Town of Salisbury
ZBA / Planning Board
P.O. Box 241 Mechanic Street
Salisbury Center, N.Y. 13454

Special ZBA/Planning Board Meeting – October 26, 2026

Members in Attendance: J. Robert Schmid – Chairman
Glen Boyer - Absent
Amy Mowers
Patrick Hoffa - Absent
Marc Tanner

PUBLIC HEARING called to order at 6:00 PM by Chairman J. Robert Schmid. The Salisbury ZBA/Planning Board is holding this meeting to review an Area Variance Request for a Store Front Building from Kent and Kim Sherwood, owners of 1.2 acre Parcel # 097.3-1-31.5, located at 843 State Route 29A, Salisbury Center, N.Y. 13454. This is a non-conforming parcel that does not meet Town of Salisbury Zoning Regulations.

Public input will be heard on any questions or concerns the community may have in assisting the Salisbury ZBA/Planning Board in their final decision on the Area Variance Request from Kent and Kim Sherwood.

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Kim Sherwood of 831 State Route 29A, and Jace Sherwood of 489 State Route 29A, both residing in the Town of Salisbury, Herkimer County, N.Y. attended the meeting to answer any questions from the community.

Three other community members attended the meeting with the following questions being asked.

(1) What are the hours of operation for the proposed business ?
(2) Will the perimeter evergreen trees along the property line remain?
(3) Is there ample parking in the existing parking lot for overflow customers?
(4) What products would be sold at the proposed business?

In answer to the above questions, Jace Sherwood stated that the hours of operation would be from 4:00pm to 8:00pm daily, the evergreen trees would stay intact, If parking was ever an issue he would move the business to a bigger location, and the products he would be selling would mostly be electronic devices.

The only opposition came from Shelley Schaaf of 847 State Route 29A, Salisbury Center, N.Y. 13454. Ms. Schaaf is the adjacent landowner to Parcel # 097.3-1-31.5, at 843 State Route 29A, Salisbury Center, N.Y. Ms. Schaaf stated that she did not want the Store Front Building Area Variance Request approved by the Salisbury ZBA/Planning Board, because it was a non conforming parcel, her concerns with possible future overflow parking, and her past history of issues with the former landowner

Mark Tanner made the motion and Amy Mowers seconded the motion to adjourn the PUBLIC HEARING at 6:21 PM. Three ayes were recorded to accept the motion.

Respectfully Submitted,
J. Robert Schmid, Chairman

c: Salisbury Town Board
Salisbury Codes Officer

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Glen Boyer
Amy Mowers
Patrick Hoffa
Marc Tanner

Meeting called to order at 6:48 PM by Chairman J. Robert Schmid. The Pledge of Allegiance was recited. The Salisbury ZBA/Planning Board meeting of September 28, 2026,were read. Amy Mowers made the motion and Glen Boyer seconded the motion to accept the minutes as read. Five ayes were recorded to accept the ZBA/ Planning Board meeting minutes of September 28, 2026.

Robert and Mary Jean Johnston of 438 North Perry Street, Johnstown, N.Y. 12095 attended the meeting. The Johnston's own Parcel # 096.3-2-9, located at 153 Jerseyfield Road, Town of Salisbury, Herkimer County, N.Y. They wanted to know the extent of any action taken by the Town of Salisbury ZBA/Planning Board concerning inquiries by Robert Retell of 60 Route 67A, East Durham, N.Y. Mr. Retell wants to open a rustic campsite on 45 acre Parcel # 091.4-2-4, located at 806 Jerseyfield Road, Town of Salisbury, Herkimer County, N.Y. The Salisbury ZBA/Planning Board informed the Johnston's that at the present time, Mr. Retell does not currently own Parcel # 091.4-2-4. The Johnston's were also told that Mr. Retell came to the ZBA/Planning Board meeting strictly to inquire about the required procedure for construction of a rustic campsite, in the Town of Salisbury.

