

Town of Cazenovia Planning Board

Meeting Minutes

September 4, 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; Chuck Ladd; Brian DeRochie; Ari Goldberg, Esq; Brian Manning; Nicholas Bobbett; Matthew Vredenburgh; David Silverman; Dr. Dragos Mihaila; Sheila Fallon

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

Roll was taken.

The next regularly scheduled meeting will be Thursday, October 2, 2025.

The next deadline day will be Wednesday, September 17, 2025.

The next regularly scheduled work session will be Thursday, September 25, 2025.

Motion by A. Ferguson, seconded by T. Clarke, to approve the August 7, 2025 meeting minutes was carried unanimously.

R. Ridler asked those in the audience to sign the attendance sheet provided for this evening's proceedings.

HEARINGS

DeRochie, Brian & Susan – Line Changes – 2565 Tucker Road, New Woodstock with File # 25-1588 (Thomas Clarke) With Kempf, Andrew & Beth Tucker Rd & 2551 Tucker Rd
7:32PM

Brian DeRochie was present to represent the file.

T. Clarke explained the file involved a line change for two (2) properties. He said it received an approval by the Cazenovia Town Zoning Board of Appeals because two (2) preexisting, nonconforming lots will remain nonconforming after the line change. He reported the General Municipal Recommendation Report (GML) from Madison County Planning Department "was fine." He stated the State Environmental Quality Review (SEQR) assessment had been performed at the last meeting.

Motion by T. Clarke, seconded by A. Ferguson, to open the public hearing was carried unanimously.

R. Ridler invited comments at this time.

Hearing none, motion by A. Ferguson, seconded by T. Clarke, to close the public hearing was carried unanimously.

Motion by T. Clarke, seconded by L. Cushman, to approve the line change as most recently submitted was carried unanimously.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

Duke, Spencer & Danielle – Site Plan Review – 4310 Route 92, Cazenovia
File # 25-1565 (Linda Cushman) 7:33PM

Ari Goldberg an attorney of Barclay Damon was present to represent the file. He said he was retained a couple months ago and it was his understanding that there was an

issue regarding Mr. Duke's representation at prior meetings, so he was present to rectify that as well as to understand "what was going on with this particular file." He was able to review the meeting minutes, and it appeared when his client was represented by the landscape contractor, Mr. Jarvis, on February 26, 2025 there was some form of a plan in place to let the minor clean-up work on the site proceed subject to an inspection, and said as far as he could tell, "that broke down." He said he was "trying to pick up the pieces of that and see if we can come to something reasonable and something that can also be done relatively quick to clean this site up before it gets any wetter out there."

While L. Cushman was retrieving the sketched site plan drawing submitted with the application by Doug Jarvis, J. Langey responded that Mr. Goldberg's description of the generic events was relatively accurate. He said some questions arose that Mr. Jarvis had not necessarily been able to answer, and he had talked to Mr. Duke about attending the meetings, but Mr. Duke's schedule did not allow his attendance, so Mr. Goldberg's involvement was "good news." He elaborated that at this point the Engineer for the Town had taken a generic look at the proposal, and originally the Engineer and the Codes Enforcement Officer as well as the former Codes Enforcement Officer had previously determined that this would be a land disturbance requiring a review by this Board. During an earlier review, the Engineer had said the work done on the site must not impact neighboring properties. The plan that would manage the water on the site should not "flood out the neighbors or cause drainage patterns that could be impactful to surrounding property." If the proposal does not cause those issues, it would be something the Board could easily address. He mentioned it may require a stormwater maintenance agreement depending on the size of the project depending on the size of the project. He explained the Board needs to see how the water will be handled. Mr. Duke has stated that he has a tremendous amount of wet area that he is trying to address, and that is true. The Board needed to be careful that in addressing that issue, Mr. Duke does not "swamp other people out."

A. Goldberg expressed understanding.

J. Langey concluded the proposal needed to be beneficial to Mr. Duke without being detrimental to the surrounding neighbors.

A. Goldberg asked how the Board traditionally addresses situations like this, wondering if it would be helpful for the Applicants to provide documentation.

J. Langey responded they should bring a proposal to the Board providing an explanation of how the proposal will work.

A. Ferguson asked if Mr. Langey was talking about a mitigation plan.

J. Langey answered that he was if there were a need for one. He recalled the first plan involved the use of drain tile and a retention area and the sizing for some of it, and then the plan “fell apart at that point, as we were hearing about it.”

R. Ridler said some of the concerns expressed by the Engineer included if the plan concentrates drainage discharges in an area that spills off the property and if the plan alters normal flow patterns, or increases impervious surfaces. If so, mitigation measures should be taken to avoid those results.

A. Goldberg asked if those were written comments from the Engineer.

J. Langey answered those were comments received in an email.

A. Ferguson believed the comments were included in the file and asked if Mr. Goldberg had a copy of the site plan sketch.

A. Goldberg answered it was the first time he had seen the sketch.

A. Goldberg understood there was an open ditch on the property, and asked if there was any room to complete certain work now to avoid hazards on the property.

