

**TOWN OF HENDERSON PLANNING BOARD MEETING**  
**12105 TOWN BARN ROAD, HENDERSON, NY**  
**August 4, 2020 AT 5:00 PM**

Committee Members: Chairman, Ned Martelle, Robert Ashodian, John Treadwell, Michael Contino, Carol McGowan

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**CALL TO ORDER and PLEDGE OF ALLEGIANCE**

**ATTENDANCE:** Began meeting at 4:30

**NOTE:**

Subdivision Requests do not have to be referred to the County.

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: Site Plans/Special Permits for new buildings or additions consisting of less than 500 sq. ft. where the principle use will occur within the new structure; unless the new building or addition will require a new or improved access point onto a State or County roadway; All Site Plans/Special Use Permits for the placement of individual single and two family houses, including mobile homes, or manufactured houses. No applications that fall within these guidelines will be referred to Jefferson County Planning.

**Request of William & Diane Nichols Represented by Patsy Storino**

Located at 10779 Sawyers Bay Rd

On Parcel # 105.19-1-35/34

In Lakefront

Bordering Property Owned by Timothy & Tracie Osier, Danny Hollis and

Brian Hollis

For proposed two lot subdivision/ assemblage

**DISCUSSION:** Proposed subdivision parcel 105.19-1-35 to be assembled with parcels 105.19-1-36 and 105.19-1-34. Making both lots closer to conformity.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Carol McGowan, declares the proposed action to be a TYPE II action 25 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary. Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by John Treadwell  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell,  
Carol McGowan

**DECISION MOTION** by Michael Contino, second by carol McGowan approves the subdivision  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell,  
Carol McGowan

**Request of William & Diane Nichols Represented by Patsy Storino**

Located at 10779 Sawyers Bay Rd

On Parcel # 105.19-1-35/34

In Lakefront

Bordering Property Owned by Timothy & Tracie Osier, Danny Hollis and  
Brian Hollis

For proposed two lot subdivision/ assemblage

**DISCUSSION:** Small piece of parcel 105.19-1-35 to be assembled with 105.19-1-34 (on map AA to  
A)

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by John Treadwell, declares the proposed action to be a  
TYPE II action 25 under Article Eight of the NYS Environment Conservation Law, which determines  
there is no significant impact on the environment and no further review is necessary.  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol  
McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Carol McGowan  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell,  
Carol McGowan

**DECISION MOTION** by Michael Contino, second by John Treadwell approves the assemblage  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell,  
Carol McGowan

**Request of Timothy & Tracie Osier Represented by Patsy Storino**

Located at 10775 Sawyers Bay Rd

On Parcel # 105.19-1-36

In Lakefront

Bordering Property Owned by William & Diane Nichols, Jerome &  
Kathrine Pohopek Trustee, Danny Hollis and Brian Hollis

For proposed assemblage

**DISCUSSION:** Parcel #105.19-1-35 that was subdivided to be assembled with parcel #105.19-1-36 (on map B to C) to bring lot closer to conformity and provide bigger lot for building. Existing cottage on parcel #105.19-1-35 will be demolished. Client understands only one dwelling per parcel allowed. Client plans to remove all dwellings and build new.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Carol McGowan, declares the proposed action to be a TYPE II action 25 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary. Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by John Treadwell  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by Carol McGowan approves the assemblage  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**Request of Barbara Gilsdorf Represented by William & Deborah Griffith & Patsy Storino**

Located at 13832 Bay View Dr N.

On Parcel # 97.19-1-8 & 9

In Lakefront

Bordering Property Owned by Howard Jr. & Patricia Robbins, Patrick & Patti Blincoe and Gerald Phelps

For proposed assemblage

**DISCUSSION:** Letter form Barbara Gilsdorf on file allowing Griffith's and Storino to represent her in matter. Assemblage of two parcel meets all conforming lot requirements (on map A & B to be combined)

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by John Treadwell, declares the proposed action to be a TYPE II action 25 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary. Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Carol McGowan  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by John Treadwell approves the assemblage  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell,  
Carol McGowan

**Request of Alan Montclair Represented by Storino Geomatics**

Located at 10515 Grandjean Lower Rd  
On Parcel # 105.19-3-15.9  
In Lakefront  
Bordering Property Owned by Kenneth Cortwright, John Witt, Diane  
Gotthardt-White, John & Patricia Drake, Patrick & Gail Milligan and  
Monika Harra  
For proposed subdivision

**DISCUSSION:** lot will remain be conforming but will be improved the lot to be assembled.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Carol McGowan, declares the proposed action to be  
a TYPE II action 25 under Article Eight of the NYS Environment Conservation Law, which  
determines there is no significant impact on the environment and no further review is necessary.  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol  
McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by John Treadwell  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell,  
Carol McGowan

**DECISION MOTION** by Michael Contino, second by Carol McGowan approves the subdivision  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell,  
Carol McGowan

**Request of Monika Harra Represented by Storino Geomatics**

Located at 10505 Grandjean Lower Rd  
On Parcel # 105.19-3-68  
In Lakefront  
Bordering Property Owned by John & Patricia Drake, Patrick & Gail  
Milligan and Alan Montclair  
For proposed lot line adjustment

**DISCUSSION:** lot will not be conforming but will be improved

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by John Treadwell, declares the proposed action to be a TYPE II action 25 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary.

