

Town of Cazenovia Planning Board

Meeting Minutes

November 6, 2025

Members Present: Robert Ridler, Chairman; Anne Ferguson; Linda Cushman; Dale Bowers; Thomas Clarke; Roger Cook; Eric Jerabek; Thomas Schepp, Alternate Member

Members Absent: Jerry Munger, Alternate Member

Others Present: John Langey, Esq; Eric Austin; Jesse Holmes; Matthew Critz; Juanita Critz; John Henneberg; Shirley Henneberg; Matthew Vredenburgh; Ronald Chiarello; Patricia Chiarello; Robert Fegan; Marilyn Fegan

R. Ridler called the meeting to order at 7:30 P.M.

Roll was taken.

The next regularly scheduled meeting will be Thursday, December 4, 2025.

The next deadline day will be Wednesday, November 19, 2025.

The next regularly scheduled work session will be Wednesday, November 26, 2025.

Motion by T. Clarke, seconded by A. Ferguson, to approve the October 2, 2025 meeting minutes was carried unanimously.

HEARINGS

*Austin, Eric & Amy – Line Elimination – 1572 Route 20 with Route 20, Cazenovia
File # 25-1591 (Anne Ferguson)*

7:31 PM

Eric Austin was present to represent the file.

A. Ferguson asked Mr. Austin to recap his proposal.

E. Austin explained his property was comprised of five (5) parcels and they wanted to conjoin two (2) for the purpose of building a garage which would straddle a property line if the lots were not combined.

Motion by A. Ferguson, seconded by L. Cushman, to open the public hearing was carried unanimously.

A. Ferguson invited comments at this time.

Robert Fegan of 1570 Route 20 said he and his wife, Marilyn, “were absolutely for it.”

Hearing no others wishing to comment, motion by A. Ferguson, seconded by T. Clarke, to close the public hearing was carried unanimously.

J. Langey asked the date of the map the Board was approving.

The drawing created by Michael J. McCully Land Surveying PLLC entitled *Lot Line Adjustment Map on Part of Lots 17 and 18 of the Township Reservation. To be New Parcel E Known as No. 1572 United State Route 20, Town of Cazenovia, County of Madison, State of New York* was dated 10-26-25.

Motion by A. Ferguson, seconded by E. Jerabek, to approve the line elimination as most recently submitted was carried unanimously.

E. Austin was instructed to attend the December 15th Zoning Board of Appeals meeting for the special use permit needed for his project.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*Duke, Spencer & Danielle — Site Plan Review – 4310 Route 92, Cazenovia
File # 25-1565 (Linda Cushman)*

7:36PM

No one was present to represent the file.

L. Cushman reported that notification had been received from the Attorney who was representing the Dukes that he was no longer in their employ. She said no communication has been received from the Owners.

J. Langey added that he had spoken with the attorney and the attorney informed Mr. Langey that he no longer represented the Dukes.

J. Langey expected the Board would deny this application due to the Owners' failure to prosecute it, but he advised that be done at the next meeting. He suggested the Board send a letter to indicate no one appeared at this meeting, so unless the Applicants plan to pursue the application, the Board may dismiss it. He offered his assistance in drafting the letter.

Motion by L. Cushman, seconded by A. Ferguson, to continue the file was carried unanimously.

*Holmes-Acre Holdings, LLC — Minor (1 New Lot) Subdivision – Damon Road, NW
File # 25-1590 (Roger Cook)*

7:37 PM

Jesse Holmes was present to represent the file.

Referring to the drawing created by Earlville Land Surveying PLLC dated 9/25/2025 entitled *Lot Split Survey for Holmes-Acre Holdings, LLC Deed Number 2025-2275 Situate at Damon Road Town of Cazenovia, Madison County, N.Y.S. Tax Map: 147.-2-7 (part of)* J. Holmes explained he wanted to divide 4.337 acres to build a house.

R. Cook elaborated that the permit for the building of the house had already been issued by Mr. Ladd. Because that was obtained before the subdivision was finalized, it would not need future site plan review.

R. Ridler asked if the proposed lot met the criteria for newly created lots.

R. Cook answered that the road frontage as well as the size meet the current regulations for lots created in the Rural A zone.

E. Jerabek asked if the location of the driveway shown on the drawing had been approved.

J. Holmes and R. Cook responded that it had.

R. Cook elaborated that Madison County had approved its location.

A. Ferguson asked if the Board needed to consider a conservation subdivision for this application.

R. Cook explained why the Board did not need to consider it for this proposal which was only for one new lot and because a permit was already obtained for the construction of the house.

