

Cazenovia Zoning Board of Appeals

Meeting Minutes

April 27, 2026

Members present: Thomas Pratt; Gary Mason; David Vredenburgh; Luke Gianforte

Members absent: David Silverman; Joseph Juskiewicz, Alternate Member; Michael Palmer, Alternate Member

Others present: John Langey; Chuck Ladd; Eric Mau; Casey Masters; Adam O’Neill; Audra Schmidtka; Daniel Hook; Katherine Hook; Mark Franklin; Robert Ridler; Sheila Fallon

T. Pratt called the meeting to order at 7:30 p.m.

Roll was taken and David Silverman., Joseph Juskiewicz, and Michael Palmer were absent.

Motion by G. Mason, seconded by D. Vredenburgh, to approve the March 23, 2026 meeting minutes was carried unanimously.

The next regularly scheduled meeting will be Monday, May 18, 2026, a week early due to the Memorial Day holiday.

The next regularly scheduled work session will be Tuesday, May 12, 2026, which will also be earlier in the month than is customary.

T. Pratt stated all requested information must be received prior to the work session for consideration.

T. Pratt asked that the rustling of papers, the clicking of pens, and other background noise be limited for the benefit of the recording.

T. Pratt said regarding public speaking, please come forward, provide one's name and address, present to the Board not the Applicant(s), refrain from asking questions but rather make statements, and refrain from repeating items if they have already been stated once during the time for public comment.

*Wetsig, Marc & Jessica - #26-1613 – Area Variance – 4845 East Lake Road, Cazenovia
(David Silverman)*

Eric Mau of Space Architectural Studio, PC was present to represent the file.

T. Pratt said this was an area variance request in the Lake Watershed District for a rear yard, lake setback for a wood deck on 1.9 acres. Applicants were previously approved by the Cazenovia Town Planning Board for a line elimination combining an adjacent lot with the home lot. They are in an archaeologically sensitive area and New York State Parks has submitted a letter on March 25, 2026 stating there will not be any impact. The General Municipal Recommendation Report (GML) from Madison County Planning Department was received February 5, 2026 returning the project for local determination, noting the Town Code does not allow construction in the 100' setback, and the location of the septic system was not located on the submitted plan. The Applicants are requesting a variance of 47.6 feet from the lake setback for the deck only.

Referring to the drawing entitled *Z-1 Zoning – Site Plan & Miscellaneous Proposed Renovations for Marc & Jessica Wetsig 4845 East Lake Road, Cazenovia, NY 13035* dated 3/13/2026 created by Space Architectural Studio, PC, Mr. Mau explained the Owners are proposing a deck on the lakeside of the property. He showed that it would be behind an existing stone wall so the encroachment will not exceed the encroachment for the existing structure that is already there. He explained the deck would be over an existing flagstone patio. He also pointed out where there was an existing staircase that goes to the water.

E. Mau asked if the Board wanted to talk about a proposed addition to the front of the house.

T. Pratt answered that would not be necessary since no area variance would be needed for that part of the project.

T. Pratt noted the deck would be set behind the building line of an existing screened porch, and the house was already within the 100' setback as well.

E. Mau clarified a piece of the existing stone wall was the closest structure to the lake.

T. Pratt also noted the deck will be over an already impervious surface of flagstone patio.

E. Mau explained the color-coding and the calculations on the drawing.

T. Pratt believed the overall coverage would be 22% and mentioned the maximum allowed amount was 10%, but he stated that consideration for the project would be acknowledged by the Planning Board. He said if there were any areas of impervious surface area that could be reduced further, "that would be fantastic."

E. Mau responded that they believe they have reduced the coverage as much as realistically possible.

T. Pratt asked if there would be any exterior lighting for the deck.

E. Mau imagined there would be, but had not yet discussed that detail with the Owners. He anticipated two (2) sconce fixtures on either side of the deck.

T. Pratt asked that any exterior lighting be dark-sky compliant, low-level, and shielded.

E. Mau expressed assent.

T. Pratt asked if the deck could be constructed in any alternative locations.

E. Mau did not believe so. He explained there was a small deck off the master bedroom. Another area had an existing screened porch. He did not believe one could have a beautiful view of the lake anywhere but where it was proposed. He did not think having it off the garage would be practical.