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Carol McGowan

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by Carol McGowan approves the assemblage

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**Request of Francis & Linda Clark**

Located at 12911 Sand Rd

On Parcel # 106.00-2-12

In AR - 40

Bordering Property Owned by Donald & Matthew Smith, William Van

Pernis, Christine Mills, Hy-Light Farms, LLC and Jon & Keith Grant

For proposed subdivision

**DISCUSSION:** All required lot dimensions are met considering a conforming lot

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by John Treadwell, declares the proposed action to be a TYPE II action 25 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary.

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by John Treadwell, second by carol McGowan

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by John Treadwell approves the subdivision

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**Request of Six Town Heights, LLC Represented by Michael Yonkovic**

Located at 8951 NYS Rte. 3

On Parcel # 106.05-1-6.4

In Business Residential

Bordering Property Owned by Six Town Cottage, LLC and Cristin O'Brien

For proposed subdivision

**DISCUSSION:** Portion of parcel 106.05-1-6.4 to be assembled with portion of parcel 106.05-1-6.31 to create a conforming lot. All remaining lot requirements will be met.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Carol McGowan, declares the proposed action to be a TYPE II action 25 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary. Roll Call voting yes\_: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by John Treadwell  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by Carol McGowan approves the subdivision  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**Request of Six Town Cottage, LLC Represented by Michael Yonkovic**

Located at 8951 NYS Rte. 3

On Parcel # 106.05-1-6.31

In Business Residential / Lake Front

Bordering Property Owned by Six Town Heights, LLC, Gary & Nina Zehr,

Carol McGowan, 3 P's & E, LLC, Robert & Mary Hoffman and Craig Kerr

For proposed subdivision/ assemblage

**DISCUSSION:** Portion of parcel # 106.05-1-6.31 to be subdivided and assembled with portion of parcel 106.05-1-6.4 to form a conforming lot. Remaining still meets lot requirements

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Carol McGowan, declares the proposed action to be a TYPE II action 25 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary. Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by John Treadwell  
Roll Call voting Yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by John Treadwell approves the subdivision  
Roll Call voting Yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**Request of Six Town Cottage, LLC Represented by Michael Yonkovic**

Located at 8951 NYS Rte. 3

On Parcel # 106.05-1-6.31

In Business Residential / Lake Front

Bordering Property Owned by Six Town Heights, LLC, Gary & Nina Zehr, Carol McGowan, 3 P's & E, LLC, Robert & Mary Hoffman and Craig Kerr

For proposed subdivision/ assemblage

**DISCUSSION:** Portions of parcel 106.05-1-6.4 and 106.05-1-6.31 to be assembled to create a conforming lot meeting all requirements. 165' of road frontage meets BR zone requirements

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Carol McGowan, declares the proposed action to be a TYPE II action 25 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary. Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by John Treadwell  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by John Treadwell approves the assemblage  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**Request of Gary & Ellen Grabowski**

Located at 5242 Clark Point Rd

On Parcel # 105.18-1-1.2

In Lakefront

Bordering Property Owned by Susan Kreisinger, Claudia Dunk, Duane & Kimberly Searle

For proposed 4'x 16'10" addition and 6'x28'.6 "covered porch requiring a reduced side setback.

**DISCUSSION:** Project was reviewed by Zoning Board of Appeals for variance and approved. Project meets all requirements for planning.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Carol McGowan, declares the proposed action to be a TYPE II action 9 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary.

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by John Treadwell

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by Carol McGowan approves the addition and covered porch as presented.

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**Request of Sean & Rena James**

Located at 7056 Hovey Cove Ln

On Parcel # 97.15-1-63

In Lakefront

Bordering Property Owned by Donald & Shirley Kortkamp, William Richmond and Judith Overton

For proposed removal of old cottage and rebuild new cottage requiring a reduced side setback.

**DISCUSSION:** Project was reviewed by Zoning Board of Appeals and approved. Existing Footprint will be used no closer than existing side lot line. Project meets all requirements for planning

**PUBLIC COMMENTS:** None



**SEQR MOTION:** by Michael Contino second by John Treadwell, declares the proposed action to be a TYPE II action 11 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary.

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Carol McGowan

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by John Treadwell approves the removal of old cottage and rebuilding of a new cottage as presented.

