet of road frontage and connecting behind the Brodock property opening to a portion to the south of the Brodock property. He said a house could be constructed at the back of the northern portion of the enlarged property.

D. Bowers said when the subdivision to the north was created, that had been the Vadeboncoeur property, great care had been taken to ensure no houses were built in the line of sight of the main house. He said the three (3) houses that were built on Temperance Hill Road were positioned such that they would not block the main house or each other. He said as this “carries down the road” he was wondering if the Applicant would agree to adjust setback lines so that any new homes that may be built would not encumber the views for the houses already to the east of them.

R. Ridler asked if Ms. Hile cared to respond to Mr. Bowers’ question.

B. Hile was unable to unmute her audio and her video was blank.

D. Bowers said site plan review would be required for future building, but he felt it would be good to have guidelines on the new plat to better protect the views of the houses already built. He said the application could still move forward. He mentioned a letter had been filed by one of the neighbors expressing this concern.

J. Langey believed Ms. Hile had heard Mr. Bowers’ comments and thought before the next meeting she could advise the Board of her reaction to those comments. He said the proposed setbacks or building envelope would be agreed upon at the time of an approval. He said that consideration would not prevent the Board from moving the application to a public hearing.

J. Langey then guided the Board through the SEAF. At the end of the review he reiterated that there were no proposed structures at this time requiring site plan review.

Motion by D. Bowers, seconded by H. Roszel, 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 was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

Motion by D. Bowers, seconded by T. Clarke to move the application to a public hearing at the next meeting was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

*Foster, Gary & Mary/Ridlon Living Trust --Line Change – 2082 Elm Street/
File # 20-13114 (Jerry Munger) & 2636 Railroad Street, New Woodstock*

Gary & Mary Foster were present to represent the file.

J. Munger said it was his understanding that a small corner of property adjoining the Fosters’ belonging to the Ridlons was intended to be gifted to the Fosters by the prior owners. The Ridlons have agreed to honor that gift. The piece of real estate was 42’ X 36’. The request was to perform the line change.

M. Foster thanked the Board and said they have hired a surveyor to provide the exact dimensions for the public hearing.

The Board had no questions.

J. Langey guided the Board through the SEAF; all answers were either no impact or small impact.

Motion by J. Munger, 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 was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

Motion by J. Munger, seconded by H. Roszel to move the application to a public hearing at the next meeting was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

*Lampros, Thomas & DiElsi, Maria -- Site Plan Review – 2157 Rippleton Cross Rd,
File # 20-1312 (Hugh Roszel) Cazenovia*

Thomas Lampros and Maria DiElsi were present to represent the file.

H. Roszel said the Applicants own a property on Rippleton Cross Road and asked them to explain how they intend to proceed with the proposed house.

T. Lampros explained it was a 22-acre property with the majority of it being a hayfield for years. At one time there was a residence close to the road so there was an existing driveway leading to the hayfield. The Board had previously approved a building envelope in the rear of the property (at the time of subdivision). They propose to build a series of buildings over time. They were asking to build a straw bale cottage within the building envelope. He described it as a small, 650 square foot cottage. He stated in time they hope to build a larger residence and barn, but for this discussion they were only seeking approval for the cottage.

A. Ferguson asked Mr. Roszel about the minimum size requirements for houses.

R. Ridler did not believe there were minimum size restrictions outside the Lake Watershed.

A. Ferguson had trouble hearing the response.

R. Cook affirmed that minimum size homes are only regulated within the Lake Watershed zone.

T. Lampros elaborated that the footprint of the cottage would be 648 feet, but there would be a 200 square foot loft that would overlook the living space so in totality there would be almost 900 square feet.

A. Ferguson asked if the cottage would be removed when the house and barn are built.

T. Lampros said the cottage would remain as a studio and a guest house.

J. Langey interjected that a special use permit would be needed at that point for the cottage.

A. Ferguson explained one accessory structure would be allowed on the lot (apart from a special use permit for additional structures).

T. Lampros replied, "We'll cross that bridge when we come to it."

H. Roszel believed this lot has been a designated building lot for a while.

T. Lampros believed the building lot was established in 2010.

H. Roszel said the driveway exists, and the Deep Hole test was done prior to the Applicants' ownership.

T. Lampros said that was correct. He stated the lot percs slowly according to Richard Elliot's report which was the reason they are proposing an alternate waste treatment system.

R. Cook said in looking at another property today it has come to his attention that in addition to the Department of Environmental Conservation (DEC) wetland and buffers, the DEC had designated "Check Zones" which extend 500 feet from wetlands. He explained that this whole property lies within a check zone and would require some kind of DEC approval for any project in that zone. He wondered if it would be appropriate

that the Board see DEC approval before site plan approval, or any building permits were issued.

