

**Village of Cazenovia Planning Board
Meeting Minutes
July 10, 2023**

5 Present: Adam Walburger, Acting Chair; Steve McEntee; Anne McDowell; and Don Raleigh.

Absent: Rich Huftalen, Chair.

10 Others Present: James Stokes, Village Attorney; Marlene Westcott, Recording Secretary; Rob Kelsey; Scott Sellers; Nancy Sellers; Matt Vredenburg; Nick Enders; Dennis Marconi; Denae Kasarjian; Paul Pushlar; Tom Kennedy; Susan Smith; Andy Day; Kathy Skelly; Mike Skelly; Dennis Gregg; and Tom Tait.

15 21 people were in attendance.

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20 A. Walburger called the meeting to order at 7:01 p.m.

He asked for any changes to the minutes of June 12, 2023. S. McEntee made the motion to approve the corrected minutes as presented. A. McDowell seconded. The motion carried with 4 in favor, 0 opposed.

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Caz Barns, Nelson Street, Building Exterior Revisions

30 Dennis Gregg and Rob Kelsey came forward.

35 Rob Kelsey: We had originally presented an asphalt roof at the beginning. Then we played with the idea of a metal roof. Then went back to asphalt for cost reasons. We thought at the end of the day that it looked better. It contrasts with the barn look better than the metal did. We also changed the front from stone, which we thought, on retrospect, looked artificial for a barn design and changed it to a metal rust panel. This isn't going to help you very much, but this elevation has some color to it. It is hard to show a white elevation.

40 A. Walburger: Remind me. We had some trouble digging up, prior to this meeting, the original elevation. It was stone on the bottom story.

45 Rob Kelsey: There was stone on the bottom story on the front main entrance that went up, just that one section. I decided I thought it was artificial looking. These rust panels—it wouldn't be exactly like this one—but there are a few manufacturers, but this one rusts a lot faster. This is basically what the front panel would look like. It looks more like a milk barn appearance that we were going for.

A. Walburger: Is this meant to be a weathered steel?

50 Rob Kelsey: Yes.

A. McDowell: It would be just in front in that one spot? That's the only spot?

55 Rob Kelsey: Yes, that's the only spot.

A. Walburger: And you are going to return to asphalt architectural shingles?

Rob Kelsey: Yes.

60 S. McEntee: Remind us of the color of the siding.

Rob Kelsey: There are going to be four buildings all together. We are building the first two and they will both be white. There will be a red building when we build the other two. I think a red building might be a better accent if there was a red one and a white one. So we wound up with three
65 white and one red. I think originally we had a gold, a green, and a red and a white.

Dennis Gregg: Two golds and two reds.

70 A. McDowell: I can't remember the layout. Are they going to be facing each other?

Rob Kelsey: There is more of a quad setting. So if you picture a bowling green in the middle and then they will all be facing the one on the end. So there will be two on the south side facing the quad and then there will be one on the west side and one facing the south.

75 A. McDowell: Then there are going to be garages, correct?

Rob Kelsey: There will be garages, but they won't be until Phase II. They will be within walking distance of the buildings.

80 A. McDowell: What color will the tin roof be?

Rob Kelsey: It is going to be asphalt now and will be charcoal, near black.

85 Dennis Gregg: The layout has not changed, just the front entry elevation.

A. Walburger: Jim, for this minor architectural change, what is the Board's action?

Mr. Stokes: You just need to confirm the prior negative declaration and it is not a substantial
90 enough change to warrant any further environmental review, then make a motion and vote on it.

A. Walburger: I make a motion that this is a de minimis change compared to the prior negative declaration and does not warrant any further environmental review.

95 S. McEntee: I second.

The motion carried with 4 in favor, 0 opposed.

100 Dennis Gregg: I think Rich (Huftalen) wanted us to talk about the screening and potential fence and plantings along that northern boundary between us and the five houses that are there. We had some conversations in the past with the neighbors with Tom Tait. He was helping us out with the trees because there are a lot of black walnuts there. We are trying to figure out what would work with the black walnuts. We met with the neighbors and discussed what one issue was. We had that property line issue and that finally got resolved as to where that line actually is. The detention basins are
105 sloped so that planting the evergreens that were supposed to be planted would wind up in the slope and probably wouldn't work that well. What we talked about with the neighbors was putting up a fence along the property line—on ours, but inside—then potentially planting a tree or two from a selection on their property if they so choose. They would have a tree back there as opposed to a
110 fence. I'm not sure how we would want to handle fence and trees. I'm thinking maybe a split rail fence would solve the issue for safety of no one going into the detention ponds. But it's not much of a screen. So I just wanted to have a little conversation.

