

Town of Homer Zoning Board of Appeals  
Minutes for Wednesday, October 22, 2025, at 6:00pm

**Board Members** (absent \*)

Dan Gustafson, Chairman  
Stuart Young  
Gary Sweeney  
Chris Mauler  
Rhea Robinson  
Ryan DuBois \*  
Rick Villnave  
Lindsay Andersen (alternate)

**Others Present**

Lindsay Andersen, Recording Secretary  
Kevin McMahan, CEO  
Dan Ellis, Attorney

**Public Attendance:**

**Public Hearing**

Chairman Gustafson opened the public hearing at 6:00pm to consider **an application by East River Dairy, LLC located at 4979 East River Crossing for a use variance to place an 18,000-gallon liquid propane storage tank on premises. The propane supplier will use the tank to resupply their trucks in addition to supplying East River Dairy with propane for their corn and soybean drying.**

Stuart Young stated that the farm would like to place the 18,000-gallon storage tank to replace the (4) 1,000-gallon tanks that are currently in place. He stated Center State Propane will be the new supplier and in addition to supplying the propane to the farm for the existing corn and soybean drying operation the company would also like to resupply their trucks from the tank for deliveries in the area.

He stated the parcel is zoned light industrial.

Chairman Gustafson opened the public hearing to consider **an application by George Griffith Jr. for a variance to construct a set of stairs from his existing deck to his patio area at his property located at 1695 Little York Crossing.**

CEO McMahon stated the applicant was unable to attend but he would explain the applicant's intent for the staircase construction.

The applicant's property is directly to the left of the damn. He would like to construct a staircase closer to the access near his driveway. The width of the stairs will be slightly wider than the existing deck therefore closer to the roadway than the deck. The existing deck does not currently meet setback requirements but has been preexisting. CEO McMahon advised him the staircase would need the area variance regardless of if the deck had one. He will not be any closer to the road than the existing patio.

With no further questions or comments the public hearing was closed.

### **Regular Meeting**

Chairman Gustafson opened the regular meeting to consider **the application by East River Dairy, LLC located at 4979 East River Crossing for a use variance to place an 18,000-gallon liquid propane storage tank on premises. The propane supplier will use the tank to resupply their trucks in addition to supplying East River Dairy with propane for their corn and soybean drying.**

Attorney Ellis stated a letter was received back from the county planning department, which he read. The County recommended approval on the condition that the board weigh the benefit to the applicant against any potential detriment to the public.

Attorney Ellis stated this request is considered an Unlisted Action under SEQR and therefore the Part 2 short form needed to be completed.

Chairman Gustafson reviewed all questions on Part 2 with board members and all questions were answered in the negative.

Member Robinson made the motion to declare a Negative Declaration under SEQR and grant the use variance for the pre-existing facility to replace the numerous smaller tanks with one larger tank. Member Villnave seconded the motion. With members in favor saying "aye", none opposed, and Member Young abstained. The

motion was carried 5,0,1. Noted for the record that Stuart Young abstained from the vote due to his connection to the applicant.

Chairman Gustafson opened discussion to consider **the application by George Griffith Jr. for an area variance to construct a set of stairs from his existing deck to his patio area at his property located at 1695 Little York Crossing.**

Attorney Ellis stated a letter was received back from the county planning department, which he read. The letter stated the request is both technically adequate and has no state or county wide impact and was returned for local determination.

Attorney Ellis stated the area variance does not need SEQR review as it is a type ii action under SEQR. He then reviewed the area variance criteria with the board members.

Member Young made a motion to approve the area variance. Member Sweeney seconded the motion. With all members in favor saying "aye", none opposed, and none abstained. The motion was carried unanimous 6,0,0.

Member Young made the motion to approve the December 18, 2024, meeting minutes. Member Robinson seconded. With all members in favor saying "aye", none opposed, and none abstained. The motion was carried unanimous 6,0,0.

## **Adjournment**

The meeting was adjourned at 6:35pm.

Lindsay M. Andersen, Recording Secretary