

**Village of Cazenovia  
Zoning Board of Appeals  
August 12, 2014**

5 Members Present: Phil Byrnes, Chair; Sally Ryan; William Keiser; Howard Hart; and Jane Nicholson-Dourdas.

Others present: James Stokes, Village Attorney; and Robert Kent.

10 P. Byrnes called the meeting to order at 7:03 p.m. and introduced the Board.

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15 P. Byrnes asked for any corrections to the minutes of July 10, 2014. None were noted. S. Ryan made the motion to approve the minutes as written. P. Byrnes seconded. The motion carried 5 in favor, 0 opposed.

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20 **Cazenovia College Jephson Campus, 10 Albany Street, Site Plan Review.**  
Robert Kent, Architect for the project, came forward. Mr. Stokes mentioned that he had urged Mr. Kent to come before the Board tonight.

25 Mr. Kent stated that a packet was submitted to the Planning Board on July 9. He ran through the items in the packet: Historic Preservation Committee (HPC) application for certificate of compatibility; a description of the project; application for site plan approval and special use permit; completed Short Environmental Assessment Form (EAF); application for area variance; a zoning map; and a flood plain map.

30 Mr. Kent gave a description of the project: Addition and alterations to the Jephson Campus Building A (the front stone building, the college studios of art), a 2,600 square foot addition will be needed to house the elevator, stairs, handicapped toilets, and mechanical room. The renovation will include reframing the roof structure and floor structures, and installing new walls on the interior. Interior new finishes will be installed. Exterior finishes will be maintained with any new finishes to match the existing. Mr. Kent said that HPC had asked for a list of materials and he will provide that to them. This property is in a C-2 zone and is separate from the main college campus. It consists of 1.35 acres. The C-2 zone has setbacks for construction of 50 feet on all sides from the property lines. It has a 25-foot setback for the buffer zone. The buffer zone is the reason for the variance request. The existing parking lot is within the buffer zone. The buffer zone is encroached upon by the existing parking lot. The required distance is 25 feet and the proposed distance is 6 feet to the existing line. There is no intention to remove the parking lot. The college intends to use part of the parking lot as a driveway and then park in the back. This application is just for Building A. The college wants to mention their future intent is to

45 have a Phase II where something would be done with Building B, but that is not part of this application.

W. Keiser wondered where this project stands regarding impervious surfaces. Mr. Stokes stated that the Code does not have an impervious surface requirement, but it does have a building lot coverage requirement.

P. Byrnes commented that the buffer would only be 6 feet wide the entire length of the property. Mr. Stokes stated that exact dimensions will be needed for both the ZBA and the Planning Board.

55 Mr. Kent said that with the proposed restriping of the parking lot, 12 cars will fit in the parking lot and that is all that is required. When he comes back with the revised layout and the photometric plan, he will show the striping for the parking lot.

60 P. Byrnes questioned if any new plantings are planned. Mr. Kent said there is an existing metal vertical fence that eventually becomes a 6-foot wood fence along the eastern property line. There are also mature cedar trees along the eastern boundary. His thinking is that the existing fence and bushes may be enough of a buffer.

65 P. Byrnes expressed that he would like to see some vegetative buffering. Mr. Stokes suggested that a new row of cedar hedge be added to fill in the bottom. Mr. Kent said that the college is not opposed to some new plantings.

Mr. Stokes commented that there should be a buffer on the west side of the property as well.

70 Mr. Kent said that the 50-foot setbacks on each side really limit what can be done in the middle of the property.

Mr. Kent noted that there is drainage access that goes all the way to Carpenter's Pond. The flood plain does touch the southern portion of the property. It goes across the corner of the back end of Building B and does not affect Phase I of this project.

75 Mr. Kent continued that exterior lines of Building A are not going to change at all. The roof will be replaced with new shingles. The chimneys will not be changed, but will be repointed. The intent is to bring the front (north) stairs into service as an exit. For the siding on the proposed new addition, he has found matching stone by color and texture, but the size is different. The existing stone size is very large and very heavy. He has found a smaller stone of the same color and texture to be in keeping with the historical nature of the building. A glass connector panel will be used to slightly separate the old stone from the new stone so the difference will not be as readily noticeable. Mr. Kent presented three views of the renovated building. The entrance to the building will be in the addition along with the elevator, stairs, and handicapped toilets. The existing side door closest to Route 20 will be for deliveries and to act as an exit.

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85 P. Byrnes wondered if the elevator shaft would need to protrude above the existing roof line. Mr. Kent answered no, not in this case.

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Mr. Stokes pointed out that since this is a State Environmental Quality Review (SEQR) Unlisted Action occurring within an historic district, it escalates up to a Type I action. Therefore, a Full EAF is needed. Also, a coordinated review with the Planning Board and HPC is needed. The ZBA cannot grant a variance until a SEQR determination is made. This application also needs to be reviewed by the Madison County Planning Department. There could be a public hearing on August 26, but the ZBA will not be in a position to act on the application at that time. The meeting could have some public input which may raise new questions. A detailed landscape/planting plan is needed on the east side of the property. It needs to show the size of the new green space that extends from the building into the parking lot. A preliminary lighting plan with dark sky compliant fixtures with cut sheets and fixture locations is needed. A more detailed layout of drive aisles and parking spaces is needed. The Boards need more detailed scale drawings with survey distances.

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H. Hart commented that the lighting would fall under the purview of the Planning Board. Mr. Stokes stated that the lighting is relevant to the ZBA for a variance for the buffer area because one of the factors that may influence the Board is the fact that there will be new dark sky compliant lighting which may mitigate some of the buffering. Mr. Stokes continued that at the Planning Board meeting the previous night, the applicant was suggesting new pole mounted fixtures in the buffer zone on the eastern property line that shine toward the building.

