

**Village of Cazenovia Planning Board
Meeting Minutes
(In Person and via Zoom Online)
July 13, 2020**

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Present: Rich Huftalen, Chair; Adam Walburger; Anne McDowell; Steve McEntee; and Don Raleigh.

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Absent: Zach Young.

Others Present: James Stokes, Village Attorney; Marlene Westcott; Kurt Wheeler; Phil Byrnes; Dennis Gregg; Andy Day; Jeffrey Hunt; Mike Freedman; Beth Freeman; Dan Regan; Matt Vredenburgh; and Bob Lucas.

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A total of 17 people were in attendance in person and via Zoom online.

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R. Huftalen called the meeting to order at 7:00.

R. Huftalen asked for any changes to the minutes of June 8, 2020.

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R. Huftalen made the motion to approve the minutes as submitted. S. McEntee seconded. The motion carried with 4 in favor, 0 opposed. (Don Raleigh had not yet joined the meeting online.)

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Jeff Hunt, Atwell Ridge Lots 11 & 12, Architectural Review, New House

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Jeff Hunt came forward. He presented catalog cuts of the carriage style garage doors. All windows are Marvin. The glass has fewer cuts. They are 4/4 cut rather than 6/6 cut. Fewer lights. They are Marvin Hampton Sage Green top of the line windows and doors.

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R. Huftalen: We are looking for compatibility with the character of the neighborhood.

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Mr. Hunt: I submitted that when Dennis did the development. You are supposed to get architectural approval, so I submitted it to all the neighbors and they were all happy. The front of the house will be very similar to this picture. Everything down there is Hardy. I don't believe in Hardy. It's going to be Centurion. It is a protected wood that is primed. It is all smooth wood. I might use SmartLap on the siding. It will have architectural shingles. Color will be cream colors with Marvin Hampton Sage Green with white columns and cream body of the house.

R. Huftalen: Are there any other questions?

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R. Huftalen: I'm going to declare this a Type II 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.

50 A. Walburger: I will make a motion to approve as depicted and described.
R. Huftalen: I second. (The motion carried with 5 in favor, 0 opposed.)

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55 **Michael Freedman, 52 Farnham Street, Swimming Pool**
Michael Freedman came forward.

60 R. Huftalen: We have an application to install a swimming pool. Per the Code, approval is required for an in-ground pool. It is treated as an accessory structure. I think you have all seen a digital copy of the application.

65 Mr. Freedman: I added a couple of things after reading the instructions more. What the original one doesn't have is how I'm going to be draining it. It mentioned about electrical and things like that need to be on here. I show where the pump and filter are going to be. Bill Carr (Zoning and Codes Enforcement Officer) said to bring it in tonight.

70 R. Huftalen: The lot coverage requirements down there are 25% and I think it is well under that. I did a quick calculation and it looked to me like it was close to 17% if I calculated the entire surface inside the fence adjacent to the pool. What is it going to be like inside the fence? There is an apron around the pool, for sure.

75 Mr. Freedman: It is going to be a 6-foot PVC fence with locking gate. It is semi-private on two of the sides and private on the other two. It will be secure. It is going to be concrete around the pool. The pool itself is steel, but nobody will ever see that. Of course there is a liner that goes in there. On three sides it is going to be 5 feet, and the Village requires 4 feet around it and 12 feet on the end so we have a place to put recliners and things like that. Both sides where we had to worry about if it was too close to somebody else's property, the Village owns both sides.

80 R. Huftalen: For an accessory structure, it has to be at least 4 feet from the lot line and you clearly have that. I had about 4,400 feet of coverage on .59 acre, so it is less than 20% lot coverage. I'm looking at the swimming pools and hot tubs section, 180-115 of the Zoning Code. It looks to me like you have addressed points A-E, the deck, the fence. We have the application in front of us. Any questions for Mr. Freedman?

85 S. McEntee: The drainage that you added to the plan says sump pump and hose.

90 Mr. Freedman: We go back beyond where the pool is on the east end. It will go over the hill. At the bottom of that hill is the barn where the salt trucks go in and out. It is beyond Gene Gissin's property. There is one sewer—but it's not really a sewer and I don't know what you would call it. I could run it right into that. Cars would be running over it, but hoses don't care.

S. McEntee: Did you review the use of the garden hose with Bill Carr? Did he comment on that?

95 Mr. Freedman: I talked to Bill about it. I was thinking I would just let it evaporate on the lawn. But it is a 20-foot by 40-foot pool. That's a lot of water. Bill asked if I just wanted to run it over the hill. He mentioned it, so I took that up. He was very good help. I appreciate his help.

