

Town of Cazenovia Planning Board

Meeting Minutes

September 5, 2013

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

Members Absent: Anastasia Urtz

Others Present: John Langey, Esq.; Roger Cook; Anne Redfern; Graham Egerton; Robert Carman; Matthew Scalzetti; Charles Gordon; Julie Gordon; David Vredenburgh; Susan Wightman

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

The deadline to be on the next meeting agenda is September 18, 2013.

The next work session is September 26, 2013.

The next regularly scheduled meeting is Thursday, October 3, 2013.

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

Motion by Anne Ferguson, seconded by Hugh Roszel to approve the August meeting minutes was carried unanimously.

HEARINGS

NONE

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

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

No one was present to represent the application.

M. Palmer stated that J. Langey spoke to the applicant's representative today and they would not be coming to the meeting tonight.

J. Langey confirmed and said the applicants would like to be on the agenda for next month.

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

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

No one was present to represent the application.

M. Palmer stated that J. Langey spoke to the applicant's representative today and they would not be coming to the meeting tonight.

J. Langey confirmed and said the applicants would like to be on the agenda for next month.

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

*Carman, Robert - Site Plan Review - 2954 West Lake Road
File # 13-903 (Hugh Roszel)*

Robert Carman was present to represent the application.

R. Carman stated he would like to place a shed on the northern side of his property. He said it would be equal to the front of the garage with the same setback from the road. He said they would be within the 25' sideline setback. He said the shed will be around 50' from the edge of the road.

M. Palmer stated this building will be the second free-standing structure on the property.

R. Carman said the second component of the application is to move the driveway over 50' because it is "so open to the street" and the sun is unbearable in the afternoon and at sunset. He said they want to move the driveway over to the South and add some landscaping. He said the driveway will curve around in an "s-shape." He said the shed is a traditional shed and he displayed a rendering he drew for the board to see. He stated the structure will have a shed-style roof and it will have a small roof-covered area for wood which will be open. He said the shed will be 14'x12' and it will have an additional 6'x12' area for the wood. He said the siding will be vertical pine and would be reverse board-n-batten. He said it will be stained the same color as the house and it will have asphalt shingles like the house. He stated it will have a 4' pitch roof and slope down in the northern direction.

M. Palmer stated there was a letter in the file regarding the sight distance for the driveway.

R. Carman said he had Madison County come out and measure and they stated everything was great. He stated once he gets site plan approval; he will apply for the permits for the driveway.

R. Carman said, right now, the driveway is not impervious and the new driveway will be gravel. He said he incorporated in the impervious calculations when they do decide to pave it. He confirmed they are currently 7.7% and it will become 13% for the new shed and the future paving of the driveway.

M. Palmer said the letter in the file from Madison County states that the driveway exceeds the sight distance in both directions.

Motion by Anne Ferguson, 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.

The Board Secretary stated the building permit was in the file and she would give it to R. Cook on 9/6/2013.

*Christian Apostolic Church - Site Plan Review - 2706 West Lake Road
File # 13-904 (Anne)*

Matthew Scalzetti was present to represent the application.

M. Scalzetti stated he was a member of the Christian Apostolic Church and an engineer. He said he is a consultant for the Church on engineering-related activities. He stated they are before the Board to answer a notice of violation that the Church received in the middle of August. He stated in the 52 years the Church has owned the property; this is the first notice of violation they have ever received. He said since 2004, they have done no significant construction on the property. He further stated he read the law last week for the first time. He gave the Board some background on the reason for the current construction. He stated they changed insurance providers on November 1st and they were visited by the risk assessment person. He said on the 15th of December the Church received a letter from the insurance company requesting certain changes. He stated one change that was needed to be made was from the upper part of the property down to the lake. The insurance company wanted the steps evened because they were composed of pieces of Pennsylvania Bluestone and over time some of the steps had broken up and were uneven in places and they needed to be repaired. He said another request was that a second rail be added to the walkway which is approximately 120' long. He said they started the work on May 1st and they had a deadline of the 20th of July. He stated on the 27th of July there was going to be a large gathering that would be using that part of the facility. He said, in their haste, they looked at this as something that did not need a permit and their logic was they were replacing something that was already there.

