

# Town of Cazenovia Planning Board

## Meeting Minutes

February 7, 2013

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

Members Absent:

Others Present: John Langey, Esq.; John Dunkle; Roger Cook; Donald Ferlow; Graham Egerton; Anne Redfern; Jocelyn Gavitt; Thomas Stevens; David Senehi; David Falso

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

The deadline to be on the next meeting agenda is February 20, 2013.

The next regularly scheduled meeting is March 7, 2013.

The next work session is February 28, 2013.

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

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

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### HEARINGS

*Dale Bowers - Subdivision (1) - 2475 Fenner Road  
File # 12-858 (Jennifer Basic)*

Dale Bowers wanted his application to be continued.

Motion by Jennifer Basic, seconded by Anastasia Urtz to continue the file was carried as follows:

Mike Palmer - Yes  
Anne Ferguson - Yes  
Hugh Roszel - Yes

Jennifer Basic - Yes  
Tom Pratt - Yes  
Anastasia Urtz - Yes

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LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*Brian Gardner - Site Plan Review - East Lake Road (vacant parcel)*  
*File # 12-845 (Mike Palmer)*

No one was present to represent the application.

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

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*Robert & Sue Romagnoli - Site Plan Review - 4580 Fox Lane*  
*File # 12-860 (Jennifer Basic)*

No one was present to represent the application.

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

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*William J. Camperlino - Major Subdivision (4) - Oweria Point Drive*  
*File # 12-872 (Dale Bowers)*

No one was present to represent the application.

Motion by Dale Bowers, seconded by Tom Pratt to continue the file was carried unanimously.

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*William J. Camperlino - Site Plan Review - Oweria Point Drive*  
*File # 12-873 (Dale Bowers)*

No one was present to represent the application.

Motion by Dale Bowers, seconded by Tom Pratt to continue the file was carried unanimously.

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*Williams, James & Judith/Port, Howard & Ann - Line Change (1) - West Lake Road Parcel  
File # 12-877 (Hugh Roszel)*

Jocelyn Gavitt, landscape architect, was present to represent the application. She stated, two months ago, the Board looked at the project as a preliminary review. She said nothing significant has changed.

She pointed out on "The Williams Farm Subdivision" map dated October 31, 2012 the small piece of land that is being transferred to The Ports. She said The Ports are merging the piece to their "L-shaped" piece of land.

J. Gavitt confirmed The Ports already own the "L-shaped" area and they are just adding the little corner. She said they are doing this because currently the side setbacks are so large that it leaves practically no building envelope.

M. Palmer asked if there were any covenants on the additional piece of property?

J. Gavitt said there are restrictions on the right-of-way for Tunnel Lane.

J. Gavitt stated The Ports need to open up the building envelope because they want to put a garage in the area she pointed out on the map which is about 5' back from the west side of Tunnel Lane.

Some members of the Board inquired about The Williams' property.

R. Cook stated it was the old railroad bed where the tunnel is located.

M. Palmer said the additional property will make room for The Ports garage, as well as, it will improve the impervious surface ratio.

J. Gavitt said the impervious surface ratio is about 10%.

Motion by Hugh Roszel, seconded by Anne Ferguson 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, and to move to a public hearing was carried unanimously.

M. Palmer told J. Gavitt she will need to come back next month for the public hearing.

The Board Secretary gave the applicant the list of people within 500' and the notification instructions.

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*Port, Howard & Ann - Site Plan Review - 1060 Tunnel Lane  
File # 12-878 (Hugh Roszel)*

Jocelyn Gavitt, landscape architect, said they are proposing to put a garage on the property just off of Tunnel Lane. She said it would be similar to what the other residents along Tunnel Lane have done. She pointed out the location of the garage and said it will no longer be infringing on any setbacks because they will have more land. She said, in regards to the impervious surface, they are under 10%. She said they are calculating all surfaces, driveways, walls, patios and decks, including the Tunnel Lane area. She said they counted Tunnel Lane because it is not a public right-of-way and they are "ok" including it.

J. Gavitt said they proposed a 30x40 footprint for the garage in the application they submitted. She stated they have since decided on a 28' x 40' footprint. She showed the Board members various photos of the property, as well as, up and down Tunnel Lane and adjacent property garages.