100 R. Huftalen: We are going to make a determination on the site plan application you have in front of us. You still need to confer with Bill and he will issue the building permit. Are there any other questions for Mr. Freedman?

105 R. Huftalen: I'm going to declare this a Type II 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.

R. Huftalen: I make a motion to approve the site plan as presented.

A. McDowell: I second. (The motion carried with 5 in favor, 0 opposed.)

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The Board went into executive session for attorney/client privilege at 7:16 p.m.

115 The Board came out of executive session at 7:23 p.m.

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Caz Barns, LLC/RODOR, LLC , Apartment Buildings, Nelson Street, Minor Subdivision Site Plan Review, Public Hearing

120 Dennis Gregg, Matt Vredenburgh were present in person and Andy Day was present by Zoom online.

125 R. Huftalen: The applicant has provided us with the long form Environmental Assessment Form (EAF) that is dated May 11, 2020. We are going to be looking at the application and taking comments from the public. Then we will be discussing the State Environmental Quality Review (SEQR) ramifications tonight. First, I want to distribute the long form EAF that the applicants have filled out for us.

130 R. Huftalen: We are going to continue the public hearing. Matt or Dennis, do you want to provide us with an update?

135 Mr. Gregg: Matt can do that. He has had conversations with John Dunkle (Village Engineer) and submitted to John all of the drawings and everything that John wanted. I think he has satisfied all of his comments, but I will let Matt comment on that.

R. Huftalen: I should say, in anticipation of your comments, Matt, the rest of the Board has received the correspondence between you and John and his itemized concerns there. We would love to have you recap it for the minutes.

140 Mr. Vredenburgh: I got the comments from John. I have been talking to him. There were a few comments he had regarding the easement on the water main, taking a proposed flushing hydrant and making it a regular hydrant and a number of other minor details related to water and sewer, which will be the responsibility of the engineer who is handling that. In terms of the stuff that I was responsible for, there was making sure the ladder truck could get around the new corner that we

145 have. The plans were updated to reflect the new entrance drive, which was moved a little farther to
the west from our previous iteration of drawings and had a different curve to it at the intersection
with the driveway down to the apartment complex. That's what we all talked about at the most
recent meeting. We basically moved that over so it wasn't on top of water or sewer. John wanted to
make sure that the fire truck could get around that one bend, which it can. It is a larger radius than
150 the other radii in the development. He also asked that drainage area maps be provided for the
stormwater management aspect of it, which I provided to him. He asked that level spreaders be
placed at the two outlets from the detention ponds, which I will do. It is a pretty basic detail. It is a
matter of adding it to the drawings and creating space for it. But all the other comments were all
related to water and sewer. That's it in a nutshell what has transpired since the last time we met.

155 R. Huftalen: The members of the Board have an electronic copy dated July 1, the most current plan
set. Is there a paper copy on file here? Bill will want that.

160 Mr. Vredenburg: Probably not. I can bring large format copies or Dennis can. I can leave a small
format one tonight, if you'd like.

R. Huftalen: Yes, that would be good. We will also want to look at a more detailed landscaping
plan and photometric plan. If you could get all of that stuff updated.

165 Mr. Vredenburg: The photometrics are unchanged since the last one. Nothing has really changed
in terms of the development. The only thing that changed is the entrance road in terms of the
configuration of the intersection. If you would like me to resubmit the photometrics, I can do so.

170 R. Huftalen: It would be good to have one set that has the complete, most current information,
instead of switching back and forth between paper and electronic. Noted: The sweep of the road is
heading off toward Lakers Lane now, which seems to make sense. Are there any questions from the
Board before we open it up to the public? If there are no other questions, I will open it up for
comments from the public. Any questions or comments for the applicant? There are no questions
from anyone. We are going to continue deliberation as we go through the EAF questionnaire. If
175 there are no further questions at this point, I make a motion to close the public hearing.

A. Walburger: Second. (The motion carried with 5 in favor, 0 opposed.)

180 R. Huftalen: We have the Part 1 EAF in front of us. Having reviewed that, our job is to look
through Part 2 – Identification of Potential Project Impacts. We have all been through this type of
thing before. As is our practice, I'm just going to go through here and try to assess where we have
consensus and where we need further discussion. Don't hesitate to speak up and we will have
further discussion. As I go through and ask the questions, if anybody feels like we need to ask the
subquestions, go ahead and raise your voice.

185 **1. Impact on Land**
*The proposed action may involve construction on or physical alteration of the land surface of the
proposed site. (See Part 1. D.1)* R. Huftalen: Yes, it will. [All Board members agreed.]
190 a. *The proposed action may involve construction on land where depth to water table is less than
3 feet.* R. Huftalen: No or small impact. [All Board members agreed.]