M. Scalzetti read a portion of Chapter 133 of the Town of Cazenovia Code Book to the board. He said they have gone through all the calculations for the impervious surfaces from the various zones up from the lake. He passed out a packet to the board members and referred to the *Part II Calculations of Impervious Surface Area by Zone* page. He said in zone 1 the impervious surface that was added was .24%. He stated the only thing that impinges on that line is a small semi-circular area at the bottom of the new walk. He stated the limit for that zone is 5% and they are well under the limit in that area. He said in zone 2, the next 80', there is 1,748 sq. ft. of impervious surface area which is 6.17% of the total area in that zone. He concluded they were well below the limitation in both areas. He discussed the other pages in the packet. He referred to the terraced-area photo. He said he used a rectangle to do his calculations since it is curved so it was a conservative estimate.

A. Ferguson asked the applicant if he was referring to the bleachers?

M. Scalzetti stated that was a benefit that was not immediately perceived. He said the terracing was put there to distribute the burden on the hillside. He showed another picture off the overall property with the old arrangement. He said the Versablock wall behind the boat house had failed twice and was in the process of failing again. He stated they had to do something so they split the area into several parts to make the pressure better distributed. He said they have a lot more area now to distribute the pressures that build up in the hillside.

M. Palmer said the applicants were cited by the Code Enforcement Officer and therefore they had to come to the Planning Board. He said the board has to look at the project as though it was not built. He stated they have to make sure that it meets the Codes and does not exceed the impervious surfaces in the various zones and respects the Critical Environmental Area (C.E.A.) in the first 20' back from the lake. He stated because it is in the C.E.A. it could be a Type I action.

J. Langey stated if the Board decided it is a Type I action they would have to complete the long form E.A.F. He said he does not know of any other jurisdiction that would have any interest in this so the coordinated review would go away.

A. Ferguson asked about the gravel road on the property?

M. Scalzetti said there is a pathway from the crest of the hill that is stone and mud. He said that was there and they did not put that in the calculations because it was not work that they did. He said the road does not get into the first 20' back from the lake.

M. Palmer stated it is part of the overall impervious surface. He further stated by the Town Code definition a stone driveway is impervious because it compacts. He stated he would like the impervious surface of the driveway added into zone 2 and see how it affects the calculations.

M. Scalzetti presented a drawing with the grade changes as requested by the Chairman. He displayed a drawing with 1' contours. He said the grade was 1,196 at the water's edge and 1,224 at the beginning of the pavilion.

T. Pratt asked if the path was shown on the contour drawing?

R. Cook said it is less of a path than it is an understory from the canopy of the trees. He stated it is more where the maintenance crew use golf carts, so they do not use the more formal path.

M. Scalzetti confirmed.

A. Ferguson inquired about the lighting?

M. Scalzetti said there are several Bollard lampposts along the path. He stated they do not encourage people to go down to the water at night. He said they have not seen a need to do any more lighting than what is presently there.

A. Ferguson was concerned with the area now being cleared and said there are six lights visible from the lake. She stated the policy of the community is a dark skies environment.

M. Scalzetti said there are four short lampposts along the path. He pointed out two additional lights that are decorative lanterns, one by the boathouse and one at the end of the wall. He said the lights are on during retreats only. He said there are three women's retreats in the spring, three men's retreats in the fall and four to five children's retreats in July. He said the adult retreats last less than one day, so the lights are on for part of one night. He said the Bollards have one 75-watt lamp in them with a high-intensity discharge. He stated the two lanterns have three bulbs in them at 40 watts each.

R. Cook said he has not seen the lights at night, so he could not comment on them.

M. Scalzetti confirmed the two by the water were new and the other four were there when the old walk existed.

M. Scalzetti pointed out the location of the maintenance road for the board.

M. Palmer reviewed the issues that the Board was concerned with which were the impervious surface in zone 2 to include the driveway, the lighting, and design details/section/drainage for the walkway and retaining walls down by the lake.

The board felt it would be helpful for the engineer for the Town to review how it was constructed, where the drainage is going, check lighting against the dark skies definition, and verify the impervious surface calculations.

D. Bowers said if this was coming in as a brand-new application and the work was to be done and not already done; the board would be interested in a cross-section, where the water was going, etc.

M. Scalzetti said there was 12" of compacted stone under the stepped block.

M. Palmer said the church should provide the board with documentation that the two lights down by the water meet the dark skies requirements. He thought an engineer would need to do that for them. He stated the fixtures should meet the requirements and they may have to be replaced if they do not meet the requirements. He said the lights have to be downcast and the spread has to be limited to a certain area.

