

**TOWN OF HENDERSON PLANNING BOARD MEETING**  
**12105 TOWN BARN ROAD, HENDERSON, NY**  
**May 4, 2021 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** Robert Ashodian - 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 Garry Jones**

Located at 6111 N Schoolhouse Rd.

On Parcel # 97.15-1-24.63

In AR-40

Bordering Property Owned by Michael & Elizabeth Kurtz and Gary

Fellows

For proposed Subdivision

**DISCUSSION:** Both lots will be considered conforming lots

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by John Treadwell second by Michael Contino, 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 Carol McGowan , second by Michael Contino  
Roll Call voting yes: Ned Martelle, Michael Contino, John Treadwell, Carol McGowan

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

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

**Request of Carl & Betsy Wood**

Located at 14653 Snowshoe Rd

On Parcel #97.15-1-26.1

In AR-40/ Lake front

Bordering Property Owned by Margaret Gandolfo, Michael & Linda Jones,  
Michael & Elizabeth Kurtz, Judy Callahan, Daniel Callahan, Timothy &  
Ana Callahan, Samantha Whitehead, Rajan& Christine Julka, Thomas &  
Donna Deuson, Lawrence Doyle, Lynn Doyle, Kenneth Doyle, Glen &  
Tamara DeFranco

For proposed Subdivision

**DISCUSSION:** All lots meet requirements to be conforming remaining to be assembled

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by John Treadwell second by Michael Contino, 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 Carol McGowan, second by Michael Contino  
Roll Call voting yes: Ned Martelle, Michael Contino, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by Carol McGowan approves the proposed subdivision

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

**Request of Carl Wood**

Located at 14265 Snowshoe Rd

On Parcel #97.15-1-69.1

In AR-40/ Lake front

Bordering Property Owned by Michael & Linda Jones

For proposed Assemblage

**DISCUSSION:** The assemblage meets all requirements

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by John Treadwell second by Michael Contino, 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 Carol McGowan, second by Michael Contino  
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 Carl & Betsy Wood**

Located at 14359 Snowshoe Rd  
On Parcel #97.15-1-71  
In AR-40/ Lake front  
Bordering Property Owned by Judy Callahan  
For proposed Assemblage

**DISCUSSION:** residual to be assembled with this lot per notes on survey. Lot will be conforming

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by John Treadwell second by Michael Contino, 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 Carol McGowan, second by Michael Contino  
Roll Call voting yes: Ned Martelle, Michael Contino, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino, second by Carol McGowan approves the proposed assemblage  
Roll Call voting yes: Ned Martelle, Michael Contino, John Treadwell, Carol McGowan

**Request of John McGivney/ Robert McGivney**

Located at 9234 NYS Rte 3

On Parcel # 98.17-1-33

In AR-40

Bordering Property Owned by Town of Henderson, Ryan Edmonds/Mary

Lou Edmonds and Maino Trust

For proposed Subdivision

**DISCUSSION:** 100X100 lot to be subdivided off from parcel 98.17-1-33 to be assembled to parcel 98.17-1-34.3

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by John Treadwell second by Michael Contino, 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 Carol McGowan, second by Michael Contino

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

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

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

**Request of Ryan Edmonds/ Mary Lou Edmonds**

Located at 9290/296 NYS Rte 3

On Parcel # 98.17-1-34.3

In Business

Bordering Property Owned by Town of Henderson, John McGivney/Robert

McGivney and Maino Trust

For proposed Assemblage

**DISCUSSION:** Assemblage of the 100'x 100' lot to the existing parcel helping to improve parking and encroachment of existing buildings.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by John Treadwell second by Michael Contino, 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 Carol McGowan, second by Michael Contino  
Roll Call voting yes: Ned Martelle, Michael Contino, John Treadwell, Carol McGowan

**DECISION MOTION** by Michael Contino , second by Carol McGowan approves the proposed assemblage  
Roll Call voting yes: Ned Martelle, Michael Contino, John Treadwell, Carol McGowan

**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 on a non-  
conforming lot

**DISCUSSION:** Project was heard at the Zoning Board of Appeals for set back variances. New Survey was provided to ZBA Board showing actual placement of existing home from right of way on County Route 123. Zoning Board of Appeals granted the variances needed to move forward with project. Planning Board approves project based on the approvals of the Zoning Board of Appeals.

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by John Treadwell second by Michael Contino, 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

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

**DECISION MOTION** by Michael Contino, second by Carol McGowan approves the proposed removal of existing cottage and proposed replacement of new two (2) story, 2,816 square foot, approximately 54' x 30' cottage on a non- conforming lot as variances have been put in place  
Roll Call voting yes: Ned Martelle, Michael Contino, John Treadwell, Carol McGowan

**Request of John & Audrey Gibbs**

Located at 11349 Bens Cove

On Parcel # 98.11-1-37

In Lake Front

Bordering Property Owned by Gary & Patricia Zimmer, Dorothy Finley

Revocable Trust and Ben's Cove Association, LLC

For proposed replacement of existing seawall and porch

**DISCUSSION:** Repair to be replaced in kind as DEC permit has been issued and porch to be repaired and placed in same footprint

**PUBLIC COMMENTS:** None

**SEQR MOTION:** by John Treadwell second by Michael Contino, 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, John Treadwell, Carol McGowan

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

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

**DECISION MOTION** by Michael Contino , second by Carol McGowan approves the proposed replacement of existing seawall and porch

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

**Request of Robert & Lisa Sutkus/Daniel Bunnell**

Located at 5766 Nutting St Rd

On Parcel # 105.18-1-21

In Lake Front

Bordering Property Owned by Zofia Brown/ Elfriede Brown and Luttinger Trust

For removal of existing cottage and proposed replacement with new 47'X

20' approximately, cottage in same footprint as existing and a 24'x32'

garage on a nonconforming lot

**DISCUSSION:** Building new cottage in the same footprint as existing. All set backs are met and garage to be across road, not on waterfront also meets all set back requirements.

**PUBLIC COMMENTS:** None

**SEOR MOTION:** by John Treadwell second by Michael Contino, 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

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

**DECISION MOTION** by Michael Contino, second by Carol McGowan approves the proposed removal of existing cottage and proposed replacement with new 47'X 20' approximately, cottage in same footprint as existing and a 24'x32' garage on a nonconforming lot  
Roll Call voting yes: Ned Martelle, Michael Contino, John Treadwell, Carol McGowan

MOTION by Michael Contino second by John Treadwell to accept the April 6,2021 revised Planning Board minutes  
Roll Call voting yes: Michael Contino, John Treadwell, Ned Martelle, Carol McGowan

**New Business:** Next regular Meeting Tuesday June 1<sup>st</sup> at 5:00 PM

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

Respectfully Submitted  
Wendy Flagg, Planning Board Clerk