

Town of Henderson
12105 Town Barn Rd.
Henderson, NY 13650
Public Hearing / Town Board Meeting / Workshop
March 13, 2024

A continuation of regular meeting of the Town Board of the Town of Henderson, County of Jefferson and the State of New York was held at 12105 Town Barn Rd.at 7:00PM, on the 13th day of March 2024.

PRESENT:	Edwin Glaser	----	Supervisor
	Matthew Owen	----	Councilperson
	Torre Parker Lane	---	Councilperson
	David Poulin	---	Councilperson
	Lindsay Witmer	---	Councilperson
	Wendy Flagg	----	Town Clerk

Supervisor Glaser remarks on the Public Hearing for Proposed zoning laws changes. He asked Board to vote by roll call if they wanted to continue on with voting on the presented zoning laws or wait 10 to 12 days and make corrections then hold a Public Hearing on zoning laws with suggested changes by Town attorney. Vote is as follows:

Councilperson Witmer - Vote now (as laws are now)
Councilperson Owen – Vote now (as laws are now)
Councilperson Parker Lane – wait 10-12 days (make corrections)
Councilperson Poulin – Vote now (as laws are now)
Supervisor Glaser – wait 10-12 days (make corrections)

MOTION

OPEN PUBLIC HEARING

On a motion of Councilperson Witmer, second by Councilperson Poulin following motion was.

ADOPTED Ayes 5 Glaser, Poulin, Owen, Witmer, Parker Lane
 Nays 0

Motion to open Public Hearing at 7:07PM.

Public Comments:

Ginger Cook – who was in committee to come up with changes? Would like to see the Board move forward.

Judi McKee Sanders – Restated what the Town attorney advised the Board of with wording containing misdemeanor vs. violation.

Let's get it cleaned up the correct way it's only a few days.
"crime vs. violation – It's important to look and change this. It's worth the time to wait to avoid the potential cost to the community.
Jaclyn Wenschoff – It will never be perfect let's move forward with a base and make changes as needed.

MOTION

CLOSE PUBLIC HEARING

On a motion of Councilperson Owen, second by Councilperson Witmer following motion was.

ADOPTED Ayes 5 Glaser, Poulin, Owen, Witmer, Parker Lane
 Nays 0

Motion to close Public Hearing at 7:27PM.

Board moves forward with review of Part II of long form SEQR.

Councilperson Witmer reads the long form SEQR and Board reviews and declares the SEQR to be a negative effect on environment.

RESOLUTION # 2024-03-13-029

NEGATIVE DECLARATION FOR SEQR (LONG FORM) TO REPEAL AND REPLACE CHAPTER 150- ZONING LAWS

On a motion of Councilperson Owen, second by Councilperson Witmer following motion was.

ADOPTED Ayes 5 Glaser, Poulin, Owen, Witmer, Parker Lane
 Nays 0

Board resolved the following:

RESOLUTION #29 OF 2024

**NEGATIVE DECLARATION FOR SEQR (Long Form)
TO REPEAL and REPLACE CHAPTER 150- ZONING LAWS**

WHEREAS, the Town Board of the Town of Henderson, New York has considered the adoption of Legislation in the Town of Henderson in connection with Repealing and Replacing its Zoning Laws (Chapter 150); and

WHEREAS, the Town Board of the Town of Henderson has reviewed an Environmental Assessment Form for the purpose of assisting the Town Board in making a determination of significance in respect to the Legislation; of whether

the enactment of the Legislation would have a significant adverse impact on the environment; and

WHEREAS, the Town Board has reviewed the criteria for determining significance of an action that is set forth at 6 NYCRR §617.7(c); and

WHEREAS, having considered the action, consisting of the adoption of Legislation only and the potential environmental impacts associated with such action, the Town Board has determined to proceed.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henderson finds that the proposed action of adopting the legislation is subject to SEQR; and

BE IT FURTHER RESOLVED, that the action constitutes a Type 1 action under SEQR 617.4(b)(2); and

BE IT FURTHER RESOLVED, that the Town Board is the agency with jurisdiction by law to fund, approve, or directly undertake this action.

BE IT FURTHER RESOLVED, by the Town Board of the Town of Henderson, New York:

1. Based upon the examination and consideration of the Long Environmental Assessment Form and comparison of the proposed action and criteria set forth at 617.7, no significant impact on the environment is known by the adoption of the proposed legislation.

2. The Supervisor for the Town of Henderson is authorized to execute the Long Environmental Assessment Form to the effect that the Town Board is issuing a "negative declaration" under SEQR.

3. A complete copy of the EAF including its negative declaration shall be maintained in the Town Clerk's office in a file that will be readily accessible to the Public. All subsequent notices regarding the undertaking of the action as set forth in this Resolution shall state that a negative declaration has been issued.

4. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Owen, and seconded by Board Member, Witmer

Ed Glaser, Supervisor	Yes <u> X </u>	No <u> </u>
Torre Parker-Lane	Yes <u> X </u>	No <u> </u>
Matthew Owen	Yes <u> X </u>	No <u> </u>
David Poulin	Yes <u> X </u>	No <u> </u>
Lindsay Witmer	Yes <u> X </u>	No <u> </u>

Dated: March 14 2024

LOCAL LAW #3 REPEAL AND REPLACE CHAPTER 150-ZONING LAW

On a motion of Councilperson Owen, second by Councilperson Witmer following motion was.

