

Town of Cazenovia Planning Board

Meeting Minutes

June 6, 2013

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

Members Absent: Jennifer Basic

Others Present: John Langey, Esq.; John Dunkle; Roger Cook; Donald Ferlow; Anne Redfern; Jerry Dennis, Jr.; Melissa Rothfeld; John Parker; Katherine Parker; Joseph Sutherland; Patricia Sutherland; Timothy O'Shea; James Campagna; Jennifer Campagna; Gary Mason; Mark Graham

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

The deadline to be on the next meeting agenda is June 19, 2013.

The next regularly scheduled meeting is Wednesday, July 3, 2013.

The next work session is June 27, 2013.

M. Palmer asked if there were any corrections or comments for the May meeting minutes.

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

HEARINGS

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

Dale Bowers was present to represent the application.

D. Bowers submitted a subdivision map to the Board. He stated he would like to do a one-time three-acre subdivision. He said there will be a 3.2 acre parcel and the remainder will be a 15.5 acre parcel. He pointed out the perc test and deep-hole test on the map.

M. Palmer said this would be the one-time exemption from the conservation subdivision.

R. Cook confirmed when someone purchases the newly created parcel and decides to build a house they will appear before the Planning Board for site plan review.

M. Palmer stated it had been published for a public hearing and asked if anyone was present to speak for or against the application.

No one was present to speak for or against the application.

Motion by Anne Ferguson, seconded by Hugh Roszel to close the public hearing was carried as follows:

Mike Palmer - Yes	Jennifer Basic - Absent
Dale Bowers - Abstain	Anne Ferguson - Yes
Tom Pratt - Yes	Hugh Roszel - Yes
Anastasia Urtz - Yes	

J. Langey confirmed the SEQRA had already been completed.

Motion by Hugh Roszel, seconded by Anastasia Urtz to approve the subdivision was carried as follows:

Mike Palmer - Yes	Jennifer Basic - Absent
Dale Bowers - Abstain	Anne Ferguson - Yes
Tom Pratt - Yes	Hugh Roszel - Yes
Anastasia Urtz - Yes	

*Dennis, Jr., Jerry & Yeates-Dennis, Nancy - Line Eliminations (3) - Reservoir Road
File # 13-884 (Hugh Roszel)*

Jerry Dennis was present to represent the application.

J. Dennis pointed out on a site map his 50-acre parcel, two parcels that have a little less than 5-acres and a 2-acre lot. He said he would like to combine all the parcels and do a line elimination.

J. Dennis confirmed he will go from 4 separate parcels to 1 parcel.

M. Palmer asked Mr. Dennis if the surveyor did a subdivision map?

J. Dennis said a map had not been done yet.

J. Langey said the Board can only approve a subdivision map.

J. Dennis said there is a concrete slab on one parcel and a camp on one of the other parcels.

M. Palmer stated he is a neighbor to the parcel and the parcel is heavily wooded in the back and nothing will be able to be seen up there.

M. Palmer stated it had been published for a public hearing and asked if anyone was present to speak for or against the application.

No one was present to speak for or against the application.

Motion by Anne Ferguson, seconded by Hugh Roszel to close the public hearing was carried unanimously.

M. Palmer told Mr. Dennis he would need to provide a subdivision map to the Board. He displayed an example of another subdivision map and explained what should be indicated on the map; items such as the old lines and new lines, buildings, slab, well, septic, and driveway.

J. Langey confirmed the SEQRA had already been completed.

M. Palmer said the sight view of the driveway is good and existing, and there is a STOP sign to the South.

*Rothfeld, Michael & Melissa - Line Eliminations (1) - 1904 Chard Road/East Lake Road parcel
File # 13-886 (Anne Ferguson)*

Melissa Rothfeld was present to represent the application.

M. Rothfeld stated they have two adjacent properties and they are combining the parcels to make one property. She showed the current line on the map and said it will be eliminated.

The Board Secretary confirmed the SEQRA was done last month.

M. Palmer stated it had been published for a public hearing and asked if anyone was present to speak for or against the application.

No one was present to speak for or against the application.

Motion by Dale Bowers, seconded by Anne Ferguson to close the public hearing was carried unanimously.

Motion by Anastasia Urtz, seconded by Hugh Roszel to approve the line elimination was carried unanimously.

M. Palmer explained the map process to the applicant.

The Board Secretary stated to the applicant that she would receive a letter explaining the map process.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

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

No one was present to represent the application.

The Board decided a letter should be sent to the applicants asking their intentions, since they have not been to several meetings.

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

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

No one was present to represent the application.

