

**MINUTES**  
**TOV Zoning Board of Appeals (ZBA)**  
**Organizational Meeting**  
**January 22, 2026**

**Call to order:** ZBA Interim Chairman John Pavelock called the meeting to order at 6:30 pm with the Pledge.

**Attendance:**

ZBA Members: Nathan Juby, John Pavelock, and Joshua O’Kay. Amanda Hewitt and Michael Taylor were unable to attend.

Others: ZBA Secretary Kathy Pavelock, Town Attorney Evan Rossi, Codes/Zoning Officer Reay Walker and a few applicants/residents. Liaison Darrin Smith was unable to attend.

Due to the absence of Mike Taylor (appointed chairman), Josh O’Kay made a **motion to appoint John Pavelock as the Interim Chairman**, seconded by Nate Juby. Poll Vote: Josh O’Kay – Aye, Amanda Hewitt – Absent, John Pavelock – Aye, Mike Taylor - Absent, Nate Juby - Aye. **Motion Carried 3 to 2.**

**Minutes Approval:**

Josh O’Kay made a **motion to approve the minutes for November 24, 2025, ZBA Special Meeting**, seconded by Nate Juby. Poll Vote: Josh O’Kay – Aye, Amanda Hewitt – Absent, John Pavelock – Aye, Mike Taylor - Absent, Nate Juby - Aye. **Motion Carried 3 to 2.**

Since this meeting was schedule for organizational purposes, Interim Chairman Pavelock asked the secretary about the Town Council appointments. The town council appointed Mike Taylor as 2026 ZBA Chairman, Kathy Pavelock as ZBA Secretary and Amanda Hewitt to fill the term ending December 31, 2030. John Pavelock made a **motion to accept the appointments**, seconded by Josh O’Kay. Poll Vote: Josh O’Kay – Aye, Amanda Hewitt – Absent, John Pavelock – Aye, Mike Taylor - Absent, Nate Juby - Aye. **Motion Carried 3 to 2.**

**Correspondence:** Secretary Pavelock summarized the correspondence since the last ZBA meeting:

- Received Workplace Violence and Harassment/Discrimination training certificates from Josh O’Kay.
- Prepared and distributed the decision for Var2025-05. ZBA members expressed their interest in attending the 2026 LGC on April 21. Kathy Pavelock will coordinate the payments and registration forms.
- Received a new Interpretation application (Var2026-01).

**Public Hearings: None**

**Unfinished Business:**

**Var2025-02 Justin Hansen; 199.000-1-6.17; 8131 Dixon Rd; Zone RR2; 0.2 acre.**

Applicant is requesting a use variance based on the Codes Officer denial of a building permit for an Auto Repair business which is not an allowed use in zone RR2 (Zoning Law section 430B). The applicant will prepare the required documentation and notify the ZBA secretary when he is ready to come before the board again. Mr. Hansen was in attendance and expressed is interest in pursuing this. ***This application is tabled until the applicant contacts the secretary when he has the necessary justifications for a Use Variance. We will keep the application open until June 30, 2026.***

## New Business:

**Var2026-01 Edith Taylor-Sak; 235.006-4-18.1; 1572 NYS Route 49.** Applicant is requesting an interpretation of the Codes Officer issuing Certificate of Occupancy (CoO) for permit B2025-52. Application was received on 1/13/2026. CoO was issued at the end of December 2025. Owner of the property is Frederick Sadallah.

The ZBA reviewed the application that was emailed prior to the meeting. Large drawings were not scanned and are in the file for viewing.

Codes Enforcement Officer (CEO) Reay Walker explained the process used for building permit B2025-52. It is a permitted use, met all setbacks and after merging two lots more than meets setbacks. The completed building met Building codes and TOV Zoning Law. CEO Walker read the Zoning Law definition for Lot Line which explains that codes officers are not required to set back structures from deeded rights of ways only for public or private roads.

ZBA asked Ms. Taylor-Sak how she is aggrieved. She explained that her prior application was rejected due to the timing and not that she was not aggrieved. She asked if there was a “stay” issued. The ZBA stated no since they have not met until this evening. Attorney Rossi explained that “stays” are intended for construction situations. Since the construction is completed, there is nothing to “stay.”

There was discussion on several drives (Drive 32, Drive 33, Drive 34, and McFarlan Road).

Drive 32 is Sadallah’s personal driveway. Applicant stated that there is deeded access to these drives and provided a copy of her deed. She believes that lot lines should be for Drive 32 and McFarlan Road.

Ms. Taylor-Sak also pointed out that the site plan on page 3 of the building permit application did not identify any of the deeded drives. Reay explained that this is a site plan and there are detailed building plans on file at the town.

The applicant stated that she had used the drives and McFarlan Rd to get her boat and to “walk the loop.” Mr. Sadallah has sent her two letters barring her from trespassing. Attorney Rossi stated this is a civil issue. Since the drives and McFarlan Road are not public or private roads there is no setback required from them and again mentioned that this is a civil issue. We can have a public hearing to allow more time for additional information to be presented and to hear from the public on this matter.

John Pavelock made a **motion to hold a Public Hearing for Var2026-01 on March 23, 2026 at 6:40 pm.** Seconded by Josh O’Kay. Discussion: Attorney Rossi stated that law requires the applicant to pay for the legal notice. Secretary Pavelock will provide Ms. Taylor-Sak with the amount. She agreed to pay for the notice. Poll Vote: Josh O’Kay – Aye, Amanda Hewitt – Absent, John Pavelock – Aye, Mike Taylor - Absent, Nate Juby - Aye. **Motion Carried 3 to 2.**

## Other:

- Employee Manuals. The ZBA was provided with Employee Manuals. ZBA members should provide a signed acknowledgment form to Kathy who will forward to the Town Clerk.

John Pavelock **made the motion to adjourn**, seconded by Josh O’Kay. **Motion Carried 7:40 pm.**

Minutes Prepared by:

*Kathy M. Pavelock /s/*

ZBA Secretary