

**Village of Cazenovia Planning Board
Meeting Minutes
March 13, 2023**

5

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

Absent: Steve McEntee.

10

Others Present: James Stokes, Village Attorney; Marlene Westcott, Recording Secretary; and Dan Regan.

7 people were in attendance.

* * * * *

15

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

20

He asked for any changes to the minutes of November 14, 2022. R. Huftalen made the motion to approve the minutes as presented. A. McDowell seconded. The motion carried with 4 in favor, 0 opposed.

* * * * *

Gabrielle Regan, 54 Nelson Street, Special Use Permit

25

Dan Regan was present on behalf of Gabrielle’s Chocolates.

30

R. Huftalen: The only agenda item tonight is a review of modifications to Mr. Regan’s application for a special use permit, which we initially approved in September 2018. We received a recommendation from Madison County Planning Department. After consulting with Village Counsel, we determined that we did not need to resubmit that. We also determined that we did not need to schedule another public hearing because the modification to the application was almost immaterial. We have a new site plan that is substantially similar to the prior application. Therefore, I think we can make a pretty quick determination. Anything to add, Jim? Any comments or questions for the applicant from the Board members? The site drawing was updated to reflect the new entrance from Lakers Lane. The parking spots depicted are in the same spot as they were prior.

35

Dan Regan: The only thing that has changed is the driveway coming off Lakers Lane.

40

R. Huftalen: One curb cut. The other thing that came up in the course of conversation is that we don’t have a mechanism for expiration. A special use permit doesn’t have an expiration date. Isn’t that right, Jim? Is that what we determined?

Mr. Stokes: Right.

45

R. Huftalen: This is a belt and suspenders approach. We want to make sure that we have it on the record that this was reviewed and reapproved. Do I need to redo the State Environmental Quality Review (SEQR) determination? It is an unlisted action.

50 Mr. Stokes: Adopt a resolution finding that, other than the relocation of the driveway to Lakers Lane, the application is unchanged. And for the reasons originally stated, the Board confirms the negative declaration and reapproves the special use permit on the same conditions. The last part we better check. I don't know what conditions were on the original resolution.

55 R. Huftalen: I have the approval. I don't think we wrote up a formal resolution.

Mr. Stokes: If there were no conditions, just skip the last phrase. I would make reference to the new drawing date that shows the relocated driveway.

60 R. Huftalen: On October 8, we referenced the application and site plan drawing dated August 31, 2018. Now I will make reference to site plan drawing dated March 12, 2023. Given the SEQR statement referencing the prior SEQR determination, I am going to make a motion to approve the modified application for the special use permit.

65 A. McDowell: I second.

R. Huftalen: All in favor?

The motion carried with 4 in favor, 0 opposed.

70 R. Huftalen: The special use permit has been approved. We will notify Bill Carr, Zoning/Code Enforcement Officer. And you should be good to go.

Dan Regan: Thank you very much.

75 R. Huftalen: Is there any other business before the Board? Absent any other business, I make a motion to adjourn.

A. Walburger: I second.

80 The motion carried with 4 in favor, 0 opposed. The meeting was adjourned at 7:07 p.m.

Respectfully submitted,

85
Marlene A. Westcott
Recording Secretary