

# Town of Cazenovia Planning Board

## Meeting Minutes

January 5, 2012

Members Present: Michael Palmer, Chairman; Jennifer Basic; Anne Ferguson; Tom Pratt; Hugh Roszel; Anastasia Urtz

Members Absent: Dale Bowers

Others Present: John Langey, Esq.; John Dunkle; Roger Cook; Don Ferlow; Alaina Potrikus; Graham Egerton; Anne Redfern; Ted Bartlett; Sara Chevako; Carlos Gavilondo; Jeffrey Stowell; Hannah Strack; Roger De Muth; Susan Johnson; Sarah Webster; Charles Andrews; Brian Coughlin; Eric Johnson; Sherry Skinner; Samuel Woods; Gail Woods; Donald Burdin; Judy Gianforte; David Vredenburgh; Kevin Pole; Camilla Knapp; David Muraco; Matthew Napierala; James Emerick; John Goodman; Jo Anne Gagliano; Ben Reilley; JoAnne Bronson; Paul Parpard; Matthew Vredenburgh

Mike Palmer called the meeting to order at 7:30 pm.

The deadline to be on the next meeting agenda is January 18, 2012.

The next regularly scheduled meeting is February 2, 2012.

The next work session is January 26, 2012.

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Mike Palmer asked if there were any corrections or comments for the December meeting minutes.

Motion by Hugh Roszel, seconded by Tom Pratt to approve the December meeting minutes as presented was carried unanimously.

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HEARINGS:

*New Venture Assets/Enders/Muraco - Site Plan Review - 2363 Route 20 E  
File # 10-702 (Mike Palmer)*

Matt Napierala displayed large presentation boards of the property for the public to see.

M. Napierala stated when the meeting ended last month; they were essentially waiting for the public hearing to entertain and listen to the questions of the public and incorporate them into the Final Environmental Impact Statement (E.I.S.). He further stated they have not advanced anything at this time. He confirmed to M. Palmer that the build-out will be part of the Final E.I.S.

M. Napierala addressed the public. He stated the applicant, Dave Muraco of New Venture Assets is the property owner of 2363 Route 20 East. The application is for the razing of the house and barn at the property. He stated in the spring of 2011 an application was made to the Planning Board. The Planning Board thoroughly reviewed the application and at the June P.B. meeting made a positive declaration of the environmental SEQRA report identifying aesthetic and historic impacts as the reasoning for the positive declaration. He said subsequently a scoping document was prepared by the Planning Board identifying the historic and aesthetic as the items they wanted addressed in a Draft E.I.S. M. Napierala stated Dave Muraco hired Napierala Consulting and John Goodman, an architect. He introduced James Emerick, John Goodman, as well as, himself. M. Napierala stated they were hired to provide the basis of the report to address the scoping document which includes the aesthetic and historic impact. He said the document is a bound document that has been before the Town as of November. The Town reviewed the document at the November meeting and had additional questions and comments before they deemed it acceptable for public review. M. Napierala said they did a resubmission for the December Planning Board meeting at which time the document was advanced to include some more detailed information and specifics in regards to historical impacts. M. Napierala stated J. Goodman came aboard to discuss the historical impacts of the structure itself. M. Napierala had J. Goodman address the audience and review for the public the information that he had discussed at the December meeting. M. Napierala wanted J. Goodman to discuss the historical and architectural character of the property. M. Napierala further stated at the December meeting the document was deemed acceptable for

public review. M. Napierala stated the advertisements were placed and the mailing was sent certified, return-receipt.

J. Goodman started by discussing the barn. He said the barn is not a typical farm barn structure which would be classified as a heavy-timber structure. He said the barn on the property is a light-frame barn with 2'x6' walls. He said the barn, at the moment, is a safety hazard. He said it tilts 20 degrees and there is no major structure inside it that could pull it back without other damage occurring. J. Goodman showed a picture of the house which he said was taken in 1987. He said that was the time an application was made to put it on the Register. He said all the detailing existed on the building at that time. He further stated, "since then, and I don't know when, the exterior of the building, in my opinion, has been butchered." He said there is very little of the existing detailing that remains. He said it was completely resheathed. He further stated the detailed framing around the windows and the main door had been removed or covered up with new sheathing material. He said the windows are vinyl, the louvers are plastic and the front door is fiberglass. He stated none of the features conform to the requirements of the NYS Historical Preservation Office. He stated the building is very well proportioned, which the buildings of that era were. He said when the design features have been taken away; it has been "butchered." He said to put it back to the original condition would be extremely expensive.