D. Bowers stated there was nothing new in the file.

Motion by Dale Bowers, seconded by Hugh Roszel to continue the file was carried unanimously.

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

No one was present to represent the application.

D. Bowers stated there was nothing new in the file.

Motion by Dale Bowers, seconded by Hugh Roszel to continue the file was carried unanimously.

*Cazenovia Ski Club - Site Plan Review - 5251 Rathbun Road
File # 13-882 (Dale Bowers)*

No one was present to represent the application.

The Board Secretary confirmed the applicant is still before the Zoning Board of Appeals.

Motion by Dale Bowers, seconded by Hugh Roszel to continue the file was carried unanimously.

*Muserlian, Peter & Nancy - Revisit Site Plan - 5201 East Lake Road
File # 07-485 (Jennifer Basic)*

No one was present to represent the application.

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

*Parker, John & Katherine - Site Plan Review - 3411 West Lake Road
File # 13-888 (Mike Palmer)*

John and Katherine Parker were present to represent the application.

J. Parker stated they are purchasing a 12'x30' Amish shed to store garden equipment and other similar items in. He said they want the shed in a different location than originally submitted on the site map. He stated R. Cook told him the shed needs to be behind the "imaginary" line in front of the house. He said, the question should have been asked prior, but, ideally, they would like to put the shed near the location where they enter the driveway. He stated if the shed is put behind the house, it will be in the center of the lawn. He said it would be convenient to have it right off the driveway.

M. Palmer said the accessory building would have to be behind the setback line; one setback line deals with the center line of the road and the other setback line in the Town code states the accessory building can't be between the house and the road, it has to be behind the front line of the house. He said if the applicant puts the shed where he wants to, it will require a variance. He further stated, if he puts it behind the front line of the house it would not require a variance, just a building permit. He said the applicant would have to put an extension on his driveway to make it functional.

J. Parker showed a photo of his property from his phone and explained the layout, and pointed out where he would like to place the shed.

R. Cook confirmed if the applicants put the accessory building between the house and the road it would require a variance.

The Board discussed ideas on the placement of the shed with the applicants.

J. Parker said it would look attractive in the area where there is the existing tree line and the fence and it would blend in, in that area.

M. Palmer explained to the applicant their options. He further stated even though the Parker's have not filled-out a variance application, they would need a letter of recommendation.

R. Cook said the Board could probably make a letter of recommendation but they would not be before the Zoning Board of Appeals until July because there would not be time to get a G.M.L. back from the County before the June meeting.

M. Palmer told the applicant, if they decide, now, a location they can place the shed behind the front line of house, the Board can take care of this tonight. He said, if the applicants decide that it is not going to work for them, they would need to get a variance and they would go to the Zoning Board of Appeals in July and have to do the necessary paperwork and fees and come back to the Planning Board in August for the final site plan review. He stated it is ultimately the applicant's decision, and he is not trying to persuade them one way or another, he is just explaining their options to them.

J. Parker said they could get the shed in place for now and use it and move it at a later time. He said it will be delivered on a trailer. He said they currently own two houses and are in the process of selling their other house and they could store some things in it.

M. Palmer initialed and dated the site map and "x'd" out the current location, marked the new location, and wrote the statement "barn behind front line of house" on the map date-stamped May 21, 2013.

Motion by Anne Ferguson, 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 accessory building as amended on the site map was carried unanimously.

*Sutherland, Joseph & Patricia - Site Plan Review - 5008 East Lake Road
File # 13-889 (Tom Pratt)*

Joseph & Patricia Sutherland were present to represent the application.

J. Sutherland stated they would like to remove a portion of their mudroom and enlarge it, slightly. He pointed out the current footprint on a sketch and the proposed footprint which would enlarge the kitchen area. He said, since they are going through the construction, they would also like to get a prefabricated 12'x16' garden shed and place it near the existing vegetable garden that he pointed out on the site map. He stated with the location of the shed they will be in compliance with the side and rear setback lines. He said the color of the shed will be a slate green.

M. Palmer said the impervious surface is not an issue; they are currently at 3.5 and they will be at 3.7 and are adding less than 100'.

P. Sutherland said they do not have a basement or a garage, therefore, the storage cabinets purchased from a home improvement store on the backside of their house is where they house garden tools and shovels.

J. Sutherland said after construction the cabinets will be repositioned.

J. Sutherland said the location of the shed was decided partially due to the fact that area of the land is dry.

Motion by Anne Ferguson, 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.

*O'Shea, Timothy & Shari - Site Plan Review - 4880 Ridge Road
File # 13-892 (Anastasia Urtz)*

Timothy O'Shea was present to represent the application.

