

Town of Starkey Zoning Board of Appeals

40 Seneca Street, Dundee, NY 14837

The Town of Starkey Zoning Board of Appeals held a Public Hearing on Thursday July 20, 2023 at the Town of Starkey Town Hall, 40 Seneca Street, Dundee, NY 14837.

Members present:

Eileen Rudaitis, Chairperson, absent
Harlan Fulkerson
Fred Shoemaker
Jaime Shoemaker
Sayre Fulkerson - Alternate
Bill Lawson - excused

Guests present:

Brian Shriver, Code Official
Jen & Bill Cowie
Betsy & Roger Howland
Sara Horstmann
John Socha

Acting Chairperson Harlan Fulkerson opened the meeting at 7:30pm. Harlan called for a motion to accept the minutes of the previous meeting as submitted. Jaime motioned to accept the minutes, seconded by Fred. Motion carried 4-0.

Public Hearing:Opened at 7:32pm.

2023-ZBA-1, JB3, LLC - William & Jennifer Cowie, 4082 Squaw Point Road, Dundee, NY 14837 requests an Area Variance to replace the current 10'x14' shed with a 16'x24' Pole Barn with a small front porch that does not meet the minimum side yard and minimum back lot line distance from the property lines. Board member Bill Lawson emailed members his concerns regarding this project as he was not able to attend the meeting. Bill Lawson note is as follows: "I want to reiterate my concern about Cowie's variance at Squaw Point and the increasing dangers from flash flooding. Witness what happened just in the last weeks both here in the Finger Lakes and along the Hudson. My concern is that any structure, especially larger ones may be washed loose in a flash flood and damage properties down stream. There are a half a dozen homes that could be at risk if the barn came loose and blocked the stream under the bridge or took out the bridge itself. Please keep this in mind as you consider this variance. Sincerely, William (Buck) Lawson". Mr. Cowie explained that The Morris's and he swapped property to create a lot line adjustment to help with this project. (The neighbors do not want it to look industrial). Harlan asked about the high water, is there a problem? Bill

answered no, the Morris's have problems with water. Harry Kesel approves the project - he has been on Squaw Point for 30 years. Roger Howland is in favor of the building but is concerned about high water coming down the creek. Jennifer Cowie noted that the water drains to the Morris's, this will not impact nor make the situation worse. Roger Howland said back in the 1970's water came down the hill and washed out the front yards. Betsy Howland said years ago the creek flooded and went into your (the Cowie) house. Sara Horstmann is concerned with the creekside, we must be mindful if the creek can handle a 100 year flood. Harlan closed the public hearing at 7:41pm.

Harlan opened the regular meeting at 7:41pm. Continuing on with the JB3,LLC, William and Jennifer application. Roger Howland objects to this as it restricts the water flow if the creek overflows. Fred discussed the width of the proposed building. Bill Cowie said that it is 1ft. closer to the creek. Fred wanted to know if the creek overflowed with the recent rainfall in the area. Bill said the creek has not overflowed since 2017/2018. Bill indicated that he built up the creek bank and built up his septic system, (aka the mound). Harry Kesel said that the south side of the creek is higher than the north side. Bill and Harry explained to Fred the way the water flowed in 2018. Bill has since added gutters to his home. Sayre noted that the major reason for flooding is caused by debris, ie, logs, trees that are in the creek beds. Sayre suggested they dig out the channel. With nothing further Harlan asked for a motion to decide on the application. Jaime motioned to approve the application as submitted, seconded by Sayre, motion carried 4-0. Harlan called for a motion to adjourn the meeting, Sayre motioned to adjourn the meeting, seconded by Jaimie, motion carried 4-0, meeting adjourned at 8:07pm.

Respectfully submitted,

Peggy Carr, Clerk
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