D. Ferlow, who joined the proceedings at 8:08 P.M. researched check zones this afternoon, and he discovered a check zone requests the DEC be contacted to discuss any other wetlands in the area that the DEC might be involved in, but it would not be a DEC permit item at all. He felt depending on the slopes of the property the DEC request would be superfluous.

T. Lampros stated they would be willing to have a conversation with the DEC about that. He explained there are two (2) high spots on the site; one on the southwest corner of the lot, and other on the northeast corner where the building envelope was. He said everything else drains to the north or the northeast. He said where they would build would be a particularly high spot on the property. He said everything else “slopes away” to the federally designated wetlands.

J. Langey said the Board could conditionally approve the site plan, and the condition would be that the Applicant would have to demonstrate to the Code Enforcement Officer that they undertook the necessary inquiry and met whatever the check zone requirement was. He said the Board could continue another month to see what the check zone entailed, but he felt a conditional approval was “safe.”

The Board expressed consent for a conditional approval.

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

Motion by H. Roszel, seconded by A. Ferguson, to approve the site plan as recently submitted conditioned upon the Applicants satisfying the DEC in regard to the check zone was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes

T. Lampros stated for the record that they will undertake an inquiry with the DEC regarding the check zone.

T. Lampros said they were approached by a neighbor asking that a 10-foot strip of property be deeded to the neighbor stretching from the road to the back of the property and wondered what that transaction would entail.

It was explained that an application for a line change would be in order.

T. Lampros said they would follow up on that separately.

*33 Rippleton, LLC/Meiers Creek -- Site Plan Review – 4025 NYS Route 13 South,
File # 20-1313 (Thomas Clarke) Cazenovia*

Matthew Vredenburg OF MDVLA, Nate Hickey of Meiers Creek Brewery, and Jeff Davis of Barclay Damon, LLP law firm in Syracuse, NY were present to represent the file.

T. Clarke explained Meiers Creek has purchased the Reynolds' property adjacent to the Brewery. He said the project consists of a 7200 square foot storage barn, a parking area next to the storage barn, a driveway from Route 13 to the storage barn, and an access road from the storage barn to the Brewery. He said the property was 4.53 acres, zoned Rural A and Lake Watershed, with all the work being done in Rural A (RA). The property currently has a house and four (4) outbuildings. The driveway is shared with the neighbor who operates a Bed & Breakfast. One of the outbuildings would be removed, and a new septic system may be installed for the house. He was not sure if that would take place this year or at a later date. The impervious surface percentage would increase from 3.2% to 19.1%. The proposed land disturbance would be .99 acres. He said a New York State Department of Transportation (DOT) highway permit would be required. The Madison County Planning Department General Municipal Law Recommendation Report (GML) was just received this afternoon. He was unsure if Mr. Langey had a chance to see the GML and offered to read some of the comments.

J. Langey asked him to read them.

T. Clarke said the first comment was, "The construction of a storage barn on a lot would typically be considered an accessory use which the Town requires to be 'incidental and clearly subordinate' to a principal use." He continued saying the second comment was, "There is an existing residence on the property that from the site plan appears will remain, but as this property was purchased by Meiers Creek Brewery to be used part of and adjacent to the brewery (on a Village parcel zoned PD) understanding of the future use of the residence should be discussed." It also stated, "We do note that other residential accessory structures are planned to remain on the property which may require a special use permit in addition to site plan." He went on to explain when the plan was sent to Madison County for review, there were no building details, so the County mentioned the Town should confirm those building details, such as elevations.

He said he too questioned the use for the house. He asked Mr. Langey if he had any comments regarding principal use.

J. Langey said the Board would need to hear from the Applicant the overall plan for all the structures on the site. He was asked by the Attorney for the Village to share the plan with him. He explained the Village Planning Board originally approved the adjacent parcel for the Brewery a number of years ago.

A. Ferguson said the approval was given in 2013.

J. Langey said from a planning perspective, the Town Planning Board would not consider this application “in a vacuum.” He pointed out the plan shows an access to the Brewery (which is a Village parcel). The Attorney for the Village expressed that the Village Planning Board would like to comment on the proposal and those comments should be prepared for the next Town Planning Board meeting. He has spoken with Mr. Vredenburg and they agreed this would be a Type I Action in regard to SEQR. Mr. Vredenburg would submit a Full Environmental Assessment Form (FEAF) which the Board could hopefully review at the next meeting. He said discussion was merited at this time regarding the overall site and how it would “fold into the Brewery,” asking what this property’s role as a supporting parcel would be, including the residential structures on the site.

M. Vredenburg shared his screen showing an aerial view of the properties. He showed the Board the location of the property directly south of the Brewery property. He stated Meiers Creek Brewery was a farm brewery operating under a New York State Farm Brewery License. He said the newly acquired property will be managed as part of the farm operation. He stated the proposed use for the house would be for offices for the farm operation and occasional guest accommodations which by Town Code does not qualify the use as a residence. He repeated the primary and principal use of the property was for the farming activity and operation. He stated farming was a permitted use in the Rural A Zone. He said the new proposed storage barn would sit toward the back of the property (to the west) would be a secondary use to the principal use.

