

**REGULAR MEETING  
SHELDON PLANNING BOARD  
April 9, 2025**

Present

Planning Board Members: Debbie Kirsch, Don Pawlak, Kathy Roberts

Absent: Wayne Abbott, Mary Kehl, Jeff Nixon, Kate Meyer

Recording Secretary: Carol Zittel, Town Clerk

Also present: Supervisor Brian Becker

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

**Minutes**

The February meeting was not an official meeting as there were only two planning board members. Debbie Kirsch and Don Pawlak had an open discussion on February 12<sup>th</sup> with those present to answer questions regarding the proposed new zoning law.

A motion was made by Debbie Kirsch and seconded by Don Pawlak to accept the notes from the February 12, 2025 discussion.

Ayes: (3) Pawlak, Kirsch, Roberts Absent: (3) Abbott, Kehl, Nixon Nays: (0) Motion Carried

**Schwab Land Separation – Tabled**

The land separation application submitted by Daniel Schwab was missing information that the Board required to make a decision.

A motion was made by Debbie Kirsch and seconded by Kathy Roberts to table the land separation application submitted by Daniel Schwab, 1461 Perry Rd., North Java, NY 14113 until a completed application is submitted.

**Open Discussion of Proposed New Zoning Law**

The following is not verbatim. Highlights of the discussion have been included.

Debbie Kirsch:

- We are still reviewing the proposed zoning law and making revisions
- We understand the concerns of the community
- Our Attorney, David DiMatteo, is working on a document outlining the changes in the new law as compared to the current law

Supervisor Becker:

- Introduces Deanne Siemer as the woman who has sent out the postcard mailings
- Informs the Planning Board that he met with Ms. Siemer last week and Ms. Siemer indicated that the Planning Board did not edit the proposed law

Debbie Kirsch:

- We definitely went through it, however, we didn't make all of her (Deanne Siemer's) changes

Supervisor Becker:

- Ms. Siemer said that you didn't get hard copies of the proposed law

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Debbie Kirsch; Don Pawlak; Kathy Roberts:

- We received many copies
- Kathy Roberts shows the pile of hard copy documents that she has accumulated over the past 7 years of reviewing the zoning law

Supervisor Becker:

- After the COVID pandemic, the Wyoming County Building & Codes department provided two model zoning laws. One was based for bigger towns and one for smaller, more rural towns. Our planning board decided to work with the one for the smaller towns.
- During my meeting with Ms. Siemer, she said that your board did not vote on anything

Debbie Kirsch; Don Pawlak; Kathy Roberts:

- We voted many times

Supervisor Becker:

- Ms. Siemer said she didn't have input in the drafting of the law

Debbie Kirsch; Don Pawlak; Kathy Roberts:

- She did have input and she helped a lot

Deanne Siemer:

- There's a record of what I sent to the Planning Board
- I have a lot of experience making laws
- I never told them (planning board) what to do

Supervisor Becker:

- (directed to Ms. Siemer) What's the reason for mailing the postcards? I find them misleading.

Ms. Siemer:

- People asked for them
- A lot of people in town worry about zoning

Kathy Roberts:

- If they are really interested, they should come to our meetings

Deanne Siemer:

- I was the first one to give you a hard copy
- I just wanted the process to work
- I didn't think this property maintenance thing will work

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- There are a lot of flat-out mistakes (in the law)
- I get how politics works. I'm not going to fight.

Debbie Kirsch:

- We are doing what we think is best for the Town. We want opportunities to have some businesses and to help farmers

Supervisor Becker:

- We have a ZBA and if there are special circumstances, they issue variances
- This isn't an end-all law

Don Pawlak:

- The reference to farming on your postcard wasn't accurate – we are not trying to do what you allege (postcard asks: Should the new law delete protection of farming entirely from the statement of purposes of the law?)

Deanne Siemer:

- You did it

Don Pawlak:

- How?

Deanne Siemer:

- It depends on the zoning officer. You heard the zoning officer say we won't enforce that. You can't say that. He doesn't have the leeway not to enforce. I was in the back row quite a lot. I gained a respect for what you are trying to do. You had a tough job. When I look at it – I can find every mistake. That's not a criticism of Don. For the longest time, he couldn't even make a map.
- Brian has two votes and he'll pass this once he can

Supervisor Becker:

- This postcard is misleading

Deanne Siemer:

- It's up to you to get us out of this
- No one can beat Invenergy in an argument & they need to talk to you and maybe you can put it off for 10 years.

Supervisor Becker:

- I have received no indication that Invenergy intends to bring in 600 ft towers in the Town of Sheldon

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Deanne Siemer:

- Have you been to Freedom?

Don Pawlak:

- We didn't change the wind laws

Supervisor Becker:

- It is my understanding that these 75 wind towers will remain the same height. NYS has taken away home rule. To go against them is a moot point.
- To Ms. Siemer: you sat here one night when the DEC representatives were here talking about sludge and you wanted us to pass a law so that we could get sued by NYS.
- Your cards are misleading

Deanne Siemer:

- We agree that we cannot beat Invenergy and NYS
- No way, I don't do misleading

Supervisor Becker:

- Where did you get your mailing list? Notes that people out of town received them and that there were mistakes with mailing names

Deanne Siemer:

- US Government post office

Kathy Roberts:

- My postcard was mistakenly addressed to my husband who is deceased for many years

Supervisor Becker:

- Your postcard alleges that the new zoning law gives more powers to the zoning officer to come on your property. That is completely false. The Zoning Officer can only view your home from the road or if given permission, from a neighbor's property. He can also go to the front door to ask for consent. Your postcard is misleading.

Deanne Siemer:

- It is not.

Supervisor Becker:

- Your postcard refers to the length of the law. This proposed law is shorter if you consider the font size. You sent the postcards to get people riled up.

Debbie Kirsch:

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- I have no problem with people getting involved. If we want to change things in the law, that's fine but for people to say that we met behind closed doors and were doing things in secret, that is not true.

Bobby McCubbin:

- (speaking to Ms. Siemer) you should have just talked to Brian instead of getting the whole town riled up.

**Centerline Road Intersection at Dutch Hollow**

Town resident, Larry Sobocinski, commented on the change in road grade coming off of Centerline Road onto Dutch Hollow Rd. after the County paved Dutch Hollow. Supervisor Becker noted that both roads are County roads so County Highway is responsible.

At 7:00 p.m. Supervisor Becker asked if there were any other questions.

Debbie Kirsch:

- We need to schedule another meeting. Attorney DiMatteo is working on a comparison table between the two laws.
- I would like to go back to square footage in the tables.

Supervisor Becker:

- Mr. DiMatteo will not continue with a table comparison

**Adjournment**

A motion was made by Don Pawlak and seconded by Debbie Kirsch to adjourn the April 9, 2025 meeting of the Sheldon Planning Board.

Ayes: (3) Pawlak, Kirsch, Roberts Absent: (3) Abbott, Kehl, Nixon Nays: (0) Motion Carried