M. Napierala stated part of the aesthetic resource they were asked to take a look at was existing and without the structure. He showed a photo from October 2011 of a straight shot from the opposite side of Route 20 and a Photoshop photometric showing the proposed action which is the removal of the barn, shed and the house.

M. Napierala stated they took a look at how the property is viewed by the public. He said the public has access to the property only via traveling along Route 20 at the posted speed limit of 45 m.p.h. He said there becomes "windows of availability" of when the actual setback structure can be visually seen by the public. M. Napierala stated the Planning Board thought that was a very technical review and analysis. He said heading Eastbound, out of the village, you essentially do not see the structure itself. He said you basically have to be right upon the structure before it is aesthetically visual. He further stated Westbound; there is a bigger "window of visibility." He said heading into the village there is significant tree coverage, posted signs and the "Welcome to Cazenovia" sign that blocks the visual aspects of the structure. He said, as a technical, independent review, his analysis

shows that the public's view of the building is limited due to no pedestrian access and the visual aspect becomes the traveling public along Route 20.

Jim Emerick stated they were asked to look at, from some of the viewpoints identified in the Land Use Guide. He further stated it is not viewable from any of the viewsheds identified in the Guide.

M. Napierala stated, the process is that this is a public hearing for the Draft E.I.S. He said the report has been publicly available at the Town Hall for review. He explained to the audience that the process tonight is for the public to ask questions and to comment in regards to the scoping aspects that the Planning Board has asked them about. He told the public that his team will gather the questions and comments and address/answer them in the Final E.I.S. He said they hope to turn around the document quite quickly and give back to the Planning Board for their review.

J. Langey stated the Planning Board has to deem the Final E.I.S. complete as to the issues that were raised at the public hearing. J. Langey said the Planning Board will continue to accept comment on the E.I.S. until January 16, 2012. He told the audience if they have written comments; they can be mailed, e-mailed, or dropped off to the Town Hall. He further stated the public hearing was for the E.I.S. but also on the project merits, itself. He said the public comment will not be limited to the E.I.S. but the project as requested by the applicant.

M. Palmer asked M. Napierala to explain why the applicant is considering taking the building down as opposed to using it "as it is."

M. Napierala stated the property is within the Town's commercial overlay district. He said the acquisition of price of the property was pretty significant. The applicant's position is that he has deemed the property has inherent value greater than its existing condition as a single-family residence. He further said since it is in the Land Use Guide and zoned as a commercial overlay district the inherent value becomes greater. M. Napierala said the applicant has no specific interest or project at this point in time. He said the value is greater with the structure gone.

M. Napierala confirmed to M. Palmer there is no plan on the table for future construction.

M. Palmer stated the application is to take the building down.

M. Napierala stated there is no current application for any further development.

M. Napierala referred to a picture, which was an aerial view, and said that the future condition is an open field.

M. Palmer addressed the audience and thanked them for their interest in what is going on in the community. He said the Planning Board was interested in their comments. He said the public hearing is an opportunity for the Planning Board and the applicant to listen to the comments and questions. He further said it is not the opportunity for a debate. He said the comments/questions will be recorded but may not be answered this evening. The Planning Board will consider everything that is heard tonight.

Ted Bartlett, a village resident, submitted a letter to the Planning Board. He said most of his comments regard the Draft E.I.S. accuracy and terminology. He stated throughout the narrative of the Draft E.I.S., the authors refer to the National Register of Historic Places and the State Register of Historic Places by incorrect and abbreviated names. He said the differing names used and reference makes the document read poorly. He stated in the letter submitted he has articulated several areas where they can be found. He said one inference is that the two programs are similar or the same, which they are not. He recommended that they be corrected in the D.E.I.S. He referred to Section II of Appendix E which says, "The removal of the structure and restoration of the site to a grass covered lot will not provide a scene that causes an objectionable view." He said he is not commenting on the view, he is commenting on the term of restoration. He stated that is a technical preservation term and if something is being restored it is taken back to the way it was. He strongly felt that there was not a grass lawn there before the house was built. He felt the term alteration should be used and not restoration.

