

**Village of Cazenovia Planning Board
Meeting Minutes
June 11, 2018**

5 Present: Rich Huftalen, Chair; Adam Walburger; Stephen McEntee; Anne McDowell; Don Raleigh.

Absent: Zach Young.

10 Others Present: James Stokes, Village Attorney; Dominick Amorosso; Keith Berger; Vikas Goel; Jennifer Goel; Gabrielle Reagan; Matthew Monroe; Bob Lucas; and Tim Mahoney.

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15 R. Huftalen called the meeting to order at 7:00 p.m. and introduced the Board.

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20 R. Huftalen asked for any changes to the minutes of May 14, 2018. R. Huftalen made the motion to approve the minutes as submitted. S. McEntee seconded. The motion carried with 5 in favor, 0 opposed.

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McDonald’s Corp., Menu Boards, Site Plan, Special Use Permit, Architectural Review

25 Dominick Amorosso came forward as the representative. R. Huftalen noted that this is a continued public hearing to consider the application by McDonald’s Corp. for amended site plan, special permit and architectural review and approval for modification of the existing drive-thru facilities to erect new electronic copy change menu boards to serve the existing fast food restaurant located on the north side of Route 20 East, being also known as tax map parcel No. 95.3-1-2.2.

30 Mr. Amorosso stated that the new menu board will be much smaller and less intrusive than the existing one. It is basically a TV screen turned vertically. When approaching the drive-thru, there will be a pre-sell or pre-browse menu, which is tall and skinny. The screens are programmed directly by McDonald’s Corporate. The existing menu boards will be removed before the new ones are installed.

35 R. Huftalen voiced a reminder to the Board that Mr. Stokes provided information to the Board that copy change signs were previously prohibited and the Village recently modified that section of the Code—180-117F(6)—to specifically provide for them as they are permitted as a component of a site plan for a special permit issued for a drive-in facility which is part of a permitted restaurant, pharmacy, bank or branch office, provided that the copy change portion (graphics) of the sign board may not be visible from any public street.

45 R. Huftalen noted there are multiple sets of plans, but they are different because some of them have proposed canopies on them and some do not. He and A. Walburger recalled that there were issues with sign height at the last meeting. The Board referred to last month’s minutes:

50 *R. Huftalen said that one of the challenges for the Board is that there are a number of different designs in one booklet and it is not perfectly clear which is being proposed specifically. It looks to him that the existing menu board to be replaced is 103" x 54" or 6'9" overall. It is showing the replacement as a pre-browse and a menu board, so it is two items. Both of them are 71.6" overall and 29" wide plus 58" wide.*

55 *Mr. Buckley stated that the overall digital menu board is very similar in size to the existing menu board, if not slightly smaller. The canopy being proposed is a different size. It is going to be taller and overhang the vehicle.*

60 *R. Huftalen noted the addition of a pre-browse board. Mr. Buckley said the pre-browse board would tell a customer what they ordered the last time they were there. The pre-browse board works in combination with the menu board. The feature of the pre-browse board is to give a little advance notice to the customer as they pull up to the menu board.*

65 *Mr. Stokes asked where the pre-browse board goes and if that is what is referred to as the single panel menu board. Mr. Buckley answered that it goes at the entrance of the lane and it is the single panel menu board that is roughly 57" tall by 20" wide.*

70 *R. Huftalen noted that the drawings indicate 71.6" tall overall. Mr. Buckley said that would be from the base to the top, but the sign itself is about 57".*

S. McEntee wondered if the new plan is consistent with the plan as far as size of the sign. Mr. Amorosso replied, yes, 58" wide and 29" wide, 50" high.

75 S. McEntee questioned whether the new sign is within limits. R. Huftalen noted that the plan shows an existing sign of 6'9" and the new one is 71.6".

80 R. Huftalen opened the hearing to the public and asked for any comments. Hearing none, he made a motion to close the public hearing. A. McDowell seconded. The motion carried with 5 in favor, 0 opposed.

85 A. Walburger commented: According to the plans submitted, the new signs are smaller than the existing signs. If they are installed in substantially the same location as the existing signage with any annotations for a canopy stricken from the plans and the plans are marked "shall not be installed," I would be okay with proceeding with this happening.

R. Huftalen noted that the plans dated 5/17/18 had the canopy removed.

90 R. Huftalen made a motion to declare this an Unlisted Action under State Environmental Quality Review (SEQR). Since no other agencies are involved, nor will approval have any significant adverse effect on the environment, no further SEQR action is required. It is recommended that a Negative Declaration be prepared and filed. S. McEntee seconded. The motion carried with 5 in favor, 0 opposed.

