

Cazenovia Zoning Board of Appeals

Meeting Minutes

November 23, 2020

Members present: Thomas Pratt; David Silverman; Gary Mason; Joseph Anderson; James Wigge; Val Koch, Alternate Member

Members absent:

Others present: Roger Cook; John Langey; Robert Cowhwerd; Michael Basla; Brian Manning; Leslie Ditrani; Rebecca Sernett; Kyle Reger; Susan Smith; Paul Sack; Benjamin Wightman

T. Pratt called the meeting to order at 7:30 p.m. He stated, “Welcome to the November 23, 2020 Meeting of the Town of Cazenovia Zoning Board of Appeals, 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. 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 Zoning Board of Appeals Secretary. Attendance will be taken, and votes will be conducted by roll call. When possible, the Board members and applicants are asked to state their name each time they speak for audio recording purposes. The public may be participating. When public speaking is allowed, speakers are asked to please state their name and address for the audio recording every time they speak. Please provide statements, please do not ask questions, and please address the Board, not the applicant. Please do not repeat the same ideas if they have been stated once. In an attempt to maintain orderly discussion, participants may be muted until it is their turn to speak and they will need to use the raised hand symbol to be recognized, or they may raise their hand on the screen, and they (the Chairman) will try to recognize them by that. Other than times allowing for public comment, the public is asked to remain silent during the proceedings. Thank you”

Roll was then taken. All members were present.

Motion by J. Wigge, seconded by J. Anderson, to approve the October 26, 2020 meeting minutes was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Jim Wigge	Voted	Yes
Joe Anderson	Voted	Yes
Thomas Pratt	Voted	Yes.

The next regularly scheduled meeting will be Monday, December 28, 2020.

Cowherd, Robert - #01-73 – Special Use Permit Renewal – 2350 Route 20 East, Cazenovia

T. Pratt said this was a special use permit and the property was within the Village Edge Overlay. He noted Roger Cook had inspected the business and asked him if there were any comments or issues.

R. Cook said there had not been and added that some of the past difficulties with the neighboring Cazenovia Area Volunteer Ambulance Corp (CAVAC) regarding the fence had been “worked out.”

T. Pratt asked Mr. Cook if he had found any other issues upon his inspection.

R. Cook stated he had not.

T. Pratt asked Mr. Cowherd if he had anything to add.

R. Cowherd said he did not, saying he “was good.”

Motion by D. Silverman, seconded by J. Anderson to renew the special use permit with the same terms and conditions as originally approved was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Jim Wigge	Voted	Yes
Joe Anderson	Voted	Yes
Thomas Pratt	Voted	Yes.

T. Pratt informed Mr. Cowherd he was “good for another year.”

*Madison County Distillery, LLC – DBA Maples of Madison County - #20-1276 – Special Use Permit –
(Thomas Pratt) 3868 Stone Quarry Road, Cazenovia*

Michael Basla was present to represent the file.

(Jim Wigge recused himself from this application for previous and future discussion, and Val Koch became a Voting Member in his stead.)

T. Pratt said the Applicant was seeking to revise the resolution originally approved by the Town of Cazenovia Planning Board (Planning Board) when the endeavor started. He said there were multiple items to be addressed. He clarified that he was referring to the proposed resolution Mr. Basla had sent by email October 26, 2020 entitled *Second Amendment Site Plan (2020)*.

T. Pratt said the first item on the resolution was the Tasting Room hours of operation which were currently 10:00 A.M – 10:00 P.M. and there would be no change to those hours. Production hours which were currently 8:00 A.M – 8:00 P.M. would become 24 hours. Delivery hours which were 8:00 A.M. – 11:00 A.M. would become 8:00 A.M. – 5:00 P.M. He asked Mr. Basla what prompted the change in production hours.

M. Basla explained that once production begins, it is a continuous process, requiring manual oversight, and may require more than 12 hours. He said they would not produce during hours when the Tasting

Room was open to the public because they would not want to subject patrons to the noise, the fumes, or other impacts associated with production. He was seeking more flexibility with the production hours to best suit the need. He added he does not believe production creates any impacts outside the Distillery.

T. Pratt asked if the odors referred to were from vaporized alcohol.

M. Basla answered cooking and fermenting grain produces an odor. He added production can also be loud and there is dust associated with production as well. He said that was why they do not produce when the Tasting Room is open.

