

TOWN OF HENDERSON ZONING BOARD OF APPEALS MEETING

12105 TOWN BARN ROAD, HENDERSON, NY

July 21, 2021 AT 6:00 PM

**Committee Members: Jerry Tackley, Chairman and Robert Aliasso, Fredrick Caswell Jr., Joan Treadwell Woods, Julie West
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 Crystal Dale Farm, LLC represented by Pat Storino

Located at 13047 NYS Rte 178

On Parcel #106.00-2-34.1

In AR40

Bordering Property Owned by Butterville Properties, LLC, Jeffrey & Cynthia Germain, William Cool, David & Lisa Magos, Matthew & Krisha Greene, Greene Family Irrev. Trust, Roseanne Rinaldi, Roger & Theresa Barney, Devon Shelmidine, Colton & Jordan Fitzgerald, Gary Ramsdell, Albert Worthington Jr., Daniel Bray, Frank & Sharon Graves, Evergreen Cemetery Assoc., Ethan & Sharon Stewart and Nohle Arces, LLC

For interpretation of Zoning Laws pertaining to flag lot subdivision(s) in non-waterfront districts

DISCUSSION: Lot has a 51' road / driveway with 1.3 acre lot, 344.8 acres left both are conforming lots. No variance needed. Board has been asked to interrupt the law. 180x 250 conforming lot has been created. Suggested to amend the application by Robert Aliasso

PUBLIC COMMENTS: None

COMMENTS FROM ZEO: This should be no problem according to Eric Sheldon, Zoning Enforcement Officer. All Board members agree.

SEOR MOTION by Robert Aliasso second by Joan Treadwell Woods declares the proposed action to be a TYPE II – 37 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, Robert Aliasso, Joan Treadwell Woods, Julie West, Fredrick Caswell

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

MOTION: by Robert Aliasso second by Fredrick Caswell to accept interpretation of law 150-6 as stated with no variance required.
Roll Call voting yes: Robert Aliasso, Jerry Tackley, Joan Treadwell Woods, Fredrick Caswell, Julie West

ADOPTION OF PREVIOUS MINUTES:

Joan Treadwell Woods asked that a change to May minutes be made. Board Agrees

MOTION by Joan Treadwell Woods, second by Robert Aliasso accepts the May 19,2021 corrected meeting minutes.
Roll Call voting yes: Robert Aliasso, Jerry Tackley, Joan Treadwell Woods, Fredrick Caswell, Julie West

BUSINESS: Next possible Meeting August 18th

New Solar language is being presented to Jefferson County Planning Board for opinion at end of this month. Robert Aliasso at meeting and discussed the changes being presented.

MOTION by Joan Treadwell Woods second by Julie West adjourns the meeting.
Roll Call voting yes: Jerry Tackley, Robert Aliasso, Joan Treadwell Woods, Julie West, Fredrick Caswell

Respectfully Submitted

Wendy Flagg