ADOPTED Ayes 5 Glaser, Poulin, Owen, Witmer, Parker Lane
 Nays 0

Board resolved the following:

**RESOLUTION # 30 OF 2024
ENACT LOCAL LAW 3 of 2024**

**REPEAL and REPLACE
Chapter 150 – Zoning Law**

WHEREAS, the Town Board for the Town of Henderson, New York is interested in enacting a Local Law to repeal and replace the Town of Henderson’s Zoning Law – Chapter 150; and

WHEREAS, the Town Board has reviewed the proposed legislation that will repeal and replace the Town’s current Zoning Laws that address the same; and

WHEREAS, pursuant to the New York Environmental Quality Review Act, this Board, as the only involved agency, has reviewed Part 1, 2, and 3 of a Long Form Environmental Assessment Form, has made a determination that the adoption of the local law will result in no significant adverse impacts upon the environment, and has adopted a Negative Declaration in connection therewith.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Henderson, New York as follows:

1. The forgoing recitations are incorporated herein and made a part hereof as if set forth hereafter.
2. The Town Board hereby enacts the Local Law repealing Chapter 150- Zoning Laws and replacing the same with a new Chapter 150-Zoning Laws as being in the best interests of the Town of Henderson.
3. The Supervisor for the Town of Henderson and the Town Clerk for the Town of Henderson, their respective agents and employees are authorized to sign all documents and take all steps necessary to enact this legislation.
4. This Legislation shall be filed with the New York State Department of State, and with the Town Clerk of the Town of Henderson.
5. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Owen, and seconded by Board Member, Witmer, and upon roll call vote of the Board was duly adopted as follows:

Ed Glaser, Supervisor	Yes ____	No <u>X</u>
Torre Parker-Lane	Yes ____	No <u>X</u>
Matthew Owen	Yes <u>X</u>	No ____
David Poulin	Yes <u>X</u>	No ____
Lindsay Witmer	Yes <u>X</u>	No ____

Dated: March 14, 2024

PUBLIC COMMENTS:

Ginger Cook – Was there any voting after executive session last meeting? No

MOTION

EXECUTIVE SESSION ENTER

On a motion by Councilperson Witmer, seconded by Councilperson Owen, the following motion was

ADOPTED Ayes 5 Glaser, Witmer, Poulin, Owen, Parker- Lane
 Nays 0

Motion to enter into executive session to discuss pending litigation against the Town.

MOTION

EXECUTIVE SESSION EXIT

On a motion by Councilperson Parker Lane, seconded by Councilperson Owen, the following motion was

ADOPTED Ayes 5 Glaser, Witmer, Poulin, Owen, Parker- Lane
 Nays 0

Motion to exit executive session.

MOTION

SECOND LEGAL OPINION

On a motion by Councilperson Witmer, seconded by Councilperson Owen, the following motion was

ADOPTED Ayes 4 Witmer, Poulin, Owen, Parker- Lane
 Nays 0

Supervisor Glaser recuses himself from vote

Motion to obtain a second legal opinion from an outside counsel. Also authorizing the Town Attorney to compile the official record only until the second legal opinion is given.

MOTION

CLOSE TOWN BOARD MEETING

On a motion by Councilperson Witmer, seconded by Councilperson Poulin, the following motion was

ADOPTED Ayes 4 Witmer, Poulin, Owen, Parker- Lane
 Nays 0

Motion to close Public Town Board meeting and open workshop.

Workshop opened long range planning for the Town was discussed

Respectfully submitted,
Wendy Flagg / Town Clerk/Collector

All Town meetings held at
12105 Town Barn Rd., Henderson, NY 13650

March 18	(Monday)	Recreation Commission Meeting	6:00PM
March 20	(Wednesday)	Zoning Board Meeting	6:00PM
March 21	(Thursday)	Solar Committee Meeting	7:00PM
March 27	(Wednesday)	Sewer Committee Meeting	7:00PM
March 28	(Thursday)	Solar Committee Meeting	7:00PM

April 02	(Tuesday)	Presidential Primary	TOWN CLERK OFFICE CLOSED
April 04	(Thursday)	Planning Board Meeting	5:00PM
April 08	(Monday)	Town Offices Closing @ Noon	/NO COURT
April 08	(Monday)	Solar Eclipse Festival	All Day
April 09	(Tuesday)	Town Board Meeting	7:00PM
April 10	(Wednesday)	Town Board Workshop	7:00PM
April 11	(Thursday)	Solar Committee Meeting	7:00PM
April 17	(Wednesday)	Zoning Board Meeting	6:00PM
April 17	(Wednesday)	Sewer Committee Meeting	7:00PM
April 18	(Thursday)	Solar Committee Meeting	7:00PM
April 22	(Monday)	Recreation Commission Meeting	6:00PM
April 24	(Wednesday)	Sewer Committee Meeting	7:00PM
April 25	(Thursday)	Solar committee meeting	7:00PM
May 07	(Tuesday)	Planning Board	5:00PM