T. Bartlett mentioned the historic integrity. He said J. Goodman commented on the changes that occurred to the house. T. Bartlett believed the changes were mostly under the present owner. He said the Town requested the applicant to provide a Historic Resources Report by a qualified professional sufficient to determine the overall impacts associated with the demolition. T. Bartlett stated there are exacting guidelines and criteria which had to be met to get the house

nominated and listed in 1987. He said, in like manner, when you're reviewing and checking to see if it still has historic integrity, which is historic character and if the property still represents what it was. T. Bartlett said you use the same criteria through the Office of Parks and Recreation. He said the applicant brought in J. Goodman to review this area and the conclusion was that the house no longer retains historic integrity because of the alterations. He referred to the Draft E.I.S. under Section I, that says "over the course of time the building has been modernized during upgrades and repairs. Much of the original building materials have been replaced with more efficient and economical alternatives rather than maintaining the historic attributes. He said there was a list of 14 specific items. He stated the D.E.I.S. does not mention the N.P.S. guidelines and criteria for determining historic integrity or indicated that they were used in preparation of the D.E.I.S. He said, without reference to those guidelines, the opinion of the D.E.I.S. is at best, subjective and he said implying an erroneous conclusion. T. Bartlett referred to the 14 specific items. He said 1; the porch was an 1880's edition and removed many years before nominated for the National Registry. He said items 2-9, while the changes are unfortunate, they do not cause loss of historic character. He stated items 10-12 were not relevant and they are routine changes and additions not affecting loss of character. He said item 13, the floors were probably painted originally and this does impact historic character. He stated item 14, the banister is low but code issues have nothing to do with historic integrity assessment. He said the barn is in deteriorated condition and is in need of repair and probably is a threat. He stated this does not weigh in on historic integrity issues.

T. Bartlett said in applying the seven qualities used for historic integrity, it seems clear to him that the Comstock house retains its historic authenticity and its historic character. He said changes have occurred, but the overall historic character is strong for the building, barn and site. He said he is a Preservation Consultant Professional with over thirty years of experience. He feels the D.E.I.S. has a lot of incorrect information about the National Register and the historic integrity assessment. He said he asked the State Historic Preservation Office and he submitted a letter to the Planning Board that S.H.P.O. sent him on December 14, 2011. The letter stated the property is an important part of early 19<sup>th</sup> century history and architecture in Cazenovia. The letter said it remains listed on the registers in spite of several superficial changes in recent years. He concluded this means it is not being taken off the register and still has its historic integrity. He said with the State Historic Preservation Office weighing in on the

issue, the answer is firm; it still has historic integrity. He said the comments about possibility of a successful and economically sound rehabilitation of the farmhouse imply that it is not possible. He thinks the property can be reused with a little vision, planning and thoughtfulness. He said given that the D.E.I.S. and Final E.I.S. are to be documents of record and used by the Town and other agencies to evaluate the proposed action of the owner, the document needs to be as accurate as possible. He said inaccuracies need to be corrected within the texts and not just commented upon in the appendices.

Carlos Gavilondo, a village resident, was present to read a letter on behalf of the Cazenovia Preservation Foundation Board of Directors written by the President, Pringle Symonds. He submitted a copy of the letter to the Planning Board. The content of the letter read as follows:

I am here representing the Cazenovia Preservation Foundation regarding the Zephnia Comstock Farm House (built about 1830), a.k.a the Enders House.

*The mission of the Cazenovia Preservation Foundation is to protect historic, agricultural and natural resources in and around Cazenovia for the benefit of the community.*

There are a number of reasons the CPF Board of Directors opposes this application.

Most importantly, the building and its barn are on the National Register of Historic Places (National Register). During the 1980's, time and funding constraints meant only a small selection of potential candidates could be listed on the National Register. Only 25 of the most significant were chosen. The demolition of the Comstock house under the circumstances here would set a poor precedent for Cazenovia, which itself was designated on the National Register in November 1987 as the country's first Town Multiple Resource Area. CPF is categorically against the demolition of any National Register building except in a compelling case and this request is not a compelling case.

Another reason CPF opposes the demolition permit application is that the *Village and Town Comprehensive Plan of 2008* calls for identifying, protecting and enhancing all gateways to the village to maintain the

distinction between its character and the rural character of the Town (Comprehensive Plan page 17). On the north side of Route 20, the Comstock farmstead and the knoll upon which it sits, form the gateway on the east edge of the village. That farmstead, along with the Maples, a fine Greek Revival farmhouse on the south side of Route 20, are the perfect transition from the more rural, open countryside of the town to the greater density of the village.

The Comstock house is prominent and has become a visual landmark in its position. It retains its original exterior design and scale, thereby creating the architecturally preface or gateway for the village. Given the importance of this and other gateways to the community, a serious attempt should be made to save it.