T. Pratt noted the proposed location was the most reasonable and was the easiest location.

T. Pratt did not believe there would be impacts upon the neighborhood, being presumably visible only from the lake.

E. Mau agreed.

T. Pratt said regarding environmental impacts, he recalled this property was at the top of a hill, so he said the Applicants should ensure run-off would not be an issue, but stated that was another consideration the Planning Board should cover.

T. Pratt said this was a self-created hardship, however, he did not think that was a determinant in this case.

T. Pratt said 47% of relief was being sought, however, the existing structure was already within the 100' setback and indicated in this circumstance he felt the substantialness of the relief was minimized by the existing development.

T. Pratt suggested the surveyor locate the setback point witnessed by Mr. Ladd, the Codes Enforcement Officer, and then verify the foundation location.

E. Mau asked if that was a request for an as-built survey.

T. Pratt explained it should be done prior to construction to ensure the location was accurate and according the relief granted.

E. Mau expressed understanding.

T. Pratt asked about the septic location, wanting to make sure the project would not be in that location.

E. Mau guessed that the septic location was in the southeast corner of the house lot.

T. Pratt surmised it was in the level area of the lot, which would be the location Mr. Mau believed it might be.

G. Mason noted the impervious surface area of the deck would not increase the total amount since a flagstone patio was already in the location.

T. Pratt said if the Applicants were to remove the flagstone beneath the deck, the deck would then be semi-pervious which would slightly reduce the overall coverage.

E. Mau responded that was something to consider.

G. Mason believed the Planning Board could address that.

G. Mason said most of the coverage was preexisting and the project would stay in the footprint that was already covered, so he felt it was straightforward.

D. Vredenburg did not have a problem with the request since the impervious would not be increased and the building would not be any closer to the lake than it already was.

L. Gianforte had no other thoughts.

Motion by L. Gianforte, seconded by G. Mason, to open the public hearing was carried unanimously.

T. Pratt invited comments at this time.

Hearing no comments, motion by L. Gianforte, seconded by G. Mason, to close the public hearing was carried unanimously.

J. Langey then led the Board through the Short Environmental Assessment Form (SEAF) for the State Environmental Quality Review (SEQR) for this Unlisted Action, finding all impacts to be either small or none.

T. Pratt said the following conditions should apply:

- 1) Construction must comply with the Town Code and the New York State Building Codes;
- 2) Lighting shall be dark-sky compliant, low-level, and shielded;
- 3) Impervious surfaces and runoff concerns shall be reviewed by the Planning Board;
- 4) Surveyor shall locate the setback and verify the foundation is accurately located, to be witnessed by the Town Codes Enforcement Officer.

Motion by T. Pratt, seconded by D. Vredenburg, to appoint the Zoning Board as Lead Agency for the purposes of SEQR, to affirm the Matter an Unlisted Action, and to make a Negative Declaration based upon the Board’s review of the SEAF, and to approve the area variance for 47.6’ of relief from the 100’ setback from the lake for the construction of the deck as most recently submitted and with the above-referenced conditions was carried as follows:

Gary Mason	Voted	Yes
David Vredenburg	Voted	Yes
Luke Gianforte	Voted	Yes
Thomas Pratt	Voted	Yes.

The Applicants were instructed to attend the June 4, 2026 Planning Board meeting for the necessary site plan review for this project.

*T&B Martin Unlimited, LLC/Rippleton, LLC/Rippleton Center - #26-1620 – Area Variance –
(Thomas Pratt) 3360 Thompson Road, Cazenovia*

Casey Masters was present to represent the file.

T. Pratt explained the project was for a special use permit revision in the Rural A Zone. He elaborated that the Applicants wish to adjust their capacity and plan for future building modifications. He noted the GML was received March 18, 2026 and returned for local determination, noting the increase in students may cause for more demand on potable water and may exceed the septic system capacity, which was designed for a church.

