

# Town of Cazenovia Planning Board

## Meeting Minutes

### July 2, 2024

Members Present: Robert Ridler, Chairman; Anne Ferguson; Linda Cushman; Dale Bowers; Thomas Clarke; Mary Margaret Koppers; Roger Cook, Alternate Member

Members Absent: Jerry Munger, Alternate Member

Others Present: Wendy Lougnot; Chuck Ladd; Todd Vaas; William Stratton; Margaret Stratton; Michael Barnes; Paul Curtin; David Vaccaro; Andrew Vaccaro; Matthew Kerwin; Sheila Fallon

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

Roll was taken; Roger Cook was asked to be a voting member.

The next regularly scheduled meeting will be Thursday, August 1, 2024.

The next deadline day will be Wednesday, July 17, 2024.

The next regularly scheduled work session will be Thursday, July 25, 2024.

Motion by A. Ferguson, seconded by T. Clarke, to approve the June 6, 2024 meeting minutes was carried unanimously.

### **HEARINGS**

*Vaas, Sarah – Line Change – 2687 Mill Street with 2697 Mill Street, New Woodstock File #24-1531 (Anne Ferguson)*

Todd Vaas was present to represent the file.

A. Ferguson said this line change involved two (2) adjacent properties in New Woodstock. She asked Mr. Vaas to explain what it entailed.

Referring to the drawing created by Michael J. McCulley Land Surveying PLLC dated 04-18-24 entitled *Lot Line Adjustment on Part of the Hamlet of New Woodstock To be New Parcels A & B Known as No's 2687 & 2697 Mill Street, Town of Cazenovia, County of Madison, State of New York*, A. Ferguson showed where Mill Street was located, mentioning the Board had no issue with the application when they reviewed it at the work session.

T. Vaas explained there was a larger home located on 2697 Mill Street with a smaller, manufactured home on the smaller lot at 2687 Mill Street. They would like to change the lot line so that the smaller property will be enlarged to extend and have access to a third, wooded parcel that is west of the two other lots and extends to the abandoned railroad bed. He believed the creek bed was used as a border at one point, but said the creek has since altered its course leaving the creek bed dry where it once was.

A. Ferguson noted the Board needed to perform the State Environmental Quality Review (SEQR) before opening the public hearing.

W. Loughnot led the Board through the Short Environmental Assessment Form (SEAF) for this Unlisted Action.

Motion by A. Ferguson, seconded by R. Cook to appoint the Planning Board as Lead Agency for the purposes SEQR, to affirm the matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF, and to move the file to a public hearing was carried unanimously.

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

Hearing no comments, motion by A. Ferguson, seconded by M. Koppers, to close the public hearing was carried unanimously.

Motion by A. Ferguson, seconded by T. Clarke, to approve the line change as most recently submitted was carried unanimously.

**LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION**

*Kennedy Enterprises 1, LLC – Site Plan Review – 3172 West Lake Road, Cazenovia  
File # 24-1528 (Robert Ridler)*

No one was present to represent the application.

R. Ridler believed the Applicants were working on some architectural changes to their house as well as the landscape. He remarked that they may not be ready to present their plan in August.

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

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*Stratton, William & Margaret – Site Plan Review – 3176 West Lake Road, Cazenovia  
File # 24-1536 (Mary Margaret Koppers)*

William Stratton was present to represent the file and Margaret Stratton was in the audience.

M. Koppers said the housing plans had not yet been seen, and asked the Board if they wanted to proceed with the discussion.

The Board indicated they would.

W. Stratton submitted the drawing by Mowery Marsh Architects dated 5-22-24 entitled *A1.01 West Lake Cazenovia NY*.

W. Stratton called it a floor plan drawing.

D. Bowers asked if Mr. Stratton had elevations.

W. Stratton said they were still working on those.

A. Ferguson noted the drawing submitted was a site plan drawing.

W. Stratton said it was a site plan with the first-floor plan

R. Ridler noted this was just a larger version of the drawing that was already submitted to the file and reviewed at the work session.

W. Stratton said at the work session they had discussed the removal of the existing shed, as well as the conversion of the existing camp into a wood shed and shop, with the construction of a new house, the leach field, septic location, and the well location. He mentioned the proposed garage would be attached to the house. The first floor would have “the usual rooms – mud room, living room, kitchen, dining...”

A. Ferguson asked if the garage would be considered to be attached if it were only attached at one corner.

R. Cook answered it would be considered attached.

R. Ridler repeated the need for the Board to see the elevations before giving an approval.

W. Stratton asked about what should be included on the elevations in addition to the visual and glass size.

A. Ferguson and R. Ridler answered the height should be shown.

A. Ferguson added the material also should be shown.

M. Koppers said the intended colors should be known too.

A. Ferguson explained the Board would want to see how it would look from the road.

D. Bowers added that the Board would also want to see how it would look from the lake.

M. Koppers elaborated the Board would be considering how it would fit into the neighborhood character.

R. Ridler informed the Applicants that the lake side was considered the front of the house for the purposes of the Board’s evaluation.