M. Vredenburg then displayed the drawing he created L-100 *Meier’s Creek Storage Barn* dated 11/03/2020. On it he showed the driveway proposed to access the storage barn. He added some language to the drawing showing the parking area would be only for farm brewery employee parking. He showed the Lake Watershed boundary, saying everything to the east of that would drain toward Chittenango Creek. The Building would be 170 feet from the west, rear boundary line and 55 feet from the ridge that delineates the Lake Watershed Zone from the RA Zone. The side yard setbacks would be 89 feet on one side and 59 feet on the other side. Downlit, night-sky compliant light fixtures would be used over the doorways for safety. Two (2) bollard lights matching what is at the Brewery would be installed for safety between the existing

Brewery driveway and the proposed new parking area. A photograph of the bollard light was included on the drawing.

B. Wendel asked the distance of the property line to the Bed & Breakfast.

M. Vredenburg said that information was not on his survey, but he offered to approximate the distance using the aerial photograph. While that program was loading, he spoke about the elevation.

M. Vredenburg displayed drawing A201 *Meier's Creek Storage Barn* dated 11/4/20.

A. Ferguson asked what would be facing the front.

M. Vredenburg responded the East Elevation would be facing Route 13. He thought the vegetation and the location of other buildings would screen the view of the building from the road.

A. Ferguson asked if the loading dock doors would be facing Route 13.

M. Vredenburg said the doors would, and he showed the vegetation between the proposed location and Route 13 from the aerial view.

T. Clarke did not think the loading dock would be visible from Route 13.

Returning to the question regarding the distance from the Bed & Breakfast structure to the property line, Mr. Vredenburg calculated it to be 100 – 115 feet.

T. Clarke asked if the building would be used strictly for storage.

M. Vredenburg stated there would be “no retail, no manufacturing, simply storage.”

T. Clarke asked what would be stored.

N. Hickey said the intention was to use the building for mowers and farm equipment storage. He elaborated they will be planting cherry trees on both properties for sour beer production.

T. Clarke said when he met with Colby Clark, Mr. Clark mentioned the storage of beer cans and kegs.

N. Hickey said that was correct, they might store those items for production purposes.

T. Clarke asked if the barn would have an open floor plan.

N. Hickey affirmed it would.

R. Ridler noted there appeared to be substantial loading docks sketched on the drawing with ample space to turn tractor trailers around. He asked the anticipated frequency of deliveries to the storage building.

N. Hickey thought the deliveries would be fewer than those received at the Brewery. He thought they would occur Monday – Friday from 9:00 A.M – 4:00 P.M.

R. Ridler asked how many deliveries there would be per day.

N. Hickey thought 0 – 5.

A. Ferguson asked why there would be deliveries so frequently if the building was to be used primarily for equipment storage. She asked what would be delivered.

N. Hickey answered many days there would be no deliveries, but there could be up to five (5) on a given day.

T. Clarke asked if trucks delivering to the Brewery would be exiting that way.

N. Hickey answered, "They could... they do not have to by any means. They can go the other direction as well."

T. Clarke asked if the previous employee parking on the south end of the Brewery would become patron parking.

N. Hickey said it would remain employee parking saying they would not want patrons parking in that area.

T. Clarke asked if the employees would use the new road to Route 13 when they exit.

N. Hickey said they would encourage the employees to use the existing exit.

A. Ferguson said she had a concern regarding parking. She believed the Brewery was operating under a resolution created in 2013. She wondered how many parking spaces were allowed in that resolution.

N. Hickey answered he did not have that information with him.

A. Ferguson believed it was based on occupancy. She thought the occupancy allowed in 2013 was about 200 people and believed the parking allotted was about 100 spaces including approximately 25 for employees. She asked the current occupancy.

J. Davis answered the Brewery was still operating under the existing approval from the prior original site plan so there has been no change in what was permitted by the Village. He was unsure how that related to Ms. Ferguson's question.

A. Ferguson was concerned that by giving approval for another 25 spaces for employee parking that approval would indicate the Town Planning Board's acceptance of the parking that exists today. She did not want to mask what the parking situation was. She understood that the Brewery was acknowledged to have an occupancy of 380 people which translated into about 200 parking spaces. She wondered where on the site plan it shows accommodation for all those parking spaces. She wondered if the Town Planning Board was allowing additional parking on the new lot, if the right concerns were being addressed.

A. Ferguson asked if the Applicants had filed a revised site plan with the Village Planning Board for the additional parking spaces.

J. Davis thought the proposal of the barn and the additional 16 parking spaces was being confused with what was happening in the Village. He said the Brewery was operating under its existing permits and approvals. He said if there was an issue with the 16 proposed parking spaces on this plan, that concern should be addressed.

