

**Village of Cazenovia
Zoning Board of Appeals
Meeting Minutes
March 21, 2019**

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Present: Jane Nicholson-Dourdas, Acting Chair; Cindy Bell; and Lynn Hart.

Absent: Phil Byrnes and Sally Ryan.

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Others Present: James Stokes, Village Attorney; Dennis Gregg; Bob Lucas; Andy Day; Dave Mosher; Nick Enders; Terri Enders; Anne Saltman; Roger Saltman; Jocelyn Gavitt; Judy Gianforte; Nicki Donlin; and Karen Reynolds.

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J. Nicholson-Dourdas called the meeting to order at 7:00 p.m. and introduced the Board. L. Hart made the motion to appoint J. Nicholson-Dourdas as the Chair for the meeting due to the absence of P. Byrnes. C. Bell seconded. The motion carried with 3 in favor, 0 opposed.

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J. Nicholson-Dourdas asked for any changes to the minutes of October 29, 2018. There were none noted. C. Bell made the motion to approve the minutes as written. L. Hart seconded. The motion carried with 3 in favor, 0 opposed.

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Caz Barns, LLC/RODOR, LLC, Apartment Buildings, Area Variance

J. Nicholson-Dourdas read the public notice aloud:

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***NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Village of Cazenovia Zoning Board of Appeals on March 21, 2019, at 7:00 p.m. at the Municipal Building, 90 Albany Street, Cazenovia, New York, to consider the application of Caz Barns, LLC and Rodor, LLC for an area variance from the provisions of section 180-36(A) of the Village Zoning Code which provides for a maximum of ten dwelling units per building in multifamily uses. The applicant seeks a variance to allow sixteen dwelling units per building in connection with the construction of a new multifamily apartment facility located on vacant land zoned RM – Multifamily Residential on the east side of Nelson Street (U.S. Route 20) west of the Hampton Inn hotel.*

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All interested persons shall have an opportunity to be heard at this time. A copy of the subject application is available for review at the office of the Village Clerk during the Clerk’s regular business hours.

Dated: March 8, 2019

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*Philip Byrnes, Chairman
Village of Cazenovia Zoning Board of Appeals*

50 Dennis Gregg came forward as the representative and gave a presentation. Caz Barns, LLC, is in the process of buying land from RODOR, which is the Lucas family. To give a sense of orientation, the property is across Route 20 from Tops Plaza and behind the former Lucas residence. The plan is to have a public road going beside the dentist's office (Dr. Fauth) and down toward the apartments. Eventually the road will connect over to the Hampton Inn on Lakers Lane. There will be a private road down to the apartments. It is planned to have a village green/square between the four buildings. This could be accomplished with six or seven buildings, but they would be all squished together and the village square concept would be lost. There would be no rhyme, reason, or sense of purpose. 55 The Residential Multifamily (RM) district is odd the way it is written. It calls for two stories for apartments. However, with a special use permit for another use, you could potentially have three stories. The Hampton Inn is four stories. The other odd thing is that it calls for 10 units, but it doesn't talk about square footage. Theoretically, there could be ten 2,000 square foot units—five on one floor and five on the next floor. There could be a footprint of 10,000 square feet. The architect can go into more detail of how these buildings work. Entrance will be through the center and there will be four single-family apartments on the first floor—with a hallway with two on each side. The same thing upstairs—two on each side. Going around to the ends of these buildings, entrances would lead to a two-bedroom unit in the front and a two-bedroom unit in the back and the upstairs 60 would be the same. It is almost like three buildings within one building. It is around 7,200 square feet.

Dave Mosher, architect, spoke. The concept is to keep with a barn-style theme, hence, Caz Barns. And how it relates to one another is that the center court will house four single-bedroom units on the first floor. Then upstairs will be four single-bedroom units. The theme is to provide the aesthetic of the barn concept theme with gambrel style on the end units, where the two-bedroom units are housed. And the aesthetic of a connector—a milk house—like how the old barns were set up. Each one would have separate patio outdoor areas, which is nice because of the way it is arranged on site. They will have various views to either the Village or down through the valley, which is a tremendous view if you actually get out there and see the view. With two stories, it allows us to keep the scale of the buildings down. Therefore, as the grades do slope, the buildings will move with that slope as well. By putting 16 into one footprint, we are able to keep the scale down as if there were 10. However, we would then have to add more buildings. We are able to put more in a smaller scale package. That's how the buildings are intended to be designed and built. 70