T. Clarke asked about the impervious surface percentages.

M. Koppers responded the coverage would increase from 2% to 7%.

Motion by M. Koppers, seconded by T. Clarke, to continue the file was carried unanimously.

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*Barnes, Michael & Heather – Site Plan Review – 3161 West Lake Road, Cazenovia  
File # 24-1537 (Linda Cushman)*

Michael Barnes was present to represent the file.

L. Cushman explained the application was for the installation of a pool and a deck. She circulated a graphic that was submitted recently. She asked Mr. Barnes to describe his project.

M. Barnes explained the orientation of his house in relation to West Lake Road and said they would like to add a rectangular deck on the back of the house. He said the ledger was put in place when the house was built and there was a sliding glass door already installed for accessing it from the living area. He said they proposed to have stairs on the south side to access the yard, and off the back side of the deck they were planning a step-down with the idea that it would be at the same level as the proposed pool so there could be entry at that level. He said the pool would be over four (4) feet tall; it would be 52 inches, so there was no plan to have a fence in the back yard for the pool. He said there would be a gate on the upper side for safety. He explained the upper area would always be closed and fenced.

A. Ferguson thought she saw it fenced in the rendition.

It was clarified that the deck would have a railing.

M. Barnes said the pool does not need a fence because it would be more than four (4) feet tall, and said it would actually be higher due to the grade on the back side which was over 12 inches up to the base level of the pool, making it over six (6) feet there.

R. Ridler asked Mr. Ladd if he had any issues with that.

C. Ladd said he did not if the pool was over 48 inches tall, and if there was a fence along the deck in front of the pool.

L. Cushman asked the location of the leach field since she was unable to visit the property.

M. Barnes explained the addition would be on the west side of the house, and the leach field was located on the south side of the house. He said the well was on the north side.

L. Cushman noted the impervious surface area would only be about 2% with this addition.

M. Barnes said it would be 1.4%.

R. Ridler asked if there were any other Code issues.

C. Ladd answered he was not aware of any.

R. Ridler asked if Mr. Ladd had seen the proposal.

C. Ladd answered he had.

W. Loughnot stated this would be a Type II action regarding SEQR.

Motion by L. Cushman, seconded by A. Ferguson, to approve the site plan for the construction of a deck and a pool as most recently submitted.

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*Nash Irrevocable Trust with Singer, Hannah & Rigby, Brendan — Site Plan Review – 2805 File # 24-1538 (Anne Ferguson) Rippleton Road with 3593 Cobb Hill Road, Cazenovia*

Paul Curtin Esq. of Curtin Lawfirm, P.C. was present to represent the file.

A. Ferguson explained this was property that was being sold to a neighbor which would involve a line change and a new survey.

P. Curtin explained when Mr. McCully surveyed the property for the line change, he had the right section of property being conveyed, however he was misinformed about which parcel would be receiving it. He said 14.62 acres was being transferred to Hannah Singer and Brendan Rigby's parcel to the south (on Cobb Hill Road). Unfortunately, the first survey showed it being added to the in-law's property on Burlingame Road. He said Mr. McCully has been commissioned to resurvey the Singer/Rigby parcel and to incorporate that change and to resubmit the corrected survey to the Board. He remarked all the information provided in the application was otherwise accurate.

A. Ferguson asked when Mr. Curtin anticipated receiving the corrected plat.

P. Curtin believed he would have that by the upcoming deadline of July 17, 2024.

W. Loughnot led the Board through the SEAF.

Motion by A. Ferguson, seconded by L. Cushman to appoint the Planning Board as Lead Agency for the purposes SEQR, to affirm the matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF, and to move the file to a public hearing at the August 1, 2024 meeting was carried unanimously.

P. Curtin was given written instructions regarding the notification of neighbors for the public hearing.

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

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*Vaccaro, David – Site Plan Review – 4485 East Lake Road, Cazenovia  
File # 24-1542 (Dale Bowers)*

David Vaccaro was present to represent the file and his son Andrew Vaccaro was in the audience.

D. Bowers explained the project needed an area variance from the Cazenovia Town Zoning Board of Appeals (ZBA) for front yard setback relief from the (East Lake) Road. He said the General Municipal Recommendation Report (GML) had been received from the Madison County Planning Department with nothing of consequence noted. He said the Applicants are now here for site plan review for the tearing down of the existing structure and the construction of a new house. Referring to the application documents, he showed where the project was located in relation to East Lake Road and the lake, as well as the location of the existing house in relation to the proposed house. He said the other issue was the location of the sewer line manhole on the site. He noted the (impervious surface) percentages “were more than adequate.” He asked what would be used for materials. He thought it would be clapboard and board and batten on the top.

D. Vaccaro indicated that was correct.

D. Bowers asked about the color.

D. Vaccaro answered, “Natural.”

D. Bowers responded, “Natural is not white.”

D. Vaccaro replied, “Correct.”

A. Ferguson explained the Board asked about color to ensure it would fit into the neighborhood and the surroundings.

A. Ferguson asked if Mr. Vaccaro was aware that before he demolishes the existing structure, he needed to photograph the elevations on each side and submit those for the file.

