

**TOWN OF HENDERSON PLANNING BOARD MEETING**  
**12105 TOWN BARN ROAD, HENDERSON, NY**  
**July 5, 2017 AT 7:00 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:** Michael Contino - Absent

**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 Paul Babcock**

Located at Co Rt. 71

On Parcel # 98.00-0-33.8

In AR-40

Bordering Property Owned Debra Merryman, David and Shelly Card,

Marianne and Mack Agaciewski and Michele Paugh

For a subdivision

**DISCUSSION:** Lot would be considered a conforming lot meeting road frontage and all other requirements. Remaining parcel 98.00-1-33.8 owned by Paul Babcock will be 20 (twenty) plus acres.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by John Treadwell, second by Carol McGowan, declares the proposed action to be a TYPE II action 19 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, Robert Ashodian, John Treadwell, Carol McGowan

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

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

**Request of Patricia Lysyczyn**

Located at 12723 Co Rt. 123  
On Parcel # 106.09-1-57  
In Lakefront  
Bordering Property Owned Roy Navik and William Green  
For a 10'X15' deck on a non-conforming lot

**DISCUSSION:** Confusion on site plan as to the distance off the property line. The actual lot has been combined not the two lots as shown. The deck will actually be 10' off the side lot line. May possibly add a privacy fence later and wouldn't be considered an issue.

**PUBLIC COMMENTS:** Roy Navik was concerned with placement of deck but is comfortable with distance of 10' of property line possible privacy fence should be considered.

**SEQR MOTION:** by John Treadwell, second by Robert Ashodian, declares the proposed action to be a TYPE II action 10 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, Robert Ashodian, John Treadwell, Carol McGowan

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

**DECISION MOTION** by Robert Ashodian, second by Carl McGowan, approved a 10'X15' deck on a non-conforming lot.  
Roll Call voting yes: Ned Martelle, Robert Ashodian, John Treadwell, Carol McGowan

**CONTINUED HEARINGS:**

**Request of Harbor's End Inc. represented by Scott Lapell & Linda Benway**

Located at 8630 NYS Rt 3  
On Parcel # 106.09-1-6.1  
In Business  
Bordering Property Owned Montague Family Trust  
For used car sales and service business

MOTION by Robert Ashodian second by Carol McGowan to remove the application of Harbor's End Inc. represented by Scott Lapell and Linda Benway off table due to fact that the applicant representative has no standing to make application without property owner's consent.  
Roll Call voting yes: Robert Ashodian, Ned Martelle, John Treadwell, Carol McGowan

MOTION by John Treadwell second by Carol McGowan to accept the June 13, 2017 revised Planning Board minutes.  
Roll Call voting yes: Robert Ashodian, Ned Martelle, John Treadwell, Carol McGowan

**Concern w/ Waterside Bar & Grill – John Killius** – John Killius is very concerned with the placement of the Waterside Bar & Grill's waste treatment system. The unit is within 3' (three) of his property line it is noisy and a very strong odor is emitted on certain days and certain wind conditions. DEC has been contacted by John Killius. Eric Sheldon, Zoning Officer has given John Killius a list of the application process.

Since the placement of the waste treatment system and dumpsters has removed the parking that was approved by the Planning Board the alternative parking off site that was agreed upon at the acceptance of the application should be being used. Eric Sheldon, Enforcement Officer will review the parking issue.

John Killius feels the waste treatment system should be removed and is the owner's responsibility to correct issues.

**New Business:** Next possible Meeting August 1<sup>st</sup>

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

Respectfully Submitted  
Wendy Flagg, Planning Board Clerk