The farm has value to New York State as evidenced by the designation of Route 20 as a Scenic Byway. A goal of the designation is to emphasize the importance of historic preservation on Route 20 as a scenic corridor across the state, thus giving drivers who are tired of thruways an attractive, friendly, tourist-oriented alternative. On Route 20, the State has chosen to emphasize the importance of preserving historic villages with significant structures as well as vistas and viewsapes. In addition, the state now stresses for tourists; the importance Route 20 played in the westward expansion of this country. Cazenovia's Route 20 has the great advantage of clutter free entrances and so seems more welcoming and more interesting to visitors and potential shoppers.

Demolition will destroy not just the house but will also impair the character of the village's historical, architectural, and aesthetic values. The existing farm buildings affect how the village is perceived as it is entered. The Planning Board should not set a precedent by approving a demolition or zoning change without a clear commitment as to what the replacement will be.

If the demolition is not approved there is still a possibility of finding a use or a purchaser that will be acceptable to New Venture Assets, LLC. However, demolition is irreversible and will endure forever.



For these reasons, the Board of Directors of CPF asks that you reject the pending application.

Sara Chevako, the Town Historian, read a letter that she submitted to the Planning Board file. The content of the letter said:

I wish to express my opposition to the proposal to tear down the Comstock house.

The qualities which make Cazenovia (Town and Village) an attractive place to visit and desirable in which to live are difficult to define, but we respond instinctively to them.

I submit that what we like about Cazenovia is its beautiful setting and landscape, and the sense of historic continuity we get from its buildings. We know the thoroughness with which John Lincklaen laid out and managed its settlement in 1793. There was a "land rush" in those early years, and Lincklaen's requirements that the settlers clear a portion of the land and build a house discouraged land speculators. The people who settled here were hard-working, well-educated, and dedicated to creating a community.

Many of those early buildings are still in use. They have been cared for, preserved, updated - but they remain a testament to the character of the people who live in them, and to the flow of history from the past through the present to the future.

Comstock was an early example of that community character. He came to Cazenovia in 1810, at age 18. His house is now about 185 years old. It has been lived in by people who embraced its history.

In my opinion, a community which is respectful of its past, can ill-afford to wantonly destroy such a well-preserved monument of its historic fabric. To propose its demolition without compelling rationale for an alternative purpose is appalling. Surely, intelligent and civic-minded people can develop an adaptive re-use scenario for this property. It exemplifies what visitors and the community find memorable about Cazenovia. We have Lorenzo at the west entrance to the Village and at the east entrance, the Maples and the Comstock property. They are irreplaceable."

Roger De Muth, a resident, stated that as you come into the village from the east side near the Maples and the other side of the road where Dudley Johnson has put the maple trees in; it looks remarkably different in just a few years. He thinks it looks a lot nicer as you come into the village. He stated the "Welcome to Cazenovia" sign next to the Enders property was well placed. He said the historic nature of this house calls out to all of us to reuse the space and make a secondary use out of it and leave the house. He referred to a historic, cobblestone building in Rochester that was made into a Starbucks and the barns were made into pottery barns. He said there is a way to do this to appease both parties to keep the historic nature of the property. He stated it can be more valuable as a historic property and more valuable to Mr. Muraco. R. De Muth stated the pictures that were shown at the meeting; look better than anything that will go there again. He closed in saying that a little town doesn't have much besides its history.

Jeff Stowell stated he owned the adjacent property next to the Enders property. He clarified to the public that the house was always white until the Enders sold the property. He stated he was unsure if it was Empire Management or Pioneer that resided and re-vinyl windowed the house. He stated he spent a lot of time at the property since it was next door to where he grew up. He thinks something can be done to the property to benefit the community and Mr. Muraco.

Susan Johnson inquired about which property the tree line was located on and if permission was needed to take down the trees.

J. Langey stated if it is part of a proposed site plan application, the Planning Board needs to be aware of any of those modifications and would it fall within the site plan review.

M. Palmer stated in the review and approval of the site plan, in the event that a site plan is submitted, beyond the demolition, the trees would be considered if they were going to be taken down. He said they would be considered as part of the general plan. He further stated it does not mean that it would necessarily prevent them from coming down, but it would be considered if they were important to the site and property. He stated they are not that far along in the process yet. He reiterated that the application on the table is only for the demolition of the house and the barn.