A. Walburger: There isn't even a concept drawing for this yet, right Dennis?

115 Dennis Gregg: There was one before, but that's not valid at this point with those evergreen trees.

A. Walburger: Knowing that greenery and screening is a very important subject, even more so lately, come up with a drawing for us to review. We will take a look at it and talk about it. In concept, what you are saying sounds fine, but I don't think this Board can hold you to actions on the
120 homeowner's side of the property line. That's for you and them to work out. It sounds reasonable in concept.

Dennis Gregg: A split rail fence would aesthetically look nicer, but I'm not sure what the neighbors' pleasure is.
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Nick Enders: Are you talking a post and two split rails?

Dennis Gregg: And some trees.

130 Nick Enders: I thought when we all met, it was a six- or possibly eight-foot stockade fence.

Dennis Gregg: We did talk about that. If that's the preference.

Nick Enders: Everybody can see through split rail. You can't really see through a solid fence.
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Dennis Gregg: So split rail is out.

Nick Enders: That's my opinion.

140 Susan Smith: That was never an option we were presented with.

Nick Enders: I didn't hear about split rail either.

145 Dennis Gregg: That just came up recently.

Susan Smith: I think part of it is to at least have a landscape architect on the project. I know we just found out your plan was not going to be compatible because the trees wouldn't grow because we haven't been able to get anything to grow. If a landscape architect can come up with another plan.
150 I'm not saying we have the last word on it, but we are not landscapers. Right now I have a gravel pit and retaining pond, not even the little black stuff. Luckily, I don't have dependents who are not completely supervised. But it could be for somebody if something happened there. I'm interested in the time table tonight, if that's possible.

155 Dennis Gregg: We will get back to the fence—more like the stockade type fence or privacy fence and come up with some ideas for that.

Nick Enders: I know I'm going off the subject, but unfortunately, we get a breeze through there every day of the year and the dust and the dirt are really starting to be annoying. The grass has never
160 been stabilized since you broke ground last year. Is it possible to start doing some grass seeding? I don't want to be that annoying neighbor, but it is getting all over the vehicles, the windows, the whole house is completely dust and dirt debris that comes off that.

165 Dennis Gregg: They did mulch and seed.

Rob Kelsey: I think there is more to be done there.

Susan Smith: It could be a problem of planting too early. Again, if the landscape architect would have some kind of sense of the right time to do it within the project. That wind on that piece of
170 property is enormous. I did plant one small tree just to get it started for myself to make me feel better and it really didn't make it. I'm pretty sure that it was just too much harsh wind.

Dennis Gregg: I think maybe Tom (Tait) can help us out with what trees might survive there and give us some options.
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Susan Smith: And when is the right time to plant them? I don't know when the buildings are going to be up where there is going to be some kind of barrier within the environment. How do you decide that if it's just open space like it has been for two years now?

180 Dennis Gregg: I think we would want to have something finished by fall.

Tom Tait: I can meet with the neighbors again. Matt (Vredenburg) is still on the project, so we will exchange what was all Norway Spruce. There is a utility easement for National Grid and there are black walnuts in this grade. Instead of leaving them guessing, we can say, this is what we are
185 hoping for and present that and then run it up the flagpole that way and see what the five plus neighbors say. We will convene and then get recommendations within a month. So at the next meeting we will be able to say, here's what the neighborhood wants.

190 A. Walburger: Just so we are clear as a windowpane here, and we don't repeat last month's meeting, this is how it is supposed to happen: Concerns are raised to the developer and the developer hears them and even through this Board. Ultimately, there is a drawing that represents this that we can all look at and this Board can say this has met the best interest of everything that we have heard. We are not at that point yet. There is no real action here for us, just to facilitate this conversation.