M. Palmer stated they would like the applicants to come back next month with the answers to the questions that the board has asked. He said the information should be provided by the deadline for the work session. He said the project is already done, therefore, the board is not holding up the applicants. He said the sooner the information is back the better so the engineer for the Town can review and the applicants are not held up another month.

M. Palmer reiterated the points the board would like further details on.

M. Scalzetti said the drainage was left pretty much the way it was.

M. Palmer asked where it drained to?

M. Scalzetti stated Gabion stone line both sides of the walk from near the top all the way to the bottom and it terminates at the last landing. He said there is nothing behind the amphitheatre because it is high ground and undisturbed.

The contractor who did the work came forward to offer some details on the drainage. He said pipes were put in and they combine on the end and then tie in behind the retaining wall. He stated the terracing becomes more narrow at one end and each of the lines tie in with one another. He stated the lines come behind the retaining wall, then behind the boat house and go into the existing drainage that was there to the other side of the boat house and then there is gabion stone that leads to the lake. He said it daylight within approximately 10' of the lake.

Another member of the Church said there is approximately 400 sq. ft. of additional impervious ground. He said the engineer for the Town will have a good idea if he visits the site to see the drainage they did.

M. Palmer said the engineer for the Town will look at the plans and the applicants will be contacted if he wants to do a site visit.

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

RECOMMENDATIONS TO THE ZONING BOARD OF APPEALS

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

No one was present to represent the application.

Motion by Anne Ferguson, seconded by Tom Pratt to send a letter to applicant to respond to the Board within 30 days or he will be removed from the agenda was carried unanimously.

INFORMAL

Gordon, Charles & Julie - Possible Subdivision - 4520 Route 92

Charles & Julie Gordon and David Vredenburg were present to discuss a possible subdivision.

C. Gordon displayed a copy of their preliminary subdivision map. He stated everything that is on the map is currently one big lot and there is 400+ feet of road frontage and 276' frontage at the lake. He said it is just under 12 acres. He pointed out the location of the house and the cottage. He stated they have tried to sell it as one parcel but have not had any "takers" yet. He said they want to have options and maybe sell as 3 separate parcels; the house with 3 acres, the cottage with 5 acres and the lake frontage, and the piece in the middle just under 4 acres for a building lot. He said with the deed there are lake rights for anyone on Tunnel Lane. He further stated the newly created middle lot would not have lake rights.

M. Palmer described the layout of the road that is by the property. He further stated the whole road is not Tunnel Lane, just at the bottom. He stated there is more than one way in and out for emergency vehicles.

C. Gordon stated it is Fire Lane 4522.

M. Palmer stated it could fall under the conservation subdivision because it is more than 9 acres.

D. Vredenburg confirmed he understood the conservation subdivision process.

A. Ferguson asked about the demarcation lines and if they followed any natural line?

D. Vredenburg said he has not gotten very involved in the project at this point.

C. Gordon said they tried to keep it as a simple concept. He said the cottage is very close to the lake and someone may want the frontage and build something further back.

D. Vredenburg said the greatest slope is on the 5 acre lot.

R. Cook said where the driveways go down to the cottage it drops off precipitously, and it is gradual all the way back up to the house.

M. Palmer stated with a conservation subdivision any natural landforms are looked for as a more natural demarcation for boundary lines. He stated the conservation subdivision is more important than the size of the lot.

C. Gordon stated there were 6,000 evergreen trees planted by the previous owner.

A picture was displayed showing the aerial view of the property.

Some board members thought the line could be moved to incorporate the woods with the middle lot and move the house lot to the east to keep the lot 3 acres.

M. Palmer said building envelopes could be put on the lots. He further stated he did not see any "deal-breakers." He said it will be up to the applicants if they want to file an application and pay the fees. He said a site visit might be necessary.

J. Langey said at the November meeting the longer SEQRA forms will start to be used.

M. Palmer reminded the Board about the October 29, 2013 training session at the Colgate Inn. He said to RSVP to Linda Mather, Town Clerk, by October 9, 2013

At 9:08 p.m., motion by Jennifer Basic, seconded by Anne Ferguson to close the meeting was carried unanimously.

Connie Sunderman - Planning Board Secretary - September 10, 2013