

Town of Cazenovia Planning Board

Meeting Minutes

September 2, 2021

Members Present: Robert Ridler, Chairman; Anne Ferguson; Jerry Munger; Dale Bowers;
Thomas Clarke; Gerald Rasmussen; Mary Margaret Koppers

Members Absent:

Others Present: John Langey; Roger Cook; John Dunkle; Donna Shaffner; Karl Stinson;
Karen Trush; Eric Byer; Richard Sadlon; Betsy Sadlon; Cory King;
Edward Keplinger; Kyle Reger; Daniel Almeida

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

Roll was taken.

Motion by A. Ferguson, seconded by T. Clarke, to approve the August 5, 2021 meeting minutes was carried unanimously.

The next regularly scheduled meeting will be Thursday, October 7, 2021.

The next regularly scheduled work session will be Thursday, September 30, 2021.

The next deadline day will be Wednesday, September 22, 2021.

Because masks were being worn, Chair Ridler asked that people speak audibly for the meeting recording, and that the rustling of papers and other room noises be minimized.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*Patricia A Christakos Trust -- Site Plan Review – 4681 East Lake Road, Cazenovia
File # 21-1348 (Dale Bowers)*

No one was present to represent the file.

D. Bowers said nothing new has been submitted

Motion by D. Bowers, seconded by A. Ferguson, to continue the file was carried unanimously.

*Shaffner, Donna -- Site Plan Review – Route 92, Cazenovia
File # 21-1360 (Robert Ridler)*

Donna Shaffner was present to represent the file.

R. Ridler explained the site plan review was for the property at the corner of New York State Route 92 and US Route 20.

D. Shaffner noted some of the Board members had been able to visit the property since the last time she met with the Board. She said in the meantime, Tim Marshall of the New York State Highway Department has approved work in the trench area. Work had been scheduled for last week, but the flooding in DeRuyter and Sheds prevented New York State from being able to begin the work on her property as scheduled. She expected the Highway Department to begin work this week. The paint lines for gas and electric have been marked on the road at her property in preparation.

A. Ferguson asked if that was the approval Ms. Shaffner has been awaiting from the New York State Department of Transportation (DOT).

D. Shaffner clarified it was. She explained Mr. Marshall was the DOT representative from Morrisville.

D. Shaffner referred to a large site plan drawing which she brought for the discussion (but has not submitted to the file). She indicated on the drawing where the swale exists saying she removed the debris. The plan was for the State to enlarge it about ten (10) feet on each side and possibly install rip-rap. She said the Board had requested that the work by the State be done before the Applicants “did anything else.” She said in the meantime she had communicated to the Board that “a pretty extensive theft” had occurred on the dock. She explained the original plan was to install a three-rail horse fence with a farm-style gate, but since the theft they were now thinking a taller fence using the existing posts would be needed. She said they would also like to space hydrangeas along the fenced area. The variety of hydrangeas would grow to be 10 – 12 feet high.

D. Shaffner was told by the DOT that the entrance that currently exists was the best location for an entrance, but they suggested making the driveway longer so that cars entering the property would not be stopping or slowing, which would make entry safer.

D. Shaffner asked if the fence could be installed all the way to the waterline or if should stop at the road.

D. Shaffner also asked about clearing the overgrowth which she felt would deter unauthorized people from going onto the property.

A. Ferguson asked if the fence being referred to was actual fencing or shrubbery.

D. Shaffner answered both. She hoped in five (5) years a big hedge of hydrangea will have grown and filled in the entire length with fencing to deter deer. She explained she had not originally wanted a 6-foot fence.

D. Shaffner said Jeff Stowell, her excavator, had suggested heightening the berm with the ground debris to the height of two (2) feet.

R. Ridler expressed concern that the hydrangeas would worsen visibility for cars leaving the site.

D. Shaffner thought the current fence was on the property line or no more than a foot from it. She thought moving it 5 – 10 feet away from the boundary lines might be helpful, saying she wanted it to be obvious that the land is private, not part of the park, and that it would “look well taken care of.”

J. Munger asked if the fencing would be chain link.

D. Shaffner said the fence there now was spiked posts with wire mesh. They were now considering a 6-foot, dog eared fence that allowed a level of light and that would be a nice entrance to the Town without blocking the view.

J. Dunkle asked that when the DOT does the daylighting of the ditch that they would provide some sediment control before drainage discharges directly into the lake.

D. Shaffner said she would like help with that since water comes from Route 20, goes under Route 92 and rolls onto her property. Much of the water carries road salt which has contributed to a marshy area overgrown with loosestrife and rushes. An open culvert was there now, so that was the reason for the rip-rap or perhaps the option of planting grass by the DOT.

