

MINUTES
TOV Zoning Board of Appeals (ZBA)
Special Meeting
July 21, 2025

Call to order: ZBA Chairman Mike Taylor called the meeting to order at 6:33 pm with the Pledge.

Chairman Taylor provided comments related to the untimely death of Supervisor Mike Davis. He requested that ZBA members look for opportunities to help others in memory of Mike.

Attendance:

ZBA Members: Michael Taylor, Nathan Juby, John Pavelock, Amanda Hewitt, and Joshua O’Kay.
Others: ZBA Secretary Kathy Pavelock, Liaison Darrin Smith, and applicants.

Minutes Approval:

Amanda Hewitt made a **motion to approve the minutes for the June 30, 2025, ZBA Special Meeting as distributed.** Seconded by Nathan Juby. Poll Vote: Josh O’Kay – Aye, 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:

- The decision document for Var2025 was prepared and sent to the Town Attorney and chairman for review and approval. Chairman Taylor signed the document prior to the start of this meeting. The decision will be filed with the Town Clerk and distributed this week.
- The legal notices for this meeting and public hearing were submitted.

Public Hearing:

6:45 pm Var2025-03 Veronica Migon (Jeffrey Moore); 217.000-1-14.1; 7840 Yager Rd; Zone RR2.

The applicant is requesting relief from Zoning Law section 420A row 2 for a reallocation.

Jeffrey Moore is representing property owner Veronica Migon.

John Pavelock made a **motion to open the public hearing for Var2025-03**, seconded by Josh O’Kay. Poll Vote: Josh O’Kay – Aye, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Aye. **Motion Carried at 6:38 pm.**

Chairman Taylor requested that Mr. Moore provide a summary of the variance requested. There were no comments from the public or written comments received by the secretary.

Amanda Hewitt made a **motion to close the public hearing for Var2025-03**, seconded by John Pavelock. Poll Vote: Josh O’Kay – Aye, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Aye. **Motion Carried at 6:47 pm.**

Unfinished Business:

Var2025-03 Veronica Migon (Jeffrey Moore); 217.000-1-14.1; 7840 Yager Rd; Zone RR2. The applicant is requesting relief from Zoning Law section 420A row 2 for a reallocation. Jeffrey Moore is representing property owner Veronica Migon. Mr. Moore provided the items requested at the last ZBA meeting including an updated Power of Attorney document and a document providing justification for the five factors related to area variances. After ZBA review of the application, TOV Zoning Law, and additional information provided by the applicant, and following discussions, John Pavelock made a **motion to approve the requested 66’ road frontage relief (variance Var2025-03) based on the following and in recognition that this hardship was created by a town recommendation to merge properties:**

- **The proposed action does not create an undesirable change in the neighborhood. This is a typical residential neighborhood with housing parcels 150’ frontage (asking for 200’) and all lots would conform with the required acreage. This parcel is close to the Hamlet Zone and allowing a 200’ road frontage agrees with the comprehensive plan**
- **There is not a feasible alternative to the variance. The parcel has an existing house and garage on it that would be overcrowded if an alternative frontage is used.**
- **Providing the 66’ relief will meet the other parameter of 200’ frontage. The property owner has three children and would like the ability to leave each child a parcel. With the current road frontage regulation, she is being burdened by combining an adjacent parcel years back. This combining does not allow her the 200’ frontage like she had always planned.**

- **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. At the recommendation of a town employee, Ms. Migon combined a supplemental parcel south of this parcel. Once completed she is burdened by the larger road frontage regulation.**

Motion was seconded by Amanda Hewitt. There was no further discussion. Poll vote: Josh O’Kay – Aye, Amanda Hewitt – Aye, John Pavelock – Aye, Mike Taylor - Aye, Nate Juby - Recused.

Motion Carried 4 to 1.

This decision will be documented, signed and filed with the Town Clerk with a copy to applicant and Planning Board.

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 materials are provided to the secretary.

New Business: None

John Pavelock **made the motion to adjourn**, seconded by Josh O’Kay. **Motion Carried 7:04 pm.**

Minutes Prepared by:
Kathy M. Pavelock /s/
 ZBA Secretary