Robert Gillingham, new owner of Spruce Creek Campgrounds located at 2342 State Route 29, Town of Salisbury, Herkimer County, N.Y. attended the meeting. Mr. Gilligham came to the meeting to inquire the procedure required to construct Air B&B Apartments at the existing building on the campgrounds property. He was told that there are no current regulations for Air B&B's. However he was given a copy of the Salisbury Town Board meeting minutes of October 8, 2026, reflecting the fact that the Salisbury Town Board has put a proposal forward to have regulations passed to address the Air B&B issue. Mr. Gillingham also inquired about converting the existing diner on the premises to a coffee shop, and also asked about constructing 10 YURT campsites along Spruce Creek on his property, He was given the telephone number for NYSDEC in Utica, N.Y. NYSDEC can give him guidance on his YURT creek side campsites.

Theodore Viegas of 752 Dairy Hill Road, Town of Salisbury, Herkimer County, N.Y. attended the meeting. Mr. Viegas is interested in purchasing a 2 acre lot from from 6.60 acre Parcel #102.4-2-74.1, located at 2637 State Route 29, Town of Salisbury, Herkimer County,N.Y, Parcel #102.4-2-74.1 is owned by David Aubin of 2637 State Route 29, Town of Salisbury, Herkimer County, N.Y. Mr. Viegas is representing David Aubin in this subdivision request. Mr. Viegas brought in a previous subdivision survey map, prepared on 08/23/2026 by Stratton Surveying PLLC of 1401 Graffenburg Road, New Hartford, New York, 13413. Mr. Viegas brought this subdivision survey map to the 09/28/2026 Salisbury ZBA/Planning Board meeting. This survey map showed a 1.81 acre subdivision lot, which did not meet the 2 acre minimum for Town of Salisbury Subdivision Regulations. Mr. Viegas was told at the 09/28/ 2026 meeting that the subdivision did not meet Salisbury Subdivision Regulations. At this meeting the ZBA/Planning Board suggested to Mr. Viegas that he ask Stratton Surveying PLLC to recheck their calculations. He was also told that if there were no changes in the 1.81 acre subdivision survey map, that the Salisbury ZBA/Planning Board would work with Mr. Aubin on an Area Variance on the1.81 acre lot.

Mr. Viegas came to the meeting with a revised subdivision survey map prepared by Stratton Surveying PLLC, 1401 Graffenburg Road, New Hartford, N.Y. 13413. The revised subdivision survey map met all of the Town of Salisbury Subdivision Regulations showing a lot size of 2.09 acres and more than 250' of road frontage.

Marc Tanner made the motion and Amy Mowers seconded the motion to issue Preliminary Approval for the David Aubin subdivision application. Five ayes were recorded to issue Preliminary Approval. Because this subdivision is located adjacent to a NYS highway, an ML239 request will be sent to the Herkimer-Onieda Counties Planning Program for their review.

No other applicants attended the meeting.

At the meeting ZBA/Planning Board members discussed an E-mail from Reid Johnson of 137 Barnes Road Town of Salisbury, Herkimer County, N.Y. Mr. Johnson wants to do a lot line adjustment of Parcel # 097.1-1-10.2 of the same address. After reading the E-mail it was decided to ask Mr. Johnson to attend our next ZBA/Planning Board meeting, for some clarification of his request.

At the meeting board members suggested talking to the Salisbury Town Board about considering hiring an outside consultant to help the Salisbury ZBA/Planning Board update the Town of Salisbury's Subdivision Regulations, and Zoning Laws,

Our next meeting will be Monday November 23, 2026 at 7:00 PM.

Marc Tanner made the motion and Amy Mowers seconded the motion to adjourn the meeting at 8:41 PM. Five ayes were recorded to accept the motion.

Respectfully Submitted,
J. Robert Schmid, Chairman

c: Salisbury Town Board
Salisbury Codes Officer