J. Gavitt said upstairs of the garage will be storage space; no plumbing, bathrooms or a kitchen.

M. Palmer noted that the ceilings are 9'. He stated the building will go into the hill which, appearance-wise, will help bring the height of the structure down.

J. Gavitt said the back will collect half of the roof drainage and for the front they will backfill near the foundation with stone.

J. Gavitt said the garage is approximately 230' from the lake.

M. Palmer said all the grades go toward the lake and it could still sheet drain down to the front. He said the Planning Board likes to see the water get in the ground as quickly as possible, but they are 230' back from the water.

J. Dunkle inquired why they are taking the roof water and running it right against the foundation. He suggested the grade be moved out about 10'.

J. Gavitt said she will have a gutter and that is what the drain line indicates. She stated the drawings were done a couple years ago and will be updated based on suggestions.

J. Dunkle suggested the drain should have flow dissipation at the end of the pipe. He also inquired about the maximum final grade pitch that they will have?

J. Gavitt said they went 2 to 1 because existing, it is 2 to 1.

J. Dunkle wanted to make sure a retaining wall was not needed because of unstable slopes.

J. Dunkle said his suggestion is that any final grade be 1 on 2 or flatter.

M. Palmer said the drain for the front part of the roof goes out to the road.

M. Palmer said the drain location on the drawing does not make any sense. He had J. Gavitt change it on the B. Dean Johnson (architect) drawing page 3 of 3 and move it down to the appropriate location above the footer.

Motion by Hugh Roszel, seconded by Anne Ferguson to readopt the original SEQRA and approve the site plan with the conditions that the footprint of the garage will be 28'x40'; the approval of the line change; and the grade should not exceed 1 on 2 was carried unanimously.

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*Stevens, Thomas & Nancy - Site Plan Review - 4310 Syracuse Road  
File # 13-879 (Jennifer Basic)*

The site plan will be reviewed upon the final decision from the Zoning Board of Appeals.

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

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#### RECOMMENDATIONS TO THE ZONING BOARD OF APPEALS

*Stevens, Thomas & Nancy - Area Variances - 4310 Syracuse Road  
File # 13-880 (Jennifer Basic)*

Thomas Stevens was present to represent his application.

T. Stevens stated he built a shed on his property and did not know he needed a building permit because it was under 150 sq. ft. He said his hardship is that he is a self-employed electrical contractor who is home-based which is where his shop and office is located. He stated he does not have enough room for storage because his garage is full. He said when he bought the property there was a garage which he pointed out on the map. He stated now there is an existing concrete slab where the building was located. He said he stores the items from jobs on this slab because it has to come home with him. He stated his neighbor, Joseph Gugino wrote a letter, which he submitted to the Board, supporting his application. He said Mr. Gugino's shed is located right next to his shed. He stated he has five neighbors, two have two outbuildings, one has three outbuildings, and three neighbors have sheds right on his property line. Therefore, he did not think it was a big deal to put a shed there.

M. Palmer asked how close the shed was to the property line?

T. Stevens stated there is 10' between his shed and the Gugino shed. He said the line is right between the sheds, so it is probably 5' off the line.

M. Palmer stated the Zoning Board of Appeals will want to know the exact dimension off the property line.

T. Stevens said he has a survey for his property.

M. Palmer inquired why he did not attach it to the back side of the garage.

T. Stevens said between the slab and the garage, a lot of water off Route 92 comes down his driveway. He further stated he used the slab that was already there so he did not add impervious surface. He stated the first thing you see when you enter his driveway is the "pile of junk" (things from job sites.)

T. Stevens confirmed his shed can be seen from the road. He showed the Board photographs of the area.

R. Cook said there is a huge water problem that exists between the house to the North of Mr. Stevens and where the other shed is located. He said the water comes off of Route 92 in many places and goes to the North of the applicant's barn and skirts his septic and then goes down Marlyn Park Drive.

T. Stevens stated his shed is just lacking the shingles. He stated he feels he has only improved the property and he has invested a lot of money into it. He said he does not want to put a dumpster on the site.

M. Palmer stated the applicant needs two variances: a sideline setback variance and a second accessory building variance.

