

TOWN OF HENDERSON ZONING BOARD OF APPEALS MEETING

12105 TOWN BARN ROAD, HENDERSON, NY

January 15, 2020 AT 5:00 PM

Committee Members: Jerry Tackley, Chairman and Robert Aliasso, Fredrick Caswell Jr., Matthew Owen, Joan Treadwell Woods, Dean Witmer-Alternate

CALL TO ORDER

ATTENDANCE and PLEDGE:

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.

HEARING #1

Request of David & Lisa Michalet represented by Brett Handel & Noreen Mallabar

Located at Grandjean Rd.

On Parcel # 105.19-3-16&17

In Lakefront

Bordering Property Owned by Ronald Barr, Lisa Bailey and Scott Grandjean

For 30'x 40' garage/pole barn, variance required for the additional sq. ft. over allowable with a 12'x 30' overhang

DISCUSSION: This project is reviewed with the understanding that the lots must be assembled prior to any building permits are issued. Letter from the Michalet's allowing Brett Handel and Noreen Mallabar to represent them is on file. A single story 30'x40' pole barn will be constructed with a 12'x30' covered overhang. The overhang will have just a roof no sides. Pole Barn will be the principle building on the lot. Existing shed will be removed. All setbacks are met, and the 360 additional square foot of the unit will not be an issue on coverage.

PUBLIC COMMENTS: None

COMMENTS FROM ZEO: None

SEQR MOTION by Matthew Owen second by Joan Treadwell Woods declares the proposed action to be a TYPE II – 16 Action 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: Jerry Tackley, Fredrick Caswell, Robert Aliasso, Matthew Owen, Joan Treadwell Woods

CLOSE PUBLIC HEARING MOTION by Robert Aliasso second by Matthew Owen to close the Public hearing
Roll Call voting yes: Jerry Tackley, Fredrick Caswell, Robert Aliasso, Matthew Owen, Joan Treadwell Woods

AREA VARIANCE CHECKLIST

FACTORS CONSIDERED

- 1. Whether undesirable change would be produced in the character of neighborhood or a detriment to nearby properties? () Yes (5) No**

Reasons:

- 2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: () Yes (5) No**

Reasons:

- 3. Whether the requested variance is substantial: () Yes (5) No**

Reasons:

4. **Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood:** () Yes (5) No

Reasons:

5. **Whether the alleged difficulty was self-created:** (5) Yes () No

Reasons:

DETERMINATION OF ZBA BASED ON ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors and motion, finds that

() **the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.**

(4) **the Benefit to the Applicant DOES Outweigh the Detriment to the Neighborhood or Community and therefore the variance and motion request is granted.**

Roll Call voting yes: Jerry Tackley, Fredrick Caswell, Robert Aliasso, Matthew Owen, Joan Treadwell Woods
Matthew Owen Abstains

Pre-submission: David Converse on Nutting St. requested a proposed pump house to house an electric pump to help keep up with the predicted high water again for this year. A 7'x7' concrete pad will be poured and a 6'x6' building will house the unit. The building will be close to the property line, a survey of the property is requested by the Board as well as a statement from the neighbor of the joint adventure.

Organization Meeting:

Meeting to be the 3rd Wednesday of each month at 5:00PM (as requested)

Chairman – Jerry Tackley

Vice Chairman – Robert Aliasso

Alternate Member – Dean Witmer

Clerk – Wendy Flagg

Newspaper – Watertown Daily Times

Roll Call voting yes: Jerry Tackley, Fredrick Caswell, Robert Aliasso, Matthew Owen, Joan Treadwell Woods

ADOPTION OF PREVIOUS MINUTES:

MOTION by Robert Aliasso, second by Fredrick Caswell accepts the September 18, 2019 meeting minutes.

Roll Call voting yes: Robert Aliasso, Jerry Tackley, Fredrick Caswell, Matthew Owen
Joan Treadwell Woods – abstains

BUSINESS: Next possible Meeting Feb 19th
Tug Hill Government Days March 26th

MOTION by Joan Treadwell Woods second by Matthew Owens adjourns the meeting.

Roll Call voting yes: Jerry Tackley, Fredrick Caswell, Robert Aliasso, Matthew Owen, Joan Treadwell Woods

Respectfully Submitted
Wendy Flagg