

**TOWN OF KINGSBURY**  
**MINUTES OF THE ZONING BOARD OF APPEALS – AUGUST 28, 2025**

**MEMBERS PRESENT:**

Bill Whipple, Chairman  
Jim Ross  
Scott Winchell  
Cynthia Roberts  
Brian Heasley

**OTHERS PRESENT:**

Jeff Meyer, Esq.  
Todd Humiston, Code Enforcement Officer  
Alie Weaver, Zoning Board Secretary

The meeting was called to order by Chairman Whipple at 7:00 PM.  
Roll call of members and confirmation of quorum.

Chairman Whipple entertained a motion to approve the minutes of the July 24th, 2025 meeting.  
ON A MOTION BY Scott Winchell and SECONDED BY Jim Ross with all in favor, the minutes of the July 2025 Kingsbury Zoning Board meeting were adopted as presented.

AYES: 5 NAYES: 0 ABSTAIN: 0 MOTION CARRIED

**Continuation of Public Hearing:** Chairman Whipple welcomed **Michael and Kelly Irish**, owner of Tax Map Number 127.-1-3, commonly known as 1879 Sanford Ridge Road, located in Zone District RA1A, who are seeking a 25' road frontage variance, and a .25-acre lot size variance.

Mr. Sweet, who is looking to purchase approximately one acre of land to subdivide from Mr. and Mrs. Irish's property, stated that a survey for this lot has been completed. He noted that the lot size was determined to be .84 acre with 165 feet of road frontage. He reiterated that the single-family home to be built on this lot will be 2,000 square feet, within the setback boundaries, and will have ample space for well and septic installation.

Mr. Meyer read aloud the short Environmental Assessment Form for the Board to review. ON A MOTION BY Scott Winchell and SECONDED BY Brian Heasley to approve the road frontage and lot size variance requests, and with all others voting in favor by roll call vote, the motion passed.

AYES: 5 NAYES: 0 ABSTAIN: 0 MOTION CARRIED

**Public Hearing:** Chairman Whipple welcomed **Friedrich and Corina Strassburg**, owner of Tax Map Number 138.-1-18.5, commonly known as 870 Route 41 in Hudson Falls, located in Zone District RA1A, is requesting approval for a use variance to expand their home occupation to allow for the barn located on their property to be rented and utilized for events.

Ms. Stefanie Bitter, attorney representing Mr. and Mrs. Strassburg, stated that the use of the barn on their property as a wedding venue mirrors the use variance that was granted for *The 1925 Barn* located four miles away from the Strassburg's property. She detailed the hardships that would be placed on the Strassburgs should the variance be denied and noted the lack of hardship on the Town should the variance be approved. Ms. Bitter also noted the submitted letters of support from surrounding neighbors.

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In response to Mr. Ross's concerns about fire and septic hazards, Ms. Bitter stated that Ethan Hall and Jack Mangini are collaborating with the Strassburgs to ensure the venue complies with town code requirements. Upon completion, they will contact Mr. Humiston regarding the Certificate of Occupancy.

Mr. Meyer read aloud the short SEQRA form for the Board's review. ON A MOTION BY Brian Heasley and SECONDED BY Scott Winchell to declare a negative determination, and with all others voting in favor by voice vote, the motion passed.

AYES: 5 NAYES: 0 ABSTAIN: 0 MOTION CARRIED

Mr. Meyer read aloud the Use Variance Criteria for the Board's review. The Board agreed on the following stipulations:

- Meet all building code requirements
- Operation between May 1<sup>st</sup> through October 31<sup>st</sup>
- No more than fifteen events per year
- Events to end by 11:00 pm

ON A MOTION By Cynthia Roberts and SECONDED BY Scott Winchell to approve the use variance with the aforementioned stipulations, and with all others voting in favor by roll call vote, the motion passed.

AYES: 5 NAYES: 0 ABSTAIN: 0 MOTION CARRIED

*Resolutions are hereto annexed following the minutes.*

Mr. Humiston informed the Board that New York State recommends updating the Town Zoning Law to legislatively incorporate approved uses when multiple similar variances have been granted.

Cynthia Roberts volunteered to draft a request to the Town Board regarding building renovations used as event venues to be considered as a permitted use in certain zones under certain conditions. This draft will be reviewed at the September Zoning Board of Appeals meeting.

With no other business to discuss, Brian Heasley made a motion to adjourn the August Zoning Board of Appeals public hearing. Scott Winchell seconded, and all voted in favor by voice vote. The public hearing was adjourned at 7:42 pm.

Alie Weaver, Secretary  
Town of Kingsbury Zoning Board of Appeals

**ZONING BOARD OF APPEALS OF THE TOWN OF KINGSBURY  
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Resolution No. 25-08  
Adopted August 28, 2025

Introduced by SCOTT WINCHELL  
who moved its adoption

Seconded by BRIAN HEASLEY

**RESOLUTION APPROVING  
AREA VARIANCE APPLICATION OF  
MICHAEL IRISH AND KELLEY IRISH**

**WHEREAS**, pursuant to Chapter 280 of the Code of the Town of Kingsbury, the Town of Kingsbury Zoning Board of Appeals (hereafter the "ZBA") is authorized and empowered issue variances in accordance with said Zoning Ordinance and Section 267-b of the Town Law; and

**WHEREAS**, MICHAEL IRISH and KELLEY IRISH (hereafter the "Applicant"), have requested two (2) area variances relative to the minimum road frontage requirement and minimum lot size requirement for their property identified as Tax Map Number 127.-1-3, Sanford Ridge Road, Town of Kingsbury; and