195 S. McEntee: So that's the landscape part of it. Are we going to vote on the architectural changes?

A. Walburger: Let's finish the approval of the proposed architectural changes to the plan.

200 S. McEntee: I move that the changes represented on Drawings A6 and A7 from Mosher Architects dated 6/9/23 be approved as presented.

A. McDowell: I second.

205 The motion carried with 4 in favor, 0 opposed.

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Marconi Residence, 6 Burr Street, Addition, Architectural Review

210 Dennis Marconi came forward.

Dennis Marconi: My carpenter, Paul Pushlar, is here too. The living room I have now is only 9 feet wide by 10 feet long. The addition is going toward Burton Street. The new living room will be 12 feet by 14 feet.

D. Raleigh: Which is about 4 feet from the property line.

Dennis Marconi: Yes.

220 A. Walburger: This is an R-6 district on Burr Street.

S. McEntee: What we don't have is what the roof might stick out to. Are those the foundation dimensions?

225 Paul Pushlar: Yes. The elevation is going to be the same height or below the existing house. It will be a dormer roof. It is such a small addition, it is hard to . . .

A. Walburger: Is there concern about the eave?

230 S. McEntee: Yes. What is the distance from the property line is the obvious question.

Paul Pushlar: We were going to go as far as the Code allows us, which is 4 feet from the property line. We talked to Bill Carr and he said as long as we have 16 feet from the side that we could do it. This is at Burr Street and Sims Lane.

Mr. Stokes: The overhang doesn't count for setback, just the foundation.

240 Paul Pushlar: It is within the allowed setback.

S. McEntee: The existing porch is not represented on this plan.

D. Raleigh: Just the foundation.

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A. McDowell: Have you talked with your neighbors?

Dennis Marconi: I just talked with them a little bit about it. He didn't mention much. There is a fence between there that will stay there. His house is actually another 20 feet from the property line and there is a driveway in between there.

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S. McEntee: We don't have a sketch elevation to know what it is going to look like.

A. Walburger: It is within the setback. I'm not seeing that this project is of a scale that is going to be a problem, but we do need an elevation drawing to know how it is going to look next to the house before we can really put an approval on this.

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S. McEntee: What are the plans for color?

260 Dennis Marconi: It is going to stay the same as it is now. The same as the house.

D. Raleigh: Any windows and doors?

Dennis Marconi: Yes. There will be a couple of windows off of it. There will be another double window on the front side. And then a window on the back side. No windows toward the neighbor's side.

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A. McDowell: Just go right exactly like this, correct?

270 Dennis Marconi: Here's the fence post. So it will go just past that post there.

A. McDowell: The slanting of that roof, is that going to be a difficult problem?

Dennis Marconi: No, because it is going to be stepped back a foot from this corner toward the back of the house.

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D. Raleigh: It would be good to see it.

A. Walburger: I hate to put you off a little bit, but we need a vertical drawing, elevation drawing of what this is going to look like and that would help the Board immensely.

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A. McDowell: It's good that the setbacks and everything are all right.

285 Dennis Marconi: That’s why we started early.

A. Walburger: We can pretty much determine from a small drawing that the setbacks are okay. We would know if it is going to match the siding and trim. So let’s get a drawing from an architect that shows what it looks like sticking off the side of the house. That’s your missing piece of the puzzle.

290 Dennis Marconi: Okay. That’s easy enough.

A. Walburger: We will see you in a month. No action.

295 **Scott and Nancy Sellers, 53 Forman Street, Site Plan Review**

Matt Vredenburg came forward as the representative.

300 A. Walburger: We talked about this last month. This is a nice landscape project on Forman Street adjacent to the lake. We left Jim Stokes to determine if it needed to go to Madison County Planning Department. What was the decision on that?

Mr. Stokes: It should have gone. I’m not sure if it did or not.

305 A. Walburger: I have nothing in the file on that so we will follow up on that.

Marlene Westcott: There is something from Madison County in the Planning Board mailbox in the front office.

310 A. Walburger: The mail is not for this project.

Matt Vredenburg: We were going to discuss the tree removal on the shoreline with Tom Tait. Tom has gone out there for a visit. Maybe he would like to provide a comment.