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P. Byrnes questioned if the ZBA needs to see any buffering on the west side of the property. Mr. Stokes answered that the ZBA is not looking at the west side since no variance is requested there. But the Planning Board does need to pay attention to the landscaping for the buffer on the west side.

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P. Byrnes made the motion to schedule a public hearing at 7:00 p.m. on August 26, 2014. S. Ryan seconded. The motion carried unanimously with a vote of 5 in favor, 0 opposed.

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Mr. Kent asked if the public hearing would be left open for September. Mr. Stokes answered yes, the public hearing will continue to September.

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**Skeele Agency, 9 Albany Street, Signs.**

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No one was present to represent the applicant.

P. Byrnes stated that comments from the County Planning Department had been received. They have determined that this application will have no adverse impacts.

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H. Hart proposed adding: “or upon any adjoining public property” to 3(c) of the draft resolution.

W. Keiser made the motion to adopt the resolution with the modified paragraph. H. Hart seconded. The motion carried unanimously with 5 in favor, 0 opposed.

135 IN THE MATTER OF APPLICATION FOR

APPLICANT: Leeks Mgm't., LLC

Area Variance at

GML Case No. \_\_\_\_\_

Tax Map No. 94.54-1-22

140 9 Albany Street RESOLUTION Approving Variance Amend.

145 The Zoning Board of Appeals of the Village of Cazenovia met in Regular Session in the Municipal Building of the Village of Cazenovia, located at 90 Albany Street, Cazenovia, New York, on August 12, 2014, commencing at 7:00 p.m., local time at which time and place the following Resolution was moved, seconded and passed:

150 WHEREAS, a public hearing on the above captioned application, was duly called and held at the Municipal Building, 90 Albany Street Street, Cazenovia, New York, on July 10, 2014, at which time and place all persons desiring to be heard were heard; and

155 WHEREAS, notice of the public hearing was duly posted on the signboard of the Village Clerk and published in the official newspaper of the Village of Cazenovia at least five (5) days prior to the date of commencement of the public hearing; and

160 WHEREAS, all Zoning Board of Appeals members had due notice of said public hearing and meeting, and, that pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public and due and proper notice of the time and place thereof was duly given as required by law; and

165 WHEREAS, the application was duly referred to the Madison County Planning Agency, which returned a recommendation that the matter be returned to this Board for local determination; and

170 WHEREAS, all members of the ZBA have viewed the site and neighborhood surrounding the subject Premises, and accordingly have personal knowledge thereof; and

175 WHEREAS, Win Skeelee, Shawn Skeelee, Shea Skeelee and Bob Carroll all appeared in support of the application, and Bob Giardina, resident at 9 Hurd Street, appeared in opposition to the application; and

WHEREAS, a letter was read into the record from the Cazenovia Preservation Foundation, which holds a façade easement on the building on the premises stating that the proposed signs are in compliance with the terms of the easement; and

WHEREAS, letters from Pringle Hart Symonds and Barbara Clarke expressing opposition to the application were read into the record; and

180 WHEREAS, the subject premises, tax map parcel no. 94.51-1-23 consist of an existing  
commercial office building located at 9 Albany Street, and the application seeks an amendment  
to the existing use variance governing the premises to allow a new and larger free standing  
business identification sign in the front yard, and a second building mounted business directory  
sign on the rear of the building; and

185 WHEREAS, the subject premises are zoned R-20 Residential District, pursuant to the zoning  
map which is part of the Zoning Code of the Village of Cazenovia; and

WHEREAS, the only business signs permitted in the R-20 zoning district under the Code are  
temporary sandwich board signs.

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS

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1. This is an Type II action as defined by section 617.5(c)(7) of the implementing  
regulations of the New York State Environmental Quality Review Act (“SEQRA”),  
as it involves the construction of an accessory/appurtenant, non-residential  
195 structure of less than 4,000 square feet and not involving a change of zoning or  
the granting of a new use variance. The ZBA is the only involved agency.
  
  2. The benefit to the applicant in this instance is outweighs any potential detriment  
to the health, safety and welfare of the community if the requested amendment to  
200 the terms of the existing use variance were to be granted. In this regard, this  
Board finds that the new free standing sign will be similar in size and appearance  
to the existing sign, and the wall mounted directory sign at the rear of the building  
will generally only be visible from the existing on-site parking area. The  
elimination of sandwich board signs, currently permitted, will enhance the  
205 residential character of the neighborhood.
  
  3. The applicant’s request for modification of the terms of the existing use variance  
is hereby APPROVED, subject to the following conditions:
    - a. The approval of the free standing sign in the front yard is for Skeele Agency, Inc.,  
210 identified as Option 1, Paul Parpard Studio, dated May 9, 2014, according to the  
dimensions shown on that drawing, and on the further condition that the sign be  
modified on the lower portion to say “9 Albany Street” as opposed to “9 White Lilacs”.
    - b. The 42-inch by 34-inch directory sign shall be mounted on the rear of the building in  
215 the location depicted in the photographs and other supporting documentation with  
handwritten dates of July 3, 2014.
    - c. Approval of both the front yard sign and the rear, building mounted directory sign are  
conditioned upon a prohibition of the use of sandwich board signs at any point on  
220 this property or upon any adjoining public property, notwithstanding any other  
provision of the Village Zoning Code that would otherwise allow such signs.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which  
resulted in the resolution being adopted.

225 August 12, 2014

H. Hart voiced his opinion that sandwich board signs are becoming a problem due to the abundance of them in the Village.

230 P. Byrnes made the motion to adjourn the meeting. H. Hart seconded. The motion carried unanimously with 5 in favor, 0 opposed. The meeting was adjourned at 7:51 p.m.

Respectfully submitted,

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Marlene A. Westcott  
Recording Secretary