

# Cazenovia Zoning Board of Appeals

## Meeting Minutes

December 26, 2012

Members present: Chris Fischer, Chairman; Louis Orbach; Richard Sheridan; Gene Smith

Members absent: David Silverman

Others present: John Langey, Esq.; Roger Cook; Kendall Edkins; Benjamin Orbach

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C. Fischer called the meeting to order at 7:30 p.m.  
The next regularly scheduled meeting is January 28, 2013.

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C. Fischer asked if there were any corrections or comments for the November meeting minutes.

Motion by G. Smith, seconded by R. Sheridan to approve the revised November meeting minutes was carried as follows:

Chris Fischer:	abstain
Louis Orbach:	yes
Richard Sheridan:	yes
David Silverman:	absent
Gene Smith:	yes

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*Henneberg, Werner & Shirley – #04-234 – Special Use Permit Renewal – 3104 Thompson Road*

C. Fischer stated the renewal is for a special use permit to allow the applicant to sell rustic furniture.

C. Fischer stated that R. Cook inspected the property on December 15, 2012 and found no items of non-compliance. He said it was noted on the renewal form that “the business is kinda shut down.”

R. Cook said officially they are not open but they elected not to give up the right to do it.

C. Fischer said he did not think there has ever been a concern and they have had it for almost 8 years.

Motion by C. Fischer, seconded G. Smith to appoint the Zoning Board of Appeals as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA), to declare the matter an Unlisted Action and to make a Negative Declaration of environmental significance, all based upon the Board’s

review of the Short EAF, and to approve the Special Use Permit renewal under the same terms and conditions as originally permitted was carried unanimously.

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*Radelich, Richard – #12-864 – Area Variances – 3300 East Road*

No one was present to represent the application.

C. Fischer stated he spoke with Mr. Radelich's counsel, Jennifer Basic, and the applicant has decided to move the shed to another location on the property and they will not need the variance for the location. C. Fischer stated they are still deciding on a location. He said they will still need the area variance to allow for the second accessory building. He stated the applicant requested that the file be adjourned for a month to allow for additional time for the survey and the exact placement of the accessory building.

C. Fischer stated the file will be adjourned for the month.

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*Edkins, Kendall & Gwen – #12-871 – Special Use Permit – 3956 Burlingame Road*

Kendall Edkins was present to represent his application.

K. Edkins confirmed he wanted a special use permit for a private stable. He said he bought the property a couple months ago from Bill Stack who had owned it for 20 years. He stated he wants to construct a private stable for his wife. He said, depending on the map that you look at, that he has approximately 21-23 acres. He said the stable will be about 100' southwest of where the house is located. He said the stable footprint is 36'x60' with a 10' porch/overhang on one side and a 14' overhang on the other side. He said it will be a typical 36'x36' interior and the second story will be a hay loft. He stated it will have electrical and water and the exterior is 29-gauge galvanized steel.

C. Fischer inquired about the number of horses.

K. Edkins thought it would be 3 or 4 horses.

R. Cook said the limitation of horses depends on the number of acres.

K. Edkins provided the Board Secretary with the letter that was sent to property owners within 500' of the subject property.

K. Edkins showed the tax map to the Board members and pointed out the layout of the house, driveway and proposed barn. He said the driveway is 400'+ in length. He said the stable will be the same color as the house; gray, white and charcoal black.

C. Fischer said at the December 6, 2012 Town of Cazenovia Planning Board meeting; they voted unanimously on a positive recommendation.

C. Fischer said the Madison County Planning Department responded to the GML request which said...The proposed addition of a 36'x60' private stable at 3956 Burlingame Road (106.-1-8.1) as an accessory use to a private residence appears to meet lot area and yard regulations and would have no adverse county-wide impact. There does appear to be an NWI listed wetland in the center of the property that may need to be taken into consideration for future development of the property.

K. Edkins thought the wetlands was way back in the woods.

C. Fischer stated the file had been noticed 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 C. Fischer, seconded by G. Smith to close the public hearing was carried unanimously.

C. Fischer told the applicant he would need to go back to the Planning Board for site plan approval for the building, itself.

Motion by C. Fischer, seconded G. Smith to appoint the Zoning Board of Appeals as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA), to declare the matter an Unlisted Action and to make a Negative Declaration of environmental significance, all based upon the Board's review of the Short EAF, and to approve the Special Use Permit to allow for a private stable pursuant to the information supplied by the applicant with the final site plan approval by the Planning Board for the building was carried unanimously.

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Motion by C. Fischer, seconded by R. Sheridan to adjourn the meeting was carried unanimously at 7:45 p.m.

Zoning Board of Appeals Secretary – Connie Sunderman – December 27, 2012