

**Village of Cazenovia Planning Board
Meeting Minutes
September 9, 2013**

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Present: Richard Huftalen, Chair; Adam Walburger; Anne McDowell; Jennifer Gavilondo; and Diane Webb.

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Others Present: James Stokes, Village Attorney; David Katleski; Bob O’Leary; Nick Irvine; Don Ferlow; Lisa Schaffner; Ed Kennedy, Jr.; Nancy Schuller; Susan Berger; Dan Hartnett; Judy Gianforte; Molly Smith; Phil Byrnes; Amanda Bury; Barbara Dahn; Melissa Snyder; Lisa Hackley; J & P Warburton; and Bob Ridler.

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R. Huftalen called the meeting to order at 7:35 p.m. and introduced the Board. R. Huftalen asked for any changes to the August 12, 2013, minutes. A. McDowell made the motion to approve the minutes as presented. D. Webb seconded. The motion carried.

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Empire Brewery, Route 13 South, Public Hearing for Site Plan and Architectural Review.

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R. Huftalen indicated that an updated set of drawings had been received into the file. At the last meeting, the Board had reviewed several points of concern that have been resolved satisfactorily.

D. Webb recalled there was still something lacking regarding the sign. The sign details need to be reviewed and it can be made part of the site plan or it can be submitted later. Mr. Katleski stated that the sign is not designed yet, but assured the Board that it will fall within the restrictions.

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Mr. Stokes suggested saying that the sign is as depicted on the site plan unless otherwise approved by the Planning Board.

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D. Webb mentioned the hop house lighting and whether or not that could be upward lighting as requested by the applicant. A. McDowell added there was previous discussion about low voltage lighting and that it would be off by 10:00 p.m.

D. Webb stated that she is concerned about setting a precedent with upward lighting.

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R. Huftalen said that the Code references full cut off lighting for certain types of lighting, but this is considered architectural lighting. J. Gavilondo cited Code section 180-112H(2).

Fixtures used for architectural lighting, e.g., facade, fountain, feature and landscape lighting, shall be aimed so as not to project their output beyond the objects intended to be illuminated.

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Mr. O’Leary stated the applicant will stipulate that light will not spill over.

50 J. Gavilondo wondered whether architectural lighting is separate from the general requirement of dark sky compliance or if it has to meet the same general requirements. Mr. Stokes believes it is separate and he cited Code section 180-112L:

Other lighting applications and uses not explicitly addressed herein shall be deemed within the requirements of this section, including but not limited to such applications as sign, architectural, landscaping, and sports facility lighting.

55 Mr. Stokes continued that since there is a separate provision, specifically addressing architectural lighting, it would be taken out of the general rule regarding cut off.

60 J. Gavilondo expressed that it would need to be enforceable that the lights do not project beyond the object intended to be illuminated. Mr. Stokes advised that this should be added as a condition of approval of the resolution.

65 R. Huftalen stated that Board members had received a draft resolution and asked Mr. Stokes to read it into the record. Mr. Stokes summarized the highlights of the resolution. Discussion of the draft resolution continued.

D. Webb asked for clarification of the double split rail fence alongside of Route 13 and along the entrance. Mr. Katleski said that it will be lilacs between two fences for the purpose of aesthetics.

70 J. Gavilondo voiced her strong desire for clarity in the resolution regarding the architectural lighting for the hop houses only and that uplighting is not to be on other buildings. It should be stated that all other lighting should be consistent with full cut off and should be dark sky compliant. She questioned if a timeframe should be stipulated that the hop houses can be lit. A. McDowell urged the Board to definitely stipulate a shut off time.

75 Mr. Katleski said that closing time will be 9:00 p.m. D. Webb added that by the time everybody who works there is gone, it might be 10:00 p.m. Mr. Katleski said he would be more comfortable with 11:00 p.m. Mr. O'Leary commented that lights would also be for added security.

80 J. Gavilondo encouraged the Board members to be mindful of the lighting as nobody knows what it is going to look like because it is not built yet. There is concern about how this will appear when looking from the lake or looking from Lorenzo.

85 D. Webb inquired about noise and music levels. Mr. Stokes responded that the property is bound by the Village's general noise ordinance.

90 A. Walburger suggested keeping the uplighting schedule the same as the Village noise ordinance schedule. Uplighting should be off by 10:00 p.m. Sunday through Thursday and off by 11:00 p.m. Friday and Saturday. Board members were in agreement to add the uplighting schedule to the draft resolution.

A. Walburger noted that the bollard lights and roadway lights are for entrance and egress safety and would be on whenever it is dark.