- 195 b. *The proposed action may involve construction on slopes of 15% or greater.* R. Huftalen: No. All Board members agreed.]
- c. *The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of the existing ground surface.* R. Huftalen: No. [All Board members agreed.]
- 200 d. *The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.* R. Huftalen: No. [All Board members agreed.]
- e. *The proposed action may involve construction that continues for more than one year or in multiple phases.* R. Huftalen: No. [All Board members agreed.]
- 205 f. *The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).* R. Huftalen: No or small impact. [All Board members agreed.]
- 210 g. *The proposed action is, or may be, located within a Coastal Erosion hazard area.* R. Huftalen: No or small impact. [All Board members agreed.]
- h. *Other.* R. Huftalen: None.

- 215 **2. Impact on Geological Features**
The proposed action may result in the modification or destruction of, or inhibit access to, any 705 unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g). R. Huftalen: No. [All Board members agreed.]
- 220 **3. Impacts on Surface Water**
The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h). R. Huftalen: No. [All Board members agreed.]
- 225 **4. Impact on Groundwater**
The proposed action may result in new or additional use of groundwater, or may have the potential to introduce contaminants to groundwater or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t).

230 R. Huftalen: It has proximity to the watershed, but should not cause any problems.

S. McEntee: Where is the line for the watershed?

235 Mr. Vredenburgh: Do you want me to show you on the zoning map? When you lay it over, it is right here. There is a ridge, a high point, right here, and if you look on the map, it kind of runs right down through here. We are maintaining our drainage areas, so this drainage will come to this area, that drainage will come to this area. As for the DEC (Department of Environmental Conservation) requirements, you are not allowed to discharge anything greater than the existing conditions discharge from the site. We are going to retain that water and allow it to infiltrate into the soil.

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S. McEntee: So a substantial part of the construction is within the watershed?

Mr. Vredenburgh: Yes, probably 40-45%.

245 R. Huftalen: Going back to the phrasing of the question:

The proposed action may result in new or additional use of groundwater, or may have the potential to introduce contaminants to groundwater or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t).

250 R. Huftalen: It has proximity to the watershed, but should not cause any problems. This is the Residential/Multi-family (RM) Zone. It was contemplated that is what the use would be up there. I don't think this use is any different from that. So I would feel comfortable answering "no".

255 A. Walburger: I am reading the subquestions. In my opinion, if you said "yes" we likely would find a substantial amount of "No or small impact." It's obviously going to use more groundwater if there is no construction there. We are going to put construction there. But it is inside what is contemplated.

260 R. Huftalen: Do you want to go through those real quick, Steve?

S. McEntee: Yes, I guess it would be best just to be complete.

R. Huftalen: I will make the answer "yes."

265 a. *The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.* R. Huftalen: I'm going to say "small impact." [All Board members agreed.]

270 b. *Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer.* R. Huftalen: "No or small impact." [All Board members agreed.]

275 c. *The proposed action may allow or result in residential uses in areas without water and sewer services.* R. Huftalen: "No or small impact." [All Board members agreed.]

d. *The proposed action may include or require wastewater discharged to groundwater.* R. Huftalen: "No." [All Board members agreed.]

280 e. *The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.* R. Huftalen: "No." [All Board members agreed.]

285 f. *The proposed action may require the bulk storage of petroleum or chemical products over groundwater or an aquifer.* R. Huftalen: "No." [All Board members agreed.]

g. *The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.* R. Huftalen: “No.” [All Board members agreed.]

290 **5. *Impact on Flooding***

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2).
R. Huftalen: No. [All Board members agreed.]

6. *Impacts on Air*

295 *The proposed action may include a state regulated air emission source. (See Part 1. D.2.f, D.2.h, D.2.g).* R. Huftalen: No. [All Board members agreed.]

7. *Impact on Plants and Animals*

300 *The proposed action may result in a loss of flora or fauna. (See Part 1. E.2.m-q).* R. Huftalen: No. [All Board members agreed.]

8. *Impact on Agricultural Resources*

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.).

305 R. Huftalen: It is currently an agricultural field. We may want to go through the subquestions.

Mr. Gregg: It is hay right there. I don’t think they are cutting it this year.

R. Huftalen: Because it was farm land, I think it might be good to go through the questions.

310 a. *The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.* R. Huftalen: No or small impact. [All Board members agreed.]

315 b. *The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)* R. Huftalen: No or small impact. [All Board members agreed.]