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**Request of Timothy & Tracie Osier**

Located at 10775 Sawyers Bay Rd

On Parcel # 105.19-1-36

In Lakefront

Bordering Property Owned by William & Diane Nichols, Jerome & Kathrine Pohopek Trustee, Danny Hollis and Brian Hollis

For proposed removal of existing cottage and build new cottage

**DISCUSSION:** Deemed a pre-submission: after demo of two cottages on lot from approved assemblage a new cottage will be built meeting all required setbacks but must be seeing as it is still considered a non-conforming lot. Plans and footprint of new cottage will be provided at next month's meeting.

**Request of Dale Bolton**

Located at 11741 Rays Bay Rd

On Parcel # 105.14-1-5.2

In Lakefront

Bordering Property Owned by Connie Bolton, Bolton Melanie Trustee, Lisa Gregory, Calvin Rudd and Chalmers-Post, LLC

For proposed new 28' x 42'8" manufacture home and septic system

**DISCUSSION:** All setbacks are met for new home to be placed. Septic will be handled by Jefferson County Codes. Lot coverage under required amount.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by John Treadwell, declares the proposed action to be a TYPE II action 11 under Article Eight of the NYS Environment Conservation Law, which determines there is no significant impact on the environment and no further review is necessary.

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Carol McGowan  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell,  
Carol McGowan

**DECISION MOTION** by Michael Contino, second by John Treadwell approves the new  
manufactured home and septic as presented  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell,  
Carol McGowan

CONTINUATION OF HEARINGS:

**Request of ME Wilson Development Corp. represented by Military  
Road Solar, LLC, Nexamp, Inc. and Crawford and Assoc.  
Engineering, PC**

On Parcel # 105.00-1-7.53

In AR-40

Bordering Property Owned by Louis & Ginger Cook IV, Ernest & Debra  
Thrush, Lee Trust Richard S. and Mark Battista

For proposed installation of approximately 5.0 megawatts of solar energy  
equipment to be placed on approximately 23 acres of parcel.

**DISCUSSION:** Access from Military Rd to Cedarvale still of concern for emergency services during  
winter months for year-round residence. Developer feels this issue is of no concern due to project as  
the issue is a line of trees to the west of the project that causes the issue according to landowner.  
Screening will be 30' East of Cedarvale.

No data provided showing wind trends would not be affected by project. Screening to be just dirt with  
no berms as enough dirt exists to plant trees without them.

Developer agreement has been received by developer they are in the process of gathering funds.

**PUBLIC COMMENTS:** The new fencing and trees for the screening of the project will cause drifts  
of snow to pile beyond control as the snow will no longer be able to blow across the entire field. The  
tunnel effect of the snow from the existing pole barn / garage of the landowner to Military Rd will become  
impassable during winter months.

Drainage effects from the project, has any testing been completed

Eco system and wildlife effects from the project what has been studied

How will the project effect the tourism for the area? This area is a thorough fare to KOA campgrounds,  
heavily populated summer residences and Robert Wehle State Park.

**MOTION:** by Michael Contino second by Carol McGowan to keep the Public Hearing open until our  
next meeting on Sept 1st.

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol  
McGowan

**Request of Crystal Dale Farm, LLC represented by Butterville Road Solar, LLC, Nexamp, Inc. and Crawford and Assoc. Engineering, PC**

On Parcel # 106.00-2-34.1

In AR-40

Bordering Property Owned by Matthew & Krisha Greene, Greene Family Irrev Trust, Butterville Properties, LLC, Nohle Acres, LLC, Ethan & Cynthia Stewart, Evergreen Cemetery Assoc., Frank & Sharon Graves, Daniel Bray, Albert Worthington Jr. and Gary & Della Ramsdell  
For proposed installation of approximately 800 kilowatts of solar energy equipment to be placed on approximately 10 acres of parcel.

**DISCUSSION:** Concern with Pole cluster, would like to have project keep series of poles towards the back of the project off Launch Rd. Developer responds that National grid owns half of the poles and they go minimal distances off roads this is their policy. The Pole are planned 70' to 80' off Launch Ln and covered by existing vegetation.

**PUBLIC COMMENTS:** None

**MOTION:** by Michael Contino second by Carol McGowan to keep the Public Hearing open until our next meeting on Sept 1st.

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan

MOTION by Michael Contino second by Robert Ashodian to accept the March 18, 2020 revised Planning Board minutes.

Roll Call voting yes: Michael Contino, Robert Ashodian, Ned Martelle  
John Treadwell & Carol McGowan abstain

MOTION by Robert Ashodian second by carol McGowan to accept the June 25, 2020 revised Planning Board minutes

Roll Call voting yes: Michael Contino, Robert Ashodian, John Treadwell, Carol McGowan  
Ned Martelle Abstain

**New Business:** Next Meeting Sept 1<sup>st</sup> at 5:00 PM

**ADJOURNMENT MOTION** by Robert Ashodian second by Carol McGowan adjourns the meeting.  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian, Carol McGowan, John Treadwell

Respectfully Submitted  
Wendy Flagg, Planning Board Clerk