M. Vredenburg explained the parking spaces were not a part of the plan the Brewery insisted to have. He knew they would need space along the side of the proposed building for the roll-up door and he knew the disturbed area of less than one acre could be met and impervious surface area could accommodate the area he designed as additional parking space. He did not create the space due to the Owner's need, he created it to make good use of the space. He felt the parking that occurred along the curve of the parking area could be eliminated and safer parking could be provided after having parked along the curve himself.

A. Ferguson said that was the perspective she was coming from, wondering if the existing parking could be improved upon from the existing site plan. She was concerned about the number of cars parking along the existing driveway. She commented that typically the Town does not like to see a single driveway for ingress and egress because of safety concerns. She wondered if the creation of the new driveway would be an opportunity to improve the safety of ingress and egress. She stated it was difficult to address the whole endeavor without having the Village site plan to refer to. She thought the Village Planning Board should be approached to see the total, saying the Town Planning Board could not be sure how this plan would work with the other plan if they were to give a piecemeal review.

M. Vredenburg thought the second point of access for safety reasons was "a great idea."

A. Ferguson stated she believed the extra 100 cars currently parked on site are parking along the driveway and she was unsure if that was legal from a safety point of view.

N. Hickey agreed the second driveway would provide emergency vehicle access.

M. Vredenburgh thought it would also remove truck traffic from where pedestrians walk.

A. Ferguson repeated her question, asking what was being delivered if the building was for storage.

M. Vredenburgh said the deliveries to the building would be items such as cans or kegs, or whatever else the Brewery might want to stockpile for production of the beer next door.

T. Clarke asked Mr. Hickey if a smaller building could be considered since it would be located next to a Bed & Breakfast. He called the 7200-foot building “quite substantial.”

N. Hickey said he had shared the proposal with the Krumsieks and had discussed the size of the proposal with them. At that time the Krumsieks did not express concern over the size. The Krumsieks asked that trees buffer the view. He said they intend to accommodate the request, saying they do not intend to remove a number of trees to construct the building since it will be going into an area that was field.

T. Clarke asked if there were plans to plant trees to buffer the Krumsieks’ property.

A. Ferguson interjected there may be a headlight issue if the drive was used as another access road. She noted the previous owner of the property had issues with headlights.

T. Clarke also wondered about noise mitigation. He expected there would be considerable noise with forklifts and trucks having beepers when reversed. He wondered the impact of the noise on the Bed & Breakfast.

M. Vredenburgh said regarding the question about planting trees, there was a line of evergreens planted seven (7) years ago between the Reynolds’ property and the Brewery. Many of those trees would be replanted along the property between the building and the Bed & Breakfast.

N. Hickey said the question regarding noise had been an issue between Ms. Reynolds and the Brewery, so they had converted the forklift to have a blue light lit when backing up rather than making a beeping noise. He said that safety feature was compliant with the Occupational Safety and Health Administration (OSHA) standards. He felt the noise from delivery trucks and traffic would not be “significant at all.”

One other concern T. Clarke expressed was roof run-off from the new 7200 square foot building, wondering where all that runoff would go.

M. Vredenburg said that could be mitigated. He said drainage flows to the east toward Route 13 and there would be ample opportunity to slow it and to infiltrate it. He said he was happy to do that if it was requested.

T. Clarke expressed the need and said it should not be allowed to flow across the road.

M. Vredenburg said it would be directed to the northeast corner.

T. Clarke asked if other neighbors had been notified about the project other than the owners of the Bed & Breakfast.

N. Hickey answered he has only spoken with the Krumsieks.

J. Langey repeated that it was his understanding a Type I environmental review would be done in terms of SEQR and that Richard Huftalen would provide comments to Ms. Ferguson’s point about the Village involvement, and would be able to consider the inter-relationship between the two (2) parcels from a planning perspective. He reminded the Board that a public hearing was optional for site plan reviews. He said that could be a consideration for next month, but the Board would certainly have to go through the SEQR process.

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

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

*EBAC, LLC- Owera Vineyards -- Revisit Site Plan Review – 5276 East Lake Road
File # 16-1060 (Robert Ridler)*

Bryan Wendel recused himself as a Voting Member. Gerald Rasmussen assumed the position of a Voting Member at this time.

Peter Muserlian was present to represent the file as was Rick Ruggaber of Oweria Vineyards.

R. Ridler explained this was the revisiting of an application for an outdoor patio to the south and west of the tasting room. He said this application now has some minor changes and he asked Mr. Ruggaber to explain those changes and what the project entails.

R. Ruggaber said the original project was much larger. He said they would like to level the proposed area which was initially for 82 seats and now would accommodate 64 seats. The area on the drawing showing the seating would now remain a grassy area, impervious materials would not be used. A retaining wall was proposed between the seating area and the drive where there would be a 3 ½ - 4-foot drop. The character of the wall would be the same as the stone on the building. The seating area would be 20' X 60' with landscaping around the perimeter. There would be a small black aluminum fence in the corner to prevent anyone from falling over the retaining wall. They also would like to install some posts and some stringed lights. Drawings had been submitted today as well as the light details.