320 c. *The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.* R. Huftalen: No or small impact. [All Board members agreed.]

d. *The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.*

325 S. McEntee: Currently this is not an Agricultural District.

R. Huftalen: That’s correct. It is Residential/Multifamily. It is less than 10 acres. It would be No or small impact. [All Board members agreed.]

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e. *The proposed action may disrupt or prevent installation of an agricultural land management system.* R. Huftalen: No or small impact. [All Board members agreed.]

335 f. *The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.* R. Huftalen: Small impact. [All Board members agreed.]

g. *The proposed project is not consistent with the adopted municipal Farmland Protection Plan.* R. Huftalen: No. [All Board members agreed.]

340 **9. Impact on Aesthetic Resources**

The land uses of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (See Part 1. E.1.a., E.1.b., E.3.h.).

345 S. McEntee: You could argue that it is Yes.

A. McDowell: The first one, visibility, that's not going to be a problem, correct?

350 a. *Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.*

R. Huftalen: We know there is a viewshed that is locally determined as part of the Comprehensive Plan and Village Edge South (VES) Design Guidelines and they contemplate that. This project is designed around and maybe impedes less on that viewshed than if the road was actually on the eastern side of Dr. Fauth's building where it was once contemplated. I'm going to say "No or small impact." [All Board members agreed.]

360 b. *The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.* R. Huftalen: Small impact. [All Board members agreed.]

c. *The proposed action may be visible from publicly accessible vantage points:*

i. *Seasonally (e.g., screened by summer foliage, but visible during other seasons).*

365 R. Huftalen: Small impact seasonally. [All Board members agreed.]

ii. *Year round.* R. Huftalen: Small impact year round. [All Board members agreed.]

d. *The situation or activity in which viewers are engaged while viewing the proposed action is:*

i. *Routine travel by residents, including travel to and from work.* R. Huftalen: Small impact. [All Board members agreed.]

370 ii. *Recreational or tourism based activities.* R. Huftalen: Small impact. [All Board members agreed.]

e. *The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource*

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R. Huftalen: There are other very similar projects. It is not out of character with that part of the Village. R. Huftalen: Small impact. [All Board members agreed.]

R. Huftalen: Are there any other impacts to note? (There were none.)

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10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e., f. and g.).

385 a. *The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.* R. Huftalen: I think “The Maples” might be the closest, but it is not adjacent. I’m going to say “No impact.” [All Board members agreed.]

390 b. *The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.* R. Huftalen: No impact. [All Board members agreed.]

395 c. *The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory.* R. Huftalen: No impact [All Board members agreed.]

400 **11. Impact on Open Space and Recreation**

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (Part 1. C.2.c., E.1.c., E.2.q.). R. Huftalen: No impact. [All Board members agreed.]

405 **12. Impact on Critical Environmental Area**

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d.). R. Huftalen: No impact. [All Board members agreed.]

13. Impact on Transportation

410 *The proposed action may result in a change to existing transportation systems. (See Part 1. D.2.j.).*

S. McEntee: Do we have to say “yes” because we are adding a road and more traffic?

415 R. Huftalen: I think it would be safe to say “yes” and proceed with the subquestions.

a. *Projected traffic increase may exceed capacity of existing road network.* R. Huftalen: I will reference the traffic study that was submitted. I believe it will have a small impact. It will not increase the capacity of the existing road—Route 20—so I’m going to say “No or small impact.” [All Board members agreed.]

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b. *The proposed action may result in the construction of paved parking area for 500 or more vehicles.* R. Huftalen: No impact. [All Board members agreed.]

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c. *The proposed action will degrade existing transit access.* R. Huftalen: No or small impact. [All Board members agreed.]

430 d. *The proposed action will degrade existing pedestrian or bicycle accommodations.*
R. Huftalen: No impact. [All Board members agreed.]

e. *The proposed action may alter the present pattern of movement of people or goods.*
R. Huftalen: Based on the traffic study, it's going to have "No or small impact." [All Board members agreed.]

435 A. McDowell: I just think there are going to be an awful lot of curb cuts in a short space. There is going to be an awful lot of movement in a very short space. I can't fight DOT (New York State Department of Transportation). If they feel it is doable, then I agree.

440 R. Huftalen: Obviously, there is going to be impact on traffic. I think it is our job to figure out if it is a moderate impact. Does it rise to the level of a moderate impact? In my opinion, relying on what I think is a pretty sound traffic engineering study that John Dunkle has reviewed, I would not feel good about going against their recommendation. It is going to be a small impact. I'm not sure if it is ideal, but I would not characterize it as larger than a small impact. I could sense Anne's unease.
445 Don, do you have any comments on that?