C. Ladd answered the ditch was dug by the landscaper, and that was when the project first came to the Town's attention. That was when he visited the site and informed Mr. Jarvis no more digging could be done until the Board reviewed the project. He affirmed there was an open ditch, but Mr. Jarvis was told to wait until this matter was settled before doing any more work.

J. Langey added the project was located in the lake watershed area which was the most sensitive area in the Town. He also mentioned that normally the Engineer would be present at the meeting, but the Engineer had a conflict this evening and was unable to attend.

A. Goldberg asked if it was fair for him to inform his client that before any further work is done, he needed a contingent approval from the Board or a clear directive from the Town.

R. Ridler answered that given the concerns that the Engineer and the Codes Enforcement Officer have identified, a site plan addressing those issues was needed.

C. Ladd further clarified that the landscape contractor had drawn a rough sketch of the plan. Mr. Ladd and Mr. Dunkle, the Engineer had visited the site and recommended that a landscape engineer be consulted to create a more detailed plan. Mr. Dunkle and Mr. Ladd concurred that whatever was devised, the neighboring property owners should be in agreement about it. They referred Mr. Vredenburg to

the Applicants, and when the Applicants were quoted a price for Mr. Vredenburg's services, that was when the proposal "fell apart."

A. Goldberg responded he would communicate with Mr. Duke, but he believed he was hearing that they "need another cook in our kitchen." He indicated that the information he had gotten had been helpful and asked about the deadlines for the October and November meetings.

Motion by T. Clarke, seconded by L. Cushman, to continue the file was carried unanimously.

Holmes Acres Holdings, LLC – Minor (1 New Lot) Subdivision – Damon Road, NW
File # 25-1590 (Roger Cook) 7:43 PM

No one was present to represent the file.

Motion by R. Cook, seconded by L. Cushman, to continue the file was carried unanimously.

Brown, Dr. Stephen – Site Plan Review – 1826 Ballina Road, Cazenovia
File # 25-1595 (Dale Bowers) 7:44PM

Brian Manning of Teitsch-Kent- Fay was present to represent the file.

D. Bowers explained the property was located on the corner of New York State Route 13 and Ballina Road, where the Old & Everlasting shop had once been situated. He explained the proposal was before the Board due to the property's proximity to Chittenango Creek (the Riparian Corridor).

B. Manning stated they did the New York State Department of Environmental Conservation (DEC) wetland determination and it was deemed to be a Class 2 property. He also reported the GML was returned with the determination that there would be no detriment. He explained there currently was an existing house with no garage. The proposal was to build a 3-car garage with a connection link to the house. The 3-car garage would include storage on the second floor for an e-bay side-hustle hobby. Two (2) bays of the garage would be for vehicles and the third bay would be for lawnmower storage, etc.

B. Manning said the link to the existing house would be a greenhouse.

B. Manning explained that a few days ago they realized the proposed location of the garage would impose on an existing stone wall and landscaped area, so they adjusted the plan to move the garage 12 feet forward which enlarged the size of the link from 150 square feet to 240 square feet, with the garage size remaining the same.

D. Bowers asked Mr. Manning to explain the location of the hay bales to be located for the DEC Class 2 requirement.

B. Manning explained the Owners have three (3) properties – the home property, another property directly across the street from the home, where the barn is located with the cottage and the pond, and a third triangular piece where the creek is located. He said the developed area is about 1/8 of a mile from the creek, but they would have a silt fence/hay bale buffer during construction to protect the creek from disruption. He said that was the only protective measure required for the Class 2 designation and disturbance.

A. Ferguson asked about the location of the driveway.

B. Manning explained the point of exit would remain the same, but the driveway would be altered to accommodate the garage location.

A. Ferguson noted the plan had changed and asked if an updated site plan would be submitted to reflect the alteration.

B. Manning responded, "Yes." He said he had scanned the latest drawing for the file, but he had full-sized drawings prepared as well.

R. Ridler asked if there were any impervious surface issues.

D. Bowers answered, "No."

J. Langey led the Board through the Short Environmental Assessment Form (SEAF) for the SEQR, finding all impacts were either small or mitigated.

J. Langey asked that all updated drawings be listed for the record and for the resolution.

Motion by D. Bowers, seconded by A. Ferguson, 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 Short Environmental Assessment Form (SEAF), and to approve the addition conditioned upon erosion control measures as most recently submitted was carried unanimously.

Bobbett, Nicholas – Site Plan Review – Cobblestone Drive, Cazenovia

File # 25-1597 (Eric Jerabek)

7:52 PM

Nicholas Bobbett was present to represent the file.

E. Jerabek said Mr. Bobbett had purchased the first property on the left past the driveway to the Cunningham business on Cobblestone Drive. The lot was 9.2 acres having 350 feet of road frontage. He explained the lot was previously subdivided and had a building zone/envelope. He said a wooded area and a ravine was located within the building envelope, so the actual buildable area was smaller than the envelope.

