

**TOWN OF HENDERSON**  
**12105 Town Barn Road**  
**Henderson, New York 13650**  
**Planning Board Meeting Minutes**  
**November 6, 2024 at 5:00 PM**

**CALL TO ORDER and PLEDGE OF ALLEGIANCE**

**ATTENDANCE: Ken Vance, Dan Queri, Bob Ashodian, Francis Walter**

**Case #1**

**Request of Raymond Walseman/Tammy Baker**

Located at 8851 State Rt 178

On Parcel #106.09-2-46

In B

Bordering Property owned by Gregory Scott, Shawn Bennet, Maryanne Aubin, c/o Scott Aubin

For request to build a 40' x 50 storage building..

**DISCUSSION:** Cliff Moulton, contractor, representing owners – plan meets codes on roadside, additional permits needed. PB clerk will take care of.

**PUBLIC COMMENTS:**

None

**SEOR MOTION;** by Dan Queri, second by Bob Ashodian, declares the proposed action to be a TYPE II, ACTION\_12, under Article Eight of the NYS Environmental Conservation Law, which determines there is no significant impact on the environment and no further review is necessary.

**CLOSE PUBLIC HEARING MOTION –** motion by Bob Ashodian, second by Francis Walter to close the public hearing.

Roll Call voting: (4 YES), Ken Vance, Bob Ashodian, Dan Queri, Francis Walter

**DECISION MOTION** by Dan Queri, second by Bob Ashodian deems the application accepted. Roll Call voting: (4-YES), Ken Vance, Bob Ashodian, Dan Queri, Francis Walter.

**Case #2**

**Request of Phillip J. Banazek**

Located on 7609 NYS Rte 3, Henderson NY 136350

On Parcel # 105.00-1-21.2

In AR

Bordering Property owned by James Rathbun, Rustic Roots, c/o Dustin Parker

For request to build a 50' x 30' storage building

**DISCUSSION:** Doesn't need highway permit because there is an existing driveway from previous development.

**PUBLIC COMMENTS:** None

**SEQR MOTION**; by Dan Queri, second by Bob Ashodian, declares the proposed action to be a **TYPE II, ACTION 12** under Article Eight of the NYS Environmental Conservation Law, which determines there is no significant impact on the environment and no further review is necessary.

**CLOSE PUBLIC HEARING MOTION** – motion by Bob Ashodian, second by Dan Queri to close the public hearing.

Roll Call voting: (4-YES) , Ken Vance, Bob Ashodian, Dan Queri, Francis Walter

**DECISION MOTION** by Dan Queri, second by Bob Ashodian deems the application accepted.

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**Case #3**

**Request of Mark Steffan**

Located on 13922 County Rte 123

On Parcel # 98.17-1-24.1

In LF

Bordering Property owned by John G. Sr. and Claire McGowan, Matthew and Angela Owen, Michelle Warner and Mathieu D. Mitchell

Request to build retaining wall along the lake above ordinary high water line.

Concrete wall will be approximately 72 feet long x 12 feet high.

**DISCUSSION**: Regarding the support to hold the soil behind the wall. Ends will be tapered toward the shore, rebar in the footing and a cage built. Will discuss with contractor about providing new drawings to bring to the board in December.

**PUBLIC COMMENTS**: None at this time

**SEQR MOTION**; by Dan Queri, second by Bob Ashodian, declares the proposed action to be a **TYPE II, ACTION 21** under Article Eight of the NYS Environmental Conservation Law, which determines there is no significant impact on the environment and no further review is necessary.

**CLOSE PUBLIC HEARING MOTION** – motion by Bob Ashodian , second by Francis Martin to close the public hearing.

Roll Call voting: (4-YES) YES, Ken Vance, Bob Ashodian, Dan Queri, Francis Walter

**DECISION MOTION** by Dan Queri, second by Bob Ashodian deems the application accepted contingent with new maps being provided showing how the wall will be anchored. Steve Baker is the contractor.

**Case #**

**Request of Ryan Schafer**

Located on 12802/883 Co Rte 123; part of 8943 NYS Route 3

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

In LF/BR

Bordering Property owned by Phillips 66 Co., D. Amanda Nason, Deirdre Vaillancourts, Lisa Fitzpatrick, Elizabeth Maurer, Steven Atkinson.