95 A. McDowell made the motion to approve the special use permit, site plan, and architectural review for the copy change signs. This approval references site utility plan by Donna A. Elliott, Architect, Revision 1, dated 5/17/18, which removed the canopy at the drive-thru. R. Huftalen seconded. The motion carried with 5 in favor, 0 opposed.

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Goel Family Dentistry, 4 Chenango St., Site Plan Review, Architectural Review, Addition

105 Keith Berger, Vikas Goel, and Jennifer Goel were present to explain the request for a 1,500-square foot, two-story addition. The dental office will be on the top floor only. Dr. Konys, an orthodontist, is currently on the bottom floor and will remain there. The side-hill grade will make the addition easy. The roofline will be carried through. The existing Pro-Tel sign will be changed to Goel Family Dentistry.

110 R. Huftalen observed that according to Code 180-68.6 in order for the expansion to move forward, there needs to be a special use permit and a public hearing will be required.

115 A. McDowell commented that the roofline looks different. Mr. Berger answered that the eave is the same but a little narrower. There is a little notch in it to accommodate the gas meter there. The roof pitch is the same. The eave is the same, but a little shorter on the front, the north face.

115 A. McDowell questioned if different material would be used. Mr. Berger answered that the existing roof is metal and that will be carried through and look the same. The existing siding is board and batten in some places and brick veneer in others. The plans show board and batten throughout.

120 A. McDowell wondered if five parking spaces would be added. Mr. Berger replied that there is no current striping. With the Creekside Development District, it is not clear how it should be calculated. There is no designation for clinic use.

125 R. Huftalen noted that there are no specific lot and structure requirements in the Creekside Development District. Uses permitted upon issuance of a special permit include medical center and clinic. This would fall under that designation. He read from the Code: *“Inasmuch as all principal uses in the District are special permit uses, for purposes of the special use review criterion set forth in § 180-143D(1)(b), the nature and intensity of operations of special uses in the District shall not be more objectionable to surrounding properties than those of permitted uses in adjoining districts. Signs permitted in the District, and on-site parking, shall be as approved by the Planning Board as appropriate for the proposed use . . .”* It gives guidance on signs, but not the parking.

130 A. Walburger stated that the overarching question is: Is there any or substantial expansion in the paved area?

135 Mr. Berger responded that the expansion does not interfere at all with the existing pavement. It only goes into what is currently grass. Technically, there would be less ground to absorb water. Where the addition is proposed is already surrounded by the driveway.

140 R. Huftalen noted that this is a unique situation. The Historic Preservation/Architectural Advisory Review Committee (HPC) has purview over architectural changes within their district—and this is

within their district—and they are the authority for architectural approval. The Planning Board is the authority for approving a special use permit.

145 Dr. Goel inquired about the process. R. Huftalen instructed him on the process: Get on HPC’s
agenda and present architectural renderings to them to get their approval. The Planning Board
would publish a public notice and have a public hearing to receive comments and input from the
public. Code Section 180-68.6B requires: “*For all new uses and expansions of existing uses, a
150 stormwater management plan shall be prepared by the owner or operator of the facility and
approved by the Village Engineer and the Planning Board. All such plans shall specifically address
the prevention of potential stormwater impacts on the waters of Chittenango Creek and neighboring
properties. Post-development quantity and quality of off-site stormwater discharges shall not exceed
pre-development conditions.*”

155 Mr. Stokes added that a real site plan is needed with elevations, materials, colors, screening, traffic
circulation, etc. Everything needed is in the Code.

D. Raleigh inquired whether the new basement area would be rented out as office space. Dr. Goel
replied that he intended that space to be mechanical rooms.

160 Mr. Berger asked how they should proceed since there are no specific site requirements. R. Huftalen
again cited Code Section 180-68.6 and informed the applicant to let it be his guide.

§ 180-68.6 Lot and structure requirements (CD).