C. Masters explained this was essentially an ongoing daycare operation. They were made aware that the existing special use permit allowed for a smaller group of children than “we’ve grown to.” He explained that they had effectively planned to invest into some capital projects, but they failed to secure the funding, but they would like to be complaint with the law and have a permit that would be for their potential maximum occupancy. He said occupancy does vary throughout the year, but was capped by the Office of Children and Family Services (OCFS) which has several regulatory expectations based upon square footage per child and the number of bathrooms per child. He said specific rooms effectively are licensed for specific age categories and as demographics move through the center and graduate up, they occasionally alter the permit with OCFS. He said they were hoping the Town could potentially give them a larger cap than OCFS based off the Fire Codes so they would have a similar tuition load as they have now. He said that would give them the flexibility to adjust as required to meet the market demands.

T. Pratt said the Board had requested that Mr. Masters take the resolution for the previous approval and mark it up to show the Board the changes that he has in mind.

C. Masters responded, “Okay.”

T. Pratt believed the request was to increase the capacity which in 2019 allowed 45 children, and in 2020 allowed 81 children, which was broken down by age. T. Pratt believed the number of children now being requested was 90 – 91.

C. Masters believed that was correct.

T. Pratt saw in the revised business plan, Item #2 had a note that called for OCFS certification of the layout. He asked if there was proof of OCFS’s certification.

C. Masters said he did not have that with him, however, they were regularly inspected to ensure they were compliant with the most recently approved layout.

T. Pratt responded he would like to have something from OCFS stating their approval, or certification, or whatever the Applicants receive.

T. Pratt said Mr. Masters mentioned square foot regulations and bathroom regulations were used to determine capacity. He asked for a comparison of capacity to the number of children actually using the spaces.

C. Masters asked if Mr. Pratt was asking for something beyond the code – the clip from OCFS – that he had sent to Mr. Ladd.

T. Pratt believed the clip identified the dimension of the room, but he did not see the square footage or the capacity in relation to that. He stated that was necessary information. He said he wanted to verify that it was adequate according to the standards and to confirm OCFS had no issues with it. He understood the Board was being asked for greater capacity than OCFS allowed.

C. Masters responded, “No, Sir.” He said, “I would like to be capped by OCFS first and foremost. What I would like to avoid is taking up your time every 2 – 3 months if we have to change by 2 – 3 students in a room, or this is an Infant Room instead of a Toddler Room.”

T. Pratt replied, “Oh, I think that’s reasonable.” He believed that would be part of the capacity number to be determined. For example, if they were allowed 25 children in a room and they have 22, they would not need to inform the Board of that.

C. Masters hoped the fire code or the septic capacity limit would not be too much larger than the OCFS limitations.

T. Pratt responded, “That’s what we need to see.” He said the last thing the Board wanted to do was to exceed OCFS.

T. Pratt asked if a new septic system had been installed.

C. Masters said they had intended to route an additional septic line to facilitate extra bathrooms, but that was one of the proposed capital projects that they would not be moving forward with.

T. Pratt said that capacity needed to be provided to ensure that it was sufficient for the capacity of the building, saying as the County pointed out in the GML, the septic system was designed for a church but was now being used as a daycare center.

T. Pratt asked about the future work to be done in the sanctuary.

C. Masters answered they do not have any concrete plans at this time to move forward with any of the proposed construction.

T. Pratt asked how that fit in with the current request.

C. Masters replied it was merely part of the business plan at this point.

T. Pratt informed Mr. Masters that he would need to return to the Board when that part of the plan would be sought.

C. Masters expressed understanding.

T. Pratt remarked he did not anticipate an impact upon traffic. He also did not think there would be impacts upon the neighborhood or the environment. He believed what he was hearing was that there would be no new construction in the near future so that would not be considered at this time.

T. Pratt suggested the public hearing be opened for comments and that Mr. Masters submit the requested information for the next meeting. That information included the marked-up resolution, OCFS information, and square footage capacity.

G. Mason asked for clarification for the number of children being sought. He wondered if a floating number was being requested which might exceed what OCFS would allow. He felt like there was a miscommunication because at one point he heard a request for more children than OCFS might allow but then it was stated that OCFS standards would not be exceeded.