T. O'Shea said they are taking down a good "chunk" of the back part of their house and building it back up with a full basement.

M. Palmer said there are no impervious surface issues.

T. O'Shea stated the house will look like a Greek revival from Maple Road. He said it is currently a center-hall colonial in the front and straight back. He said the kitchen area is the part that goes straight back. He said the side driveway is existing, but they will put one in the back which he pointed out on the drawing.

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.

*Campagna, James & Jennifer - Site Plan Review - 4913 East Lake Road
File # 13-893 (Tom Pratt)*

James and Jennifer Campagna were present to represent the application.

Jennifer Campagna described the property and said there is a small stone wall, steps going down to the lakefront and a natural stone wall that is existing. She said the wall is in major need of repair and it is an eyesore from the lakeside. She said they have had their current landscaper, Adam McAllister, who would do the project for them, said it needs to be repaired. She said the current wall is Onondaga limestone rock and the pieces are broken and there is not enough there to rebuild using the materials there.

James Campagna said it is a two-tiered retaining wall and each step is about 1 $\frac{1}{2}$ '.

Jennifer Campagna said they would like to replace it with Pennsylvania fieldstone.

James Campagna said they would take away the two tiers and make it a single 3' wall.

Jennifer Campagna said the top surface of the wall will not be greater than what is currently there. She said currently between the two tiers is a mix of grass and mulch and there is a small strip of grass that is cumbersome to mow. She said they would like to put some patio stones in the lower level, when it is done, and space the stones apart and put pea gravel in between.

M. Palmer asked John Dunkle his opinion of the project?

John Dunkle inquired, if there was adequate space between the stones and underneath and if there was permeable soil surface above the groundwater?

M. Palmer told the applicants that the engineer for the Town felt that if the drawing is to scale and the area is pea stone and not sand, he would call it pervious.

J. Dunkle said that would be provided there is good soil underneath.

Jennifer Campagna said they would do whatever is required, but they were proposing to do 6"-8" of round stone and 1"-2" of number one washed stone.

J. Dunkle said the area of the larger stone would be impervious, but you look at the bigger picture as the whole area functions.

M. Palmer said they were 15.9 and now 16.2 with the threshold being 15%.

R. Cook said the threshold is 5% in the first 20' back from the lake. He further stated they are going from two walls to one wall so they would be decreasing.

J. Campagna said when she did the calculation for the new plan she counted the patio as impervious. She further stated if that counts as pervious then they are probably decreasing the amount of impervious material.

M. Palmer corrected and initialed the impervious surface calculations page to reflect that they would still be at 15.9% post-construction.

J. Dunkle asked if they are above the lake level enough so they will not be in the water?

J. Campagna said there is a seawall.

J. Dunkle suggested there be about 10"-12" inches of stone underneath the pavers.

M. Palmer wrote this specification on the cross-section page.

J. Dunkle said the applicant should also make sure when they dig out the soil to build, that the soil is not compacted to get adequate drainage. He further stated they would want to get the water away from the stones, so they do not shift.

M. Palmer inquired if silt fence was needed?

R. Cook did not feel silt fence was needed but asked what was being done with the spoils?

M. Palmer said there would be approximately a foot of spoils and inquired what would happen with them?

Jennifer Campagna said they take the spoils off site.

M. Palmer noted on the cross-section page: 1) spoils to be removed 2) 10"-12" of stone drainage under stone pavers, and signed and dated the page.

The Board Secretary made a copy of the updated cross-section page to be supplied to the landscaper.

M. Palmer said the narrative in the file indicated there was drainage stone behind the retaining wall.

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, to approve the site plan was carried unanimously.

RECOMMENDATIONS TO THE ZONING BOARD OF APPEALS

*Mason, Gary & Dena - Area Variance - 3757 Burlingame Road
File # 13-887 (Anastasia Urtz)*

Gary Mason was present to represent the application.

G. Mason said he would like to build a second accessory building on his property. He stated there is an existing barn that is in front of the house. He explained the layout of his property. He said he does not want to add on to the current barn because it would not look right and it would not conform to the current zoning.

G. Mason said the barn would be 30'x36' and his property is over 12 acres. He said all the doors will be brown to match the existing barn and house. He further stated it will be on a floating slab, board-and batten exterior and the shingles will be the same color as the existing structures. He said it will blend in nicely. He pointed out the location of the barn on a map he provided which is to the North of his current home and barn.

G. Mason confirmed there is access from a separate driveway which was an original farm driveway. He said it will be cold storage.

