

Town of Sheldon
Zoning Board of Appeals
February 25, 2026

The meeting of the Sheldon Zoning Board of Appeals held on February 25, 2026, at the Sheldon Town Hall, 1380 Centerline Road, Strykersville, NY 14145 was called to order by Mike Pfohl at 6:02pm.

Chairman: Mike Pfohl

Board Present: Barb Logel and Bill Harvey

Recording Secretary: Kate Bulera

Also present: Warren Boxler, Ella and David Boxler, Zoning Officer Nicole Grover, Councilmen Joe Meyer, Supervisor Becker, and Thomas Jorgensen

A signed list of all present is on file in the Town Clerk's office.

A motion was made by Barb Logel to approve the mins with correction of "not a kitchen" and seconded by Bill Harvey.

Ayes: (3) Harvey, Logel, Pfohl Absent: (0) Nays: (0) Motion Carried

A motion was made by Mike Pfohl and seconded by Bill Harvey to open the Public Hearing for the Boxler Use Variance at 6:04pm.

Ayes: (3) Harvey, Logel, Pfohl Absent: (0) Nays: (0) Motion Carried

Warren states to the ZBA and all present that they would be open for weddings from May 1st – January 1st.

Dustin Fugle asks about water to the property. He is concerned if it comes from the Varysburg Water District. Warren Boxler states they have dug a well for water to their building. They do not receive any water from the district. Dustin fugle is also very concerned with the likelihood of a car accident occurring. This is an initial concern with the ice cream shop too. The board is also worried about the traffic and safety of drivers too. The county is aware of the concerns with the traffic; however, this is a state highway and falls to the state. Has anyone reached out the state to discuss the concerns?

Thomas Jorgensen asked if this would be changing to wedding from agriculture. Warren says it will remain Ag primary. Brian Becker introduced Thomas as the newest member of the planning board.

Seeing no other questions or concerns the ZBA read through the application and questions. The questions and ruling are stated below.

1. The applicant can't realize a reasonable return, as shown by competent financial evidence. The lack of return must be substantial: Yes, the cost of the building is approximately \$500,000.00 to which can not be paid back with only maple production. Such events as weddings bring between \$10,000 and \$15,000 per event. Over the course of a standard wedding season of 12 weeks, the building won't capitalize on approximately \$120,000.00 per year at a conservative estimate.
2. The alleged hardship relating to the property is unique. (the hardship may not apply to a substantial portion of zoning district or neighborhood): Yes, The property is zoned ag but the specific part of the property was not used for any form of farming. Creating this type of property in any part of surrounding zoned area would require land use variance. The specific use for maple production would need a variance in the built up areas where commercial and industrial zoning is authorized, but the aesthetic of the event space would not fit the areas zoned for production purposes. Further, the land used for this site was already owned and to build in areas zoned for commercial/industrial require the purchase of separate land.
3. The requested use variance, if granted, will not alter the essential character of the neighborhood: Yes, the area the building sits is rural farmland/light forested. The initial character of the large form timber meets the aesthetic and character of the surrounding land.
4. The alleged hardship has been self-created: Yes, Permitted uses for the land was ag. The building was intended to be a maple production facility which falls into ag activities. A vast amount of money was spent to create the processing site, which to help recoup the cost of the building, was to also use it as an event space. The property was already owned by the applicant prior to either uses being developed.

Determination of the ZBA Based on the Above Factors

That the applicant has proven unnecessary hardship through the application of the four tests required by the state statutes. In finding such hardship, the ZBA shall grants a variance to allow use of the property in a manner detailed below, which is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

USE: Wedding Venue

Conditions: The ZBA finds the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the following reasons:

Condition No. 1: A completed 239-M Referral Approval Form has been provided, with Letter of Intent.

Condition No. 2: A completed Zoning Permit Application and Zoning Board of Appeals Use Variance Findings & Decision form be provided.

Condition No. 3: A completed Short Environmental Assessment form has been provided.

Condition No. 4: A completed Agricultural Data Statement has been provided.

Condition No. 5: All local and State permits must be obtained and submitted prior to and must meet local, County, and NY State Building Codes.

Condition No. 6: There appear to be no significant county-wide negative impacts related to this proposed project.

These above conditions were recommended by the Wyoming County Planning Board and the ZBA wanted them to be included in the approval.

A motion to close the public hearing was made by Mike Pfohl and seconded by Bill Harvey at 6:22pm.

Ayes: (3) Harvey, Logel, Pfohl Absent: (0) Nays: (0) Motion Carried

Boxler Pond Variance

Warren Boxler is applying for an area variance on the pond. They built the pond without permits needed and it does not have proper setbacks needed. In our current law it states that it needs a minimum side and rear lot line setbacks of 100 feet and a setback of 100 feet from any building. On the maps provided by Boxler it shows 73.9 from the building and 73.8 from the proposed land separation line. This land separation has not gone to the planning board yet. It was suggested by the ZBA that he move the back suggested land separation line to be 102 feet from the pond and that would clear the one setback issue. That still leaves the issue of distance to the building. There will need to be a Public Hearing on this area variance.

A motion was made by Mike Pfohl to refer the area variance to the Wyoming County Planning Board and seconded by Barb Logel.

Ayes: (3) Harvey, Logel, Pfohl Absent: (0) Nays: (0) Motion Carried

A Public Hearing date was not set by the board at the meeting as there is a conflict in schedules and it will be set once calendars are double checked.

Adjournment

A motion was made by Barb Logel and seconded by Mike Pfohl to adjourn the meeting of the Zoning Board of Appeals at 6:31 pm.

Ayes: (3) Harvey, Logel, Pfohl Absent: (0) Nays: (0) Motion Carried