80 Mr. Stokes inquired about materials and finishes. Mr. Mosher answered that siding would be horizontal fiber cement board such as Hardie board or LP SmartSide. The second floor gambrel gables will have cedar shakes. There will be cultured stone accents at entrance ways and at some areas where the patios would be located. There will be asphalt shingles on the roofs. The buildings will be in a neutral color—beige and creams. 85

Mr. Gregg commented that the area is very secluded and tucked away due to the sizeable elevation drop from the dentist's office to the apartment area below.

90 J. Nicholson-Dourdas asked for an explanation of how it was decided to have four buildings as opposed to six buildings and how the acreage was determined.

Mr. Gregg noted that there is a subdivision component to this project also. He is subdividing 8.2 acres from the main parcel. There is a formula in the zoning that calls for 20,000 square feet for the first floor, plus 4,000 square feet for each additional dwelling for a maximum of 15% lot 95

100 coverage. If six buildings are used, then the village square concept is eliminated. There is not enough room for traffic flow with six buildings. With this design, it is not evident how many units are inside of each building. The number of units is more arbitrary than if there were a square footage limit on the footprint. Theoretically, there could be four 2,500 square foot units on the first floor and four 2,500 square foot units on the second floor. There could be a 10,000 square foot footprint and it would be allowed without a variance.

105 J. Nicholson-Dourdas wondered how it was determined where to subdivide and how the 8.2 acres was determined.

Mr. Gregg explained there needed to be an entry, then there is the RM zone and a driveway to get there and to keep the village square.

110 C. Bell inquired whether a setback is needed from the line between the RM zone and the Village Edge South (VES) zone. Mr. Stokes answered that they can come right up to it. The setback is measured from the lot line.

115 C. Bell wondered if the district boundary is on the survey. Mr. Stokes replied that the surveyor mapped it on the survey.

After looking at the map with the district boundaries, C. Bell commented that there is potential for future building number five. She questioned whether a zoning change would be needed for that. Mr. Gregg said no, it would just be part of an application for VES.

120 C. Bell observed that the 8.22 acres is split between RM and VES. She asked if the calculations need to stay within just the RM zone. She put forth the following hypothetical scenario: 3/4 of the lot is in VES and 1/4 is in RM. Mr. Stokes answered that calculations are based on the size of the lot. What governs is the location of the buildings, which is entirely within RM.

125 C. Bell said that her instinct says they should not be able to use VES land for calculations for the RM. In other locations, as this development continues, they could use it to their advantage to use the VES property. Mr. Stokes said they need it to meet coverage requirements, but the buildings are all going in the RM.

130 J. Nicholson-Dourdas stated that the garage units are within the VES. Mr. Gregg said they can move the garages out of VES if needed. Mr. Stokes advised the Board to look at what is being developed in each district and follow the rules for that particular zoning district.

135 C. Bell noted that this is a split zoning district. She thinks if the houses are just in one zone, they would have to divide the calculations from one to the other. But they don't. They can go with the lot line.

140 Mr. Gregg said another way to look at it is that he is giving up some VES acreage, which is more flexible in terms of things that can be done. It would be landlocked otherwise.

C. Bell commented that one of the things that would be good to know is whether the applicant looked at alternatives before coming to the ZBA. She would like to know more about the layouts of the property. She needs to see the hardship easier. This must have been laid out at some point and

145 determined that nothing else would work and it was decided to apply for a variance. The ZBA will be making a decision based on what it could be if you didn't do it this way.

150 Mr. Gregg offered to bring in some old renderings. J. Nicholson-Dourdas said it would be very helpful to see the thought process behind this layout, especially when this project is in the backyard of older single-family homes right on Route 20. Mr. Gregg stated that only five of those single-family homes will be affected by this project.

155 J. Nicholson-Dourdas inquired about the visual viewshed—whether other parts of the Village could see this project. Mr. Gregg believes these buildings will be about 30 feet below the first floor of the hotel.