165 *[Added 2-2-2015 by L.L. No. 1-2015]*

***A. Within the CD Creekside Development District, there are no specific lot and structure
requirements. Except as otherwise specifically provided in this section, all provisions of
Article IV (Supplemental Use and Site Regulations) of this chapter, including, but not limited
to, lighting, transition and buffering requirements, shall be applicable within the District. In
170 evaluating proposed uses, the Planning Board shall apply the standards enumerated in
§§ 180-141 (Architectural review and approval), 180-142 (Site plan review and approval),
and 180-143 (Special permit review and approval), as well as Chapter 95 (Flood Damage
Prevention) for lands that lie within areas of special flood hazard. Inasmuch as all principal
uses in the District are special permit uses, for purposes of the special use review criterion
set forth in § 180-143D(1)(b), the nature and intensity of operations of special uses in the
175 District shall not be more objectionable to surrounding properties than those of permitted
uses in adjoining districts. Signs permitted in the District, and on-site parking, shall be as
approved by the Planning Board as appropriate for the proposed use, but signs for any
particular lot and/or use may not exceed those permitted in the B-1 District. Development
upon properties lying within the Historic Preservation Overlay District shall be subject to
180 review by the Historic Preservation Committee as provided in this chapter.***

***B. For all new uses and expansions of existing uses, a stormwater management plan shall be
prepared by the owner or operator of the facility and approved by the Village Engineer and
the Planning Board. All such plans shall specifically address the prevention of potential
185 stormwater impacts on the waters of Chittenango Creek and neighboring properties. Post-
development quantity and quality of off-site stormwater discharges shall not exceed pre-
development conditions.***

190 Mr. Stokes advised that this application has to be submitted to the Madison County Planning
Department since it is within 500 feet of a county highway. R. Huftalen added that the county has
30 days to review the application and determine if there are any county-wide impacts. The Planning
Board cannot act until comments are received from the county.

195 The applicant inquired about the timeline for start of construction. R. Huftalen went through the
timeline and answered that construction probably could not start until August.

R. Huftalen stated that a public hearing would be scheduled for 7:00 p.m. at the July meeting of the
Planning Board.

200 NOTE: At the end of the meeting, Dr. Goel returned and withdrew the entire application due to the
timeframe involved. He has decided to take over the whole building and put the dental clinic on the
top and bottom. He wanted to confirm that he doesn't need to do anything further with the Planning
Board.

205 Mr. Stokes said that it is already a medical building and nothing further is required if no changes will
be made to the exterior of the building.

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210 **Gabrielle Reagan, 54 Nelson St., Special Use Permit, Light Manufacturing**

Gabrielle Reagan and Bob Lucas came forward. Ms. Reagan is renting the Lucas house at
54 Nelson Street, which is in the Village Edge South (VES) District. She would like to make candy
and ice cream there. Mr. Lucas had a conversation with Bill Carr, the Zoning and Codes
Enforcement Officer, and went over the list of possible uses allowed there. They thought that candy
215 and ice cream making would fall under a light manufacturing use. If this special use permit is a
possibility, she is interested in purchasing the house and the barn. There would be 2-3 part-time
employees in the kitchen inside the barn. The buildings will remain the same. There will be no
signage or retail sales.

220 R. Huftalen recapped that the reason the applicant is before the Planning Board is to request a special
use permit. Light manufacturing is a permitted use under Code Section 180-64C(1). Part of the
process of getting a special use permit is having a public hearing. The things that come up in special
use permit public hearings are: Proposed changes, hours of operation, number of employees,
parking, lighting, noises, and smells. These answers need to be available for the public. People will
225 be curious about light manufacturing. The Board might get a lot of opinions that need to be
digested. It is the Planning Board's job to make sure the character of the neighborhood is not ruined.
The short Environmental Assessment Form (EAF) has been filled out. This is allowed with a special
use permit in this district. It seems like a reasonable project.

230 Ms. Reagan said that most of the manufacturing is done by hand. She has to undergo Department of
Health inspections and has to make sure that wiring and plumbing are up to Code.

Mr. Stokes advised that an existing survey that shows the location of buildings, driveways, parking
areas, etc., would be helpful for use in the site plan that is required.

235 R. Huftalen said that Code Section 180-143 gives all of the necessary criteria and guidance.

240 Mr. Stokes stated that this application has to be submitted to the Madison County Planning Department since it is within 500 feet of Route 20. R. Huftalen added that the county has 30 days to review the application and determine if there are any county-wide impacts. The Planning Board cannot act until comments are received from the county. The Planning Board may not be able to act until the August meeting.