R. Ridler asked if the lighting would be dark-sky compliant.

R. Ruggaber said it would not be; it is a stringed light system with Christmas tree-type bulbs and being residential in character.

H. Roszel asked if there was a drawing submitted showing how the proposal would look.

A. Ferguson said the drawing had been emailed today.

R. Ridler asked if Mr. Ruggaber had a copy of the drawing he could share with the Board.

R. Ruggaber was using his cell phone so he had no way of displaying it on his screen.

R. Ridler asked the height of the post lights.

R. Ruggaber said the posts would be 9 ½ feet high with strands along the top.

R. Ridler asked if the lights would span the perimeter of the 20' X 60' space.

R. Ruggaber said that was correct.

A. Ferguson asked if the lights would be extinguished at the end of normal business hours.

R. Ruggaber said they would.

J. Dunkle shared his screen to show the site plan dated April 2016.

A. Ferguson wondered if there were any other concerns regarding the visibility factor knowing this was a sensitive neighborhood. She wanted to be sure the Board did not approve lighting that anyone might find invasive.

R. Ruggaber said the site plan displayed was for the original approval.

J. Dunkle then displayed the new drawing.

A. Ferguson asked if there was currently outdoor seating in the location for guests.

R. Ruggaber answered, "Yes."

A. Ferguson asked if there would be any additional seating.

R. Ruggaber responded there would not be and repeated it was less than what had originally been proposed.

R. Ruggaber said the area currently was a grassy area but they would like to make it more level.

The area would remain grass.

R. Ruggaber said the square area where there were six (6) tables was currently blue stone and it would remain blue stone. The grassy area would be sod.

R. Ridler asked if there would be 16 tables (in the grassy area).

R. Ruggaber said that was correct.

R. Ridler asked the seating capacity for the 16 tables.

H. Roszel said (the drawing showed) 52 chairs.

R. Ridler asked if there would be heaters or if the seating would be seasonal.

R. Ruggaber believed it would be seasonal saying there were no plans to have heaters at this time.

R. Ridler asked if the parking lot could accommodate the outdoor seating.

R. Ruggaber answered there was ample parking.

R. Ridler asked Mr. Langey about the prerogative of a public hearing.

J. Langey said that would be allowed.

A. Ferguson asked if the public hearing could be for both projects on the agenda for the Winery.

J. Langey clarified that two (2) public hearings would be scheduled, but they would occur one after the other.

J. Langey gave further explanation regarding the Board’s ability to hold or waive a public hearing.

Motion by A. Ferguson, seconded by T. Clarke to move the application to a public hearing at the next meeting was carried as follows:

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

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

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Thomas Clarke	Voted	Yes
Gerald Rasmussen	Voted	Yes.

*EBAC, LLC- Owera Vineyards --Site Plan Review – 5276 East Lake Road, Cazenovia
File # 20-1314 (Robert Ridler)*

Bryan Wendel remained recused. Gerald Rasmussen continued the position of a Voting Member at this time.

Richard Ruggaber of Owera and Peter Muserlian were present to represent the file.

R. Ruggaber said this application was for a barn facility for storage of equipment and farm machinery to be stored inside “to clean up the site and make it more presentable.” The dimensions of the barn would be 48’ X 104’ with a 14’ eave height. The siding would be wood board and batten stained to match the other buildings at the facility. It would be 4992 square feet of cold storage.

R. Ridler said it was his understanding that there would be no entertainment and no use of the building other than farm-related, winery-related storage.

R. Ruggaber affirmed that it would be 100% storage of farm equipment.

R. Ridler asked the exact location of the building on the site.

R. Ruggaber explained it would be east of the existing barn and directly behind the main production facility.

H. Roszel asked if that was where all the parking was.

R. Ruggaber said it was not. It was where there was employee parking behind the main production facility.

More discussion followed regarding the location.

R. Ruggaber was not able to share his screen but he held a site plan map in view on his phone.

R. Ridler thought the location of the proposed building was elevated somewhat above the other buildings.

R. Ruggaber thought the area was “fairly flat.”

R. Cook said it would be positioned on a “courtyard area” where items have been stored, so he thought it was a flat area that has existed.

R. Ridler wondered if there was a way to locate the building so that it could help mitigate sound that comes from the event center.

R. Ruggaber responded that the event center was across the parking lot. He said no sound should be coming from the proposed building. He indicated putting the building nearer the event center would not be practical.