D. Raleigh: I'm comfortable with what the DOT came back with. I don't think the curb cuts are too excessive as far as affecting traffic. If it's done right, which I'm sure it will be through DOT, then I have no issues with that.

450 **14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy. (See Part I. D.2.k.). R. Huftalen: Yes. It is clearly going to cause an increase in use of energy.

455 a. *The proposed action will require a new, or an upgrade to an existing, substation.*
R. Huftalen: No or small impact. [All Board members agreed.]

b. *The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.* R. Huftalen: No or small impact. [All Board members agreed.]

460 A. Walburger: It is the impact that is of note in this. It is not going to be any more than any other project of comparable size. It is smaller than that. It would be a stretch to say it is of moderate to large impact.

c. *The proposed action may utilize more than 2,500 MWhrs per year of electricity.* R. Huftalen: No. [All Board members agreed.]

470 d. *The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.* R. Huftalen: No. The footprint is not going to approach 100,000 square feet. [All Board members agreed.]

15. Impact on Noise, Odor, and Light

475 *The proposed action may result in an increase in noise, odors, or outdoor lighting. (See Part 1. D.2.m., n., and o.).* R. Huftalen: Yes.

a. *The proposed action may produce sound above noise levels established by local regulation.* R. Huftalen: No or small impact. 70 decibels at the lot line. [All Board members agreed.]

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b. *The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.* R. Huftalen: No or small impact. [All Board members agreed.]

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c. *The proposed action may result in routine odors for more than one hour per day.* R. Huftalen: No. [All Board members agreed.]

d. *The proposed action may result in light shining onto adjoining properties.* R. Huftalen: No per the photometrics. [All Board members agreed.]

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e. *The proposed action may result in lighting creating sky-glow brighter than existing area conditions.* R. Huftalen: No, not with the full cut-off fixtures we are specifying. [All Board members agreed.]

495 **16. Impact on Human Health**

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1. D.2.q., E.1.d., f., g., and h). R. Huftalen: No. [All Board members agreed.]

500 **17. Consistency with Community Plans**

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1., C.2 and C.3). R. Huftalen: No. It is clearly contemplated Residential/Multi-Family district. [All Board members agreed.]

505 **18. Consistency with Community Character**

The proposed action is inconsistent with existing community character. (See Part 1. C.2, C.3, D.2, E.3). R. Huftalen: No. [All Board members agreed.]

510 R. Huftalen: We talked a little bit about the traffic part. You have heard the concerns on the part of the Board members before about the potential challenges. We have looked at the study. You have an application in front of the ZBA (Zoning Board of Appeals) now. Tonight we went through the Full EAF. I asked Jim (Stokes) to prepare a draft resolution for SEQR and we have that. Before we go over that, I do think that if there are questions about the project that we want the applicants to be considering as they are going to the ZBA and in contemplation of coming back before this Board, I think it would be good to get those concerns out there. Anne, I don't want to speak for you, but some things are being done to try to figure out traffic calming features. I know it is of concern.

520 A. Walburger: I have something that is not related to traffic. Just looking for reaffirmation from the applicant that the EAF stated 2,500 gallons per day of sanitary sewer generation is being coordinated with the Town Sewer District and Bill Carr, that there has been some level of confidence that it can

be handled by that trunk line that is there. It does not show up well in the EAF review. That has been a silent hot button topic of the last year.

525 R. Huftalen: For sure. Adam, just to layer onto your point, I would want to make reference to John Dunkle's comments. A lot of his comments were in relation to making sure the sewage handling is a focus. The proposed sewer pump station and force main will be private. I think, at some point, Jim, we may have maintenance agreements with those?

530 Mr. Stokes: Not typically, no.

535 R. Huftalen: A detail is needed for the connection at the existing gravity sewer manhole. Flow data for the sewer system should be provided, i.e., daily flows, pumping rate and frequency, and reviewed by the Town Sewer District. I think that is really hitting squarely on the head of something the Planning Board is going to want good confidence that Jim Cunningham of the sewer district is on board with this. That was a big issue on the last set of plans we reviewed. Thanks for bringing that up. I see you have the sidewalk moved to the eastern side. Is there a provision for street trees there? That is eventually going to be dedicated to the Village.

540 Mr. Vredenburg: I'm not sure. I'm trying to remember what happened up at the hotel. Did they put trees in there? I don't recall seeing any. Are there some on Lakers Lane on the first stretch?

545 R. Huftalen: There are not any on the first stretch, just some on the hotel side. These are the kinds of things we really want to be contemplating more closely as the project moves forward with the ZBA. These are the kinds of issues I think will come up; the full landscaping details and screening of the adjacent properties, which I know you provided there.