C. Masters was confused why the Town would duplicate the numbers required by OCFS rather than setting an occupancy number, however the facility would be bound by OCFS either way. He said they would have no choice in that.

G. Mason believed they would not need another number from the Town if they were regulated by OCFS.

T. Pratt agreed.

J. Langey asked if OCFS would check the septic system capacity. He also asked if the State checks if an increase in students impacts traffic.

C. Masters answered they were required to shut down if there were any discontinuity in water or septic service.

J. Langey clarified that his question was if OCFS were to allow 100 students if OCFS would know the ability of that site to handle the sewage.

C. Masters replied, "They will not."

J. Langey said that would be something this Board would want to know about. He said if the numbers were to increase substantially, that would be fine, but the Board would need to know the septic could accommodate the increase. He said typically regarding traffic, the Board would also like to make sure public health, welfare, and safety was being addressed as well.

C. Masters responded, "That's fine."

C. Ladd addressed Mr. Pratt saying the septic capacity would be the pinnacle of the question of capacity. He said they needed to verify the system size and that should be the maximum the facility should be allowed to have, unless they wanted to amend that system.

T. Pratt said there was a classroom capacity as well.

C. Ladd responded that regardless of classroom size, the Applicants could not have more people than the septic system's capacity could allow. He said, "That's our bottom line."

T. Pratt agreed.

C. Masters expressed understanding and said he would see what he could find by way of the septic design capacity.

D. Vredenburgh had no other questions.

L. Gianforte explained the Board was just looking for a maximum number of children to approve.

T. Pratt clarified the Board wanted to be sure the Board stayed within the restrictions of OCFS.

L. Gianforte responded that the Board expected the Applicant to state the number of children they wanted to have on site.

T. Pratt agreed. He said in the original resolution grade levels were identified, and the Applicant has been asked to revise that, but there would be a total capacity number as well. In addition, the Applicant would provide the maximum number of children that could be in each room, as well as capacity based upon OCFS recommendations, which he believed was based upon square footage and toilets. Based upon all that criteria a total number would be derived. That total should be less than the total capacity of the septic system.

C. Masters explained he could present a (room) capacity for an existing layout, but those numbers change. Rooms could show the capacity for a specific age group for the many configurations.

T. Pratt suggested Mr. Masters send him the information and he would comment on the information received.

Motion by D. Vredenburgh, seconded by L. Gianforte, to open the public hearing was carried unanimously.

T. Pratt invited comments at this time.

Audra Schmidtka explained for licensing, OCFS based the number of children the facility could have which was 15 per toilet, so the maximum occupancy for students was 95. She said that included room size and the maximum ratio for children in attendance for a classroom, as well as the number of toilets.

T. Pratt still asked that the resolution be marked and the other information that was requested be provided.

A. Schmidtka added that the OCFS licensing information was public information and was available on the OCFS website.

T. Pratt thanked Ms. Schmidtka.

Adam O’Neill, President of the Board of the Rippleton Center, agreed with Mr. Ladd’s assessment that from the Board’s perspective, the limiting constraint was the size of the septic system. He said OCFS oversees all daycares and they constrain Rippleton Center below what the septic system allows. He said from a special use permit standpoint, it would be nice to be approved according to the capacity of the septic system. The facility would still be constrained below that number by OCFS standards. He said those constraints include square footage, the number of bathrooms, the teacher/student ratio, and the size of the building. He said they have every intention of being wholly compliant with OCFS – they must, and that they do well on the many surprise inspections by OCFS, but this was for approval from the Town to continue operating as a daycare.

T. Pratt responded the Board would like to have all the information together (for an approval).

A. O’Neill explained the changing number of each age group within the building and the process for OCFS allowing the changes within the class rooms. He thought trying to determine how many children of each age group fit into the rooms with the continual changes would be “getting into the weeds.” He thought a total maximum capacity would be far easier to quantify.

T. Pratt responded that the Board would like to base a decision upon solid information. He did not want the Board to be a determinant.