R. Ridler asked if the building would eliminate the need for items to be stored in two (2) tractor trailers on site.

R. Ruggaber believed that was the intent.

R. Ridler believed a public hearing for the proposal would allow the neighbors to express their opinions.

Motion by A. Ferguson, seconded by H. Roszel to move the application to a public hearing at the next meeting was carried as follows:

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

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

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

Lucas, David -- Site Plan Review – Barrett Road, New Woodstock
File # 20-1280 (Anne Ferguson)

Matthew Kerwin of Barclay Damon, LLP law firm in Syracuse, NY was present to represent as well as Michael Frateschi of TJA Clean Energy, LLC.

A. Ferguson said at the last meeting they closed the Topographical Site Survey, saying there were no other wetland issues. The video recommendations had been submitted to the Highway Department. The species of plants were approved. She said there were a few remaining open items.

A. Ferguson said the first open item was Revised Site Plan #C-101. She asked Mr. Frateschi if he had been able to obtain an agreement with the owner of the property at the top of the hill for the new access road/driveway.

M. Frateschi said they had been in contact with the landowner and they created a purchase contract. The landowner's attorney asked that a survey be done which they have performed. He said they were now working on the legal description and then they can execute the purchase contract and move forward with the application.

A. Ferguson said the Storm Water Pollution Prevention Plan (SWPPP) had been based on that plan. She recalled Mr. Dunkle had alerted the Board that mitigation would be needed for slopes in excess of 15%. She said the SWPPP addressed that mitigation. She said the draft SWPPP had been submitted and she reviewed it. Some items mentioned at prior meetings that had been included in the SWPPP were: operation and maintenance plan; Mr. Dunkle was to review for DEC compliance which was done; the stormwater management plan regarding the transition to meadow; and the erosion control plan, especially in those areas where the slopes would be steeper than 10%.

J. Dunkle said he had a good conversation with the Applicants' engineer regarding the preparation of the SWPPP, the erosion control plan, and the hydrology. He said his general comment was that the Applicants had done a very good job of conservatively monitoring the impacts from this project and have developed a good overall assessment. He said he was still going through the details, but his overall impression was that the Applicants have addressed all of the Board's concerns.

A. Ferguson believed there would be a creation of an infiltration basin.

J. Dunkle said that was correct. He said it was part of the mitigation. He asked for more time to review it to provide his comments, but his general assessment was they were "on the right track."

A. Ferguson said the Board had asked for details regarding the stabilization of the disconnect area and she asked Mr. Frateschi about that, saying that was to be addressed in the erosion control plan and it may have been included, but she had not found it.

J. Dunkle asked for clarification regarding what Ms. Ferguson was asking him to review, saying any disturbed soils on the site have to be stabilized before the permit will be closed out. He said that was standard protocol.

A. Ferguson thought it might be the disconnection area as it relates to the power supply.

M. Frateschi thought it might pertain to the corridor that runs from both facilities through the woods. He recalled a comment addressing the steep slopes in that area asking that there be adequate vegetation. He said the SWPPP addressed that issue. He said by the nature of the erosion sediment control plan they would need to stabilize that with the proper vegetation.

J. Dunkle added with the steeper slopes it may require more than seeded mulch. He said it may need some tube meshing or some type of rolled erosion product. He assured Ms. Ferguson he would check that detail.

R. Ridler asked Ms. Ferguson about the email received from Mr. Wright regarding drainage.

A. Ferguson said the email related to the ditch on Barrett Road. He mentioned rerouting the stormwater from the eastern field. He suggested an alternative of spreading it to the southwest, starting the absorption and passing it through that direction. He was mainly concerned about overcapacity in the ditch along Barrett Road.

J. Dunkle said the confusion was that Mr. Wright was looking at a drainage pathway for hydrology calculations, but that was not the way the site drains. He said it was his understanding that there would be no change in the drainage patterns. He said what was shown was the longest drainage path through the watershed. He did not think there would be any major impact to drainage on Barrett Road.

A. Ferguson asked for a negative confirmation on that item when Mr. Dunkle reviews the information.

A. Ferguson said Mr. Wright also had an open question from July about the plastic drainage pipe on the neighboring site wondering if drainage would be rerouted or incorporated into the SWPPP.

M. Frateschi responded that was drainage tile, and when they shifted the facility to the east that drainage tile would be avoided all together.

A. Ferguson said the Applicants had been asked to include some driveway details such as turning radius and grading issues. She said the Applicants included that in the SWPPP and there would be two (2) hammerhead turn-around driveways.

A. Ferguson said on page 13 of the draft she noticed some of the data highlighted in yellow. She asked about that.

M. Frateschi explained the infiltration rate was calculated based upon the soils found in the mapping data. He said this was being field verified and the SWPPP will be updated according to the actual infiltration rate. He said the hydration calculations would be updated as well.

J. Dunkle added that was standard procedure.

A. Ferguson said the Erosion Plan Map # 106 was new to the Board and she wanted to confirm that map was based on the most current Site Plan.

M. Frateschi affirmed it was.

A. Ferguson asked that when there was mention of ground cover, seed mix, or grasses the term “pollinator friendly” be included.