245 R. Huftalen stated that a public hearing would be scheduled for 7:05 p.m. at the July meeting of the Planning Board.

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Tim Mahoney, Green Leaf Station, Emick Lane, Review of House Plan Packages

250 Tim Mahoney came forward to request pre-approval of sets of house design plans to avoid going before the Planning Board for approval each time a lot is sold. Each one of four plans has been approved and built or is currently under construction. Some of them have variations. The Cherry Blossom plan has been built multiple times, both as 2-bedroom and 3-bedroom versions. The Magnolia is the first house on the left, a 2-story house. The Wisteria is currently under construction.

255 He introduced three more plans (that have not been built) to be included in the package to go with the four original plans. They are all in keeping with the same styles with different square footages and different layouts. None of the newest three plans have been sold in this subdivision yet. He has a sense that the market will be interested in these plans as well. As an example, he recently sold Lot 6. Lot 6 is a Cherry Blossom plan which has already been built elsewhere in the subdivision. If

260 he had the blessing of the Planning Board on the plans as presented, he would be clear to proceed as opposed to having to wait another month or more. He potentially loses a month or month and a half each time he sells a lot.

265 A. McDowell voiced that garages on the plans should be less prominent. Mr. Mahoney commented that he agrees, but only about four lots in the whole subdivision physically allow for side load garages due to the width of the lots. Lot 14 will be a side load garage. It costs more to do a side load garage, but whenever possible, he does encourage his clients to do them.

270 A. Walburger commented that he does not see anything incompatible or objectionable with the new plans. If the Board agrees with these plans and approves them, it comes down to procedure and enforcement. Bill Carr, Zoning and Codes Enforcement Officer, needs to look at it and know exactly what he is looking for. If there are modifications to the plan, then it needs to come back to the Planning Board. That is the procedure.

275 S. McEntee said he is in agreement with A. Walburger's statement. He asked if there is a precedent for pre-approving designs. R. Huftalen replied that it has not been done in a long time. Mr. Stokes added that it was done in the distant past for South Village. D. Raleigh was in agreement with A. Walburger.

280 Mr. Mahoney offered to put together a binder with all seven plans in it and make as many copies as necessary.

R. Huftalen mentioned that the Planning Board does not have site plan review on houses. He is speculating that people will want to mix and match plans. He is not opposed to the concept of

285 pre-approving plans, but from an administrative point of view, trying to deal with those complexities and possible mix-ups and miscommunication will pose a challenge.

Mr. Mahoney agreed that any deviation would require review by the Planning Board.

290 S. McEntee suggested that certain lots could possibly be excluded from using pre-approved plans.

A. Walburger stated that one thing he does not want to result from this discussion is that having seven plans becomes so overwhelming that the house selection is reduced to only four, which would increase the chances of having more of the same house. There is an opportunity for substantially more variety. He doesn't want the inability to come up with an executable procedure to harm the development. He is a strong proponent of further review by the Planning Board if there is any deviation from the plan.

300 D. Raleigh believes it would be good overall to give more options for more variety and more character.

S. McEntee asked if all of the designs are front load garages and if it would be possible to show them with side load garages as well. Mr. Mahoney answered that he would rather come before the Board than to design seven more plans with side load garages.

305 R. Huftalen recommended that Mr. Mahoney put together a packet for the Board complete with details of colors, sidings, and roofing. Mr. Mahoney offered to bring in a sample board of roofing and siding and leave it with the Board.

310 Mr. Mahoney raised the topic of a proposed house on Lot 14. He is working with a client who is a well-known architect locally. They want to build a net zero home. The exterior would look like the rest of the homes in the development with the same roofing and siding. It will just be a different type of construction and he is excited for this opportunity. Lot 14 is important to them because of the ability to have a side load garage. In addition, the back of the house faces south and they want to put solar panels on the back so they are not seen from the street. The house is slightly different because it is on the corner. They want to face the house toward the red house across the hammerhead because of the net zero home design. The garage is not detached, but it is not fully attached either. It is still connected, but not the entire width of the garage. A directly connected garage causes large energy losses.

320 R. Huftalen advised that the Planning Board will need to do site plan review for this house because of the solar panels and will need to do architectural review as well.

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325 **Aldi Insert for Absent Sign**
Bill Carr, Zoning and Codes Enforcement Officer, and Mr. Stokes have asked the Planning Board to determine if the insert for the absent Aldi sign is satisfactory. All members agreed that it is adequate.

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335 R. Huftalen asked for any other business to be brought before the Board. Hearing none, he made a motion to adjourn the meeting. S. McEntee seconded. The motion carried with 5 in favor, 0 opposed. The meeting was adjourned at 8:19 p.m.

Respectfully submitted,

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Marlene A. Westcott
Recording Secretary