

MINUTES
TOV Zoning Board of Appeals (ZBA)
Special Meeting
October 20, 2025

Call to order: ZBA Chairman Mike Taylor called the meeting to order at 6:30 pm with the Pledge.

Attendance:

ZBA Members: Michael Taylor, Nathan Juby, John Pavelock, and Amanda Hewitt. Joshua O’Kay was unable to attend. Others: ZBA Secretary Kathy Pavelock, Town Attorney Evan Rossi, Liaison Darrin Smith, and several applicants/residents.

Minutes Approval:

Chairman Taylor identified a typo on page 2 under Var2025-05, “The ZBA will also need additional on the fabrication process.” to “The ZBA will also need additional information on the fabrication process.” John Pavelock made a **motion to approve the minutes for the September 22, 2025, ZBA Special Meeting as amended**, seconded by Amanda Hewitt. Poll Vote: Josh O’Kay – Absent, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Aye. **Motion Carried.**

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

- Submitted legal notices for Public Meeting and Hearings to the newspaper (QCN).
- As of 10/16/25 received one written public comment for Var2025-05.
- Distributed training opportunity for 11/10/2025.

Chairman Taylor asked if the members received the 2026 Local Government Conference (LGC) “save the date” email. Everyone received the email. More details will be provided in January 2026.

Public Hearings:

Chairman Taylor explained the etiquette and process for the public hearing. Anyone who plan to speak should sign in.

6:40 pm Var2025-05 Jake McCall; 217.017-1-53; 2050 NYS Route 49. The applicant is requesting a use variance to allow fabrication use (manufacturing) in the Hamlet Residential Zone. The applicant has a contract with the owner (1C31, LLC) contingent on obtaining a use variance. Before opening the hearing, Chairman Taylor asked applicant Jake McCall to provide an overview of the application. He explained that operating hours are planned to be 8am to 5pm with extended hours of 7am to 6pm. There will be 1 to 2 semi-trucks per week and one delivery truck (i.e. Amazon) daily. There will be no noise to be heard outside the building. There are no hazardous materials. Jake provided material data sheets and provided written financial analysis for the fabrication and apartments option versus the “all residential” option. Amanda Hewitt made a **motion to open the public hearing for Var2025-05**, seconded by John Pavelock. No discussion. Poll vote: Josh O’Kay – Absent, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Aye. **Motion Carried at 6:40 pm.**

Public Comments:

1. Written letter: **David Carpenter is in favor** of granting the variance based on his knowledge of Jake McCall’s character. Attorney Rossi requested that the letter be scanned and sent to the ZBA.
2. **Mona Shampine is in favor** of granting the variance. She lives across the street and would be happy to see the former school put to good use.
3. **Shane Shampine is in favor** of granting the variance. He lives across the street and would be happy to see the former school put to good use.
4. **Janice Grzesik is in favor** of granting the variance stating she is excited for the project and that Jake is a hard worker.
5. **Andrew Walker is in favor** of granting the variance based on Jake’s character.
6. **Rich Grzesik Jr. is in favor** of granting the variance stating Jake will enhance the community.
7. **Lorrie Langdon is in favor** of granting the variance.
8. **Glenn Langdon is in favor** of granting the variance. It is good to see future jobs for the town.

Var2025-05 Jake McCall Public Hearing (continued)

Amanda Hewitt made a **motion to close the public hearing for Var2025-05**, seconded by John Pavelock. No discussion. Poll vote: Josh O'Kay – Absent, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Aye. **Motion Carried at 6:49 pm.**

6:45 pm Var2025-06 Glenn & Lorraine Langdon; 215.018-2-5; 136 Drive 19. Applicant is requesting an area variance for relief of a 5' setback requirement for Shore Residential Zone. Requesting to allow construction with a 3.4' side setback. John Pavelock made a **motion to open the public hearing for Var2025-06**, seconded by Nate Juby. No discussion. Poll vote: Josh O'Kay – Absent, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Aye. **Motion Carried at 7:23 pm.** Prior to allowing public comment, Chairman Taylor explained the criteria for granting an area variance. Public Comments: Jake McCall stated he is for granting the requested variance. No further comments from the public. Chairman Taylor reiterated the criteria for granting an area variance. John Pavelock made a **motion to close the public hearing for Var2025-06**, seconded by Amanda Hewitt. No discussion. Poll vote: Josh O'Kay – Absent, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Aye. **Motion Carried at 7:26 pm.**

