

April 3, 2025
7:00PM
Owego Town Hall
2354 State Route 434
Apalachin, NY 13732

MEETING OF THE TOWN OF OWEGO ZONING BOARD OF APPEALS

Present: Chairman Gary Phelps, Jack Legg, Janet Brown, Dave Kresge and Paula Wilcox (alternate)

Excused: Dan Myers

Others Present: Bill Carrigg, Irene Graven

Chairman Phelps called the meeting to order at 7:00 pm. The minutes from the regular Zoning Board of Appeals meeting held February 6, 2025 were considered. Mr. Legg made a motion to approve the minutes as written, seconded by Mrs. Brown. All in favor.

Appeal No. 2158

The Board visited Appeal No. 2158, a request by Joshua Bestle for a Special Use Permit to camp at 421 Frank Hyde Rd., Owego.

Appearances: Joshua Bestle, Applicant

Exhibits: Application for a Special Use Permit dated March 7, 2025

Mr. Carrigg introduced Appeal No. 2158 stating the request is for a camping permit under Town of Owego zoning code Article VII, 126-16 B(4) for his property located at 431 Frank Hyde Rd, Owego, Tax Map No. 96.00-1-7. Mr. Carrigg stated Mr. Bestle currently resides in Vestal, NY but continues to own the large parcel of land mentioned above. Mr. Carrigg stated that is there an older uninhabitable house on the property. Mr. Carrigg stated that Mr. Bestle will be placing one camper at the rear of the house and will be utilizing it when he is working on his land, planting foot plots, haying his field and hunting. Mr. Carrigg stated that Mr. Bestle expects to utilize his camper April through September on weekends and vacations then from October to December to hunt. Mr. Carrigg stated Mr. Bestle will be purchasing a camper if this permit is approved and the camper will have self-contained water as well as sewer. Mr. Carrigg continued to say that Mr. Bestle will be towing his camper to Hickories Park when the wastewater tank needs to be emptied and will take his garbage home, to Vestal, for disposal. Mr. Carrigg stated that this is a Type II unlisted action under SEQR, no further action and Tioga County Planning Board waived recommendation.

Chairman Phelps opened the public portion of the meeting for questions or comments.

Ruth Manzer of 587 Frank Hyde Road, Owego asked if this would be a personal camp for Mr. Bestle or a campground where spaces would be rented.

Dennis O'Connell of 599 West Creek Road, stated his property is next to Mr. Bestle's property and has no objection to the personal camp.

Mr. Bestle replied it would be a personal camp for family and friends with one camper.

Chairman Phelps closed the public portion of the meeting and opened the meeting up for comments or questions from the board.

Mr. Legg asked if the camper would remain on the property year round. Mr. Bestle replied yes and that he would like to put a screen fence in front of it, keeping it out of view.

Ms. Wilcox asked if the camping would be annual and if there were any plans to demolish the building that was there and build another. Mr. Bestle explained that the camp would be annual for the time being.

Mrs. Brown asked if there would be an issue towing the camper to Hickories Park to dispose of the wastewater and how often that would be done. Mr. Bestle replied that it would be done as needed and does not anticipate it being that often as it would only be family and friends using the camper. Mr. Bestle stated he called Hickories Park and was told it was 10 dollars to dispose of the wastewater.

Ms. Wilcox inquired if the camper would be self-contained and not a soft top. Mr. Bestle replied yes it will be a self-contained hard top camper not a pop up.

Mrs. Brown made a motion to accept Appeal 2158.

Seconded by Mr. Legg. All in favor. Carried.

Reference:

Appeal No. 2158 dated March 7, 2025

ACTION OF THE ZONING BOARD OF APPEALS of the Town of Owego, Owego Town Hall, 2354 State Route 434, Apalachin, New York:

To: Joshua Bestle, 321 3rd Avenue Vestal, NY 13850

At a meeting of the Zoning Board of Appeals held the 3rd day of April 2025, the above referenced appeal was considered and the Board by resolution GRANTED your request for a Special Use Permit pursuant to Chapter 125 of the Code of the Town of Owego.

The resolution adopted by the Board of Appeals follow, viz:

WHEREAS, a public hearing was held on the 3rd day of April 2025, on notice according to the law, at which Joshua Bestle appeared and gave testimony to questions put forth to him by this Board; and

WHEREAS, Mr. Bestle desires to camp on his property at 421 Frank Hyde Road, Owego, NY; and

WHEREAS, Mr. Bestle agreed that there will only be one camper on the property and is for personal use; and

WHEREAS, Mr. Bestle agreed that camp will be seasonal from April through September and October through December; and

NOW, THEREFORE, be it

RESOLVED, that the Board makes the following findings based on the entire record:

1. Applicant requested a Special Use Permit to camp on his property;
2. Property is located at 421 Frank Hyde Road Owego NY;
3. Property is situated in an Agricultural(AG) zoning district;

And be it further

RESOLVED, the application for a Special Use Permit is hereby GRANTED.

Any and all other provisions of this Chapter not waived or modified by this decision are to be observed.

Appeal No. 2159

The Board visited Appeal No. 2159, a request by Lori Jeanne Roderick for an Area Variance at 30 Lori Drive, Apalachin.

Appearances: Lori Jeanne Roderick, Applicant

Exhibits: Application for an Area Variance dated March 18, 2025

Mr. Carrigg introduced Appeal No. 2159 stating that the request is for a variance of 5ft on the 30ft front yard setback under Article V 125-13A2c and an additional variance under Article V 125-13 A3a to allow her to place the proposed accessory building in front of the principle structure. Mr. Carrigg continued saying the property is located at 30 Lori Drive, Apalachin, Tax Map No. 153.12-2-55 and is zoned Residential B (RB). This is a Type II unlisted action with no further action under SEQR. The variance, if approved, is for a 10ft by 14ft shed on the south side of her driveway which she would utilize for storage. Mr. Carrigg stated that Ms. Roderick provided answers for the seven questions for each variance on the application.

Chairman Phelps opened the public portion of the meeting for questions or comments.

David Reed of 27 Lori Drive, Apalachin asked if a sketch, layout or description will be available. Mr. Reed also asked if the variance of 5ft from the road is what is being asked.

Chairman Phelps allowed Mr. Reed to approach the board and review the sketch submitted with Ms. Roderick's application.

Mr. Carrigg explained that the front yard setback is 30ft from the road and Ms. Roderick is asking to place her shed 5ft closer to the road. Mr. Carrigg also explained that in Residential B zoning the accessory building is either behind or beside the principle structure and Ms. Roderick is asking for the shed to be placed in the front yard.

RJ Fitzpatrick of 18 Jennifer Lane, Apalachin asked how many sheds are allowed on 1 property as there is already a shed on the property.

Mr. Carrigg responded stating in Residential zoning, 1 structure is allowed and was not aware of a second structure. Ms. Roderick stated there is a structure in the backyard.

Chairman Phelps recommended a motion to table this appeal due to the fact there is already an existing accessory structure on the property and 2 are not allowed. Chairman Phelps advised Ms. Roderick to discuss with the Town on how to remedy.

Ms. Wilcox made a motion to table Appeal No. 2159. Mrs. Brown seconded. All in favor.

With there being no further business, the meeting was adjourned at 7:13pm.

Respectfully Submitted,

Tina Tammaro, Secretary
Zoning Board of Appeals