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

Motion by Hugh Roszel, seconded by Tom Pratt to make a positive recommendation to the Zoning Board of Appeals was carried unanimously.

*Lane, William - Area Variance - 2250 Ferndell Road
File # 13-890 (Mike Palmer)*

No one was present to represent the application.

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

*Graham, Mark - Area Variance - 3915 Rippleton Road
File # 13-891 (Anne Ferguson)*

Mark Graham was present to represent the application.

M. Graham provided some photos to the Board. He said there is a shed and a barn in disrepair. He said he brought the shed with him when he moved from Fayetteville. He said it is an 8'x14' shed and was used as a writing studio. He said the current barn is not being used for anything because it is in disrepair. He said it would be costly to restore the old structure.

D. Bowers suggested that the barn be taken down.

M. Graham said the shed is at least 26' from the property line. He said his property is over 1.75 acres.

The Board discussed various options with Mr. Graham to make his property compliant; remove the old barn, attach the shed to the existing barn, etc.

M. Graham said he would like the shed close to his house.

D. Bowers thought the lot was too small for two accessory buildings.

Anne Ferguson thought the first derelict barn could go which would then allow for the second structure.

M. Graham said every time the shed is moved he has to pay for it to be relocated. He said he has been thinking about painting the barn that is in poor condition and reinforce it. He further stated the little shed is insulated and unique. He said he will run a cord to the shed for electricity and he will heat it with a ceramic heater. He said he has put a lot of money in the shed to make it comfortable.

H. Roszel thought the lot was fairly small for two accessory structures.

Motion by Dale Bowers, seconded by Tom Pratt to make a negative recommendation to the Zoning Board of Appeals was carried unanimously.

Some members of the Board explained the next steps to Mr. Graham.

M. Graham asked about placing the writing shed inside the larger barn?

R. Cook and J. Langey agreed that a variance would not be required if he placed it inside the barn.

M. Palmer said the biggest issue is it is too many structures for the size of the lot.

The Board encouraged the applicant to proceed to the Zoning Board of Appeals since he paid his fees.

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

J. Langey reviewed the minimum maintenance road designations with the Planning Board. He said the Town Board was approached by the Highway Superintendant about designating portions of two roads as minimum maintenance roads which creates a designation for those portions of the roads so the Highway Superintendant does not have to keep them up to the high standard of repair and maintenance. He said the Town Board passed a local law that created this process of minimum maintenance roads. He further stated that T. Hunt, then did a designation and the Town Board accepted. He said, by law, they have to give them for a referral to the Town Planning Board, the school district, and the County; and a public hearing will be held in August. He said all the owners on the road will be notified. He said they are looking for a resolution back for a positive recommendation to the Town Board that the Planning Board does not see a planning issue with this.

M. Palmer said the line is past the last residence and it is not affecting any current homeowners. He said this is protecting the Town.

Motion by Dale Bowers, seconded by Tom Pratt that the Planning Board hereby recommends the designation of the following portion of Fairbanks Road in the Town of Cazenovia as a Minimum Maintenance Road pursuant to Town of Cazenovia Local Law Number 5 of 2012: *that portion of*

Fairbanks Road commencing 0.28 miles southerly from its intersection with Weber Road then running 0.64 miles to the Town of Cazenovia Town line was carried unanimously.

Motion by Dale Bowers, seconded by Anne Ferguson that the Planning Board hereby recommends the designation of the following portion of Barrett Road in the Town of Cazenovia as a Minimum Maintenance Road pursuant to Town of Cazenovia Local Law Number 5 of 2012: *that portion of Barrett Road commencing 0.56 miles easterly from its intersection with State Route 13 then running 0.52 miles to the Town of Cazenovia Town line* was carried unanimously.

At 8:43 p.m., motion by Dale Bowers, seconded by Hugh Roszel to close the meeting was carried unanimously.

M. Palmer reopened the meeting for a few reminders.

M. Palmer said there will be a "day venture" at the Holmes Farm, on a Saturday morning, either in the last part of June or first part of July

M. Palmer stated the files need to have more detailed information when it comes to structures. He said the Planning Board needs to see what accessory structures and additions will look like post-construction. He thought it would be helpful if the Zoning Clerk mentioned this to applicants when they submit their applications.

The Board Secretary/Zoning Clerk stated she would mention this to applicants when they turn in their applications. She further stated it would be helpful if the Board let her know if additional information was required after the Planning Board had their work sessions.

At 8:48 p.m., motion by Mike Palmer, seconded by Hugh Roszel to adjourn the meeting was carried unanimously.

Connie Sunderman - Planning Board Secretary - June 12, 2013