95 D. Webb recalled that at the beginning of this review process, Mr. Katleski stated he had no plans to hold events on the property. Mr. Katleski clarified that he intends to have occasional events tied to

100 the marketing of his products. He gave an example of the recent running of the hounds that went through the property and the harvest season when there might be an event during the day and possibly an Oktoberfest event on a Saturday that would be family oriented. He stated he has no intentions whatsoever of doing weddings or banquets. Mr. O’Leary added that the applicant needs the opportunity to have occasional events.

105 D. Webb pointed out that Madison County Planning Department (MCPD) is interested in the public trails that cross the brewery property as stated in their comments of September 6. They urged that the brewery project be connected to the surrounding trails.

110 R. Huftalen noted that prior resolutions stated that trails should exit the brewery property to the north to the Lorenzo boundary. J. Gavilondo added that it was in the recommendations to the Village Board for the zone change. The purpose was to avoid having an impact on the neighbors.

A. Walburger maintained that the Cazenovia Preservation Foundation (CPF) trails go through Lorenzo and back around, so they are connected to the brewery property, which meets MCPD’s requirement.

115 D. Webb noted that MCPD inquired about giving notice to the town. Mr. Stokes stated that was sent prior to the zone change.

120 A. Walburger observed that on the September 4 drawing, the front tree line is still depicted as beech trees, and it was mentioned tonight that Mr. Katleski wants lilacs there. He believes that should be marked up on the drawing so things are consistent when this drawing is referenced. Mr. Katleski said another drawing was sent today and it should be lilac versus beech and Mr. Ferlow is aware. This should have been transferred to Kurt Ofer’s drawings.

125 R. Huftalen looked at Sheet SK-52.1, dated September 4, 2013, and said that the planting schedule references Type 2 beech. Since Sheet SK-52.1 is being incorporated into the resolution, it should be noted that Type2 should reference lilac rather than beech. Mr. Katleski added that he would also like to keep some healthy existing trees in the area in combination with the decorative and he does not want to be locked into a particular type of tree.

130 R. Huftalen stated that New York State Environmental Quality Review (SEQR) is taken care of and no determination is needed.

135 R. Huftalen asked for any further questions or comments from anyone. Hearing none, he made the motion to approve the resolution as amended per this discussion. J. Gavilondo seconded. The motion carried.

*RESOLUTION
OF THE PLANNING BOARD
OF THE VILLAGE OF CAZENOVIA*

140 *A RESOLUTION GRANTING THE APPLICATION OF EMPIRE FARMSTEAD BREWERY FOR
SITE PLAN APPROVAL AND ARCHITECTURAL APPROVAL*

145 *WHEREAS, David Katleski, on behalf of Chapman Properties, LLC and Empire Farmstead
Brewery, Inc. (“Applicant”) has applied to this Planning Board for site plan approval and*

architectural approval for the construction and operation of a mixed use agricultural / farmstead brewery business and associated visitor accommodation areas upon the premises located on Route 13 South, being Tax Parcel Number 94.4-1-28 (“the Premises”), and

150 *WHEREAS, as proposed, the Premises would be used for the growing and harvesting of crops, specifically hops and lavender, for the on-site brewing of beer under a “farm brewery” license, and associated visitor tasting, food service facilities and retail sales, which would include a limited restaurant menu and associated cooking and baking facilities, along with indoor and outdoor patron seating areas, and*

155 *WHEREAS, as proposed, the Action would also include a private entrance driveway from Rippleton Road (NYS Route 13) a customer/visitor parking area for automobiles and tour buses, employee parking spaces and a truck loading area, and*

160 *WHEREAS, the Board of Trustees of the Village of Cazenovia, acting as lead agency, has previously issued a negative declaration under the New York State Environmental Quality Review Act and approved the re-zoning of the Premises as a Planned Development District.*

165 ***NOW THEREFORE IT IS HEREBY RESOLVED*** that this Planning Board makes and adopts the following findings:

- 170 A. *The Premises consist of approximately 22 acres of undeveloped vacant land west of N.Y.S. Route 13, being Tax Parcel Number 94.4-1-28, which was annexed to the Village in early 2013.*
- B. *The Premises are located in Madison County Agricultural District No. 7, as defined under Article 25-AA of the New York State Agriculture and Markets Law.*
- 175 C. *The authorized land uses in the Planned Development District encompassing the Premises are agricultural, light industrial, retail business, and restaurant uses to the extent such uses shall be associated with a “Farm Brewery”.*
- D. *That the uses proposed by the Applicant are in accordance with the authorized uses in this Planned Development District.*
- 180 E. *That the structures as depicted upon the proposed site plan meet the setback requirements applicable to all structures in the District: Front yard – 500 feet; Side yards – 150 feet each; Rear yard – 500 feet; and the driveway and parking areas meet the required setback requirements of 500 feet in the rear yard and 25 feet for each side yard.*
- 185 F. *That the proposed structure heights are less than the maximum 50’ building height in the District.*
- 190 G. *That the maximum total lot coverage (the lot area occupied by all buildings and structures and by all sidewalks, patios, roads, driveways, parking areas and vehicular access areas, regardless of whether such roads, driveways and*

195 *parking areas are covered by impervious surface materials) is less than 20%
of the total lot area of the Premises as required in the District.*

H. *That the proposed lighting plan is in accordance with section 180-112
(Outdoor Lighting) of the Village Code.*

200 I. *That the development of the Premises as currently proposed preserves existing
vegetation, provides vegetative screening and access to public walking trails,
is substantially in accordance with the Applicant’s Site Plan and Building
205 Drawings dated April 29, 2013, and is otherwise in accordance with the
Village Board of Trustees’ June 11, 2013 resolution approving the re-zoning
of the Premises to Planned Development District.*

210 ***AND IT IS HEREBY FURTHER RESOLVED*** *that the Planning Board hereby
grants the application for site plan approval and architectural approval based upon the
drawings prepared by Altonview Architects PC dated August 5, 2013, 18 sheets identified as
SK 51.2 through SK 51.18, and sheet 52.1 dated September 4, 2013 (collectively the
“Drawings”), and it is hereby further*

215 *RESOLVED, that this grant of site plan approval and architectural approval is
subject to the following conditions, which must be complied with prior to the commencement
of construction:*

220 1 *Final engineering approval of the stormwater pollution prevention plan
and of the Drawings, which shall be modified to the extent required by the
Village Engineer.*

225 2 *Approval of the water and sanitary sewer connections and related
facilities by the Village Engineer, Village Public Works Administrator and
the Madison County Sewer District (sewer only).*

230 3 *Issuance of permits by the New York State Department of Transportation
(Route 13 access), New York State Department of Environmental
Conservation (stormwater pollution prevention plan and sewer service)
and any other required permits from any and all other State and Federal
agencies with jurisdiction over the Project.*

235 4 *That plantings around the pond be in substantial conformance with the
planting scheme and visual character recommended by the Cazenovia
Area Conservation Commission, as shown by the drawings presented to
the Planning Board by Donald Ferlow on August 12, 2013.*

240 5 *That the business identification sign be in substantial conformance with
the location and design proposed by the Applicant, unless otherwise
approved by the Planning Board.*

 6 *That the architectural lighting, as contemplated by Cazenovia Code sec.
180-112H(2), illuminating the hop houses shall not project beyond the
faces of the hop houses being illuminated. These architectural lights shall*

be turned off by 10:00 p.m. Sunday through Thursday, and by 11:00 p.m. on Fridays and Saturdays.

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7 *The reference to “beech tree” for “Type 2 Plantings” on sheet SK-52.1 shall be deemed to include other trees in addition to beech trees.*

Dated: September 9, 2013

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National Grid, Clark Street, Retaining Wall.

There was no representative present. There was nothing new in the file. No action was taken.

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Lisa Schaffner, 3 Evergreen Lane, Alterations.

Ms. Schaffner and her contractor, Edward Kennedy, Jr., came forward and presented photos and elevation drawings for an addition for a master bath, master bedroom, and great room.

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There would be an additional 560 square feet of living space. The garage would be extended to add a second bay. The additions will not impinge on the 4-foot setback. The new roofline of the garage will continue with the existing roofline. Ms. Schaffner stated that the house only has one bathroom now and these additions will add value to the house.

265

R. Huftalen asked if the roofing, siding, and trim would match. Mr. Kennedy answered yes, everything will match.

R. Huftalen asked for any further questions or comments. There were none and he proceeded to declare this a Type II action under State Environmental Quality Review (SEQR) pursuant to 617.5(c)9. There is no other agency involved. The approval of this application will not have any significant or adverse effect on the environment. No further SEQR action is required.

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R. Huftalen made the motion to approve the application described by drawings dated 9/9/13 of the side elevation and rear elevation. D. Webb seconded. The motion carried.

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Nancy Schuller, 32 Burr Street, Addition.

