

Zoning Board of Appeals

The Town of Marshall

Minutes of the Williams Special Use Permits (SUP) Applications Public Hearing and Regular Meeting
Zoning Board of Appeals on 11 June 2025

A meeting of the Public Hearing for the Williams SUP Applications and the regular meeting of the Zoning Board of Appeals (ZBA) of the Town of Marshall, County of Oneida and the State of New York were held at the Town Hall 2651 State Rt. 12B, Deansboro, NY on this 11th day of June 2025.

Present for the Public Hearing Portion of the meeting: J. Addington, J. McNair, D. Zweifel-Yaciuk

Excused for medical appointment: D. Yablonovitz (alternate)

Recused as ZBA members during the Public Hearing: C. McGill, J. Stephenson

Absent: none

Guests and Topic of Concern (in parenthesis is a confirmation of the actual address as listed in the 2025 Oneida County Tax Rolls):

Jane & Walt Stephenson, 6924 Van Hyning Rd., Deansboro, NY, concern – Williams
John Marzocchi, 314 E. Fayette St., Syracuse, NY (Attorney for D. Williams), concern – ZBA meeting
Thad Merriman, Van Hyning Rd., (6954 Van Hyning Rd., Deansboro, NY), concern – Corruption
Colleen McGill, 6954 Van Hyning Rd., Deansboro, NY, concern – ZBA public hearing
Tyler Mahoney, 6774 Van Hyning Rd., Deansboro, NY, concern – ZBA
Dan Williams, 2115 Brothertown Rd., Deansboro, NY, concern – ZBA Hearing
Deb Turner, Van Hyning Rd. (6788 Van Hyning Rd., Deansboro, NY), concern – ZBA
Barb Medina, Brothertown Rd., (2155 Brothertown Rd. Deansboro, NY), concern – No to Wms
David Poyer, 1949 Brothertown Rd., Deansboro, NY, concern – support Dan Williams

Call to Order & Roll Call: This meeting was called to order at 18:03 by J. McNair.

J. McNair asked that everyone sign in and if there are questions, he will stay at the end of the meeting to answer them. He reminded everyone to adhere to the rules of conduct that were read at the last meeting. He stated that this part of the meeting was a continuation of the Public Hearing relating to the D. Williams Special Use Permit (SUP) applications. The ZBA's role is to take public comments and also comments from various government agencies to help the ZBA with its decisions. Further, he said that the ZBA's decision on each SUP application can be approval, approval with conditions or denial. The ZBA may schedule working meetings to review all of the information. The public will be notified of the working meetings. The public is welcome to attend the working meetings, but they are not allowed to comment during them. From the closing of the public hearing, the ZBA has 62 days to issue its decisions.

Public Comment:

- 1) Barbara Medina said she lives next door to the Williams'. She stated that the previous Saturday night there were loud drums and noises until after 2 am. Her horses were spooked by it. She reported that there were illegal fireworks at this party. If D. Williams is allowed to have events, Barbara is concerned about multiple nights of excessive noise and wonders who would be monitoring this.

J. McNair explained that the CEO is responsible for enforcement and would any violations to D. Williams. The CEO may also call the fire department, sheriffs and other responders if necessary. The CEO is required to keep the Town Board apprised of these situations. Later in the public hearing, Barbara Medina asked if D. Williams would be policing events. He was not in attendance at his son's party. She would like some assurances that future events will be monitored.

2) Deb Turner said on May 24th she returned home at 10:30 PM and heard loud music. She was not aware of any event that evening. On May 25th, there was an event, and cars were parked on Van Hyning Road. There was alcohol consumption. The crowd was very loud and stayed well into the night. She said it was a taste of what is to come if the SUPs are approved. She said that the Williams tend to do whatever they want.

3) Jane Stephenson said on May 25th, cars were parked on both sides of Van Hyning Road.

