

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

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

**July 17, 2024 AT 6:00 PM**

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

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**CALL TO ORDER**

**ATTENDANCE and PLEDGE** – Jerry Tackley, Rob Aliasso, Julie West, Joan Treadwell Woods, Jackie Wenschhof

**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 clearly state 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.

**HEARING**

**Request of John and Jean Breitung, Breitung Salzer Assoc LLC**

Located at 15058 Snowshoe Road

On Parcel #97.15-2-40

In LF

Bordering Property Owned by Scott Distler, Daniel and Donald Gearing,

Harriet Gearing, Scott Payne, Debra A Gearing Groth, c/o Donna Gibson,

Payne, Scott – Jonathan and Gary, c/o Gary and Virginia Payne, Kim Gearing

For request of 14x20 addition on rear of cottage

**DISCUSSION:** There was a question from the board about possibly moving the addition over 6'. The lot coverage is not an issue. A 10' change would eliminate the

charge for a variance. The board needs actual dimensions of all of the buildings on the lot. There are 3 buildings on this parcel.

**PUBLIC COMMENTS:** none at this time

**COMMENTS FROM ZEO:** The side setback is less than required.

**SUSPEND PUBLIC HEARING MOTION** by Rob Aliasso second by Joan Treadwell Woods to suspend the public hearing at this time.

Roll Call voting **5-YES**: Jerry Tackley, Robert Aliasso, Joan Treadwell Woods, Julie West, Jaclyn Wenschhof

**MOTION**  
**HEARING #2**

**Request of Paul Waytkus and Robin Waytkus**

Located at 10771 County Route 71

On Parcel #98.00-1-4.4

In AR-40

Bordering Property Owned by Matt, Eric and Luke Plumpton, Carol Priest

For request of 12x24 Amish shed added to property, and at a later date a 12x14 deck to west of Amish shed.

**DISCUSSION:** The lot is conforming. The owner is bringing in fill because the site is wet. He is putting a bathroom in the shed. He has a sleep disorder and needs to be able to sleep in the shed. Needs power for medical equipment. Suggestions of bringing in a camper and getting rid of the shed.

Hearing should be adjourned.

**PUBLIC COMMENTS:** None at this time

**COMMENTS FROM ZEO:** The board should adjourn this hearing. The remedy has to be presented to the owner. The shed and the deck/porch have to be moved.. Having a survey done would be a good idea to prove lot lines.

**SUSPEND PUBLIC HEARING MOTION** by Rob Aliasso, second by Joan Treadwell Woods to suspend the public hearing.

Roll Call voting **5-YES**: Jerry Tackley, Robert Aliasso, Joan Treadwell Woods, Julie West, Jaclyn Wenschhof.

**BUSINESS:** the next meeting will be held on Wednesday, August 21 at 6:00 pm.

**PRIOR MEETING MINUTES MOTION – Minutes from April 17, 2024 meeting approved.**

**Roll Call Voting** – by Joan Treadwell Woods and second by Jackie Wenschhof

to approve with comments.

Roll Call voting 5-YES: Jerry Tackley, Robert Aliasso, Joan Treadwell Woods, Julie West, Jaclyn Wenschhof

**ADJOURN MEETING MOTION** by Rob Aliasso second by Joan Treadwell Woods adjourns the meeting.

Roll Call voting 5-YES Jerry Tackley, Robert Aliasso, Joan Treadwell Woods, Julie West, Jaclyn Wenschhof

**Respectfully Submitted**

*Mary M. Cornell*

**Mary M. Cornell**  
**ZBA Clerk**