315 Tom Tait: I had the pleasure of meeting with Nancy and Scott today on site. It is more than a landscape project. There is some significant earth moving. It’s very much a doable project. But it is really significant and it is on the shoreline. It shouldn’t be painted as just a landscape project. I assessed what Matt provided me in terms of trees that need to be removed to allow this to happen. There are some arborvitae, a white cedar, and there is a native black cherry, and then there are some
320 volunteer self-sown buckthorn and honeysuckle. I don’t deem the trees to be hazardous, but it is necessary to do the project. The trees do need to come down. We talked about that when we were on site. It is the grade. It is 4-5 feet of increase in elevation off the shore that will be eliminated so that it creates something that is more conducive to walking down to the shoreline and the boat launch. I don’t question the trees. If the project is going forward, there is no choice but to take them
325 down. There is one abutting red oak that is on the northern border of the property at the shoreline that appears to be based on an existing survey stake. No tree is exactly on the line, but it appears pretty close to the line. And because of the size of it—I think it was 36 inches or something like that—it has a very expansive root system. Those roots are typically 12-18 inches deep. That tree won’t be impacted by construction. I mentioned to the Sellers that it might be in their best interest to
330 have a reputable certified arborist visit the site and give them an opinion as to what the tree may tolerate both from a health standpoint and from a structural standpoint of root loss and if there is any remedial work that can be done to bolster the tree. But that really is the more critical item rather

335 than the loss of the arborvitae or white cedar. It is protecting that red oak and not undermining it
structurally. I might be overstepping my bounds, but because of the grade and being on the Lake
Association Board, I mentioned to the Sellers that it might make sense to have some sort of
redundant silt fence and not just one right at the shore. God forbid that it would fail, there should be
a backup system in place. As everyone here knows, we are fighting silt in the lake as one of our
biggest public enemies.

340 Matt Vredenburgh: The silt fence would stay up for the duration of the construction until everything
is fully stabilized, including the turf established.

Tom Tait: I took the opportunity to speak with, and there are representatives here tonight, the
neighbors to the north on East Shore Path, in particular the neighbor that is closest, which is
345 Romagnoli. He responded in writing stating he thought the plan was well presented and had no
objection to it. He is only one of the residents, but he is the one who would be most impacted by it.
Also, because of its proximity to the lake, I let the Lake Association know as well and they reviewed
the plans just so that everyone's up on it. One thing, also, is the concept of replanting of the area. I
think because what we have gone through with the Planning Board and the Village, whatever the
350 final plan is, is to have specificity as to the species that are going to be used, the counts, and maybe
even the size so that we know exactly what we are getting. The Sellers seemed agreeable to that so
that everyone knows what is going to be planted there.

355 Matt Vredenburgh: We can provide a planting plan before we start.

Tom Tait: I found the site visit to be helpful. If anyone hasn't seen it, it might be helpful. It is
different than what we see on paper. They were very accommodating in answering all the questions.
There will be some tree loss, but I think it will be a gain for them and be done in a manner that
doesn't adversely impact the lake.

360 A. Walburger: Any questions from members of the Board? There has been no determination from
Madison County.

Mr. Stokes: It doesn't appear that it was sent. We will send it out.

365 A. Walburger: We will take care of that housekeeping item. Then nothing else to do tonight other
than review and take in more information. Matt, we will be looking for discussions with Tom and
various other entities and a final set of drawings, and pulling this all together, and see any additional
sediment control mechanisms that would be put in place, and the final planting plan to ultimately
370 determine what the project needs.

Matt Vredenburgh: Are you requiring us to get an arborist on board?

375 A. Walburger: That is a recommendation, but I don't think I have authority to enforce it. But I think
it's a good idea, especially when it comes to maintaining aeration and other things around the root
bed there.

Matt Vredenburgh: Yes, there are certainly things that can be done during construction to minimize
impacts to the tree.

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A. Walburger: If there are no other questions, we will look for next month's update on this and keep it moving forward.

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A. Walburger: Does anybody have anything else to bring before the Board?

S. McEntee: I make a motion to adjourn the meeting.

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D. Raleigh: I second.

The motion carried with 4 in favor, 0 opposed.

The meeting was adjourned at 7:31 p.m.

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Respectfully submitted,

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Marlene A. Westcott
Recording Secretary