

**TOWN OF HENDERSON PLANNING BOARD MEETING**  
**12105 TOWN BARN ROAD, HENDERSON, NY**  
**March 3, 2020 AT 5:00 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:** John Treadwell and Carol McGowan 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 James Rathbun represented by Patsy Storino**

Located at 10978 Grandjean RD & Cty Rte. 152

On Parcel # 105.00-1-38

In AR-40

Bordering Property Owned by Edward & Gretchen Martelle, Connie Grandjean, Scott Grandjean and Timothy Grandjean

For proposed two lot subdivision

**DISCUSSION:** 400' x 300' parcel total of 2.28 acres includes were existing building currently is. Meets all requirement to be considered a conforming lot. Residual will remain as whole and is conforming.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino 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, Robert Ashodian

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Michael Contino  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**DECISION MOTION** by Michael Contino, second by Robert Ashodian approves the subdivision  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**Request of Noreen Mallabar & Brett Handel**

Located at Grandjean Rd  
On Parcel # 105.19-3-16 & 105.19-3-17  
In Lakefront  
Bordering Property Owned by Donald Barr, Linda Bailey and Scott  
Grandjean  
For proposed assemblage

**DISCUSSION:** Two small non-conforming lots to be combined although the lot is still not conforming it is much improved by the assemblage.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino 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, Robert Ashodian

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Michael Contino  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**DECISION MOTION** by Michael Contino, second by Robert Ashodian approves the assemblage  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**Request of Charles Scrobola represented by Richard Hatch**

Located at 14604 Snowshoe Rd  
On Parcel # 97.15-1-36  
In Lakefront  
Bordering Property Owned by Francis & Elaine Walter and Scott & Lynn  
Brown  
For proposed second story on to existing one story cottage staying within  
existing footprint on a non-conforming lot.

**DISCUSSION:** Total height will be 22' tall. The cottage is in front of an empty embankment therefore no issues with blocking a view or impact on the neighborhood. Will stay within existing footprint meets all zoning height requirements.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Robert Ashodian, 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, Robert Ashodian

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Michael Contino  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**DECISION MOTION** by Robert Ashodian, second by Michael Contino approves the second story on to the existing one-story cottage staying within existing footprint on a non-conforming lot  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**Request of Gerald & Christine Phelps**

Located at 13810 Bayview Dr

On Parcel # 97.19-1-11

In Lakefront

Bordering Property Owned by Patrick & Patti Blincoe and Alan & Kathleen Feiock

For proposed seawall and shoreline repair due to highwater

**DISCUSSION:** Break wall to keep further erosion from occurring. A 6' retaining wall 113' long of made of concrete will be constructed and filled to prevent any further erosion of property.

**PUBLIC COMMENTS:** Ginger Cook asks what other agencies must be contacted to do wall?  
Board response is DEC is usually involved along with Army Corp of Engineers who issue paperwork approving project design.

**SEQR MOTION:** by Michael Contino second by Robert Ashodian, declares the proposed action to be a TYPE II action 9 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, Robert Ashodian

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Michael Contino  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**DECISION MOTION** by Robert Ashodian, second by Michael Contino approves the proposed seawall and shoreline repair due to highwater.  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**Request of Gary Zimmer represented by Taylored Architecture, PLLC**

Located at 11279 Flatrock East

On Parcel # 98.11-1-36

In Lakefront

Bordering Property Owned by John & Audrey Gibbs, Widrick Irrev.

Family Trust, Ben's Cove Association, LLC and Flat Rock Association, Inc

For proposed seawall and shoreline repair due to highwater

**DISCUSSION:** Existing seawall along lake would be tied into proposed concrete block wall along creek bed to prevent the water from coming around end of existing wall and flooding creek into lawn. Once water is trapped behind wall erosion of property takes place along with flooding.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Robert Ashodian, declares the proposed action to be a TYPE II action 9 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, Robert Ashodian

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Michael Contino

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**DECISION MOTION** by Robert Ashodian, second by Michael Contino approves the proposed seawall and shoreline repair due to highwater.

Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**Request of John & Sara Treadwell**

Located at 15290 Treadwell Dr.

On Parcel # 98.11-1-14

In Lakefront

Bordering Property Owned by Sears Trustee Howard P Jr. and Charles &

Janet Park

For proposed seawall and shoreline repair due to highwater

**DISCUSSION:** Proposed seawall of concrete and riprap to prevent further damage from highwater. Flooding is causing erosion, DEC and other agencies have been contacted and approved

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Robert Ashodian, declares the proposed action to be a TYPE II action 9 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, Robert Ashodian

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Michael Contino  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**DECISION MOTION** by Michael Contino, second by Robert Ashodian approves the proposed seawall and shoreline repair due to highwater.  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**Request of Jeffrey & Milagros Smith represented by Fourth Coast, Inc**

Located at 10932 Sawyers Bay Rd.