Hannah Strack stated she grew up next to the house. She said she would hate to see the house come down. She talked about some of the attributes of the house; stone fireplace in kitchen, as well as 2 others in the house, wide-plank floors, and 2 faucets in kitchen (village water & spring). She clarified that the first photo that was shown of the house was a recent photo, not from 1987.

M. Napierala clarified it was a recent photo.

Sarah Webster stated a few years ago she sat on the Economic Development Committee for the village. She said they met with the current owners of the Village Auto and NAPA store. They discussed what potentially could go there as a business. She said meeting with the owner, they inquired why they didn't tear down the property and have a blank piece of property to get better perspective offers. The owner felt tearing it down was less attractive to future development and more valuable with the structures on it. She suggested the same rationale with the Enders property. She inquired since there is no proposed next step; could the Planning Board delay a decision until there is a next step?

M. Palmer stated it is the Planning Board's responsibility to decide whether or not it is a good idea to take the building down. He was unsure if a decision could be delayed based on something that the Board does not know is going to happen. He said the Board has to look at the plan that is presented to them. He stated they talked to the applicant about the plans for the future and there are no plans for the future. He said they have to judge the plan on the merits of the plan, itself, not based on what may or may not happen in the future.

R. De Muth wanted to comment on S. Webster's remarks. He said he thought it was an interesting proposal to hold off until a plan is submitted to the Planning Board.

There were no further comments or questions from the audience.

Motion by Anne Ferguson, seconded by Tom Pratt to close the public hearing was carried unanimously.

M. Napierala stated they did take notes and would work from J. Emerick, J. Langey and the PB secretary's notes to develop the answers. He stated they will gather the information and proceed with the process of the Final E.I.S.

M. Palmer wanted the notes from tonight to be compared to make sure there is a complete reflection of what was discussed.

J. Langey stated the Board is going to continue to receive comments up until January 16, 2012 and as the comments come in they should be sent to the applicant.

M. Palmer stated he is still interested in seeing the build-out footprint. He asked J. Langey to review the timeline for the public.

J. Langey stated it is a site plan review that has an added complexity because it is a Type I action with a positive declaration which forced the issue with the environmental review process which adds time to the process. He said the next step is to allow the public comment to come in until January 16, 2012. After that date, the time will start again for the applicant and they will be required to take everything heard tonight and the additional written comments and incorporate those issues and comments into a Final E.I.S. He thought that would not be before the Board until March. He said the document will probably be received ahead of the March meeting. At the March meeting, the Board will review the document and if they feel they have had sufficient time to review and then deem the document complete. If the document is not complete, they will return it to the applicant and ask them to further complete the document for the next meeting in April. At the April meeting, the Board will discuss their feelings on the Final E.I.S. and if they want to consider any findings about the environmental impacts. He said, further, they may decide to discuss findings on the actual application, itself. He stated after all of that is completed, the Board can take a vote on the action, itself. He thought it may be an April or May decision timeline, assuming everything stays on track.

M. Palmer stated the file is a matter of public record and is available for viewing and the Draft E.I.S. is on the website.

J. Langey stated the Final E.I.S. will be put on the website, as well.

Motion by Tom Pratt, seconded by Hugh Roszel to continue the file was carried unanimously.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*Green & Moore Development - Major Subdivision (7) - Fenner Road  
File # 11-765 (Mike Palmer)*

No one was present to represent the application.

Motion by Hugh Roszel, seconded by Jennifer Basic to continue the file was carried unanimously.

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*Penny & David Hazer - Site Plan Review - 5857 East Lake Road  
File # 11-779 (Anne Ferguson)*

No one present to represent the application.

The application is still before the Zoning Board of Appeals.

Motion by Jennifer Basic, seconded by Hugh Roszel to continue the file was carried unanimously.

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*Michael & Paula Fallon - Site Plan Review - 5039 East Lake Road  
File # 11-788 (Jennifer Basic)*

No one present to represent the application.

Motion by Hugh Roszel, seconded by Tom Pratt to continue the file was carried unanimously.

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*Philip Scripa - Site Plan Review - 4963 Syracuse Road  
File # 11-795 (Hugh Roszel)*

M. Palmer stated they are off the agenda.

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*Donald Burdin - Minor Subdivision (1) - 3981 East Road  
File # 11-797 (Jennifer Basic)*

D. Burdin was present to represent his application.

J. Langey stated they were waiting for S.H.P.O. and they did not respond.

J. Langey stated the next step is for the Planning Board to complete the long form EAF because it is a Type I action.

J. Langey said he will assume the answers are "no" unless he is told otherwise. He stated he would be going over Part II of the Long Form EAF. The proposed action is the subdivision of 3 acres from 44 acres.