550 Mr. Vredenburg: There was not a lot to go on. We did speak with some of the neighbors when we were out there doing filtration testing. There are trees there and we want to leave them. We are proposing to block as much as we can over there. We will look through the Code and seek out any landscaping requirements we need to abide by and get those incorporated.

555 A. Walburger: This will all be settled when we get to site plan review, but to tie back in to the traffic and the curb cuts, we will want a delicate balance of enough street trees versus enough sight line, etc., on Route 20.

R. Huftalen: I'm not sure if the traffic study commented on that or was silent on that. There are existing trees there now. There is a big dead tree right where your main entrance is going to be, right?

560 Mr. Gregg: Just by the plans, it looks like those two maple trees will need to come down. That's why the waterline went where it went because we saved the trees at that point in time.

565 R. Huftalen: With the reconfiguration of the waterline, do you think they will take those maple trees out? Is that what you think?

Mr. Vredenburg: Because the road got moved over.

570 Mr. Gregg: We are open to save at least one of them.

R. Huftalen: That will make the question of the street trees even more important to the Planning Board.

575 Mr. Vredenburg: We can certainly put in a few in locations where they make sense.

R. Huftalen: If there are any other issues that come up before we see you again, I think we want to get those out on the table, for sure. Anne, anything you want to add? Don?

580 D. Raleigh: No, I'm all set.

S. McEntee: Is a crosswalk across Route 20 part of your plan?

585 Mr. Vredenburg: I don't believe the DOT required one. When I was working on the hotel, they did require a crosswalk there. I don't believe they have here. So it was not part of our plan. I'm not a big fan of mid-block crossings without traffic controls, so I would not advocate for one. It is a good question.

590 S. McEntee: In my mind, walkability is important for the vision the Town and Village had for this area. Without a crosswalk there they would need to drive to Tops.

Mr. Gregg: Who calls for that? DOT?

Mr. Vredenburg: Typically. Although I think the Village has in the past.

595 R. Huftalen: I think it would be worth some discussion because I do think this was part of what Anne was raising earlier with the traffic issues and part of what we are hoping to achieve with maintaining some walkability.

600 Mr. Gregg: We want the people to be able to walk. Absolutely.

S. McEntee: That should be part of what draws people to your apartments.

605 Mr. Vredenburg: There seems to be a sensible location right there connecting straight across to the west side of Carriage Lane. As long as the sight line is good looking down the road and the drivers can see people in the crosswalk.

A. Walburger: Even in the absence of full traffic control, I would like to see some illumination or flashing light indicator that there is a crosswalk or something there. But that's all DOT jurisdiction.

610 R. Huftalen: That is good stuff to contemplate. I think it is important to try to get as much of that incorporated into the ongoing plan as possible. If there is nothing else, I would like to go over the points in the draft resolution.

615 R. Huftalen read the resolution aloud:

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

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**A RESOLUTION MAKING FINDINGS PURSUANT TO THE STATE ENVIRONMENTAL
QUALITY REVIEW ACT AND A RECOMMENDATION TO THE ZONING BOARD OF
APPEALS WITH RESPECT TO THE APPLICATIONS OF CAZ BARNES, LLC AND RODOR,
LLC FOR PRELIMINARY PLAT APPROVAL AND SITE PLAN AND ARCHITECTURAL
APPROVAL**

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WHEREAS, Caz Barnes, LLC and Rodor, LLC (collectively “Applicant”) have submitted applications for approval of a two lot minor subdivision, and site plan and architectural approval for a proposed 64 unit apartment complex (“the Project” and/or “Action”), to be constructed primarily in the RM zoning district and partially in the VES-MU zoning district on approximately 8.26 acres of land located at 54 Nelson Street (U.S. Route 20), being a part of Tax Map No. 95.3-1-1.111 (the “Premises”) and

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WHEREAS, as proposed, the Project will principally consist of four apartment buildings, with each building being two-stories and containing eight single bedroom units and eight two bedroom units, and

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WHEREAS, Applicant has also applied to the Village Zoning Board of Appeals for an area variance from the provisions of section 180-36(A) of the Village Zoning Code to allow sixteen dwelling units per apartment building versus the maximum of ten dwelling units per building permitted under the Code for multifamily uses, and

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WHEREAS, the project also includes the construction of infrastructure and utilities for the proposed Project, including roads, sidewalks, parking lots, three garage buildings, and stormwater management facilities, and

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WHEREAS, the remaining lands of what is currently Lot 3A of the Rodor Subdivision are proposed to presently remain as a single undeveloped lot for future development, although the Applicant has presented a concept development plan to assist the Planning Board with its evaluation of traffic flow related to the Project, and

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WHEREAS, public hearings were duly scheduled, noticed and held on applications, during the course of which all those wishing to be heard on the applications were duly heard by the Planning Board, and

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WHEREAS, the public hearings on the applications have been, or hereby are closed, and

WHEREAS, the applications were duly referred to the Madison County Planning Agency pursuant to the provisions of Section 239-m of the General Municipal Law, and

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WHEREAS, the Madison County Planning Agency has provided comments on the applications and recommended that the applications, including the application to the Zoning Board of Appeals, be returned for local determination.