L. Hart asked whether market studies were done and how it was determined to build 64 units.

160 Andy Day answered that it was based primarily on available acres. A market study would probably show that it is well within what the area can handle. A CoStar Report was done and the area has very little inventory. This project is way under what he thinks could be supported with consumers. He is not looking to maximize density, but rather build something beautiful. He does not want to put every available building square footage on the acreage. There could have been fewer units and put more on the VES, but it would not work as well visually—not as nice of a development. That is why he is looking to do this development this way.

165 J. Nicholson-Dourdas asked if any visual impact scenarios have been done from any different vantage points. Mr. Gregg said his group did not feel it was necessary due to the drop in elevation. That is one reason why they chose to do two stories instead of three. He could have requested a three-story variance instead. A Special Use Permit to go to three stories is allowable for certain uses in the RM district. He is trying to minimize the visual impact by keeping it to two stories and spreading it out. Three stories would be visible from Route 20.

175 C. Bell put forth this scenario: If you took this footprint and built six buildings, what size would the units be? Mr. Gregg said it would be hard to tell, but they may have decided to eliminate some of the single bedrooms—the smaller ones—and gone bigger with all of them. So the six buildings might have been just slightly smaller than these four buildings. The whole idea of units versus square footage is arbitrary and not practical. If you have a one-bedroom unit, 800 square feet versus a 2,000 square foot two-bedroom or a 600 square foot single, you are giving up units to help the market—to produce some single-bedroom units instead of two bedrooms. It provides a better mix.

180 J. Nicholson-Dourdas commented that 64 units might put a strain on the water supply. The Village already has water challenges. Potential traffic needs to be considered, especially at this location with school buses, tenant traffic, and visibility. The speed limit changes to 45 right at this location. Looking at number of units does matter. How our resources are being used needs to be considered. 185 These are all things that need to be considered.

Mr. Stokes stated that the zoning does not place a limit on overall units.

190 L. Hart inquired about the height of the buildings. Mr. Mosher answered: 28 feet to the ridge.

J. Nicholson-Dourdas noted that the Board has not received any comments back from the Madison County Planning Department, therefore no decision can be made tonight. State Environmental Quality Review (SEQR) information needs to be discussed as well.

195 J. Nicholson-Dourdas opened the meeting to questions and comments from the public.

Anne Saltman, Ten Eyck Avenue, questioned overall development in the Village of Cazenovia, specifically sewage treatment and handling of waste. She wonders if there has been a maximum capacity determined to be of consideration.

200 Mr. Stokes stated that such matters are beyond this Board. Mr. Gregg said that as far as he knows there is capacity. He is not sure about the line on Nelson Street. But the Village has approved development in this area, so he is assuming they have taken that into consideration.

205 Ms. Saltman asked if there has been any consideration for drinking water. Mr. Gregg said there is sufficient capacity. A new well was developed this past year. Mr. Stokes added that the Village has plenty of water.

Judy Gianforte, East Lake Road, wondered about the aforementioned views out from the apartments.
210 Mr. Mosher stated there will be views down through the valley. The end will be able to view into the Village.

Mr. Gregg said the village square would capitalize on the view as you are approaching from above and looking at the project from above. There would be a view through as opposed to being impeded
215 by buildings. Ms. Gianforte asked if rooftops would be seen by people driving down the hill, heading west, on Route 20.

Mr. Gregg said the elevation change down there is fairly substantial. The buildings are allowed to be 28 feet tall in the RM. They may not be invisible, but they will not stick out like the Hampton
220 Inn.

Ms. Gianforte applauded the fact that this project is called Caz Barns, but that is not what barns look like. She encouraged the architect to look at the ratio of windows to walls and how the fenestration is done in barns and the gabled ends and the sides right next to each other. It would be nice to have
225 them look like barns. It is a great concept.

Karen Reynolds, Rippleton Road, stated that the CAVAC building is supposed to look like a barn and it does not. She is wondering if this project is going to be more toward the CAVAC look or more like a real barn.
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Mr. Gregg agreed that the CAVAC building does not look like a barn. But the barn at McAllister's house on Green Street and at Scott Shannon's house on Green Street look like barns.