J. Basic stated she does not have a problem because it conforms to the character of the neighborhood.

M. Palmer thought the shed stood out pretty good from the road and asked if it could be screened?

T. Stevens said he built it with a 12/12 pitch to match his house and garage and it will be painted and trimmed and look nice.

M. Palmer suggested adding some evergreen trees approximately 5' tall between the shed and Route 92.

T. Stevens said he could add a couple trees.

Motion by Jennifer Basic, seconded by Anne Ferguson to make a positive recommendation to the Zoning Board of Appeals for the location of the accessory building and an additional accessory building subject to two-5' evergreen trees being planted before May 31, 2013 was carried as follows:

Jennifer Basic - Yes

Dale Bowers - No

Anne Ferguson - Yes

Mike Palmer - Yes

Tom Pratt - Yes

Hugh Roszel - Yes

Anastasia Urtz - Yes

The Board Secretary gave the applicant the list of people within 500' and the notification instructions.

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INFORMAL

*David Falso/Davis Senehi - Subdivision - Summerfield*

David Falso and David Senehi were present to discuss the subdivision.

M. Palmer inquired if this was regarding the subdivision which the Board does not have the application or the fees for yet. He informed the applicants if they are going forward with the five lot subdivision they need to fill-out an application and pay the fees.

D. Senehi confirmed they would and stated they wrote a response to the engineer's comments.

D. Senehi said the sight view was addressed on Ridge Road and there seems to be enough room. He said 496' is needed to the right and 429' to the left and they have more than that. He stated that he measured the distance.

M. Palmer stated their engineer will have to demonstrate on the map that there is sufficient sight distance to the north and the south. He further stated it is not up to the Town to do it. He said the highway superintendant just looks at the driveway and sees if it will work in the location.

R. Cook said he thought the superintendant already said it has to meet the A.A.S.H.T.O. standards. He stated the distances will have to be shown on the final subdivision map.

M. Palmer said the highway superintendant looks more at the culvert location, drainage, etc., but he does not verify sight distances.

D. Senehi said they will do the topographical map. He inquired about the engineer's comments regarding an erosion and sedimentation control plan and a partial or full S.W.P.P.P.?

M. Palmer said the applicant's engineer can look at the comments and based on how much development; he will be able to determine if a full S.W.P.P.P. has to be done post-development. He stated the applicants will have to have an engineer involved in the project.

D. Senehi said new perc tests will be done for the tests that do not count anymore. He further inquired about the hydro geologic assessment on five additional wells impact on the existing wells and wondered if it was necessary considering they will be so far apart.

M. Palmer said their engineer will comment on the impact of the wells.

M. Palmer inquired about the grading of the two lots on Lincklaen Road. He said there is a limit to the grade for building lots in the Town of Cazenovia. He said their engineer will want to



establish what the grades are. He further stated there are grades for the driveways which will be considered to determine if they are buildable lots.

D. Senehi said they want to go forward with the plan.

M. Palmer said if they want to go forward they need to fill-out the application and pay the fees. He stated they will be removed from the informal section and to the subdivision/site plan stage once those things have been done.

D. Bowers wanted the applicants to know once this work is done, it will not be all that is required. He said expenses may be incurred based on information that is provided and that may prompt other questions that will need to be addressed.

M. Palmer wanted the applicants to know the deposit fees go for legal and engineering fees. He said the initial deposit may not be enough. He said there will be no way to know until the Board looks at the drawings.

J. Langey said he is looking at a stormwater management agreement, similar to Cannon Crest.

J. Langey said if the applicants go conservation subdivision, they may not need a variance for road frontage for the two lots off of Summerfield. He said with a conservation subdivision they will have to identify the parts of the land that are worth conserving. He stated it will be mapped out and possibly a conservation easement will be put on it, which means nothing can be built on it in the future.

D. Ferlow said there are valuable pieces of land on the site. He stated there is a nice patch of woods in the southwest corner, as well as a watercourse.

M. Palmer thought it would be to their advantage to go conservation subdivision.

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At 8:26 p.m., motion by Hugh Roszel, seconded by Jennifer Basic to close the meeting was carried unanimously.

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Connie Sunderman - Planning Board Secretary - February 11, 2013

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