Edward Kennedy, Jr., contractor for the project, came forward with Ms. Schuller. The house has an existing half bath downstairs and the plan is to extend the house by 6 feet to make it a full bath, for a total of two full baths in the house.

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J. Gavilondo inquired if the addition would be in line with the back of the existing house. Mr. Kennedy answered yes. The roofline will be carried right down as well.

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R. Huftalen asked if the roofing, siding, and trim would match. Mr. Kennedy answered yes, all will match.

290 R. Huftalen declared this a Type II action under State Environmental Quality Review (SEQR) pursuant to 617.5(c)9. There is no other agency involved. The approval of this application will not have any significant or adverse effect on the environment. No further SEQR action is required.

295 R. Huftalen made the motion to approve the application as presented by Mr. Kennedy and depicted on drawings dated 9/9/13. J. Gavilondo seconded. The motion carried.

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79 Albany Street Realty, 79 Albany Street, New Railing.

300 There was no representative in attendance. R. Huftalen observed that the file contains a depiction from Mr. Kuper of an iron railing down the stairs of the Lincklaen House at the Lincklaen Street entrance. This was presented to the Historic Preservation Committee (HPC) on 8/26/13. The HPC recommended approval as presented.

305 R. Huftalen asked for any further questions or comments. There were none and he proceeded to declare this a Type II action under State Environmental Quality Review (SEQR) pursuant to 617.5(c)1. There is no other agency involved. The approval of this application will not have any significant or adverse effect on the environment. No further SEQR action is required.

310 R. Huftalen made the motion to approve the application as presented. A. McDowell seconded. The motion carried.

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315 Hansen Residence, 24 Forman Street, Solar Panels.

No representative was available. R. Huftalen commented that the Planning Board reviewed this previously, but was waiting for comments from the Historic Preservation Committee (HPC). HPC reviewed the application on 8/26/13. The depiction shows a solar array on the long backside of the roof on Forman Street. HPC recommended to make certain that the main service panel and the utility meter disconnect were not on the front roof.

320 J. Gavilondo wondered if the solar panels would be visible from the street. R. Huftalen answered that they will not be visible from the street.

325 D. Webb asked if it was determined whether the inverter subpanel, PV meter, utility meter disconnect, and main service panel are inside the house. It is not clear from the depiction if they are on the roof or inside or outside of the house. A. Walburger commented that they must be on the ground level for the fire department. R. Huftalen believes it is a safe presumption that those things would be inside of the house.

330 R. Huftalen declared this a Type II action under State Environmental Quality Review (SEQR) pursuant to 617.5(c)10. There is no other agency involved. The approval of this application will not have any significant or adverse effect on the environment. No further SEQR action is required.

335 R. Huftalen made the motion to approve the application subject to conditions in the HPC recommendation. A. Walburger seconded. The motion carried.

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340 **Cazenovia College, 10 Albany Street, Signs.**

R. Huftalen noted that this was reviewed by the Historic Preservation Committee (HPC) at their 8/26/13 meeting. Susan Berger came forward to explain the request for two donor plaque signs that would be made of bronze or cast aluminum to look like bronze. They would be anchor mounted to the existing stone pillars on either side of the entrance driveway to 10 Albany Street and not on the face of a building. There would be no lighting on the signs.

345

D. Webb questioned the size and quantity of signs. Mr. Stokes stated that in the C-2 district, the size requirement for a sign is whatever is approved by the Planning Board and it is the same for the number of signs. In this case, the whole pillar becomes the sign, which makes it more than 6 square feet. Reasons not to approve it would be if the Board finds it is not in character of the area or if it is excessively large or has some adverse effect.

350

J. Gavilondo wondered about rusting of the signs. Ms. Berger said there are donor plaques all over campus and they don't rust.

355

D. Webb inquired about the reasoning for two signs. Ms. Berger answered that it was the artist's decision to have two signs.

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R. Huftalen made a motion to declare this an unlisted action under State Environmental Quality Review (SEQR). There is no other agency involved. The approval of this application will not have any significant or adverse effect on the environment. No further SEQR action is required. The preparation and filing of a Negative Declaration is recommended for this project. A. Walburger seconded. The motion carried.

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A. McDowell made the motion to approve the application as depicted in the picture and as recommended by the HPC. R. Huftalen seconded. The motion carried with four in favor, one opposed.

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Prudential CNY Realty, 56 Albany Street, Sign.

Dan Hartnett came forward to explain the request for a two-sided painted wooden (1/2-inch MDO composition) sign on the existing iron bracket. The proposed sign is 30 inches high by 24 inches wide and would be a white background with blue vinyl lettering.