T. Pratt asked if Mr. Basla exhausts the air when producing.

M. Basla affirmed they had an exhaust system with intake and outtake.

V. Koch asked if it would be better to state the hours of production to be the hours the Tasting Room was not open instead of 24 hours.

M. Basla explained the Tasting Room hours listed (10:00 A.M - 10:00 P.M.) are the approved hours but they are not actually open all those hours. They currently operate the Tasting Room Thursdays and Fridays 3:00 P.M. – 9:00 P.M.; Saturdays Noon – 9:00 P.M.; and Sundays Noon – 6:00 P.M. For example, they currently are not open Mondays, so he would like to be able to produce during the day rather than stating they would produce from 10:00 P.M. – 10:00 A.M. However, (in the future) they might want to increase the Tasting Room hours of operation (to those already allowed).

T. Pratt asked if the original production hours were proposed to the Planning Board or if the Planning Board set those hours.

M. Basla said he did not know.

T. Pratt remarked he saw no issue with the delivery hours (Item #2 on the resolution).

T. Pratt said the music proposed under Item #3 was the big issue. He said the Board visited the site and the Board listened to amplified music played by a DJ.

M. Basla said the date of that event was November 5, 2020.

T. Pratt said they measured volumes at different locations on the property as well as outside the property. He said the volumes they detected were within the 40 – 50 decibel (dB) range. He asked Mr. Koch if that was correct.

V. Koch affirmed it was correct.

T. Pratt said Mr. Wigge, who was recused for this file, was at his property behind the Distillery for the event and indicated he had heard very little sound from his home. He noted some of the bass could be detected, so that was “worth thinking about.” He believed the Board needed to determine what the control mechanism should be so the Board can guarantee the setting can be maintained. He said it

would not be Mr. Cook's responsibility (to police), nor the neighbor's responsibility (to police); it would be the Distillery's job to guarantee (the level will be controlled). He said one option might be to only allow the speakers on the porch to be used for now. Another option might be to limit the hours, reducing them and having them end at 8:00 P.M or 9:00 P.M. (rather than 9:30 P.M.). He said they would certainly require that the sound not cross the property line. He said they have had many descriptions as to how that could be stated as a test. He repeated the Board needs to be assured that there will be oversight by Mr. Basla or some other representative so the level will not exceed a point in which the sound will become an issue. One other thought he had was that the special use permit granted would be good for one year subject to review by the Board for renewal. He spoke about the importance of this component noting noise has been an issue for the community.

J. Anderson expressed agreement with an annual special use permit, saying the Management has said they will control the music and at this point the Board would have to take them at their word. He said he favors the annual renewal which gives Mr. Basla the opportunity to operate the facility as he sees fit in accordance with the terms of the Board's approval while allowing the Board's subsequent review of what historically occurs on site.

G. Mason agreed the Board needed some type of mechanism to act if the endeavor "is not working." A question he had, which he thought would attribute to sound, was the proposed capacity. He asked Mr. Basla to clarify the combined number of people that would be inside as well as outside the facility. He said for example if 140 people would be inside and 150 people would be outside, does that mean Mr. Basla plans to have events that would accommodate 290 people.

M. Basla said the maximum capacity inside would not be 140 people. He said Mr. Cook was going to let him know the indoor capacity allowed by Code, but he estimated it to be 63 on the first floor and 63 on the second. He said he did not anticipate the outside music being for patrons inside. He thought if they had 100 people attend outside that would be "a lot." He said he currently was able to seat 24 people on the porch, 24 people at six (6) picnic tables, and 12 people in Adirondack chairs.

G. Mason said Proposal #5 speaks about increasing outside usage so he was trying to determine how large the crowds will be, thinking that related noise could be louder than the music. He wondered if maximum limits should be set.

M. Basla wondered if there was Code that regulated outdoor occupancy.

T. Pratt said he felt the Board needed to know the maximum number intended, agreeing 125 people inside and 100 people outside amounted to 225 people on the site.

M. Basla said there was no way he would have 225 people on his site. He said a limiting factor was the parking lot.

T. Pratt countered that part of the proposal was to increase parking.

G. Mason said Mr. Basla cannot be vague about occupancy.

M. Basla said he would not increase parking to accommodate 225 people. He assured the Board he would not have an event accommodating 100 people inside and 100 people outside.

T. Pratt said the Board did not want to know what Mr. Basla would not do, they needed to understand what he intends to do. He repeated the Board's need to know maximum numbers.