M. Frateschi asked Mr. Kerwin if the seed mix had been submitted.

M. Kerwin said they had not.

M. Frateschi asked to share his screen to show the Board the seed mix choice. The supplier was Ernst Conservation Seeds and the type chosen was Northeast Solar Pollinator 3’ Mix – ERNMX-612. He described the variety as a slower-growing, pollinator friendly blend that grows to 2 - 3-feet tall. He stated it was a grass mix with some flowering species.

A. Ferguson asked that the document be included in one of the appendixes.

A. Ferguson then asked about Appendix E-1, the Maryland Design Guidance.

M. Frateschi responded that the New York State DEC adopted Maryland’s Guidance for their technical memo and this was the guidance being followed throughout NYS for all their solar projects.

J. Dunkle said he plans to do a full review memo for the SWPPP and all the plans for the next meeting.

A. Ferguson asked if there was any news from the Army Corp of Engineers (ACOE) regarding the wetland permit.

M. Frateschi said unfortunately they were still waiting for the permit. He said it was underway. He said regarding the New York’s State Historic Preservation Office (SHPO), they have been asked to do an additional survey of properties that are 50 years or older that are adjacent to the project site. CNS Engineering has undertaken this

activity. He did not think there were many properties so the survey should be done quickly, resubmitted to SHPO, and they were hoping for their approval shortly thereafter.

A. Ferguson asked if that was a SEQR item.

M. Kerwin affirmed the SHPO involvement was a result of the SEQR review. SHPO was an Involved/Interested Agency.

J. Langey added SHPO has responded that there were no concerns regarding this project's impacts to archaeological resources.

A. Ferguson said regarding roads, Mr. Slocum indicated that he had no issues for the Highway Department, so she surmises the video submitted was satisfactory, that sight distance was adequate, and there were no issues with access roads.

J. Langey said he and Mr. Kerwin were still working on the Road Bond Agreement

A. Ferguson assumed drainage issues relative to roads was addressed in the SWPPP.

M. Frateschi said that was correct.

A. Ferguson said the Notice of Intent response from New York State Agriculture and Markets (Ag & Markets) had been received.

A. Ferguson said regarding Operations the only items outstanding was a response from the New York State Police. The other Emergency Responders responses have been received. She said she would assume the State Police were OK with the proposal.

A. Ferguson said regarding Tree Removal Site Mitigation, the only problem area was a section of the view from Route 80. She said at the last meeting the Applicants were going to address the feasibility of potentially adding to a hedgerow to block some of the view of the panels.

M. Frateschi said they performed an evaluation and found that because of the bowl-shaped topography, unless trees were to grow to 60' – 70', the trees would not cover the facility from that viewshed. The only alternative was to plant trees along Route 80 and in that location, there was active farmland. They felt the measure was prohibitive to take active farmland for the sake of a brief view from the road.

M. Kerwin further explained that the viewshed was less than a ¼ of a mile where the speed limit was 55 MPH. He said given the location with no residences, they did not find it practical to do any mitigation measures.

A. Ferguson asked if something could be done closer to the panels. She was very familiar with that stretch of road saying she was very fond of the viewshed. She felt a buffer would be in order since the panels may be there for 25 years.

M. Frateschi shared his screen showing photo #7b – Route 80. In the photo he referenced a group of trees that were about 15 – 20 feet in height and pointed out the limited obstruction of the panels. He said it would take several years for any species of evergreens to reach a height of 20 - 25 feet and to make an impact on the view, and even then, only 25% - 40% of the facility would be blocked.

J. Munger said he drove that section of road today and he thought one driving an average speed would only view the panels 3 -5 seconds. He did not find the screening to be “a big issue.”

R. Ridler did not think the Applicants would be able to mitigate that view, agreeing one would not see it for long.

H. Roszel said he agreed with Mr. Frateschi thinking the trees would not block enough of the view to make the result worth the effort. He said if one was walking or biking, one would see it, but cars traveling 60 MPH would not, thinking it would last “the blink of an eye.”

B. Wendel said if it was not in the valley, he would agree with Ms. Ferguson, but it was in a valley.

A. Ferguson disagreed that the short time one sees it would make it acceptable.

H. Roszel asked who owns the property by the road.

A. Ferguson answered the farmer.

M. Frateschi believed the owner lives in Buffalo.

R. Ridler suggested the Board take more time to think about it.

A. Ferguson agreed but added the Board should demonstrate there would be no visual impact, and, in her estimation, there was a visual impact.

M. Kerwin said planting species around the array themselves would restrict the amount of sunlight hitting the arrays. He said if they were to plant along Route 80, the array would not be entirely concealed. He said that also would not look naturalistic. Not only that, but they would need to go offsite to address the issue, which he felt was an unusual request.

A. Ferguson countered the importance of viewsheds had been raised earlier in the evening during discussion of a different proposal.