**Will the proposed action result in a physical change to the project?** J. Langey said "No" because only a line is being drawn on the map.

**Will the proposed action affect any water body designated as protected?** J. Langey stated "No."

**Will the proposed action affect any non-protected existing or new body of water?** J. Langey stated "No."

**Will the proposed action affect surface or groundwater quality or quantity?** J. Langey stated "No."

**Will the proposed action alter drainage flow or patterns, or surface water runoff?** J. Langey stated "No."

**Will the proposed action affect area quality?** J. Langey stated "No."

**Will the proposed action affect any plants and animals, threatened or endangered species?** J. Langey stated "No."

**Will the proposed action substantially affect non-threatened or non-endangered species?** J. Langey stated "No."

**Will the proposed action affect agricultural land resources?** J. Langey said "No" because it is just a subdivision piece. He said it would continue to be farmland for the present.

**Will the proposed action affect aesthetic resources?** J. Langey answered "No."

**Will the proposed action impact any historic or archaeological resources?**  
J. Langey answered "No."

**Impact on open spaces and recreation?** J. Langey answered "No."

**Impact on critical environmental areas?** J. Langey answered "No."

**Impact on transportation?** J. Langey answered "No."

**Will proposed action affect the community's sources of fuel or energy supply?**  
J. Langey answered "No."

**Will there be objectionable odors, noise, or vibration as a result of the proposed action?** J. Langey answered "No."

**Will proposed action affect public health and safety?** J. Langey answered "No."

**Will proposed action affect the character of the existing community or neighborhood?** J. Langey stated "No."

**Is there likely to be public controversy related to potential adverse environmental impacts?** J. Langey answered "No."

J. Langey said now that Part II is completed, the Board would be prepared as part of the application to consider a negative declaration even though it is a Type I action. J. Langey said the applicant does not have to be forced to do the environmental impact statement. He recommended considering a negative declaration in the SEQRA process.

Motion by Jennifer Basic, seconded by Hugh Roszel for the Town of Cazenovia Planning Board to adopt a negative declaration for purposes of SEQRA, for Part II of the long form EAF and to approve the subdivision was carried unanimously.

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*Albert & Michelle Crawford - Site Plan Review - 4989 East Lake Road  
File # 11-801 (Tom Pratt)*

No one was present to represent the application.

Motion by Hugh Roszel, seconded by Tom Pratt to continue the file was carried unanimously.

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*Owera Vineyards - Site Plan Review - 5276 East Lake Road  
File # 11-736 (Dale Bowers)*

Jo Anne Gagliano of EDR and Ben Reilley were present to represent the application for Owera Vineyards.

J. Gagliano submitted 2 binders which were 2 copies of the S.W.P.P. (Stormwater Pollution Prevention Plan).

J. Dunkle stated he already had his copy of the S.W.P.P.

J. Dunkle stated he had reviewed the S.W.P.P. and the engineering drawings that accompany the S.W.P.P. He stated they went back and forth for several months and now they have presented a plan that he accepts. He did state there is one condition. One of the stormwater practices that EDR is proposing is an infiltration basin. J. Dunkle stated they have not done the infiltration test yet for the infiltration basin.

M. Palmer had J. Gagliano describe the proposed building. She presented drawings of the building to the Board.

J. Gagliano said the roof has always been shown as an architectural shingled roof but the applicant is considering wood or some other material for the roof based on what has been discussed in the last few months. She further stated, right now, it is proposed as an architectural shingle. She stated the shingle has texture but it



is not wood at this time. She said when the applicant submits a building permit to Roger Cook they can bring a desired modification at that point; and R. Cook can decide if it needs to come back to the Planning Board for review again.

J. Gagliano confirmed that she would like the Planning Board to approve with an architectural, asphalt shingles, board-and-batten siding, and stone detailing on the building. She stated, "it is a real stone on veneer." She said it is a natural stone and is a golden-gray native color.

A. Ferguson suggested to the Board that they request the natural wood roof versus an asphalt shingle. She wanted the roof to look less industrial.

J. Gagliano stated they are not commercial shingles. She said they are residential, textured shingle that has relief and shadow. She confirmed it will not look like a commercial building. She said it is a cost and character issue.