M. Basla told Mr. Pratt he was being asked a lot of questions and he told Mr. Mason he was not trying to evade the answers, but he was able to assure them that he does not expect to have 225 people there. He said a full house inside and a full house outside would be a different enterprise than what he envisioned. Outdoor events would be for outdoor patrons; it would not be doubled occupancy by including patrons inside.

G. Mason asked if Mr. Basla would mind the Board setting parameters.

M. Basla answered he would absolutely accept fair parameters.

V. Koch said he was in full agreement with the annual process. He was concerned if issues arose, they potentially would not be addressed for a year. He felt the Board needed Mr. Basla to state what his enforcement will be. He asked how Mr. Basla would enforce sound limits at the property lines.

M. Basla believed it was reasonable to expect sound at the boundaries not to exceed 50 decibels (dB). He spoke of a recording of the sound at the boundary of his property where the sign was located where the sound was registering at 45 dB, where the traffic measured 65 – 70 dB. He said the music was not discernable until one crossed the driveway bridge.

V. Koch said he walked the entire property and got similar reading. His question was how Mr. Basla would enforce proper levels.

M. Basla said periodic checks during events could be done, even hourly if need be. He said he was asked if he would be at every event, and he declared if he himself was not present he would have a "responsible agent" who would be in charge of event who would ensure those decibel levels will not be exceeded.

T. Pratt responded, "I hear what you're saying."

D. Silverman agreed with Mr. Koch that the Board would not want an issue to go unchecked for a year. He said obviously the Board wants the business operator to be in harmony with the community as much as humanly possible. He said the business was an asset to the community, and the Board wants to also take good care of the wonderful neighbors. He was interested in hearing the public comments.

T. Pratt then continued with the Approval Resolution Proposal Item #4, the current building, driveway and parking lot. He said Mr. Basla wanted to provide an expansion. He stated the Board needed a drawing showing the location and the number of cars. He said the drawing needed to be "scalable," recommending Mr. Basla hire a landscape architect to produce a drawing showing the necessary and specific details.

T. Pratt said Item #5 concerning outdoor usage which may include tables, chairs, firepit, game area and bandstand has been discussed, but since Mr. Basla will need drawings for other items, a drawing to scale for these features showing quantity and location would help the Board determine affect.

T. Pratt believed Item # 6 which pertains to the interior guest area was limited more by Code than by the Board's concerns.

R. Cook agreed.

T. Pratt did not think there was an issue with Item # 7 regarding lighting, but he cautioned Mr. Basla that the Board would want to know where additional lighting was proposed, how those lights would look, and the photometrics of the area, so they will know if it extends to the borders or if it bleeds over the property lines.

M. Basla interjected by saying those lights were already installed so the Board has seen the lights along the driveway and on the building. He explained the amendment was created to reflect what already existed.

V. Koch asked Mr. Cook if the expansion of the parking lot would address any additional lighting necessary for safety.

M. Basla said he understood that he should include any safety lighting for the parking lot expansion as part of the detail for the parking drawing.

T. Pratt said the Board has discussed food, Item # 8, a couple of times. It was stated at a previous meeting that the food being served was acceptable in terms of New York State (Liquor Authority) requirements. He said the Board would not want the endeavor to evolve into a restaurant at any point, which he did not think was Mr. Basla's intent, but he wanted to be clear that approval was for "small food items."

M. Basla said the New York State Health Department has categories for food service. He would need an entirely different food approval permit if he wanted to expand beyond what he currently serves. He understood if there was a time that he wanted to change that level of food service, he would need to ask permission from the Board.

T. Pratt noted there was no change for Item #9 regarding tours.

T. Pratt said regarding Item #10 trash receptacles the Board would want to know placement location and how they would be shielded and screened. He said that too may require a drawing or sketch.

M. Basla asked if Mr. Pratt was asking where the trash cans would be.

T. Pratt said it was an item discussed by the Planning Board when the resolution was made.

M. Basla assured the Board that the trash cans would be placed in discreet locations and that no trash would be on the premises. He said it was common to move trash barrels where needed. He conceded he could sketch where he has them now.

T. Pratt said Item #14 regarding overflow parking being permitted on the grass was another detail to be shown on the parking area drawing so the Board could see where that would be permitted.

M. Basla explained the day they hosted the Hunt Club after the Hunt Club parade, horse trailers occupied several parking spaces so other attendees had to park on the grass. He said he could provide a picture of the areas where that would be applicable.