On Parcel # 105.18-1-26.1

In Lakefront

Bordering Property Owned by Rockney Maxson, Susan Veley, Donald & Carol Jerry and Richard & Sharon Phillips

For proposed installation of a 20,160-watt ground mounted solar PV array

**DISCUSSION:** Height of array must be 8' or less. A brush line is behind array and array is behind barn making it hidden from road view. Generated power will be used for homeowner use only. Project is across the road from home not on shoreline.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by Michael Contino second by Robert Ashodian, declares the proposed action to be a TYPE II action 15 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, Robert Ashodian

**CLOSE PUBLIC HEARING MOTION** by Robert Ashodian, second by Michael Contino  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**DECISION MOTION** by Michael Contino, second by Robert Ashodian approves/ denies the installation of a 20,160-watt ground mounted solar PV array  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**Request of ME Wilson Development Corp. represented by Military Road Solar, LLC, Nexamp, Inc. and Crawford and Assoc. Engineering, PC**

On Parcel # 105.00-1-7.53

In AR-40

Bordering Property Owned by Louis & Ginger Cook IV, Ernest & Debra Thrush, Lee Trust Richard s. and Mark Battista

For proposed installation of approximately 5.0 megawatts of solar energy equipment to be placed on approximately 23 acres of parcel.

**DISCUSSION:** Alex Curling from NEXAMP, INC and Chris Knox from Crawford & Assoc. Engineering, PC discussed the 5.0 megawatts solar energy project located on approximately 23 acres of the named parcel. The closest array would be approximately 100' from roadway. Due to heavily traveled traffic during the summertime on County Route 178 concern of sparse screening of project from road view was addressed. NEXAMP and Crawford will come back to Board with a screening proposal for next month's meeting. Discussion of soil quality was briefly discussed but can be reviewed by soil reports in file. Lack of correspondence from Fort Drum and Watertown Airport were mentioned and client will provide before next meeting.

**PUBLIC COMMENTS:** Ginger Cook was concerned that seasonal people who live down along waterfront should be notified as well as the two small businesses along County Route 178.

- \* Tourism concerns road is main route to KOA during seasonal peak
- \*Topography of area will not look uniform
- \*Lots of issues in soil consistency
- \*Concerned with JCIDA involvement and effect on taxes

**MOTION:** by Michael Contino second by Robert Ashodian, to deem the application incomplete due to the lack of correspondence from Fort Drum and Watertown Airport  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**MOTION:** by Michael Contino second by Robert Ashodian, to keep the Public Hearing open until our next meeting on April 7<sup>th</sup>.  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

The Project will be sent to the Jefferson County Planning Board for review at their March 31<sup>st</sup> hearing. This will allow the County's response to be heard as well as any public comments that may need to be reviewed.

**Request of Crystal Dale Farm, LLC represented by Buttersville Road Solar, LLC, Nexamp, Inc. and Crawford and Assoc. Engineering, PC**

On Parcel # 106.00-2-34.1

In AR-40

Bordering Property Owned by Matthew & Krisha Greene, Greene Family Irrev Trust, Buttersville Properties, LLC, Nohle Acres, LLC, Ethan & Cynthia Stewart, Evergreen Cemetery Assoc., Frank & Sharon Graves, Daniel Bray, Albert Worthington Jr. and Gary & Della Ramsdell  
For proposed installation of approximately 800 kilowatts of solar energy equipment to be placed on approximately 10 acres of parcel.

**DISCUSSION:** Chris Knox from Crawford and Assoc. Engineering, PC sent electronic updates and provided hard copies as well to Board. Special Use permit for a large-scale solar project approximately half a mile from lake front area of parcel and approximately 300; from County Route 75. Mix of cedar and scrub brush will provide some screening from County Route 75 and Launch Lane. A total of 5.75 acres of coverage will be used with a 120' set back off Launch Lane. Array will be fenced with an 8' high fence, at total tilt panels will be 13.9' total height. Soil seems to be mostly bedrock with some soil pockets. Review of local laws were reviewed by Planning Board. Currently working with JCIDA for tax incentives. Lack of correspondence from Fort Drum and Watertown Airport were mentioned and client will provide before next meeting.

**PUBLIC COMMENTS:** Ginger Cook is there a similar project to look at in the area?  
Client: nothing completed here mostly in Hudson/ Albany area

Will this provide energy to the local farms its near?

Client: this is a community project were customers can buy into the project

How long does the bond stay with the Town?

Client: Bond stays with Town 35yr. asset.

**MOTION:** by Michael Contino second by Robert Ashodian, to deem the application incomplete due to the lack of correspondence from Fort Drum and Watertown Airport  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**MOTION:** by Michael Contino second by Robert Ashodian, to keep the Public Hearing open until our next meeting on April 7<sup>th</sup>.  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

The Project will be sent to the Jefferson County Planning Board for review at their March 31<sup>st</sup> hearing. This will allow the County's response to be heard as well as any public comments that may need to be reviewed.

MOTION by Robert Ashodian second by Michael Contino to accept the February 4, 2020 revised Planning Board minutes.  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

**New Business:** Next Meeting April 7<sup>th</sup> at 5:00 PM  
Tug Hill Government training @ JCC on March 26<sup>th</sup> registration begins at 7:30

**ADJOURNMENT MOTION** by Robert Ashodian second by Michael Contino adjourns the meeting.  
Roll Call voting yes: Ned Martelle, Michael Contino, Robert Ashodian

Respectfully Submitted  
Wendy Flagg, Planning Board Clerk