R. Ridler asked if Mr. Vaccaro knew when the house was constructed.

D. Vaccaro did not know when it was built, guessing in the 1950’s or 1960’s. (It was built in 1940.)

T. Clarke asked how close the proposed house would be to the manhole.

D. Vaccaro answered, “Ten feet.” He elaborated that it would be more than ten (10) feet in places since it runs diagonally across his property and the house would be squared with the road.

D. Bowers noted the ZBA had addressed that issue, referring to the resolution outlining their approval.

T. Clarke commented that there were often easements for the sewer line, to allow equipment to access it in the event of a problem.

R. Cook believed much of the sewer line access would be from Seven Pines rather than from the road.

R. Ridler asked if the property would have Village water.

D. Vaccaro answered, “Yes.”

M. Koppers asked how the house would be seen from the lake. She was thinking not much of it would be seen from the lake since a property was between Mr. Vaccaro’s proposed home and the water. She had seen the elevations but was unsure how much of the house could be seen.

D. Vaccaro answered, “Not much.”

D. Bowers felt the elevation from the lake may make it more visible, but said it would not be “as glaring as some that we see.”

R. Ridler asked if there was any lake frontage.

D. Vaccaro replied, "No."

R. Cook mentioned a hedgerow that goes all the way from the road to the lake along the park property.

R. Ridler asked if there was any shared lake access.

D. Vaccaro answered, "No."

A. Ferguson said to Ms. Kopper's point, the view from the lake would look to be three (3) stories whereas the view from the other side would be two (2) stories.

W. Loughnot said this was a Type II Action in regard to SEQR.

Motion by D. Bowers, seconded by T. Clarke, to approve the site plan review for the demolition of the existing house with photographs of existing house from each side, and the construction of a new home with a shed as most recently submitted was carried unanimously.

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*Lucas, David – Site Plan Review Third Extension – 2405 Barrett Road, New Woodstock  
File # 24-1539 (Anne Ferguson)*

Matthew Kerwin Esq. of Barclay Damon, LLP was present to represent the file.

A. Ferguson explained this application was for the solar facility on the Lucas property on Barrett Road (in New Woodstock). She said the request was for an extension of the overall project.

M. Kerwin said, "The project has been in the works for roughly three (3) years." He elaborated the project was in construction now, but they have experienced delays with the racking equipment on which the actual solar panels are housed. He said the equipment was delivered to the site, but a number of the racking components was defective, so they have been working with their General Contractor and the Manufacturer to have new equipment delivered. He commented that there have been numerous delays in that part of the process.

A. Ferguson was curious if this was affecting the whole industry or if it was specific to the manufacturer they have chosen.

M. Kerwin replied, "I don't know."

A. Ferguson was wondering if every solar project in the Town would face this issue.

M. Kerwin answered their Manufacturer "switched suppliers midstream," but he did not know if it was a quality assurance and quality control (QAQC) issue or some other issue.

A. Ferguson asked what (the latest) currently approved targeted completion date was.

M. Kerwin answered they "were scheduled to be done with this by the July 24<sup>th</sup> completion date." He said in addition to the racking issues, National Grid was behind schedule with their upgrades for the site. He said they were hopeful to be done by the end of the summer. They were told they would have the racking equipment by the end of the month.

R. Ridler asked if that was for both the upper and the lower sites.

M. Kerwin affirmed it was, saying they wanted "to have it up and running as quickly as anybody."

A. Ferguson asked what was being proposed as the next targeted completion date.

M. Kerwin proposed another year, believing they would be completed before that, and to give the Grid time to complete their section.

A. Ferguson asked if realistically they were hoping to complete the project this year, at the end of 2024.

M. Kerwin answered, "Absolutely." He said if everything went well, it could be done by October.

R. Ridler asked if there was an issue regarding the siting of one of the poles needed for connection from National Grid.

M. Kerwin asked if Mr. Ridler was aware of something or if Mr. Ridler was asking about something Mr. Kerwin had said.

Mr. Ridler said, "No, I am asking you."

M. Kerwin said it was his understanding that National Grid "was delayed in getting those interconnection components installed and completed." He said they were hoping to have it done by this time, but "for whatever reason they're behind schedule." He said it was their "understanding that work will be done by the end of the summer."

Motion by A. Ferguson, seconded by M. Koppers, to reaffirm the matter a Type I Action and make a Negative Declaration based upon the Board's initial review of the FEAF and to approve the extension for the site plan review with the terms and conditions of the 2021 approval with completion to now be July 2, 2025 was carried unanimously.

The Applicants will now attend the July 29, 2024 Town Zoning Board of Appeals meeting to request an extension of the Solar Major Special Use Permit.

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

No one was present to represent the file.

Motion by D. Bowers, seconded by T. Clarke, to continue the file was carried unanimously.

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Motion by D. Bowers, seconded by A. Ferguson, to adjourn the meeting at 8:00 P.M. was carried unanimously.

Sue Wightman, Planning Board Secretary – July 2, 2024