M. Basla asked if they could discuss the picture for Item # 5. He said he had provided a picture for the fire pit proposed area, but he wondered about providing a picture of the movable tables and chairs.

T. Pratt responded he would like a picture showing where the tables and chairs would be sometimes, knowing they would not always be there, but it would help the Board understand the quantity of people who would be using those tables and chairs.

M. Basla asked if he could sketch that himself rather than hiring someone.

T. Pratt said Mr. Basla would need to enlist the services of a professional to define the parking area, so he felt a professional would be able to add those details to the parking drawing.

G. Mason thought the number of tables and chairs was important to give the Board a quantitative idea of capacity.

The Board had no other comments regarding the proposed amendments.

T. Pratt said while Mr. Basla works on getting the drawing, he will ask the Planning Board to submit comments since they created the original resolution, so the Zoning Board will be able to better understand the original intentions.

T. Pratt said the public hearing was still open and invited comment at this time.

Jim Wigge commented that one cannot enforce a standard unless it is quantitatively defined. He said the number of people in attendance contributes to the amount of noise. He said they experienced a positive effort on Mr. Basla's part, and he appreciated that. However, one cannot adequately test unless all the circumstances are replicated. He agreed it was the responsibility of the establishment to enforce sound. He also believed capacity was an issue to be determined. He indicated the need for firm details of enforcement to be included in the plan as well as other specified constraints. He said any good business plan is born of those specifics. He concluded he hoped they could make it work.

M. Basla thought he might have created confusion in using the term "proposed" when describing a change in the original verbiage of the resolution to coincide with some of the actual practices or conditions already in place.

T. Pratt said he now understood those items that were meant to show compliance.

T. Pratt summarized that Mr. Basla will have a drawing made; Mr. Basla will supply quantitative numbers for capacities inside and outside; and the Board will need to have confidence in a mechanism, proposed by the establishment, to control its sound demonstrating that it will not allow sound to “get out of control.”

Motion by J. Anderson, seconded by G. Mason, to continue the file and the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

*Caz Groomery/Krumsiek, Adelaide (Cherry Valley Development Inc) – #20-1293 – Special Use Permit –
(David Silverman) 2662 US Route 20 East, Cazenovia*

(Jim Wigge returned as a Voting Member for the proceedings and Val Koch resumed his position as an Alternate Member.)

No one was present to represent the application.

T. Pratt thought a letter of intent was in order.

Motion by J. Anderson, seconded by J. Wigge, send a letter asking Ms. Krumsiek to state her intentions, and to continue the file and the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Jim Wigge	Voted	Yes
Joe Anderson	Voted	Yes
Thomas Pratt	Voted	Yes.

*Ditrani, Leslie Tuttle & Ditrani, Christopher – #20-1309 – Area Variances – 2836 Back Acres Road,
(Joe Anderson) Cazenovia*

Leslie Tuttle Ditrani was present to represent the file as was Brian Manning of Teitsch-Kent-Faye Architects, PC.

T. Pratt said he understood there was a proposed kitchen addition on the back of the existing seasonal structure and some other work to be done. He believed the addition was about 65 square feet and a reduction elsewhere was proposed to offset the increase.

L. Ditrani explained her grandfather built the seasonal cottage, and they were hoping to renovate it. She explained with the passing of her father, they hope to redo and extend the kitchen, do some other renovations, and add a second story to the section they call the apartment so that she can take care of her mother when she is able.

B. Manning explained that Leslie and her husband reside in Massachusetts where they have their business but when they are able to care for her mother, the apartment currently on site no longer fits their need. He said the second story will provide office space for Ms.Ditrani and will contribute to her mother's well-being.

L. Ditrani added they were able to stay with her mother in Cazenovia over the summer but having her mother in another section of the cottage was no longer ideal considering her mother's health. She explained her grandfather built the apartment section to provide some separation from the noise of the children.

J. Anderson met with Mr. Manning who explained the increase of the kitchen addition would be offset by paring down the size of a shed, so no increase in impervious surface area would result. He felt the change was relatively small and did not change the overall footprint of the property. The second story would be raised on the lakeside with a balcony.

T. Pratt asked about there being two (2) kitchens and the mention of an apartment. He was wondering if this would be seen as two (2) residences.

