

TOWN OF HENDERSON ZONING BOARD OF APPEALS MEETING

12105 TOWN BARN ROAD, HENDERSON, NY

March 17, 2021 AT 5:00 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 John & Debbie Peterson

Located at 13799 Cty Rte. 123

On Parcel # 98.17-1-8

In Lake Front

Bordering Property Owned by Kenneth & Tina Vance and Mary Gale McGuane

For removal of existing cottage and proposed replacement of new two (2) story, 2,816 square foot, approximately 54' x 30' cottage requiring a reduced side setback and reduced rear setback variance on a non- conforming lot.

DISCUSSION: A 3' Northeast variance and a 10' rear variance is proposed to meet the setbacks. The two-story house will meet the height standards and 13% coverage is within requirement. Parking will be across street. Chairman reads section of Town zoning laws under "Lot Line" section 1 subsection b and that will apply to this case. The right of way on County Route 123 is of concern and concise measurements are required. Survey to be completed showing measurements from road. Board also has some concerns with the rear decks on the waterfront as they go right to the water's edge. Would like to see them reconfigured as well.

PUBLIC COMMENTS: Letters of concern of the project sent in from Robert Whitman, Kenneth & Tina Vance and Richard & Michele Poulsen were read into minutes. Kenneth Vance and Robert Whiteman express concerns with project. Board is asked to postpone and table decision due to lack of information concerning right of way and lot information

COMMENTS FROM ZEO: Concerned with a possible zero set back of proposed decks on the water side of property.

ZBA board would like to have the rear decks reconfigured and have a survey completed to establish the actual right of way. Will keep the Public hearing open until these items are provided and hear the case at next month's meeting.

MOTION: by Robert Aliasso second by Joan Treadwell Woods to keep public hearing until the requested material is available for review at the next month's meeting.
Roll Call voting yes: Jerry Tackley, Robert Aliasso, Joan Treadwell Woods, Julie West, Fredrick Caswell

ADOPTION OF PREVIOUS MINUTES:

MOTION by Joan Treadwell Woods, second by Robert Aliasso accepts the January 20, 2021 corrected meeting minutes.
Roll Call voting yes: Robert Aliasso, Jerry Tackley, Joan Treadwell Woods, Fredrick Caswell, Julie West

BUSINESS: Next possible Meeting April 21st

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

Respectfully Submitted
Wendy Flagg