J. Langey led the Board through Part 2 of the Short Environmental Assessment Form (SEAF).

Motion by R. Cook, seconded by T. Clarke, to appoint the Planning Board as Lead Agency for the purposes of State Environmental Quality Review (SEQR) and to affirm the matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF, to move the file to a public hearing at the next Planning Board meeting, and to continue the file was carried unanimously.

*The Lake House In Caz, LLC – Site Plan Review – 4273 Syracuse Road, Cazenovia
File # 25-1596 (Linda Cushman) 7:41 PM*

No one was present to represent the file.

L. Cushman explained Ms. Setter requested that the Board continue the file until the next meeting.

Motion by L. Cushman, seconded by A. Ferguson, to continue the file was carried unanimously.

*Critz Farm Real Estate, LLC – Minor (1 New Lot) – 3146 Thompson Road, Cazenovia
File # 25-1602 (Thomas Clarke) 7:42 PM*

Matthew and Juanita Critz were present to represent the file.

T. Clarke asked the Owners to explain the proposal.

Referring to the drawing created by Michael J. McCully Land Surveying, PLLC dated 08-24-25 entitled *Lot Line Adjustment on Part of Lots 32 & 33 of the Road Township. To be New Parcels A & B. Known as No. 3146 Thompson Road, Town of Cazenovia, County of Madison, State of New York*. J. Critz said they were requesting a simple subdivision on their property on Thompson Road which was divided by the road.

T. Clarke elaborated that the Owners wished to divide the 12 acres to the east to sell and they would retain the 60 acres to the west. He added there was a house on the 12-acre side of the lot which was in disrepair.

A. Ferguson asked if the intention was to build a new residence or to create a field.

M. Critz answered he did not know what the potential buyers intended.

J. Langey led the Board through Part 2 of the SEAF.

Motion by T. Clarke, seconded by E. Jerabek, to appoint the Planning Board as Lead Agency for the purposes of SEQR and to affirm the matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF, to move the file to a public hearing at the next Planning Board meeting, and to continue the file was carried unanimously.

Public hearing instructions were given to Owners at this time.

*Henneberg, Shirley & John – Minor (1 New Lot) Subdivision – 2001 Delphi Road
File # 25-1604 (Eric Jerabek) 7:45 PM*

John Henneberg was present to represent the file and Shirley Henneberg was in the audience.

J. Henneberg explained his parents owned 97 acres and he would like to lop off 30 acres on the northern side as property for himself and his family to use for hunting. An

enlarged tax map was shown to illustrate where the property line was proposed. He said there was no intention to build.

E. Jerabek added there was proper road frontage, no environmental impacts or wetland considerations.

A. Ferguson asked if it was forested.

J. Henneberg answered it was partially forested, saying the back section was hard woods “with a swampy situation that goes through it,” and two (2) sections of farmland that was tilled currently by Holmeses.

J. Langey said a subdivision map would be needed for the next meeting.

It was clarified that the drawing created by Myers & Associates, PC dated 10-9-2025 and entitled *Subdivision of Lands Werner F. & Shirley Henneberg #2001 Delphi Road Town of Cazenovia – Madison County State of New York* had been submitted to the file, and Mr. Langey was given a copy.

J. Langey then led the Board through Part 2 of the SEAF.

Motion by E. Jerabek, seconded by T. Clarke, to appoint the Planning Board as Lead Agency for the purposes of SEQR and to affirm the matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF, to move the file to a public hearing at the next Planning Board meeting, and to continue the file was carried unanimously.

Public hearing instructions were given to Mr. Henneberg at this time.

Cunningham, Phil with PT Holdings of Cazenovia, LLC – Minor (2 New Lots) Subdivision File # 25-1605 (Anne Ferguson) 3295 Cobblestone Drive & Line Change with Route 20 E
7:49 PM

Matthew Vredenburgh was present to represent the file.

A. Ferguson noticed the drawing created by Mr. Vredenburgh dated October 22, 2025 entitled *P-200 Cunningham Subdivision Cobblestone Drive, Town of Cazenovia, Madison County, NY Phillip Cunningham Sketch Plat* was stamped “Preliminary.”

J. Langey said the final plat would not be needed until the next meeting. He thought the final plat would look almost identical to the preliminary plat unless the Board requested changes.