D. Shaffner said Mr. Marshall has been very accommodating and she believed he would cooperate with requests.

R. Ridler asked if Mr. Dunkle thought rip-rap or grass would be best.

J. Dunkle explained those methods slowed the flow of water. He thought a check dam or a sediment collection area would be needed.

D. Shaffner asked Mr. Dunkle thought a pond of some sort would be effective.

J. Dunkle affirmed it would be.

D. Shaffner said she could talk to Mr. Marshall about creating that.

R. Ridler asked Mr. Cook if the Board could suggest or instruct the State regarding this matter.

R. Cook responded historically whether it was the County or the State, they have authority over the road rights of way.

J. Langey interjected that homeowners can make requests. He said Ms. Shaffner can relate the issues and concerns of the Planning Board to the State's representative, noting this was a significant corner on the lake, and he anticipated the DOT's working with Ms. Shaffner.

D. Shaffner agreed.

A. Ferguson requested to see the final location of the fence and gate.

D. Shaffner showed the Board on the drawing the approximate locations and asked if the Board preferred using the existing 6-foot fence and removing the poisonous overgrowth, or replacing the fence.

R. Ridler believed the original proposal for the white vinyl fencing was out of keeping with the character of the neighborhood.

A. Ferguson said a continuation of the split-rail fence that was at Lorenzo would be in keeping but acknowledged it would provide little security from trespassers.

D. Shaffner said she specifically would not want a split-rail fence believing it would invite the assumption that the property was part of the Gypsy Bay Park.

R. Ridler said the Board would want something other than the proposed white vinyl. He also cautioned against the installation of thick shrubbery believing it would shield malevolence.

D. Shaffner understood.

R. Ridler asked if Ms. Shaffner was seeking approval to clear the lot of overgrowth and to have drainage mitigation installed (by the DOT), and the installation of a gate.

J. Langey asked what was submitted that serves as the site plan for the request. He said the original proposal had included a boathouse (which has since been removed from the request).

D. Bowers suggested the Board wait until the State had completed their work before approving the site plan. He said then the Board could see how the site looked and Ms. Shaffner could finalize her plan as well.

D. Shaffner said she would not mind waiting, but she would like approval to clear the land at this time.

D. Bowers expressed agreement, saying the fence and gate and other details could be discussed at a later date.

D. Shaffner asked for ideas about what the Board might approve for the fence so she could explore options.

A. Ferguson asked if the shrubbery would be in front of the fence.

D. Shaffner said the shrubbery would face the lake.

A. Ferguson thought the opposite should be done.

D. Bowers agreed.

D. Shaffner remarked that option would allow her to use a metal fence since it would be screened from view.

A. Ferguson elaborated that would provide two barriers. She said the site plan should show where the shrubs would be located and where the fence would be located.

D. Bowers added it should also show how the gate would look.

D. Shaffner said she could clear the land, she could wait for the Highway Department, and then she could return to the Board with a new drawing and new photographs of the property. She asked how far from the current property line would the Board want the plantings. She thought the hydrangeas would be about eight (8) feet wide.

T. Clarke cautioned the plantings should not be within the State right-of-way.

A. Ferguson asked the height of the hydrangeas.

D. Shaffner said they will reach 12 feet high.

R. Cook repeated that Ms. Shaffner would want to ensure the plants would be outside the highway boundaries, and the fence would be required to be outside the highway boundaries as well.

A. Ferguson asked what the highway boundary was on this property.

R. Cook said he did not know, but Mr. Marshall could let Ms. Shaffner know.

D. Shaffner expressed understanding, and said she just wanted to act in a manner the Board would approve.

A. Ferguson said the Board usually relies on what the landscaper proposes.

D. Shaffner clarified she would only be clearing the land and then she would return in October with her plan.

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

*Trush, Karen & Stinson, Karl -- Site Plan Review – 3179 West Lake Road, Cazenovia
File # 21-1382 (Gerald Rasmussen)*

Karl Stinson and Karen Trush were present to represent the file.

G. Rasmussen said the application was a site plan review to build a 2-car garage. He showed a sketch of the garage and explained it would be placed closer to the road than the house. He said the doors would face north for convenient access from the driveway. Because of the placement in front of the house, the Applicants had to obtain an approval from the Cazenovia Town Zoning Board of Appeals (ZBA) which was given.

K. Stinson said an error had been made regarding setbacks. The approved location of the garage would be 117 feet from the center line of West Lake Road and 27 feet from the south property line.

R. Ridler clarified the plan proposed at this time was the same plan approved by the ZBA.

K. Stinson answered it was the same plan.

J. Langey said this was a Type II Action in regard to the State Environmental Quality Review (SEQR).

Motion by G. Rasmussen, seconded by M. Koppers, to approve the site plan review for the construction of a 2-car garage as most recently submitted was carried unanimously.