4) J. McNair asked D. Williams if he wanted to comment. D. Williams said that his younger son had a party that he did not know anything about. He stated further that he did not endorse the party. He said there was plenty of parking on the property. However, once one person parks on the road, others tend to follow. D. Williams submitted a use of support letter and how it aligns with the comprehensive plan to the ZBA which the ZBA reviewed during the public hearing. J. McNair said this will become part of the public record. J. McNair received an email from D. Williams. D. Williams said it speaks to the project's timeline and that he is waiting on the surveyor and for the weather to clear. The email contained a letter from the surveyor on the proposed work he will perform.

J. Addington asked about the SUP application for 2115 Brothertown Road. It is a six-bedroom house with a garage, two barns, a pond and a stream. He asked D. Williams to confirm he would like to use this property for lodging and entertainment. D. Williams said the house would be used for lodging. The garage would be used to house small animals. He said that barns would be used to support the farm. He also said there was a small amphitheater on the property that could support small events of twenty to thirty people. D. Williams confirmed that he has no intention of converting the barns and garage into event space.

J. McNair said he received public comment from Jo-Anne Humphreys, Trout Unlimited. She said that someone had made a reference to her and Trout Unlimited at the last public hearing. She wanted it to be stated for the record that she nor Trout Unlimited have been working with D. Williams nor anyone associated with the project. This will become part of the public record.

C. McGill asked if the public hearing should be closed before moving on. J. Addington agreed and made a motion to close the public hearing. D. Zweifel-Yaciuk seconded the motion. The motion carried 3 – 0. The public hearing closed at 18:26. The ZBA now has sixty-two days to render its decisions on the five SUP applications.

J. McNair made a resolution for the TOM ZBA to serve as lead agency for SEQR. He explained this is the DEC's review of the proposed project impact on the environmental. D. Williams submitted the short SEQR forms with each of the SUP applications.

As lead agency for SEQR, J. McNair said the ZBA will seek referrals from other agencies like the DEC, DOT, County Highway Department and the Army Corps of Engineers. The ZBA is required

to submit the project plans to the Oneida County Planning Department for review before the ZBA can render its decisions. He asked D. Williams to provide the names of those he was working with at the Army Corps of Engineers and at the Oneida County Planning Department.

J. Addington asked for more information about the SEQR process and what it means to this project. J. McNair explained that as lead agency for the SEQR review applies to the five SUP applications for this project. By doing so, this provides the ZBA autonomy over the process. Alternatively, the ZBA could decide to let the DEC serve as lead agency. This is usually done when there are more complicated issues. If the DEC feels they should be the lead agency, they will let us know. The next step would be for the ZBA to complete the SEQR forms and submit them along with the five SUP applications and site maps to the DEC for their comments. The ZBA will, also, request comments from other agencies stated above. J. McNair has already drafted the letters and will mail them out by Friday, June 13th. As responses come in, J. McNair will share with the ZBA members, D. Williams, J. Marzocchi, Esq. and the public. If the ZBA gets comments before the regularly scheduled July ZBA meeting, the ZBA may decide to have a working session to review the comments. J. McNair will try to get a notice published as soon as possible in the Waterville Times, on placed on the TOM's website and will email D. Williams. The public is welcome to attend the working sessions but are not allowed to comment during them.

J. Addington made a motion for the TOM ZBA to serve as lead agency for SEQR. D. Zweifel-Yaciuk seconded the motion. The motion carried 3-0.

J. McNair thanked everyone for their time.

Regular ZBA Meeting:

J. Addington made a motion to approve the ZBA meeting minutes from 14 May 2025. J. McNair seconded it. The motion carried 3-0.

Executive Session:

J. McNair made a motion to move to Executive Session regarding a legal issue as recommended by counsel. J. Addington seconded. The motion carried 3-0.

The Board came out of executive session and the meeting was adjourned at 18:41.

The meeting was adjourned at 18:42.

Initials: DZY

Date: 6 July 2025

CC: ZBA board

