

Public Hearing  
Zoning Board of Appeals  
Shelby Town Hall  
4062 Salt Works Rd  
Medina, NY 14103  
April 6, 2021

ZBA Board Members Present: Craig Lacy (Via Zoom) Chairman  
Patti Bushover Secretary  
Larry Szatkowski  
Sharlene Pratt  
Marion Fry

**Others Present:** Dan Wolfe Town of Shelby Code Enforcement Officer, Miranda Bennett Town of Shelby Bookkeeper (operating zoom), Phillip & Dawn Keppler applicator, Andrew Szatkowski, George Skinner son of owner property to north, Amy Watts, also other members of area.

**Call to Order:** Chairman Craig Lacy called the Public Hearing to order at 6:20 pm

Chairman Lacy opened the Public Hearing and request to Secretary P Bushover for a roll call all members were present and the ZBA had a quorum. Chairman Lacy requested Secretary P. Bushover to read the Legal Notice (see Att. 1) published March 28, 2021 in the *Lake Country Pennysaver*. Secretary reported that there were no letters received regarding this application.

Chairman Lacy ask the applicants to explain the operation of the proposed Ag Processing Facility (slaughter house). The Keplers explain that the building has the kill, processing, and clean up under one roof, there will be only a one day as a kill day, no animals stored onsite, animals will be under cover, all animal waste will be refrigerated and pick up the day of slaughter all procures are regulated by USDA. a retail business selling the processed meat will operate in the front area of the building. The Keplers stated that there will be landscaping by the road.

Dan Wolfe CEO explained that this Public hearing was for the area variance and the application will be going to the County Planning Board for review.

Chairman Lacy call for question from the public for any comments or questions.

Andrew Szatkowski asked what the County Planning Board would do. D. Wolfe explained that the county would review the proposed operation site plans and send their comments to the town Planning Board.

George Skinner expressed his concern about the lighting, view and noise would effect his mother's property to the north. The Keplers explained that there is no night lighting and there will be landscaping in that area. He also asked about the Ag/Residential district regulation D. Wolfe explained that Ag Processing is allowed by the Town's Zoning Code. Mr. Skinner wanted to know why this location. The Keplers explained that this location had the 3 phase power, water and natural gas that is needed for this operation. Mr. Skinner said that his family voted no for this project.

Amy Watts expressed her concerned about the safety of the driveway because of the curve in the road. The Keplers explained that the traffic in an out will not be that great.

Chairman Lacy called for more comments from the public hearing none.

Chairman Lacy asked the ZBA members if they had any question hearing none.

Chairman Lacy stated that the ZBA will table findings on the requested variance until the County Planning Board action on April 22, 2021. Action on this variance will be taken at the next ZBA Business Meeting.

Public Hearing closed at 6:40

## Legal Notice

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the Town Shelby will hold a Public Hearing Tue., April 6, 2021 at 6:00 p.m. at the Shelby Town Hall, 4062 Salt Works Road Medina, New York on the application from Dawn and Phillip Keppler for an Area Variance from the requirements of Town of Shelby Zoning Ordinance Section 701 (B) relative to property located 4500 South Gravel Road, Medina, New York. The applicant is seeking a 93' side yard variance for the erection of a ag processing facility (slaughter house). The property is currently located in an Agricultural/Residential Zone. The Proposed Action has been classified as a Class II under SEQRA.

At such Public Hearing, all people either for or against the same, shall be heard. In addition, comments may also be submitted in writing to Patricia Bushover, Secretary Shelby Town Zoning of Appeals c/o Shelby Town Hall 4062 Salt Works Road, Medina NY 14103, not later than noon on Monday April 5, 2021. The application and supporting information may be examined prior to the Public Hearing at the Town Hall during normal business hours.

By order of the Zoning Board  
Patricia Bushover, Secretary  
Shelby Zoning Board of Appeals

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