A. O’Neill replied that OCFS was “hard-core.”

T. Pratt thought the Applicants understood where he was “headed with it.”

T. Pratt asked if the Board had other questions. No one did.

T. Pratt asked if Mr. Masters knew what to provide.

C. Masters said he would provide an OCFS map, a marked up special use permit (resolution), and demonstrate adequate septic capacity.

T. Pratt repeated that Mr. Masters should send him a copy of the information as the next meeting date draws closer and he would assist Mr. Masters in determining if what was provided would be acceptable.

Motion by L. Gianforte, seconded by G. Mason, to continue the file and the public hearing was carried unanimously.

T. Pratt reminded the Applicants that the May meeting was earlier than usual. He suggested Mr. Masters attend the work session on May 12th preceding the meeting on May 18th.

Hook, Daniel & Katherine - #26-1622 – Area Variance – 5544 Mt Pleasant Dr, Cazenovia (Michael Palmer)

Daniel & Katherine Hook were present to represent the file.

T. Pratt explained the Hooks were requesting an area variance for front yard setback relief in the lake watershed for the construction of an accessory structure on a 2.03-acre site. They were requesting relief from the 85-foot setback requirement from the road as well as locating the accessory structure in front of the house. No GML was needed. A letter from a neighbor in opposition of the request was received.

D. Hook said they proposed a 30' X 26' garage which would face the south and would abut the current existing driveway. He said the reason the location was chosen was due to the topography of the land. He said it would be extremely difficult, if not impossible, to place the garage closer to the house or behind the house. He spoke about the need for a garage. He spoke about other improvements being made for safer and easier access from the top of the hill to the house.

T. Pratt displayed a topographic section cut from a previous file for the same property to illustrate the dramatic grade that exists.

T. Pratt summarized the situation saying the Owners have a steep plot and they have identified the flattest piece they have. The original plot development aligned all the houses in the subdivision in the tract that flanks the road. This would be forward of that line. He identified that as one of the issues.

T. Pratt did not see anything regarding impervious surface coverages and with the lot being within the lake watershed, he thought it would be good to have that.

T. Pratt saw there was a line designating 200 feet from the well. He asked Mr. Ladd about that dimension.

C. Ladd believed that was a tract line that was established during the creation of the subdivision, but he did not have that information or the reason for that distance.

T. Pratt said the Board should have that answer since the proposal was to cross that line.

T. Pratt asked the Applicants about alternate solutions or locations.

D. Hook answered they had an architect walk the grounds and were told that the cost of locating the garage elsewhere on the site would be equivalent to building a home.

T. Pratt said regarding environmental impacts, there was the consideration of impervious surfaces and potential runoff.

T. Pratt said the hardship was self-created, but he did not feel that was a determinant.

T. Pratt said in evaluating the substantialness, the Board would need the dimension from the center of Mount Pleasant Drive as well as the dimension from the edge of the road.

T. Pratt informed the Applicants that if the project were approved, the Board would require that the surveyor locate the setback and be verified by Mr. Ladd, and that the surveyor verify the location of the foundation.

T. Pratt said historically another garage application was submitted by the previous owner, and that owner did not follow through with the application to the end.

G. Mason said he too had tried to determine the actual setback location. He believed there was adequate side yard setback, but the submission had not included the dimension from the road. He also questioned if the 200-foot setback was to be adhered to depending on the reason it was created. He appreciated the constraints of the topography.

D. Hook asked how to determine the setback dimension.

G. Mason answered Mr. Hook would need to measure 85 feet from the center of the road (and then measure the distance between the center of the road and the closest dimension of the garage).

T. Pratt also believed the cul-de-sac turnaround area was not constructed as designed, so a surveyor may need to “lay it out for you to determine that.”

D. Hook replied, “Okay,”

G. Mason explained the need for the Board to know the exact amount of relief they may be granting.

D. Vredenburg agreed the Board needed to know exactly where the garage was proposed relative to the street line. He felt the curve of the cul-de-sac would make it closer than 25 feet to the street line. He too was curious about what the 200-foot line represented. He wondered if it was a true restriction or just a dimension from the shared well for the neighborhood.