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WHEREAS, over the course of several Planning Board meetings and public hearings and extensive review of the applications, the Applicant has modified the Project Plans to respond to identified concerns, and

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WHEREAS, the Planning Board has reviewed the full environmental assessment form submitted by the Applicant and has reviewed all the criteria for determining environmental significance listed in section 617.7 of the regulations implementing the New York State Environmental Quality Review Act (“SEQR”), considering all the Applications to be a single action for purposes of SEQR, and

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WHEREAS, the Planning Board has previously determined that the Project constitutes an unlisted action as defined by SEQR, that other potentially involved agencies for this action under SEQR in addition to this Planning Board include the Zoning Board of Appeals of the Village of Cazenovia, the New York State Department of Transportation and the New York State Department of Environmental Conservation, and that this Planning Board would serve as lead agency for the review of this action under a coordinated SEQR review,

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WHEREAS, all identified potentially involved agencies have been duly and timely notified of this Planning Board’s lead agency declaration and no other agency has objected to said designation.

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NOW, THEREFORE, IT IS HEREBY RESOLVED that the approval of this Action will not have any significant adverse effects upon the environment, and as such this resolution shall constitute a negative declaration under SEQR. In making its determination of significance, the Board considered all questions contained in Part 2 of the EAF and all of the criteria set forth in section 617 of the SEQR regulations. The reasons supporting this negative declaration are as follows:

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1. *The Board has provided ample opportunity for public input and participation in the course of its review of this Action. The Board has given thoughtful consideration to all the testimony and documents before it. The Board’s view of the objective evidence in the record leads it to the conclusion that while the Action certainly contemplates a “change” to the Project site, that change does not entail any significant adverse environmental impacts.*
2. *The proposed Project is located near an existing shopping plaza and other commercial development and is adjacent to and behind existing residential development on an unused vacant parcel zoned for multifamily residences. The Project is in accordance with the Village Comprehensive Plan.*
3. *The amount of lot coverage and impervious surface proposed on the development plans are within the limits of the relevant Zoning Code provisions.*
4. *The design of the principal buildings is generally compatible with the character of the neighborhood and the intent of the RM and VES zoning districts.*

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- 710 5. *The Applicant submitted a traffic study by GTS Consulting that concludes there will be no significant adverse impacts to traffic flow or traffic safety as a result of the Project. No expert evidence has been submitted to the contrary and the New York State Department of Transportation has reviewed the Project and has approved the connection of the proposed new local street serving the Project to Route 20.*
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6. *There are no known sensitive historical, or archeological resources on the Premises that would be disturbed by this Action.*
7. *The Project will not significantly impact the viewshed identified in the Comprehensive Plan and the VES Design Guidelines.*
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8. *Sidewalks will be installed by the Applicant to provide pedestrian connectivity with the rest of the Village.*
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9. *The Project does not entail a significant increase in energy use.*
10. *On-site lighting will be dark skies compliant and consistent with the requirements of the Village Code, and fixtures will be consistent with existing poles on Lakers Lane.*
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11. *The Village water and sewer systems and the Town of Cazenovia wastewater treatment plant have sufficient capacity to provide needed services to the Project.*
12. *There are no identified wetlands or other sensitive environmental conditions adversely affected by the Project. The Applicant has sufficiently demonstrated that all construction will be outside the identified 100 year flood zone.*
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13. *The Village Engineer has reviewed the Applicant’s stormwater management plan and has opined that these impacts can be adequately mitigated such that off-site flows will be equal to or less than existing conditions.*
- 740

AND IT IS HEREBY FURTHER RESOLVED that the Planning Board concurs with the comments of the Madison County Planning agency relative to the requested area variance and hereby makes a recommendation to the Zoning Board of Appeals in favor of granting the requested variance to permit sixteen housing units per building as opposed to the statutory maximum of ten units per building as set forth in section 180-36(A) of the Village Code. Requiring a fifth apartment building would cause an increase of impervious surface on the site and decrease the amount of available green space with no identifiable corresponding benefit to the community or the Applicant.