Unfinished Business:

Var2025-05 Jake McCall; 217.017-1-53; 2050 NYS Route 49. The applicant is requesting a use variance to allow fabrication use (manufacturing) in the Hamlet Residential Zone. Applicant has a contract with the owner (1C31, LLC) contingent on obtaining a use variance (contingency expires 120 days after contract signature 8/28/25). Immediately following the public hearing for this application, the ZBA reviewed the status of the application. The ZBA discussed the process and required justification for a use variance. Jake summarized the financial analysis provided to the board. Option A which is the fabrication business with apartments option, will cost \$866,000 to renovate and will generate \$2600 per month of income. Option B which is all apartments, will cost \$1.67 million to renovate and generate a negative \$600 per month of cashflow. The ZBA concurred that the information provided is adequate. Chairman Taylor allowed Mona Shampine to comment. She noted that the building had apartments in the past and it deterred from the character of the community. The ZBA reviewed the SEQR form. The Material Data Sheets (MDS) don't show any environmental issues. Attorney Rossi led the ZBA with completing SQER parts 2 and 3. John Pavelock made the **motion to declare a minimal or negative environmental impact for the use variance**, seconded by Mike Taylor. No Discussion. Poll vote: Josh O'Kay – Absent, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Aye. **Motion Carried.** This project requires a coordinated SEQR Review (239m). Now that the ZBA has a complete application, the project may be submitted to Oneida County Planning, NYS DOT, and NYS DEC. The agencies have 30 days to respond to the 239m. The ZBA verified that the purchase offer expires on December 28, 2025. John Pavelock made the **motion to schedule a meeting for November 24, 2025 at 6:30pm to continue discussions on this application**, seconded by Mike Taylor. No Discussion. Poll vote: Josh O'Kay – Absent, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Aye. **Motion Carried.**

Var2025-06 Glenn & Lorraine Langdon; 215.018-2-5; 136 Drive 19. Applicant is requesting an area variance for relief of a 5' setback requirement for Shore Residential Zone. Requesting to allow construction with a 3.4' side setback. Immediately following the public hearing for this application, the ZBA reviewed the status of the application. The board discussed each of considerations for an area variance. Mike Taylor made the **motion to approve the requested 1.6', (area variance Var2025-06) based on the following:**

- *The proposed action does not create an undesirable change in the neighborhood.* The existing structure is 1.5' from the side property line. The addition will be 3.4' from the side property line. The proposed action does not create an undesirable change.
- *There are no feasible alternatives to the variance.* The parcel has an existing structure 1.5' from the side property line. The proposed action will be an addition which will be 3.4' from the side property line. Creating an additional "jut-in" of 1.6' for the addition is not feasible.
- *The proposed action does not have an adverse impact on the environment.* The proposed action is not applicable to an adverse or favorable impact on the environment.
- *The proposed action is not a self-created difficulty.* The parcel as purchased by the applicant is a nonconforming lot of record in the Shore Residential Zone. The alleged difficulty was not self-created.

"Motion to approve the request to build an addition at 136 Drive 19 with a side setback of 3.4'," seconded by John Pavelock. No Discussion. Poll vote: Josh O'Kay – Absent, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Aye. **Motion Carried.**

Secretary Pavelock will document the decision, obtain signatures, and distribute the final decision. The applicants were advised that when they receive the decision, they may contact the Codes Officer to obtain the required building permit.

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. *This application is tabled until the applicant contacts the secretary when he has the necessary justifications for a Use Variance.* Secretary Pavelock will contact Justin to find out his status.

New Business: None

John Pavelock **made the motion to adjourn**, seconded by Amanda Hewitt. **Motion Carried 7:34 pm.**

Minutes Prepared by:

Kathy M. Pavelock /s/, ZBA Secretary