

TOWN OF HENDERSON PLANNING BOARD MEETING
12105 TOWN BARN ROAD, HENDERSON, NY
July 6, 2021 AT 5:00 PM

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

CALL TO ORDER and PLEDGE OF ALLEGIANCE

ATTENDANCE Robert Ashodian running late entered at 5:10 PM

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 Irene Hays Life Tenant Rep Andrew Moore

Located at 9010 NYS Rte. 178

On Parcel #106.09-338.1/38.2

In R-15

Bordering Property Owned by Patrick & Paula Grimshaw, William Teselle
and Town of Henderson

For proposed assemblage

DISCUSSION: Simple assemblage will create more space to allow for proposed ground mounted solar system.

PUBLIC COMMENTS: None

SEQR MOTION: by John Treadwell 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, John Treadwell, Carol McGowan

CLOSE PUBLIC HEARING MOTION by Michael Contino , second by Carol McGowan

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

DECISION MOTION by Michael Contino, second by John Treadwell approves the proposed assemblage

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

Request of Susan Washburn Represented by Storino Geomatics

Located at 13680 Cty Rte 123

On Parcel #106.05-1-67

In LF

Bordering Property Owned by Brandon Dibble and Michael Patchen Irrev

Family Protected Trust

For proposed subdivision/assemblage

DISCUSSION: This is to correct an encroachment issue which will leave all involved with conforming lots and fix the issue.

PUBLIC COMMENTS: None

SEQR MOTION: by John Treadwell second by Robert Ashodian, 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, John Treadwell, Carol McGowan, Robert Ashodian

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

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

DECISION MOTION by Robert Ashodian, second by Michael Contino approves the proposed subdivision/assemblage

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

Request of Michael Patchen Represented by Storino Geomatics

Located at 13596 Cty Rte 123

On Parcel #106.05-1-55.1

In LF

Bordering Property Owned by Brandon Dibble, Susan Washburn, Phillip

Hoffman, Charles & Sharon Clarkson, Martha Bouculat, Mary Hoffman,

Maureen Meylor, Lee & Jane Cagwin, Constance Clasby, Shawn Dick and

Jennifer Powell

For proposed subdivision/assemblage

DISCUSSION: All lots will remain conforming

PUBLIC COMMENTS: None

SEQR MOTION: by John Treadwell 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, John Treadwell, Carol McGowan, Robert Ashodian

CLOSE PUBLIC HEARING MOTION by Robert Ashodian , second by Carol MC Gowan

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

DECISION MOTION by Robert Ashodian, second by Carol McGowan approves the proposed subdivision/assemblage

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

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 Acres, LLC
For proposed subdivisions

DISCUSSION: All lots will remain conforming no issues

PUBLIC COMMENTS: None

SEQR MOTION: by John Treadwell second by Robert Ashodian, 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, John Treadwell, Carol McGowan, Robert Ashodian

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

DECISION MOTION by Robert Ashodian, second by John Treadwell approves the proposed subdivisions

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

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 Acres, LLC
For proposed subdivisions

DISCUSSION: This will be a “Flag Lot” the lot will be 40,000 square feet at base of lot. Discussion on if “flag lots” are allowed, they have been done in the past but mostly on lake front zone. Clarification on the law is requested.

PUBLIC COMMENTS: Pat Storino reminds Board that “flag lots “ have been done before

SEQR MOTION: by Robert Ashodian 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, John Treadwell, Carol McGowan, Robert Ashodian

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

DECISION MOTION by Robert Ashodian, second by John Treadwell denies the proposed subdivisions.

Roll Call voting No: Michael Contino, John Treadwell, Carol McGowan

Yes Robert Ashodian

Abstains Ned Martelle

Board requests to send hearing to Zoning Board of Appeals for interpretation of law regarding “Flag Lots” or variance.

Request of Harbor End Green Houses

Located at 10900 Ray Bay Rd

On Parcel #105.18-1-5

In LF

Bordering Property Owned by Donna Rohmann, Carol Taylor and Frank Phillips

For proposed 24'x40' single story house

DISCUSSION: 24' X 40' home to include septic and water on a non-conforming lot. All required setbacks are meet.

Do to the fact that the back lot line set back is well over 50' even is the survey is not correct there would be no issues with the project and it's location on the lot. Board agrees to move forward with the project review.

PUBLIC COMMENTS: Frank Phillips – is concerned that the actual survey is not correct he claims he owns the back 20' of lot

SEQR MOTION: by John Treadwell second by Carol Mc Gowan, 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, John Treadwell, Carol McGowan, Robert Ashodian

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

DECISION MOTION by Robert Ashodian, second by Carol McGowan approves the proposed 24'x40' single story home on a non-conforming lot
Roll Call voting yes: Ned Martelle, Michael Contino, John Treadwell, Carol McGowan, Robert Ashodian

Request of Irene Hays Life Tenant Rep Andrew Moore

Located at 9010 NYS Rte. 178

On Parcel #106.09-338.1/38.2

In R-15

Bordering Property Owned by Patrick & Paula Grimshaw, William Teselle and Town of Henderson

For proposed 9.585 KW ground mounted solar array

DISCUSSION: Amy Flynn from Solar Liberty spoke to Board about proposed project. Some discussion on moratorium.

MOTION by Michael Contino, second by Carol McGowan to hold hearing open until six (6) month moratorium expires. Contingent approval upon expiration of moratorium.

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

Pre-submission - Bill Maguire – Proposed the demolition of old cottage with new year-round home on a non-conforming lot. All required setbacks are met should be no issues.

MOTION by John Treadwell second by Carol McGowan to accept the June 1, 2021, revised Planning Board minutes

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

New Business: Next regular Meeting Tuesday Aug 3rd at 5:00 PM

ADJOURNMENT MOTION by Carol McGowan second by Robert Ashodian adjourns the meeting.

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

Respectfully Submitted

Wendy Flagg, Planning Board Clerk