C. Ladd speculated that may represent a well head requirement by the New York State Department of Health.

J. Langey knew there was a 100-foot requirement and a 200-foot requirement, but could not recall what would trigger the greater distance. He thought perhaps the grade.

D. Vredenburg thought if the septic system were above the well, that may be why a 200-foot requirement was placed.

C. Ladd said the septic system of this particular property was below the well location.

D. Vredenburg responded that then would not be an issue.

J. Langey asked if there were covenants or subdivision conditions that created the 200-foot demarcation.

T. Pratt did not think it read that way.

J. Langey said those would be found on the subdivision plat.

K. Hook said when they bought the home, the land had to be reassessed and that was when she was first warned they may not be able to put a garage where they wanted. She said they had been told by their realtor that they would be able to add a garage and asserted that was part of the reason they bought the property. She spoke about conversations with the previous owner through their realtor and said she was told there had been future plans to build a garage in that location. She said that greatly influenced their decision to want that home. She spoke about her need for a garage. She has also recently talked with her realtor who recalled the discussion about location a garage about 45 feet from the center of the road and the need for an area variance. The realtor recalled two (2) conversations with the Dolans about plans to put a garage in that location. She questioned how misleading information could be circulated by sellers.

T. Pratt clarified that the Board had not found any denial for a previous garage; the previous owners withdrew their application for an area variance for the garage before the Board had reached a decision.

K. Hook repeated the expense of another location would be prohibitive, and that the chosen location was approximately 45 feet from the center of the road.

D. Hook said they need to have a surveyor determine the exact footage of where they want the garage to be.

T. Pratt informed the Applicants that he would like them to appear before the Cazenovia Town Planning Board to make a recommendation for this since that Board dealt with the construction of the home on the site originally. He explained the Zoning Board would then make a determination after getting the Planning Board's comments.

K. Hook asked for a definition of a "hardship." She asked if the Board was considering a hardship for her and her husband or for someone else.

T. Pratt answered, "a hardship on you."

J. Langey said it meant how the Hooks wanted to articulate their hardship to the Board. He said Ms. Hook had started to touch upon it when she spoke about her need for the garage, and the topographical challenges of the site with slopes being too steep to locate the garage elsewhere. He said location of a septic system may also have a bearing on the proposed placement of the structure. Any considerations that could be given to the Board (as to the reason relief should be granted).

K. Hook spoke about health challenges she's experienced as well as winter conditions they experienced since January as considerations. They moved from Ohio so this was their first winter in this climate.

T. Pratt explained a variance was a request to waive the Town's rules.

K. Hook expressed understanding.

T. Pratt said the Board must weigh environmental and neighborhood concerns, as well as alternate solutions (against the Applicants' request).

Motion by G. Mason, seconded by L. Gianforte, to request a recommendation by the Cazenovia Town Planning Board for the placement of the garage was carried unanimously.

Robert Ridler, the Planning Board Chair, was in attendance and suggested the Applicants attend the work session scheduled for April 30, 2026 prior to the regular meeting May 7, 2026.

K. Hook asked what they should bring to the work session.

G. Mason answered they should be prepared to explain their hardships – the need for the garage – as well as the reasons for the chosen placement.

J. Langey confirmed the area variance file would be available to the Planning Board.

R. Ridler added that the specific location of the garage would also be necessary.

K. Hook replied, "Okay."

R. Ridler elaborated that the Planning Board would not want to approve of a plan that did not meet the Zoning Board of Appeals' requirements.

J. Langey clarified that the recommendation by the Planning Board would be nonbinding, but would be very instructive to the Zoning Board. The Planning Board would look at the proposal from a planning perspective whereas the Zoning Board would consider the variance according to the tests established by New York State law.

T. Pratt reiterated the importance of the dimensions.

T. Pratt explained after the Hooks meet with the Planning Board they will return to the following Zoning Board meeting.

The Hooks expressed agreement and appreciation.

Motion by D. Vredenburg, seconded by L. Gianforte, to continue the file was carried unanimously.

Motion by L. Gianforte, seconded by D. Vredenburg, to adjourn the meeting at 8:26 p.m. was carried unanimously.

Sue Wightman, Zoning Board of Appeals Secretary – April 28, 2026