N. Bobbett showed a drawing on his phone where he had delineated the actual buildable section. He stated the house would be 100 yards from the wetland area. He said he was given jurisdictional approval by the DEC for the project and submitted a printed text to substantiate the DEC approval.

E. Jerabek added the GML “came back clean.”

E. Jerabek said the driveway had also been approved (by the Town Highway Superintendent).

T. Clarke asked about a stream.

E. Jerabek answered there was a stream located within the ravine, but it was not close to the building project.

N. Bobbett estimated the driveway would be 40 – 50 yards long from Cobblestone Drive.

N. Bobbett said the house would be one level. He also expressed his desire to start the project.

J. Langey said this would be a Type 2 Action regarding SEQR.

Motion by E. Jerabek, seconded by T. Clarke, to approve the site plan for a new single-family home as most recently submitted was carried unanimously.

N. Bobbett was informed he now needed to obtain a building permit before beginning his project.

Silverman, David/ Mihaila, Dr. Dragos — Site Plan Review – 1030 Marlyn Park Dr.

File # 25-1598 (Linda Cushman)

7:58PM

Matthew Vredenburgh was present to represent the file.

L. Cushman explained this was for a second property owned by Mr. Silverman which is west of his residence on Marlyn Park Drive and the Applicants desire to build a (detached) garage. She explained the ZBA had approved the setbacks for the location of the proposed garage, but the ZBA had asked the Planning Board to discuss the pitch of the roof of the proposed garage.

She said an elevation drawing had been submitted as well as a rendering of the proposed garage. She said there would be no change in impervious surface area because part of the driveway would be removed to accommodate the garage, so the coverage would remain at 23.5%. She explained the lot was approximately .33+ acres. She also clarified that the property was across the road from the water.

L. Cushman said in reading the ZBA minutes, she found the only issue had been the roofline of the house being different from the roofline of the proposed garage.

M. Vredenburgh elaborated that the house has a 1960's roofline.

D. Bowers and M. Vredenburgh explained that the original house was 4/12 pitch, so flatter than the proposal which would be 8/12. He said the concern of the ZBA was that the two (2) would look differently from each other.

A. Ferguson asked about the other roofs in the neighborhood.

D. Bowers answered the other garages in the neighborhood were pitched the same as the houses.

J. Langey interjected that the Town does not have a code provision regarding roof pitch giving the Board the authority to address that.

R. Cook believed the Code Enforcement Officer would have guidance regarding the roof pitch per the New York State Building Code, but the Planning Board would not have any regulations in the Town Code regarding the roof.

A. Ferguson understood Mr. Bowers' concern about keeping the build in character with the neighborhood, but did not know how the Board would accomplish that.

J. Langey responded that he would have a difficult time defending the Board's telling people what style of roof they would need to have without a Code provision.

D. Bowers asked Mr. Langey if the Board had a way for the Planning Board to dictate how to make something in keeping with the community or neighborhood.

J. Langey answered, "At this level, I would say 'no.'" He said another detail the Board could not dictate was the color of a house, as well as style of a roof or pitch of a roof if it were Code-compliant.

M. Vredenburgh said the plan was to match the color and material of the existing house as closely as possible. He stated there would be "a lot of similarities."

D. Bowers discussed ways to adjust the pitch by heightening the walls which he felt would look better than the 8/12 pitch. He also suggested doing a shed dormer, both changes would afford more room in the second story. However, he understood that those improvements could not be mandated.

J. Langey agreed those were solid suggestions for the Applicants to consider, but repeated the suggestions could not be imposed.

More discussion followed regarding the term "architecture that is consistent with the rural community."

R. Cook pointed out that many garages in the Marlyn Park Drive community have second stories.

D. Bowers said the pitch of the roofs, however, were the same. He understood the pitch would only be bothersome to someone who came from a building background such as himself.

M. Vredenburgh asked if the Owner did want to change the pitch of the roof in the future prior to construction, would Planning Board approval be necessary or could Mr. Ladd approve the alteration.

J. Langey answered the Board would be approving a specific set of plans (so the Board would need to approve any changes if Mr. Ladd did not find them de minimis).

D. Bowers asserted he was not trying to be difficult, he was "thinking out loud" about how to match the pitch.

R. Ridler responded the Board was to address the plan that was submitted.

J. Langey said this was a Type 2 Action.

Motion by L. Cushman, seconded by E. Jerabek, to approve the site plan for a garage as most recently submitted was carried as follows:

Anne Ferguson	Voted	Yes
Linda Cushman	Voted	Yes
Thomas Clarke	Voted	Yes
Roger Cook	Voted	Yes
Eric Jerabek	Voted	Yes
Dale Bowers	Voted	Abstained
Robert Ridler	Voted	Yes.

R. Ridler spoke about the Hoehner file that is still pending ZBA approval before the Board can do a site plan review.

Motion by D. Bowers, seconded by T. Clarke, to adjourn the meeting at 8:08 P.M. was carried unanimously.

Sue Wightman, Planning Board Secretary – September 4, 2025