M. Vredenburg said the percolation test locations would be shown on the final plat.

M. Vredenburg brought the subdivision drawing created five (5) years ago when Lot 1 was created and he showed where a significant portion of a conservation easement was designated.

Referring to the current drawing, he showed the lot that they now propose to become three (3) and where a line change would be done, which happened to be entirely within the conservation easement.

J. Langey asked Mr. Vredenburg to email him a copy of the preliminary drawing. He then led the Board through Part 2 of the SEAF.

Motion by A. Ferguson, seconded by L. Cushman, to appoint the Planning Board as Lead Agency for the purposes of SEQR and to affirm the matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF, to move the file to a public hearing at the next Planning Board meeting, and to continue the file was carried unanimously.

R. Ridler believed the Town of Nelson would need to be notified regarding this project.

Such notification was planned.

Public hearing instructions were given to Mr. Vredenburg at this time.

*PT Ventures of Upstate NY, LLC – Minor (4 New Lots) Subdivision – 2778 East Road
File # 25-1606 (Roger Cook) New Woodstock, NY 7:53 PM*

Matthew Vredenburg was present to represent the file. He submitted an updated drawing he created since the work session dated October 29, 2025 entitled *P-100 New Woodstock Subdivision East Road, Town of Cazenovia, Madison County, NY PT Ventures of Upstate NY Sketch Plat* which was overlaid over the actual survey rather than overlaid over the tax maps. He explained where the quarry was located along East Road and the four (4) lots that were being proposed. He also explained the location of the stream and the steep bank above the creek. He showed the two (2) areas on the east side of the road that would remain part of the parent lot; those would be the

sections having the shop which was part of the quarry use and the field on the corner of Thurber Road and East Road which was farmed by the neighboring Holmes farm operation.

J. Langey asked about driveway cuts for the proposed lots.

M. Vredenburgh said they would have to have them approved by the Highway Superintendent Bryan Smith. He said the first lot at the top of the hill would particularly need to be approved for sight distance, but he felt it should not be too problematic since it was not “a high-speed route.”

J. Dunkle said because of the nearness to Limestone Creek, all the issues relating to flood plain, and other riparian corridor issues, the Board would want Lots 2 & 3 to undergo site plan review when those lots are developed.

R. Cook said because they would be newly created lots, they would need site plan review regardless.

M. Vredenburgh anticipated needing a plan regarding sediment control for the bank along those boundaries.

R. Cook said during the work session it was discussed whether this subdivision required conservation analysis and he asked Mr. Langey if the Board needed to vote regarding that.

J. Langey assured Mr. Cook no vote was necessary for that.

A. Ferguson believed no conservation subdivision was necessary for this project because of the quarry on site, saying it was unbuildable in and of itself.

R. Cook agreed saying in this particular case the Board was not trying to determine where there would be good, buildable lots nor did they need to conserve prime farmlands in agricultural use.

J. Langey led the Board through Part 2 of the SEAF.

Motion by R. Cook, seconded by E. Jerabek, to appoint the Planning Board as Lead Agency for the purposes of SEQR and to affirm the matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF, to move the file to a public hearing at the next Planning Board meeting, and to continue the file was carried unanimously.

Public hearing instructions were given to Mr. Vredenburgh at this time.

*Chiarello Family Trust/Ronald & Patricia Chiarello – Minor (1) Subdivision –
File # 25-1607 (Rober Cook) 2378 & 2382 Damon Road, New Woodstock
7:58 PM*

Ronald and Patricia Chiarello were present to represent the file.

R. Chiarello showed an aerial of the area and explained he and his wife own two (2) lots on Damon Road which both have 5+ acres and they would like to create a third lot between the two by taking property from each resulting in approximately 3 ½ acres per lots all having 250 feet of road frontage. He said they currently live in the existing house and they would like to build a smaller house on the new lot so their daughter and her family could purchase their existing house.

J. Langey asked about the survey for the project.

R. Chiarello said the original subdivision drawing was created by David Vredenburgh and he was unsure who to contact.

He was told Mike McCulley had purchased David Vredenburgh's records.

J. Langey explained the need to have the subdivision map submitted by the next deadline since that would be when the legal notice would be published so that anyone inquiring about the application would be able to see the proposal.

It was clarified November 19th would be the deadline.

R. Chiarello said he would inquire to see if that could be scheduled.

J. Langey said the Board could tentatively schedule the public hearing for the next meeting. If the drawing was not ready, they could open the public hearing and continue it another month.