M. Kerwin insisted providing mitigation from a property that was not theirs was a different situation.

A. Ferguson said she would leave this item open, visit the location again, and “chew on it.”

A. Ferguson believed they were still working on the Decommissioning Agreement.

J. Langey reported that he and Mr. Kerwin had been working on the details of the plan and thought they had reached a generic agreement about that. They have also discussed the details of the decommissioning bond.

A. Ferguson referred to a list of about 12 items Mr. Langey had wanted to be included in the plan and asked if those items had been included or if there were any issues with them.

J. Langey did not recall any strong objections.

M. Kerwin elaborated that they were in the process of revising that to make sure all the comments were addressed.

A. Ferguson asked if the SEQR responses could be considered closed.

J. Langey said the next step was to complete SEQR. He said he wanted to meet with Mr. Kerwin to discuss some findings from what the record had shown so far. He said there would be a considerable amount of data to cite as they complete Part 2 of the Full Environmental Assessment Form (FEAF). He said they might be able to get that accomplished at the next meeting.

M. Kerwin explained they were still in the process of acquiring an interest in the property to the east to allow for the access road. He said that would trigger the need for a line change application. He thought from the SEQR standpoint that would need to be addressed as well. He wondered if they would still be in a position to do SEQR next month and to schedule a public hearing this evening for next month as well.

A. Ferguson thought the outstanding items would need to be addressed before a public hearing was held.

M. Kerwin asked what outstanding items would need to be completed.

A. Ferguson listed Mr. Dunkle’s review of the SWPPP, the response from ACOE, the Decommissioning Agreement, and those types of things.

J. Langey did not think the Decommissioning Agreement, the Decommissioning Bond, and the Road Bond were items that would delay the public hearing if the Board was comfortable in having it. He said the Board could continue the file while the public hearing was left open if there were items that were not as the Board would have them. He said the decision was the Board’s.

J. Dunkle did not feel his review should delay a public hearing either. He did not think any of his findings would change the plan in a significant way.

A. Ferguson asked Mr. Ridler if the Town of Cazenovia Zoning Board of Appeals (ZBA) needed to approve the proposal as well thinking the Applicants should not have to have more than one public hearing. She wondered if the ZBA would be agreeable to the Planning Board performing the public hearing.

J. Langey explained the ZBA will have to have its own public hearing. He suspected the ZBA to adopt the Planning Board SEQR findings.

A. Ferguson asked if it would make more sense to move the application to the ZBA at the next meeting and have them schedule the public hearing.

J. Langey said there might be an option of scheduling a joint public hearing, but he felt Zoom may make that option difficult to manage.

J. Langey thought a public hearing could be scheduled for the next Planning Board meeting and he could discuss the ZBA process with Mr. Kerwin offline.

M. Kerwin asked if the Planning Board would defer action for the site plan until the ZBA addressed the special use permit.

J. Langey said that was to be determined.

M Frateschi asked if the possibility of a joint public hearing was off the table or if that was still a consideration.

J. Langey said in his judgment that would be a tricky thing. He agreed it made sense, but he felt meeting via Zoom made that difficult.

D. Bowers interjected that both public hearings could be done in the same month.

J. Langey said that was true, but the Planning Board needed to “get this over to the Zoning Board too.” He said normally an application would finish with one board before

going to another. He added most projects do not have the depth and expanse of this type of a large project. He said the regulations were designed for both boards to have a full examination of a solar project such as this.

A. Ferguson wanted it noted in the record the Applicants did get a response from the Federal Aviation Administration (FAA) and there were no issues with that agency, so item was also closed.

A. Ferguson said she had a couple of items for Post-Install that she thought should be added as conditions. One item was the inspection of the road by the Highway Department after the installation. The second item was dead tree and scrub replacement in five (5) and ten (10) years.

A. Ferguson said there was still the open item with the owner of the property for the proposed access road, but she thought they could leave those items open and see if those items come in by the January meeting.

More discussion followed regarding the need to have a public hearing at the next meeting.

M. Frateschi said depleting incentives were a consideration for his company and a reason they try to move as quickly as possible.

Motion by J. Munger, seconded by H. Roszel, to move the application to a public hearing at the next meeting and to continue the file was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes

R. Ridler informed the Board that the Town Board will be holding a meeting to discuss the future of the Gothic Cottage at 7:00 P.M. on Tuesday, November 17, 2020 at the Hampton Inn. He encouraged the Board to attend if they were available.

Motion by D. Bowers, seconded by H. Roszel, to adjourn the meeting at 9:55 P. M. was carried as follows:

Robert Ridler	Voted	Yes
Anne Ferguson	Voted	Yes
Jerry Munger	Voted	Yes
Dale Bowers	Voted	Yes
Hugh Roszel	Voted	Yes
Bryan Wendel	Voted	Yes
Thomas Clarke	Voted	Yes.

Sue Wightman, Planning Board Secretary – November 6, 2020