Beyer, Eric -- Line Changes – 1602 Grassy Lane with 1601 Grassy Lane & File # 21-1383 (Gerald Rasmussen) 1602 Grassy Lane with 1633 Grassy Lane, Cazenovia

Eric Beyer was present to represent the file.

E. Beyer displayed a section of a survey showing the entire properties. He explained the newly created lot from his previous subdivision was sold to Daniel and Samantha Almeida who now would like to buy the entire property of their side of the road except for a small strip that would be sold to Lockheed Martin.

E. Beyer explained that when they surveyed the property it was discovered that the road going to the Lockheed Martin facility was actually on his property, so this line change would allow Lockheed Martin to have their road on their property.

A. Ferguson clarified this was not a new subdivision, it was the expansion of the newly created lot.

E. Beyer affirmed that was correct, with the conveyance of the road to the existing neighbor.

G. Rasmussen visited the site and believed it was a good proposal.

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

Motion by G. Rasmussen seconded by T. Clarke, to appoint the Planning Board as Lead Agency for the purposes of the SEQR, to affirm the matter an Unlisted Action and make a Negative Declaration based upon the Board’s review of the SEAF and to move the file to a public hearing at the next meeting was carried unanimously.

R. Ridler informed Mr. Beyer that a survey was needed before the next meeting.

D. Bowers explained the need for the Board to have the survey before they could approve the line changes.

E. Beyers spoke of his challenge regarding the surveyor.

D. Bowers explained if the drawing were not ready in time, the Board would merely postpone the file until the following meeting.

E. Beyer asked the process after the public hearing.

R. Ridler explained the process.

A. Ferguson elaborated that like the subdivision, the Board would render a decision following the public hearing the same night.

*Sadlon, J. Richard (Rich) & Elizabeth (Betsy) -- Minor (2 Lot) Subdivision – 2208 Ballina Rd
File # 21-1384 (Robert Ridler)*

Richard and Betsy Sadlon were present to represent the application.

Referring to an aerial photograph of the parcel, R. Sadlon explained that they would like to create a 7-acre lot of woods for their daughter for recreational purposes. He said there would be no new construction of structures on the parcel and the parcel would be accessed from Ballina Road via a 12-foot-wide lane (the lane being approximately 1390 feet long) and with 250 feet of road frontage.

R. Sadlon said a second 30-acre parcel would be created at the south end of the property (accessed by East Road). That would remain farmland, there would be no new structures proposed on that parcel at this time, and he and his wife would retain that land.

R. Sadlon said the remaining (55-acres) land with the farm buildings and the house would be sold to a neighboring farmer who would use the property for livestock, beef cows, and for growing crops.

R. Ridler asked the size of the parcel.

R. Sadlon said it was 92.2 acres and repeated the approximate size of the two (2) proposed lots.

R. Ridler stated the need for a surveyed map for the next meeting.

R. Ridler spoke about the need for 250 feet of road frontage for the 7-acre parcel.

R. Sadlon asked about the depth of the road frontage.

R. Cook explained that in the past the creation of similar lots has been shaped like a boot. He said the road frontage would need to be on the property and not within the highway right-of-way. That 250 feet would then narrow to the width Mr. Sadlon desired continuing to the back acreage. He said there was no set depth the 250 feet of frontage was required to be.

R. Cook sketched how the lot would be shaped to give better understanding.

J. Langey instructed the Applicants to take the sketch to the surveyor so that the survey would show the dimensions they choose.

More discussion followed regarding the need for the survey to be submitted in time for the announcement of the public hearing, which would be the next deadline day.

R. Sadlon said he had contacted the surveyor a month ago but was told the surveyor would wait until the first meeting with the Planning Board before work would be done.

D. Bowers reiterated that the depth of the 250 feet of road frontage could be the depth that the Sadlons choose.

R. Ridler stressed the necessity for the survey drawing to be submitted by September 22, 2021.

R. Cook added that, if for any reason the drawing could not be completed by that date, the file and public hearing would be continued in October and discussed at the November meeting.

R. Sadlon asked if there were any considerations regarding the 30-acre lot.

D. Bowers responded there was plenty of sight distance from the East Road side. He said the Town could site a driveway, but he saw no issue doing that. He noted the mother lot was not being changed so there were no considerations for that lot.

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

Motion by R. Ridler seconded by D. Bowers, to appoint the Planning Board as Lead Agency for the purposes of the SEQR, to affirm the matter an Unlisted Action and make a Negative Declaration based upon the Board's review of the SEAF and to move the file to a public hearing at the next meeting was carried unanimously.

*Shepard, Douglas & Trista -- Site Plan Review – 4501 NYS Route 92, Cazenovia
File # 21-1386 (Mary Margaret Koppers)*

Cory King, an intern architect from Teitsch-Kent-Fay Architects, PC, was present to represent the file.