M. Palmer agreed that hand-split wood shakes would look better than architectural, asphalt shingles. He further stated the building is not visible from the road. He said the visibility of the building should be weighed in regards to what the Board is asking the applicant to do. He said the general public will not be subjected to the building unless they are going to Owers Vineyards.

R. Cook mentioned specifics about the building would be helpful for him: paint colors, etc.

M. Palmer stated they should use a color rendering and write in the specific information about the building. The paint colors, shingle style and colors, and the stone colors should be included. He wanted the information provided as a condition, before they start.

D. Ferlow asked J. Gagliano, if they were modifying, as part of the site plan, the driveway and wetland crossing.

J. Gagliano confirmed at the last meeting they submitted a letter to the Planning Board file which stated they looked into it and it is an acceptable practice under the exemption.

J. Langey stated the conditions were a carryover from the last resolution. The conditions are as follows:

1. The plan will be built specifically as they propose it. He stated he has incorporated all the updated plans into the resolution.
2. All zoning setbacks.
3. File proof of appropriate stormwater permits, Health Department approvals including sanitary system and public water supply.
4. Enter into an updated Stormwater Control Facility Maintenance Agreement. (J. Langey said he has been negotiating this with their attorney.)
5. Infiltration testing in accordance with NYSDEC standards should be conducted at the proposed Infiltration Basic to confirm adequate soil conditions for use of the practice.
6. The Town of Cazenovia shall be furnished with copies of the required weekly SPDES construction site inspection reports.
7. Submission of a color palette consistent with the color renderings submitted by the applicant for exterior materials.

J. Dunkle stated the resolution should also include that periodic site inspections by the Town of Cazenovia will be conducted during construction. Upon completion of construction, the applicant shall supply the Town with as-built drawings of all stormwater management facilities, and a certification by a Professional Engineer that the facilities were constructed in accordance with the approved plans.

Motion by Anne Ferguson, seconded by Jennifer Basic to approve the site plan subject to the conditions and reaffirm the SEQRA was carried unanimously.

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*Camilla Knapp - Minor Subdivision (1)/Line Change (1) - 3957 Route 13 South  
File # 11-805 (Dale Bowers)*

Kevin Pole, Mrs. Knapp's attorney, of Bond, Schoeneck & King and Camilla Knapp, the owner, were present to represent the application.

M. Palmer stated to J. Langey the Board was waiting for the road agreement that would be drafted and everyone would sign and the easement for the septic system that is on someone else's property. M. Palmer asked J. Langey the status.

J. Langey stated K. Pole sent him the information today and he is fine with it.

K. Pole stated the road agreement would be filed with the Clerk.

J. Langey stated the SEQRA has already been done.

M. Palmer stated the public hearing was done.

Motion by Tom Pratt, seconded by Hugh Roszel to approve the subdivision (1) /line change (1) was carried unanimously.

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*JoAnne Bronson - Site Plan Review - 1930 Chard Road  
File # 11-806 (Anastasia Urtz)*

J. Bronson was present to represent her application for a bed and breakfast.

J. Bronson confirmed the Zoning Board of Appeals approved her application to use two rooms. She confirmed there would be no alterations made to the property; no additional parking, no additional lighting, no signs, and word-of-mouth advertising.

Motion by Hugh Roszel, seconded by Tom Pratt to appoint the Planning Board as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA), to affirm the matter an Unlisted Action and to make a Negative Declaration, all based upon the Board's review of the Short EAF, to approve the site plan was carried unanimously.

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*Joseph and Patricia Sutherland - Site Plan Review - 5008 East Lake Road  
File # 11-808 (Tom Pratt)*

T. Pratt stated the Sutherland's are putting some drainage around their foundation to take care of some issues. He stated the Board deemed it a low impact.

Motion by Tom Pratt, seconded by Hugh Roszel to appoint the Planning Board as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA), to affirm the matter an Unlisted Action and to make a Negative Declaration, all based upon the Board's review of the Short EAF, to approve the site plan was carried unanimously.

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*Neil Goldberg - Site Plan Review - 5043 & 5057 East Lake Road  
File # 11-809 (Dale Bowers)*

M. Palmer stated he spoke with the applicant's representative recently and they are not ready to move forward, and he told the representative the Planning Board would continue their file.

Motion by Anne Ferguson, seconded by Hugh Roszel to continue the file was carried unanimously.

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*Peter and Mary Beth Carmen - Site Plan Review - 1080 Tunnel Lane  
File # 11-810 (Anastasia Urtz)*

Matt Vredenburg of EDR Companies was present to represent the application.