Ms. Reynolds indicated she would like to see more architectural details. Mr. Gregg reminded her that this meeting is to talk about number of units and an application for a variance. The Planning Board has architectural review of the project where architectural details can be discussed and that meeting will be open for public input.
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240 Ms. Reynolds pointed out that people in South Meadow will be looking up at these apartments. People in Atwell Ridge can already see CAVAC and the hotel. Mr. Gregg believes the rooftop of his first apartment building will probably be the elevation of the dentist's office.

245 C. Bell expressed her concern that Chenango Street residents near the ballpark can see the hotel and McDonald's and now they will see these apartments. Mr. Gregg stated that there is a sight line toward the plaza from Chenango Street, but the Lucas house and barns cannot be seen.

L. Hart asked whether neighbors had expressed their thoughts. Mr. Gregg stated that some of the neighbors are in the audience tonight.

250 Terry Enders, 52 Nelson Street right next to the Lucas house, spoke. She believes less is better. She would rather have four buildings instead of six. The buildings look like they are going to be beautiful. Six might make it look crowded and undesirable. She stated she is in favor of the four buildings.

255 Bob Lucas, 2941 Route 20, spoke: Traffic and water were mentioned. People are going in and out 2-3 times a day on Route 20—so maybe 120 per day. He sat at McDonald's during the lunch break. He observed four cars per minute—240 per hour—going in and out of McDonald's. This is in addition to Tops, Aldi, and the dentist's office. He believes the apartments will have a miniscule impact on traffic. Concerning the water, Cazenovia just decided to sell water to Nelson, so there
260 must be plenty of water.

C. Bell asked whether Mr. Gregg had spoken to the Department of Transportation (DOT) yet. Mr. Gregg answered that he had talked with DOT and he will need a highway work permit.

265 C. Bell wondered about sight distance coming up the hill. Mr. Gregg replied that this entrance was approved when they did the planning for VES.

270 Ms. Enders commented that the only time there is a traffic problem is during the Bouckville antique days.

J. Nicholson-Dourdas noted that she lives on Park Street and when trying to make a left turn and come out onto Route 20 at 5:00 p.m., traffic is backed up. She thinks 64 units would contribute to that.

275 J. Nicholson-Dourdas inquired whether the number of parking spaces has exceeded the requirements. Mr. Day answered the requirements were met, plus the number of garages. There are 23 garages.

280 Nicki Donlin wondered whether there is potential to connect to South Meadow. Mr. Gregg said that was part of the initial plan when the South Meadow development was first done. A study done in the 1980s called for a connection between Route 20 and Chenango Street or Nine Road. It also called for a connection between Route 20 and Fenner Road. In good planning, neighborhoods are supposed to connect. Ultimately, there will be some connection. Right now, the one that is on the map that is more likely to happen in the nearer future is up above Aldi. When that is developed,
285 there is a road that is going to go out. They call it the middle acres of the Lucas/RODOR property.

He has no intention of doing it at this point in time or in the near future. It is required of him to show a road on the map to connect properties, but it does not mean he is going to do that now.

290 Ms. Gianforte asked if there is a sketch that shows where the road is going. Mr. Gregg answered that it is the old farm road that goes out through there. It is the only place that makes any sense. You can see this old farm road on the aerial photograph. It is at the lowest point and a stream runs through there. Otherwise, there is too much of a ravine.

295 Ms. Gianforte said she looked at the VES plan. It seemed like one of the primary premises was a walkable and bikeable neighborhood that connected to the trail network. She inquired if the quad of buildings is walkable. Mr. Gregg said he is a strong proponent of the hiking trail. He absolutely wants a walkable development. There are sidewalks around the buildings and along the streets.

300 C. Bell inquired about maintenance of the sidewalks. Mr. Gregg said the Village maintains sidewalks along the streets and then he would maintain them from the street to the apartments.

J. Nicholson-Dourdas asked for any other questions. There were none.

305 C. Bell made a motion to continue the public hearing in order to look at additional information. L. Hart seconded. The motion carried with 3 in favor, 0 opposed.

L. made the motion to continue the discussion on Wednesday, April 17 at 7:00 p.m. C. Bell seconded. The motion carried with 3 in favor, 0 opposed.

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J. Nicholson-Dourdas made the motion to adjourn the meeting. C. Bell seconded. The motion carried with 3 in favor, 0 opposed. The meeting was adjourned at 7:51 p.m.

315 Respectfully submitted,

320 Marlene A. Westcott
Recording Secretary