R. Cook believed when the entire property was subdivided by Mr. Damon, he recalled Mr. Damon had covenants created.

R. Cook believed the covenants, however, were never filed.

J. Langey said the question was whether the Town was a benefactor of the covenants. He said if the Town or the Planning Board were a party to the covenants, the Planning Board would need to see them in case future subdivisions were prohibited. He did not

think that was the case, but he felt the Board needed to “at least check.” He thought those should be found on the title to the property.

R. Chiarello had done research and he had obtained the original title. He said the title made reference in the deed to the covenants, but they were “not directly in here.” He read, “subject to easements, covenants and restrictions of record if any.”

J. Langey explained that was a standard clause, and said it did not mean there were any (easements or covenants) in that specific document. He said if there were covenants, and they were never recorded, there were statutes that suggested the covenants would have no effect anymore. He explained covenants were supposed to be recorded to be a notice statute for buyers. He said some statutes also expire. He recommended the Applicants check further and let the Board know if there were none or what they were.

P. Chiarello said she called Mrs. Damon and Mrs. Damon had no idea there were covenants.

J. Langey repeated there may not be any. He said the title company could look, but he was reluctant to make the Applicants do that.

R. Chiarello said he had reached out the title company and the representative researched, and Mr. Chiarello also had gotten his deeds, and he asked where the covenants would be filed wondering if they would be attached to the deed.

J. Langey answered, “Not necessarily, no.” He said the Madison County Clerk would be helpful, suggesting he call Mike Keville and see if he could assist. He said that might be “too deep of a dive for them to do,” and explained that was why title companies exist, but thought that would be an option, stating the Applicants have to at least make an attempt to see if any covenants were recorded. He thought the covenants were either not recorded or if they were, the covenants would not be an impediment to this Board.

R. Chiarello said the title company person printed out other maps and deeds associated with other parcels of the subdivision, but could not find anything specific to the two (2) lots he and his wife own. He said the second lot is not even referred to.

J. Langey asked if they got an abstract when they closed on the property.

R. Chiarello answered they did.

J. Langey asked if the abstract showed any language or terms of the covenant.

R. Chiarello answered it had none that he could find.

J. Langey repeated it was possible that the covenants were never recorded or it was possible they were misfiled.

D. Bowers wondered what the minutes would reflect.

J. Langey said it was possible that the minutes had information. He asked when the original subdivision occurred.

R. Cook thought in the 90's.

R. Chiarello thought it was 1995.

J. Langey doubted those details were in the minutes.

R. Cook had looked at the Town maps to see if covenants were stapled to them and did not find them.

J. Langey felt the issue was worth a discussion at this time, but he did not think it was an issue for the proposal.

R. Chiarello repeated the person helping them found restrictions recorded in the deeds of other properties that were created by the subdivision.

J. Langey said many covenants dictated items like clothes lines and above-ground pools, but the real issue was whether there was a restriction regarding further subdivisions and whether the Town was to enforce that.

R. Cook said in looking that the subdivision map, all the lots created were five (5) acres or larger.

J. Langey asked if that was a concern Mr. Cook had.

R. Cook responded it was not a concern for him because the proposed lot meets the current regulations. He just did not want the Applicants to proceed and then to find out later there was a restriction.

A. Ferguson asked the nature of the covenants (the Applicants found for other parcels).

R. Chiarello answered they basically were to protect property values like prohibiting having refuse in the front yard.

J. Langey believed they were property maintenance covenants.

D. Bowers spoke about other covenants that were on a property that was recently reviewed by the Board which were also not on the maps, and did not involve the Town or Planning Board. He felt this was a similar situation.

J. Langey felt they were at the place where they could move the file to a public hearing if the plat were created in time for the next deadline, and he then led the Board through Part 2 of the SEAF.

Motion by R. Cook, seconded by T. Clarke, to appoint the Planning Board as Lead Agency for the purposes of SEQR and to affirm the matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF, to move the file to a public hearing at the next Planning Board meeting, and to continue the file was carried unanimously.

A. Ferguson asked that the Applicants let the Planning Department know if they will be unable to have the maps created by November 19th.

R. Chiarello responded that he would reach out to the surveyor the next day.

Public hearing instructions were given to the Owners at this time.

R. Ridler spoke about the Hoehner file that received ZBA approval in October and will be before the Board for site plan review in December.

Motion by E. Jerabek, seconded by A. Ferguson, to adjourn the meeting at 8:11 P.M. was carried unanimously.

Sue Wightman, Planning Board Secretary – November 7, 2025