L. Ditrani said the cottage was originally the kitchen, dining room, bathroom and three (3) bedrooms. Later a living room was added, and then even later the second living space was added which was joined to the residence via a screened porch between the two (2) sections. What they call the apartment has a kitchenette. They would like to remodel what is there. From May – October they would like to host the entire family, but if they needed to stay with her mother other times of the year, they could shut the larger section and stay in the apartment.

B. Manning thought the term “apartment” might be misleading. As the house is used there is the adults’ section and the children’s section. It is not an apartment to rent.

T. Pratt asked about the apartment because it appears to have a clear isolation between the two.

B. Manning responded the screened porch separates the two sections.

T. Pratt believed there was a door connection.

B. Manning said that was correct. He said the door helps reduce noise and allows the Owners to close a section while still residing in a portion.

T. Pratt asked how the space would be used in ten (10) years.

L. Ditrani answered she hoped she would be playing with her grandchildren in it.

T. Pratt said the concern was whether at some point they would isolate the two and use it for another purpose. He believed Ms. Ditrani was telling him that it would remain a single-family residence.

L. Ditrani answered, “Yes.” She elaborated that their intention was to have the Tuttle camp as a place for Tuttle to gather forever.

R. Cook explained by definition a two-family house is distinctly separated by an unpierced wall. He felt there was clear access throughout this entire structure. He said there was not a complete, unpierced wall separating one part of the living space from the other. He said when the family is living there, it sounds like they are living as a family unit, not as independent families. He felt how they have been using and how they currently use the camp, the Owners have met the spirit of the definitions in the Code. He said if that were to change ten (10) years down the road, whoever was in charge at that time would have to handle that.

J. Wigge asked about the amount of relief being sought for the area variance.

R. Cook explained the 65 square foot addition would be outside the existing footprint and would be within 100 feet of the lake.

B. Manning explained the impervious calculation.

T. Pratt believed the whole house was within 100 feet of the lake.

B. Manning said that was correct.

G. Mason asked if the Board needed to consider side yard setbacks.

R. Cook explained 65 square feet of new construction would be added to the rear of the existing house and the entire new part, as well as the house itself, would be within 100 feet of the lake. He believed Mr. Wigge's question was how far the new construction would be from the lake.

J. Anderson repeated the addition would be at the rear of the house, not the lakeside.

B. Manning estimated it would be about 80 feet from the lake.

T. Pratt clarified the house would be between the addition and the lake.

B. Manning said that was also reflected in the General Municipal Law Recommendation Report (GML) received from Madison County which stated the lack of impervious increase and the addition away from the lake would have no countywide or intermunicipal adverse result.

T. Pratt split his screen to show the First Floor Plan, the Second Floor Plan and the Elevations created by Teitsch-Kent-Fay.

B. Manning asked Mr. Pratt to also show the photographs with the superimposed rendition showing the view from the lake. Mr. Manning explained how the second story addition would appear and pointed out the section of the shed that would be removed, saying the view from the lake would be improved.

The photo showing the view looking toward the lake was then displayed.

T. Pratt asked about the flood plain.

B. Manning said they were out of the flood plain.

R. Cook asked, when the final plans are submitted for construction, that Mr. Manning show the line for Zone C. He said Federal Emergency Management Agency (FEMA) and the New York State Department of Environmental Conservation (DEC) now ask for that.

B. Manning said the site plan submitted shows a dashed line that represents the 100-foot zone and Zone C and Zone D were labeled. He said he would label the 100-foot line.

T. Pratt asked if this project would be reviewed by the Planning Board as well.

It will be.

T. Pratt commented that he would like the Planning Board to review the lakefront to be sure they have no issues with that or if improvements should be done.

R. Cook recalled the Applicants had been before the Planning Board about a year ago for improvements they sought for the front deck, and he thought at that time the Planning Board had addressed those lakefront considerations.

L. Ditrani recalled they had a year to build from that approval, but then COVID happened, so they thought they would now wrap the whole renovation into one project.

R. Cook said the prior approval could be reaffirmed when this application was discussed.

G. Mason assumed the Planning Board would determine that the septic system could accommodate the number of visitors.

R. Cook responded that septic updates had been received over the summer.

Motion by J. Wigge, seconded by D. Silverman, to open the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Jim Wigge	Voted	Yes
Joe Anderson	Voted	Yes
Thomas Pratt	Voted	Yes.