Request to do subdivision/assemblage

**DISCUSSION**: Attorney bypassed the planning board and went to the county for assemblage without any approved applications from this board. New applications are needed for special use permit and maps showing setbacks, septic systems and sizes. Attorney disputes letter, see attached, and retaining wall information. They will return in December with new applications completed, perhaps as a pre-submission.

**PUBLIC COMMENTS –**

Attached is a letter from Steven Atkinson

**\*\*\* SUSPEND PUBLIC HEARING MOTION–** motion by Bob Ashodian , second by Dan Queri to suspend the public hearing.

**Roll Call;** (4-YES\_) Ken Vance, Bob Ashodian, Dan Queri, Francis Walter

**NEW BUSINESS:**

**Pre-submission –**

**Request of Jamie Moesel**

Located on 12246 Gobbe Hill Rd

On Parcel # 105.00-1-11.1

In AR

Bordering Property owned by Theresa Leib, Joan Treadwell Woods, David Robert Christian and Kristyn Brooke Gould, George and Jaclyn Wenschhof

Request to do a small subdivision

**DISCUSSION:** Will return in December with maps showing subdivision.

**Pre-submission –**

**Request of Paul A. Gardner, Jr.**

Located on 13208 Cty Rte 123, 13185, 13179 and 13178 Cty Rte 123

On Parcels 106.05-1-29, 106.05-1-28.21, 106.05-1-28.22

In B

Bordering Property owned by Dana Keefer, Paul Gardner, Matt Hunter and Noelle, Gary Zehr, and Oren Oeschger and Linda Greene

Request to assemble properties

**DISCUSSION:** Will return in December with maps showing assemblage

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**MOTION** by Bob Ashodian , second by Dan Queri to accept the minutes from the October 2, meeting.

Roll Call voting (4-YES) Ken Vance, Bob Ashodian, Dan Queri, Francis Walter.

**ADJOURNMENT MOTION** by Bob Ashodian, second by Dan Queri adjourns the meeting at 6:25 pm.

**Roll Call;** (4-YES ) Ken Vance, Bob Ashodian, Dan Queri, Francis Walter

The above-described application(s) are open to inspection at the office of the Town Clerk during regular business hours. Any interested person may appear at the hearings and be heard. Written communications concerning these matters may also be filed with the Town of Henderson Planning Board before or at the hearing, or be sent to 12105 Town Barn Road, Henderson, NY 13650. Anyone wishing to confirm this meeting may call the Town Clerk at 938-5542, Ext 21 between the hours of 3-4PM on the day of the hearing.

By Order of the Planning Board: Chairman, Kenneth Vance and Members: , Robert Ashodian, Dan Queri, Francis Walter.

Mary M. Cornell,  
Planning Board Clerk

Town of Henderson  
12105 Town Barn Road Henderson NY 13650

Planning Board Legal Notice

November 6 2024 at 5:00 PM

From: Steven Atkinson

8699 Hale Road Manlius NY 13104

315-247-1659

To: Planning Board: Chairman, Kenneth Vance and Members: John Treadwell, Robert Ashodian, Dan Queri.

This letter is a notice of opposition to the request of Ryan Schafer for a subdivision per the attached.

I Steven Atkinson oppose the subdivision for the following reasons.

1. Per the attached survey Ryan Schafer installed a retaining wall on my property Tax Parcel 106.05-1-8.21 with out my permission. I have asked Ryan Schafer to remove said retaining wall and he has failed to do so.
2. Ryan Schafer has stored construction materials and debris on my property without my permission and again I have asked him to remove this material and he has failed to do so.
3. Due to construction directed by Ryan Schafer there has been an increase in water run off onto my property resulting in erosion that is affecting the use of my property.

I ask that the Planning Board withhold the subdivision request until the above issues are resolved.

I also ask that before a subdivision is allowed that Ryan Schafer provide a detailed explanation as to why he is asking for the subdivision and that Ryan Schafer provide a water run off and a sewage containment plan that will ensure that none of the adjoining properties will be affected by his subdivision request.

Ryan Schafer has proven to be a poor neighbor. He has allowed his property Tax Parcel 106.09-1-1 to fall into disrepair and this has affected the surrounding properties. It seems to me that he should repair his property before he is allowed to proceed with a subdivision.

I have attempted to resolve some of these issues with Ryan Schafer but he has ignored me. Ryan Schafer has proven to be a bad actor and I ask that the Planning Board withhold the subdivision request until the above issues are resolved.

Thank you