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R. Huftalen commented that this application was reviewed by the Historic Preservation Committee (HPC) and they recommended approval as presented at their meeting on 8/26/13.

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D. Webb observed that the HPC approved the sign without lighting. She asked Mr. Hartnett if he planned to have the sign lit. He answered yes, he does plan to have the sign lit and it appears there was lighting previously. R. Huftalen observed that lighting was not part of this application. Mr. Hartnett indicated that he is aware of that.

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J. Gavilondo voiced that the sign seems out of character for the Village because other signs in the area are carved wood.

Mr. Hartnett said that the company tells him he has to stay within certain colors and size.

390 R. Huftalen said that it would be nice to have carved wood, but he also appreciates the perspective of the applicant with the restrictions imposed by the company.

395 A. McDowell inquired if Mr. Hartnett’s other offices are in historically correct villages and if so, what allowances were made by the company for signs there. Mr. Hartnett stated that he has four other offices; Oswego, DeWitt, North Syracuse, and Camillus; and did not have any trouble in any of those places.

400 A. McDowell expressed her opposition to this proposed sign since other businesses have gone to the expense and trouble to have the appropriate signs and this sign does not fit in with other signs on the main street of the Village and what the Board expects of other people. When you go down Albany Street, there is not another sign like that. It is important to this Board to keep the same type of ambiance. Mr. Hartnett agreed and said that is why he came to Cazenovia.

405 J. Gavilondo encouraged Mr. Hartnett to observe other signs in the area and to take note of the certain look to the buildings and that stretch of Albany Street and to explore other sign options. The franchisor needs to be sensitive to the Village area and requirements. The vinyl lettering is unacceptable and it should not be such a stark white color. The Planning Board is here to make sure that things fit with the historic character of the district and the Board can regulate the aesthetics.

410 A. McDowell suggested that Mr. Hartnett see if Paul Parpard could do something more in keeping with Village standards since he is the one who has made other signs in the Village. She asked if he would be willing to do that. Mr. Hartnett answered, “Yes, I think that is the thing to do.”

415 R. Huftalen made a motion to approve the application as presented with a Navajo or off-white. He explained that he is guided by the process that is in place. HPC looked at it and their specific purpose is to police the historic district of the Village. They make a nonbinding recommendation to the Planning Board. They recommended approval by the Planning Board. He takes it seriously and that influences why he made the motion. But maybe more stringent sign regulations are needed.

420 D. Webb stated that she is not fond of the sign and does not want to vote on it right now.

A. Walburger seconded the motion. The vote was: Two in favor, three opposed. The motion failed.

425 R. Huftalen asked if anyone wanted to make another motion. No one did. J. Gavilondo pointed out that Mr. Hartnett has an idea of what the Board is looking for.

R. Huftalen stated that if Mr. Hartnett chooses a different sign option that he needs to visit the HPC again and get another recommendation.

430 R. Huftalen made a motion to declare this an unlisted action under State Environmental Quality Review (SEQR). There is no other agency involved. The approval of this application will not have any significant or adverse effect on the environment. No further SEQR action is required. The preparation and filing of a Negative Declaration is recommended for this project. A. McDowell seconded. The motion carried.

435 * * * * *

Cazenovia Preservation Foundation, Willow Patch, Kiosk.

440 Judy Gianforte and Molly Smith came forward to explain the request. The kiosk would be located at
the entrance to the willow patch. It is proposed to be 3 feet by 6 feet with a small roof (the same as
the one at Carpenter’s Pond). There will be a trail map, ecological information, and historic
information covered with Plexiglas. Two pressure treated benches (similar to the ones at
Carpenter’s Pond) are proposed.

445 In back, overlooking the willow plantation, would be a small wood deck with a railing made of
willows.

450 R. Huftalen made a motion to declare this an unlisted action under State Environmental Quality
Review (SEQR). There is no other agency involved. The approval of this application will not have
any significant or adverse effect on the environment. No further SEQR action is required. The
preparation and filing of a Negative Declaration is recommended for this project. J. Gavilondo
seconded. The motion carried.

455 D. Webb made the motion to approve the application as presented. A. McDowell seconded. The
motion carried.

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R. Huftalen asked for any other business to be brought before the Board. There was none.

460 A. Walburger made the motion to adjourn the meeting. D. Webb seconded. The motion carried.
The meeting was adjourned at 9:01 p.m.

Respectfully submitted,

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Marlene A. Westcott
Recording Secretary