**WHEREAS**, the Applicant's request requires two variances from requirements of the Code of the Town of Kingsbury, as follows: (1) a minimum of two hundred (200) feet is required and the Applicant is requesting thirty five (35) feet of relief from the road frontage requirement; and (2) a minimum lot size of one (1) acre is required and the Applicant is requesting 0.16 acres of relief from the minimum lot size requirement; and

**WHEREAS**, in accordance with the Code of the Town of Kingsbury and the State Environmental Quality Review Act (hereafter "SEQRA"), the requested variance is a Type II action; and

**WHEREAS**, a public hearing was duly held on the requested variances at which time the Applicant and members of the public were entitled to comment on the requested variances; and

**WHEREAS**, the ZBA has reviewed the Application and supporting materials, and has taken into consideration the comments from the public, and has reviewed the criteria found in Town Law Section 267-b.

**NOW THEREFORE BE IT RESOLVED:**

Section 1. Considering the area variance requirements, in considering the benefit to the Applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, while noting that the ZBA must grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community, the ZBA hereby APPROVES the application and finds the following:

(a) Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variance?

No, the proposed lot size is large enough for the construction of a single-family home. There are smaller lots in the neighborhood and across the street.

(b) Can the benefit sought by the applicant be achieved by some method, feasible for the applicant to pursue, other than through an area variance?

No, not effectively. While the property may be divided to be conforming, it would require removing structures and create an irregular shaped lot.

(c) Is the requested area variance substantial?

No, it is not inconsistent with neighboring lots.

(d) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

No, the proposed variance is sufficient to build and consistent with neighborhood.

(e) Was the alleged difficulty self-created?

Yes.

Section 2. This resolution shall take effect immediately.

ROLL CALL VOTE

James Ross - Aye  
Cynthia Roberts - Aye  
Brian Heasley - Aye  
Scott Winchell - Aye  
William Whipple - Aye

**ZONING BOARD OF APPEALS OF THE TOWN OF KINGSBURY  
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Resolution No. 25-09  
Adopted August 28, 2025

Introduced by CYNTHIA ROBERTS  
who moved its adoption

Seconded by SCOTT WINCHELL

**RESOLUTION APPROVING  
USE VARIANCE APPLICATION OF FRIEDRICH STRASSBURG  
AND CORINA STRASSBURG**

**WHEREAS**, pursuant to Chapter 280 of the Code of the Town of Kingsbury, the Town of Kingsbury Zoning Board of Appeals (hereafter the "ZBA") is authorized and empowered issue variances in accordance with said Zoning Ordinance and Section 267-b of the Town Law; and

**WHEREAS**, FRIEDRICH STRASSBURG and CORINA STRASSBURG (hereafter the "Applicant"), has requested a use variance relative to expand their home occupation into a banquet facility as an accessory use on her property located at 870 Route 41, Town of Kingsbury, identified as Tax Map Number 138.-1-18.5; and

**WHEREAS**, in accordance with the State Environmental Quality Review Act (hereafter "SEQRA"), the requested variance is an unlisted action and the Zoning Board of Appeals having already taken a hard look at the potential environmental impacts and adopted a negative declaration; and

**WHEREAS**, a public hearing was duly held on the requested variance at which time the Applicant and members of the public were entitled to comment on the requested variances; and

**WHEREAS**, the ZBA has reviewed the Application and supporting materials, and has taken into consideration the comments from the public, and has reviewed the criteria found in Town Law Section 267-b.

**NOW THEREFORE BE IT RESOLVED:**

Section 1. Considering the use variance requirements, by the Applicant showing that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located, while noting that the ZBA must grant the minimum variance that it shall deem necessary and adequate and at the same time

preserve and protect the character of the neighborhood and the health, safety and welfare of the community, the ZBA hereby APPROVES the application and finds the following:

- (a) Whether the applicant cannot realize a reasonable return as proven by substantial competent financial evidence;

The applicant cannot realize a reasonable return based on the existence of the barn and its prior agricultural uses.

- (b) Whether the alleged hardship is unique, and does not apply to a substantial portion of the district or neighborhood;

The hardship is not unique, there is a similar use approximately four miles away, which similarly received a use variance.

- (c) Whether the use variance, if granted, will not alter the essential character of the neighborhood; and

The use variance will not alter the essential character. It is proposing the reuse of an existing agricultural barn.

- (d) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

No, based on the location and the number of events that are being proposed for the venue there will not be an adverse impact.

- (e) Whether the alleged hardship has not been self-created?

Yes, the hardship is self-created.

Section 2. The ZBA finds that the following conditions are directly related to and incidental to the proposed use of the property, and are consistent with the spirit and intent of the Code of the Town of Kingsbury and NYS Town Law section 267-b, and are imposed for the purpose of mitigating against the potential adverse impacts on the neighborhood or community:

- (a) The proposed use variance being approved herein is a banquet facility existing as an accessory use to an owner-occupied single-family residence.

- (b) The building shall not be occupied or used until it is fully compliant with the NYS Building Code.

- (c) The banquet facility shall only operate on a seasonal basis from May 1 – October 31.

(d) The banquet facility shall only host events on weekends, i.e. Friday – Sunday, and shall be limited to a single event per weekend.

(e) The banquet facility and any events contained therein shall end with all guests and invitees leaving before 11:00 PM.

Section 3. This resolution shall take effect immediately.

#### ROLL CALL VOTE

James Ross - Aye  
Cynthia Roberts - Aye  
Brian Heasley - Aye  
Scott Winchell - Aye  
William Whipple - Aye

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