C. King said the project involved renovation, some foundational work, and the incorporation of some exterior space into interior space. He said it was a relatively small amount of footage, about 120 square feet, and it was currently a deck so no additional impervious surfaces would be added to the footprint of the building.

M. Koppers said upon visiting the site it appeared to be a relatively small change to the structure.

R. Ridler asked if there would be any increase to the footprint or the impervious surface area.

C. King and M. Koppers indicated there would not be.

R. Ridler asked if Mr. Cook had any comments.

R. Cook said he did not.

J. Langey said this would be a Type II Action.

Motion by M. Koppers, seconded by G. Rasmussen, to approve the site plan review for enclosure of an existing second floor deck and the related foundational and structural renovations as most recently proposed was carried unanimously.

*deCordova, Noel III -- Revisit Site Plan Review – 1040 Tunnel Lane, Cazenovia
File # 21-1358 (Dale Bowers) (Owned by Melissa deCordova)*

Edward Keplinger of Kepling Freeman Associates was present to represent the file.

D. Bowers explained that Mr. Keplinger has returned for site plan review because the Madison County Department of Health requirements for septic systems has changed the previously approved plan for the reconstruction of the home.

Referring to the drawing entitled *New Residence deCordova Residence 1040 Tunnel Lane, Cazenovia, New York 13035 L1.0 Site Preparation Plan Progress Set 8/26/2021* by Holmes, King, Kallquist & Associates Architects, LLP, E. Keplinger explained the deCordovas purchased the land that was approximately 1 ½ acres and he showed where the existing house was located which was 40 – 50 feet from the lake. The plan was to demolish the house and to move the new home farther from the lake. He then displayed the drawing entitled *New Residence deCordova Residence 1040 Tunnel Lane, Cazenovia, New York 13035 L.2.0 Site Plan Preferred Option Progress Set 4/30/2021* showing what was approved by the Planning Board in May of 2021 with the house being 100 feet from the lake and the leach field behind the house on the slope. He explained as the project developed, they discovered the soils were not very good. He showed where the existing wells were on and near the site.

E. Keplinger then displayed the new location of the house and septic system on drawing *L.2.0 New Residence deCordova Residence 1040 Tunnel Lane, Cazenovia, New York 13035 Site Plan Preferred Option Progress Set 8/26/2021* which showed the house 170 – 180 feet from the lake with the septic system between the house and the lake but still 100 feet from the lake. He thought the new location was an improvement because the house will now sit on a high point on a ridge so drainage from half of the house will naturally flow away from the lake toward Tunnel Lane and only part of the drainage will flow toward the lake after passing through the grassy area between the house and the lake.

D. Bowers noted the septic system was entirely 100 feet from the lake.

T. Clarke asked if the septic system would be conventional.

E. Keplinger answered it would be a mound system.

D. Bowers repeated changing the system and the locations was the reason the Applicants returned to the Board. He explained the Applicants will need County approval for the newly proposed septic system, then they will return to the Board to finalize the planting plan after the house is built.

E. Keplinger said the septic plans were being reviewed by the Health Department and they were hoping to get approval "in the next week or two."

D. Bowers noted the proposed house has stayed the same with a tweaking of the garage.

E. Keplinger said the angle of the garage was "tweaked about eleven (11) degrees."

Some discussion followed regarding the timing of the planting plan.

J. Dunkle asked about grading between the septic system and the lake.

E. Keplinger said the existing house was in that location so they will be filling where that structure was.

J. Dunkle said they would "not be bringing up the fill."

E. Keplinger affirmed they would not. The contour lines "follow the flow of the land."

J. Dunkle asked about silt fencing.

E. Keplinger responded it would be used.

Motion by D. Bowers, seconded by T. Clarke to reappoint the Planning Board as Lead Agency for the purposes of the SEQOR, to reaffirm the matter an Unlisted Action and make a Negative Declaration based upon the Board's review of the SEAF and to approve the amended changes for the demolition and the building of a new residence as most recently submitted conditioned upon approval from the Madison County Department of Health for the revised septic system and location, and upon the future review of the landscaping plan was carried unanimously.

R. Ridler said the November work session would fall on Thanksgiving Day and asked the Board when they would like to schedule an alternate date. It was decided that they would meet Tuesday, November 23, 2021.

R. Ridler then informed the Board that the Governor of New York has allowed zoom meetings for local municipalities and asked the Board their preference.

At this time the Board preferred to meet in person with the wearing of masks.

R. Ridler then finalized the plans for a boat tour of Cazenovia Lake for Sunday, September 26, 2021 at Lakeside Park at 9:00 A.M. arranged by D. Bowers.

Motion by D. Bowers, seconded by A. Ferguson, to adjourn the meeting at 8:30 P. M. was carried unanimously.

Sue Wightman, Planning Board Secretary – September 3, 2021