Dated: July 13, 2020

R. Huftalen: I make a motion to approve the resolution as prepared by Jim Stokes.

A. McDowell: I’ll second.

(The motion carried with 5 in favor, 0 opposed.)

A. Walburger: Did we vote on the SEQR determination?

760 R. Huftalen: The resolution incorporates the SEQR negative declaration. Given that, at this point, I think it is on to the ZBA. We will continue to be asking questions about the topics we raised here and Matt got some notes. I polled the other members of the Board. I know last time we were in here you were looking to keep this moving along. I'm going to be out of town a lot over the next month, but I can join remotely. Are you desirous of having another meeting before our August meeting?

765 Andy Day: The sooner the better. Whatever works for vacations and keeping everybody sane.

R. Huftalen: August 10 is our next meeting. In terms of trying to get something from the sewer district, trying to get further amplification, we will have some dialog between now and then about ongoing questions or at least give you some more time to get a real solid presentation in front of us
770 for our August 10 meeting.

Andy Day: Otherwise we will be wrangling people to get it to us and schedule a meeting. Let's just do August 10.

775 Mr. Gregg: So right now, what I've heard so far, is the discussion of potentially some trees along the entry, potentially maybe talking to DOT about a crosswalk. Is that where we are?

R. Huftalen: Yes. I think between you and Jim at the sewer district, I think if we get a real clear definitive statement on that, it would be great. It sounds like John thinks it's heading in that
780 direction. Belt and suspenders. We have had some comments. It is certainly something that is of public concern.

Andy Day: What was of public concern?

785 R. Huftalen: Making sure the sewer capacity, not necessarily the plant, but we have had conveyance and capacity questions. We have a pretty old sewer system.

Mr. Stokes: I also wrote down that the Board was looking for some enhancement of the landscaping and screening plan.
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R. Huftalen: The most recent electronic set you sent to us did not have a detailed landscaping plan.

Mr. Vredenburgh: There is some screening on it on the outside. I will go through the Code and see what is required.
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R. Huftalen: I think, as for the submittal, we will want to see the plans for, not just the screening, but the landscaping detail in general. It goes with site plan and architectural review.

800 Mr. Vredenburgh: Typically I would submit what is required and that is approved. So those are the required items. But then there will be a lot of other landscaping that will be done. Will those be forever part of the landscape requirements?

805 R. Huftalen: As was the case with Aldi and the hotel, we get a detailed landscaping requirement. The detailed landscaping minimum, if you will, and then if you want to add landscaping beyond that, I think you are free to do that. But I think this Board is interested in making sure there is a minimal level of landscaping that is going to make the site plan appealing.

810 Mr. Gregg: Is there a little bit of a difference that this is mostly on private land as opposed to being on a Village street? It only goes down to a certain spot.

R. Huftalen: If you look at the site plan approval submittal requirements, it will say detailed landscaping plan.

815 Mr. Vredenburgh: We are interested in trees and beautifying the area to make the apartments more attractive.

820 Mr. Gregg: The neighbors had no desire for us to plant a hedgerow along there. They were all out there when we were working.

Mr. Vredenburgh: It just concerns me that little detail on a site plan approval plan because what if 50 years down the road, somebody says you don't have any flowers in this bed next to the stairs.

825 R. Huftalen: If you looked at the other submittals we have, it's a matter of saying, here's a crabapple, here are various ornamental trees. We don't care what color the petunias are. Just having some evidence that there is a thoughtful landscaping plan. I think that is what Jim is getting at.

830 Mr. Stokes: It is clearly a requirement of the Code, as Rich said, 180-142. We do it for everybody. We are not singling you out.

Mr. Vredenburgh: I understand. I'm just wondering how far to take that detail, that's all.

835 R. Huftalen: We have gotten into arguments about the caliper of the trees. It's one of the things people like to weigh in on.

Mr. Vredenburgh: I'm used to working in municipalities where it is really spelled out, exactly what you can do, and where you can do it, and why you have to do it. Not having that level of detail here is a little ambiguous.

840 R. Huftalen: The Board just wants to see that there is a plan for landscaping.

Mr. Vredenburgh: I will put together something with street trees and so forth and identify where plantings might be.

845 Mr. Stokes: If you look at Chapter 165, all the tree stuff is in there.

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850 R. Huftalen: Is there any other business to be brought before the Board tonight? Hearing of no other business, I make a motion to adjourn the meeting.

A. Walburger: Second.

The motion carried with 5 in favor, 0 opposed. The meeting was adjourned at 8:19 p.m.

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Respectfully submitted,

860 Marlene A. Westcott
Recording Secretary