Susan Smith said she was a neighbor representing the Smith Family Camp. She said she lives locally and wanted to see the plans which she said, “looked wonderful.” She said she was very excited “to see this happening.” She did not anticipate the Tuttle family having any difficulty with their neighbors. She repeated that she was looking forward to seeing it happen.

D. Silverman commended Ms. Ditrani and Mr. Manning for addressing the important topics and expressed his appreciation of the family ties to the property.

L. Ditrani said her entire family loves Cazenovia Lake.

B. Manning thanked Mr. Cook and his staff for their assistance.

Motion by J. Anderson, seconded by G. Mason, to close the public hearing was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Jim Wigge	Voted	Yes

Joe Anderson	Voted	Yes
Thomas Pratt	Voted	Yes.

T. Pratt summarized by saying the only other option would be having no addition or having it elsewhere requiring similar considerations. He felt it was a reasonable location. He did not think there would be much impact on the neighborhood or the environment. He said it was difficult to say whether the variance would be substantial, since the whole house was within the 100-foot zone. He noted it was a self-created hardship.

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

T. Pratt asked about the GML.

J. Langey responded that it was favorable.

The Board discussed the wording of the approval to memorialize that it was to remain a single-family residence, that the impervious surface increase would be equivalent to the impervious surface reduction, and the part of the shed being removed would be a portion visible from the lake.

Motion by J. Wigge, seconded by J. Anderson to approve the area variance for this single-family residence as most recently proposed with no increase in impervious surface area due to the reduction of shed size to offset the same increase for the addition, and conditioned upon Planning Board approval was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Jim Wigge	Voted	Yes
Joe Anderson	Voted	Yes
Thomas Pratt	Voted	Yes.

T. Pratt said the next step for the Applicants was to appear before the Planning Board.



*Sernett, Rebecca - #20-1316 – Special Use Permit – 3272 West Lake Road, Cazenovia
(Jim Wigge)*

Rebecca Sernett was present to represent the file.

T. Pratt said Ms. Sernett was granted approval for a new garage at the last meeting and this application was to request a special use permit to retain the existing shed as an additional accessory structure.

J. Wigge added the Board had approved an area variance for a garage which in actuality was a third structure on the property, so now they are addressing the need for a special use permit for the existing shed. He said the structure was a small wooden storage shed set back on the northeast side of the parcel. He commented that the shed was not very easy to see from the road. He felt it was consistent with the community. In his consideration, he did not find it to be “an onerous use consideration.”

T. Pratt split his screen to display the site plan and the aerial photograph.

J. Wigge indicated looking at it from ground level lessens the visual impact more than one would think looking at the aerial view.

Motion by J. Wigge, seconded by J. Anderson, to open the public hearing was carried as follows:

David Silverman	Voted	Yes
Jim Wigge	Voted	Yes
Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

T. Pratt invited comments at this time.

No comments were made.

T. Pratt asked if Ms. Sernett had any comments.

R. Sernett responded she was just happy to keep the shed.

Motion by J. Anderson, seconded by J. Wigge, to close the public hearing was carried as follows:

David Silverman	Voted	Yes
Jim Wigge	Voted	Yes

Joe Anderson	Voted	Yes
Val Koch	Voted	Yes
Thomas Pratt	Voted	Yes.

T. Pratt said the criterion was whether the proposal fits the neighborhood. He commented that the shed had been there for quite some time.

T. Pratt said the GML reported no impacts.

J. Langey said this would be an Unlisted Action with the Zoning Board being the Lead Agency and he guided the Board through the Short Environmental Assessment Form (SEAF) for review of environmental impacts. It was determined all findings could be answered, “No, or small impact.”

T. Pratt asked Mr. Cook if the impervious surface area still was within the 20% limitation.

R. Cook affirmed it was.

Motion by J. Wigge, seconded by J. Anderson to appoint the Zoning Board as Lead Agency for the purposes of the SEQR, 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 special use permit as most recently proposed was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Jim Wigge	Voted	Yes
Joe Anderson	Voted	Yes
Thomas Pratt	Voted	Yes.

T. Pratt informed Ms. Sernett that she can keep her shed.

Motion by D. Silverman, seconded by J. Anderson, to adjourn the meeting at 8:52 p.m. was carried as follows:

David Silverman	Voted	Yes
Gary Mason	Voted	Yes
Jim Wigge	Voted	Yes
Joe Anderson	Voted	Yes
Thomas Pratt	Voted	Yes.

Sue Wightman, Zoning Board of Appeals Secretary – November 24, 2020