

**TOWN OF HENDERSON ZONING BOARD OF APPEALS MEETING**

**12105 TOWN BARN ROAD, HENDERSON, NY**

**January 9, 2025 AT 6:00 PM**

**Committee Members: Jerry Tackley, Chairman and Robert Aliasso, Joan Treadwell Woods, Julie West, Colman McGann  
Dean Witmer-Alternate**

---

**CALL TO ORDER** at 6:00 PM by Chairman Tackley.

**ATTENDANCE and PLEDGE:** All Members present and Eric Sheldon. Counsel Brody Smith and applicant Ryan Schafer attended via conference call.

**ANNOUNCEMENT**

All matters heard by this Zoning Board of Appeals are in the form of a public hearing. Everyone desiring to be heard will be heard. Before speaking, you are asked to state clearly your name and address. There are two types of matters that come before this Board. They are Variances and Interpretations. The application will be denied unless the applicant has proven his/her case.

Town Board Resolution adopted September 10, 1992 - NOW, THEREFORE, BE IT RESOLVED, that the Town of Henderson hereby agrees that the following actions shall be considered to be of a local rather than of inter-community or county-wide concern and shall therefore be exempt from referral to the County Planning Board pursuant to General Municipal Law, Section 239m: All area variance for lot size or lot width, if the required lot line setbacks can still be maintained; All single and two-family residential set-back variances (including those for manufactured homes, modular homes) unless the requested setback is adjacent to either a State or County property line, exclusive of State or County highways; All front, rear, and side lot line set back variances for accessory structures (i.e. garages, sheds, decks, etc.) unless the requested setback is adjacent to either a State or County property line, exclusive of State or County highways; All use variances for single and two-family residences; All use variances for home occupations.

The hearings shall begin at the designated day, time and place as advertised. A presentation of the project will be made. After the presentation, written correspondence will be identified and read. Thereafter public comments will be entertained. All those who wish to speak must sign in. There will be a limit of three (3) minutes. You will be called in the order you signed in. All comments should be preceded by the person giving their name and general address. There will be no interruptions or cross-conversations in the audience.

If one or more Board member(s) is/are absent all applicants are offered to wait for a full Board if they are more comfortable or may decline the offer.

**ORGANIZATIONAL MEETING**

Date of meetings will be 3<sup>rd</sup> Wednesday of each month

Time of meetings will be 6:00PM

Place of meetings will be Town Hall 12105 Town Barn Road, Henderson, NY 13650

Official newspaper for notifications will be The Watertown Daily Times

Chairperson will be Jerry Tackley

Co-Chairperson will be Robert Aliasso

Alternate will be Dean Witmer

Clerk will be Mary Cornell

**HEARING #1 – Continuation of suspended hearing**

**Request of Ryan Schafer Represented by Bond, Schoeneck & King Law Firm**

Located at 8943 NYS Rte 3

On Parcel #106.05-1-7.1 and part of 106.09-1-1

In BR

Bordering Property Owned by Phillips 66 Co., Amanda Nason, Deirdre Vaillancourts,  
Lisa Fitzpatrick, Elizabeth Maurer, Steven Atkinson  
For request of construction of multiple dwellings (10)

**DISCUSSION:** Recapped letter from Brody Smith, Attorney for Ryan Schafer.  
Discussion ensued around Dwelling, Bed and Breakfast definitions.  
Dwellings do not allow transient or guest accommodations.  
Bed and Breakfast is a dwelling which its sole purpose is to allow transient or guest accommodations.  
Reviewed that discrepancies are ruled in favor of the property owner.  
The ZBA expressed its disappointment that our Counsel Jim Burrows still hasn't provided guidance to our Board.

**PUBLIC COMMENTS:** None

**COMMENTS FROM ZEO:** Zoning Enforcement Officer, Eric Sheldon changed his initial ruling that the project is a campground. He will submit the application to the Planning Board to start Site Plan Review.

**BOARD DISCUSSION:** Based on above discussion and reversal of ZEO's ruling, no action was required by ZBA. The hearing will be closed to allow Planning Board to proceed.

**CLOSE PUBLIC HEARING MOTION** by Rob Aliasso second by Julie West to close the public hearing  
Roll Call voting Yes : Jerry Tackley, Robert Aliasso, Joan Treadwell Woods, Julie West, Colman McGann

**MOTION** by Robert Aliasso second by Julie west to approve minutes from December 18, 2024 meeting.  
Roll Call voting Yes: Jerry Tackley, Robert Aliasso, Joan Treadwell Woods, Julie West  
Abstains - Colman McGann

**NEW BUSINESS:** Next possible Meeting February 19<sup>th</sup>  
ZEO Sheldon reviewed a possible hearing for a property division associated with Dollar General

**MOTION** by Colman McGann second by Joan Treadwell Woods adjourns the meeting.  
Roll Call voting Yes: Jerry Tackley, Robert Aliasso, Joan Treadwell Woods, Julie West, Colman McGann

**Respectfully Submitted**  
**Wendy Flagg (minutes recorded by Robert Aliasso)**