M. Vredenburg stated that he came to the work session last week and discussed the project.

M. Palmer wanted M. Vredenburg to go over the project for the Board.

M. Vredenburg stated this is the applicant's summer residence and they want to make some improvements for safety, maintenance and aesthetic reasons. He stated the applicant's are not proposing to make any changes to the impervious or paved surfaces. He said they are basically planting modifications. He said there are 8 things they would like to do along the waterfront. He showed the Board various pictures. He said there was an overgrown vegetative area that is not maintained. They want to plant fescues in that area so they can maintain during the summer and let it go the rest of the year.

He said there are currently 3' wide steel stairs. He said they want to expand them to 5' wide wooden stairs. He stated since they are solid steel and the water does not get through to the surface below and they are proposing to widen to 5' and make out of wood or some other material and have a gap between the wood slats so the water can get to the surface below.

He said there is a concrete sea wall along the decking and they want to put a stone face on it. He said the concrete is not very attractive and they like the way the neighbor's looks with the natural stone facing. He showed some additional pictures and described there were two parts to the concrete wall and he said they were south and north. He stated the south wall is in good structural state. The north section is crumbling and they need to repair for maintenance reasons. He said on the northern part they want to remove, rebuild it, make it structurally sound and put the facing on it.

M. Vredenburg confirmed the work would be in the water and they would need a D.E.C. permit.

J. Dunkle stated he did not see the drawings.

M. Palmer asked the applicant to supply drawings to the town engineer.

M. Vredenburg stated when they rebuild the north wall; they want to raise the deck up to match the height of the Southern part of the deck. M. Vredenburg said the landscaping between the upper deck, attached to the house and the lower deck down by the water has overgrown junipers and they want to clean it up and have it look more attractive. He stated they selected plants off the Cornell Cooperative Extension recommended list and he showed it on the plan. He said the timber wall is buried by the junipers and in some areas it serves no purpose. M. Vredenburg said they are proposing to remove it where it does not serve a purpose and if it does have a purpose to retain the slope behind it and keep the section intact. He stated once the plants come out they will be able to get a better idea.

M. Vredenburg stated in order to get the plants out it is going to take some sensitive construction in the Critical Area.

He said they want to extend the planting underneath their bay window. He said it is currently lawn and they want to make it ground cover.

J. Langey stated the Board will need the Long Form E.A.F. since it is in the C.E.A. J. Langey asked that it be submitted for the next meeting.

M. Palmer inquired about the before and after calculations for impervious.

M. Vredenburg stated it was 18% and 18%.

M. Palmer stated J. Dunkle will check the calculations. M. Palmer stated the Board encourages the applicant to improve the drainage and control as much of the runoff into the lake as possible. M. Palmer stated the concrete should allow water to go underneath the deck that is going to be fixed. He said the roof drains, if there are any, should be collected and run into a dry well or infiltrators, etc.

M. Vredenburg said some of the roof water comes off a portion and "daylights." He said it then goes under the house and has created a mold problem under the building and they want to repair in the future. He said the applicant did not want this to affect the approval of the other work to be done. He said they have a gutter that needs repair-it dumps the water on the patio and goes underneath the house.

M. Vredenburg said, in the future, they want to replace the old patio with permeable pavers. They also want to fix the drainage problem with the foundation.

M. Palmer suggested to M. Vredenburg to get everything on the plan in front of the Board now since it is only January. He said he would like to see it all done and get approval now.

M. Palmer stated once the approval is given and the applicant is issued the building permit; it is good for one year.

M. Palmer wanted the applicant to bring their total plan before the Board now; so they do not get in the position of what they do now preventing them from doing the right thing a year from now.

Some of the Board members thought the applicant should include the water management on the plan in front of the Board.

J. Dunkle stated they can combine the landscaping area with the stormwater management.

M. Palmer stated the Board would like to see a wall section of the retaining walls and the relative height compared to the water.

J. Dunkle stated they will need sediment control on the land and the water such as silt fences. The sediment needs to be prevented from getting into the lake.

R. Cook said the deck down near the lake does not appear to have a railing. He stated from a code perspective; the deck should have a railing on the lake side.

M. Palmer wanted the applicant to do a sketch of the hand rail from the east elevation.

Motion by Hugh Roszel, seconded by Tom Pratt to continue the file was carried unanimously.

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At 9:06 p.m., motion by Jennifer Basic, seconded by Tom Pratt to adjourn the meeting.

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Connie Sunderman - Planning Board Secretary - January 11, 2012