

**TOWN OF SCHROEPEL ZONING BOARD OF APPEALS**  
**RESOLUTION No.   1**

**DECISION ON THE APPEAL OF A CEASE & DESIST**  
**ORDER ISSUED IN CONNECTION WITH REAL**  
**PROPERTY AT 55 & 56 HICKORY LN**

At a regular meeting of the Zoning Board of Appeals of the Town of Schroepel (the “Board”) held on May 13, 2026, the following resolution was duly moved, seconded and adopted by the affirmative vote of a majority the Board:

**WHEREAS**, on or about November 19, 2025, Code Enforcement Officer Gordon Walts issued a Cease and Desist/ Stop Work Order/ Notice of Violation letter (“Cease and Desist”) (*See Exhibit 1*) in connection with the property located at 55 Hickory Ln, Pennellville, New York 13132 (Tax Map No. 291.02-01-13.2) and 56 Hickory Ln, Pennellville, New York 13132 (Tax Map No. 291.02-01-13.1) (collectively, the “Property”) citing New York State and Town of Schroepel Code violations (*See Exhibit 2*); and

**WHEREAS**, the Cease and Desist intended to stop any and all unauthorized activities occurring within the unpermitted accessory structures at the Property; and

**WHEREAS**, the owner of the Property is 55 Hickory Ln, LLC, the members of which are Anthony Halligan, Joshua Williams and My Town Ventures, LLC, of which the sole member is Jonathan Norton; and

**WHEREAS**, in response to the Cease and Desist issued by Code Enforcement Officer Walts, Jonathan Norton, acting in his individual capacity, submitted a letter refuting the violations cited within the Cease and Desist and appealing the Code Enforcement Officer’s determination to the Board (*See Exhibit 3*); and

**WHEREAS**, the Town treated Mr. Norton’s response to the Cease and Desist as an application for an appeal to the Board; and

**WHEREAS**, on or about November 24, 2026, Code Enforcement Officer Walts sent an additional letter to Mr. Norton in response to his appeal of the Cease and Desist, setting forth the required documentation to demonstrate compliance with the New York State and Town of Schroepel Codes (*See Exhibit 4*); and

**WHEREAS**, on or about February 5, 2026, Code Enforcement Officer Walts issued a Certificate of Imminent Peril pursuant to Town Law §267-a(6), which was delivered to Mr. Norton on or about February 18, 2026 (*See Exhibit 5*); and

**WHEREAS**, on or about February 18, 2026, at 7:00 p.m. the Board heard Mr. Norton’s appeal of the Cease and Desist and, after the conclusion of the public hearing, voted 4-0 ruling that the Cease and Desist was justified and that it would be contrary to the public’s health, safety, or

welfare to remove or otherwise stay the Cease and Desist (*See Exhibit 6*); and

**WHEREAS**, on or about February 20, 2026, Mr. Norton filed a Verified Petition for a judgment pursuant to Article 78, appealing the Board's decision to the Oswego County Supreme Court (*See Exhibit 8*); and

**WHEREAS**, on or about February 26, 2026, an Order signed by Judge Gilbert declared that the Certificate of Imminent Peril issued by Code Enforcement Officer Walts was not sufficient to vacate any stay imposed by Town Law §267-a(6) and further ordered that Mr. Norton would not allow any persons to occupy or use any of the uninspected structures located on the Property (*See Exhibit 8*); and

**WHEREAS**, following the submission of papers by both parties, on or about April 9, 2026, Judge Gilbert filed an Order and Determination ordering that the matter be remitted to the Board for further consideration (*See Exhibit 9*); and

**WHEREAS**, the Board has duly weighed Mr. Norton's appeal, taking into account the concerns voiced at the public hearing and carefully reviewing the record before them, including, but not limited to:

1. Cease and Desist/Stop Work Order/ Notice of Violations issued on November 19, 2025 (**Exhibit 1**);
2. New York State and Town of Schroepfel Codes cited by Code Enforcement Officer in the Cease and Desist (**Exhibit 2**);
3. Jonathan Norton's Appeal of Cease and Desist dated November 21, 2026 (**Exhibit 3**);
4. Code Enforcement Officer Walts' Supplemental Response to Jonathan Norton (**Exhibit 4**);
5. Certificate of Imminent Peril to Life or Property issued on February 5, 2026 (**Exhibit 5**);
6. Town of Schroepfel Zoning Board of Appeals Decision dated February 19, 2026 (**Exhibit 6**);
7. Article 78 Petition filed by Jonathan Norton filed on or about February 20, 2026, not including Exhibits filed as part of Petition (**Exhibit 7**);
8. Signed Order filed on or about February 27, 2026 (**Exhibit 8**);
9. Decision and Order filed on or about April 9, 2026 (**Exhibit 9**);
10. Satellite Images of 55 and 56 Hickory Ln from 2021-2024 (**Exhibit 10**);

11. Town of Schroepel Zoning and Overlay District Map (Feb. 2021) (**Exhibit 11**).

**NOW, THEREFORE, BE IT RESOLVED** that based on the Zoning Board of Appeals based on the above, the Board hereby issues the following findings:

1. Based on the Satellite Images (*See Exhibit 10*) provided by Code Enforcement Officer Walts, the unpermitted accessory structures were constructed on the Property between 2021 and 2024.
2. The Town of Schroepel Code, which includes provisions for building construction and zoning, has not undergone any amendments since 2021.
3. The Town of Schroepel Zoning Map from 2021 (*See Exhibit 11*) reflects the current areas and boundaries of the zoning districts of the Town.
4. The Board finds that the Property is zoned in the Residential-1 (R-1) zoning district, and that the unpermitted structures are not permitted pursuant to the Town's schedule of uses.
5. The Town of Schroepel Code was in full force and effect when the unpermitted accessory structures were constructed and remains in full force and effect as of the date of this decision.
6. Based on a review of Town records, neither the current owner of record nor any previous owner of record of the Property has applied for or obtained building permits for construction of accessory structures on the Property.
7. Based on a review of Town records, neither the current owner of record nor any previous owner of record of the Property has obtained certificates of occupancy for persons to occupy any accessory structures on the Property.
8. At no point has the Code Enforcement Officer completed an inspection of the unpermitted accessory structures.
9. The Board finds that the Property is in violation of the New York State and Town of Schroepel Codes cited in the Cease and Desist.
10. The unpermitted accessory structures on the Property are not considered pre-existing, non-conforming structures under the Town's zoning law.
11. Based on these ongoing violations on the Property, the Board concludes that the unpermitted accessory structures pose a threat to human health, as they do not conform with New York State or Town of Schroepel Codes and have not been certified for human occupancy.

12. Based on these ongoing violations on the Property, Code Enforcement Officer Walts was justified in his issuance of a Cease and Desist for structures on the Property.
13. The Board finds that these existing and ongoing violations are the responsibility of the current owner on record to remediate.
14. The previous failure of the Town to cite the Property for code violations related to the uninspected, unpermitted accessory structures does not prevent the Town from enforcing its zoning laws with respect to the Property now or in the future.
15. Based upon public comments provided during the meeting, the private road is too narrow for large emergency vehicle access to the Property.

**BE IT FURTHER RESOLVED** that the Board hereby **DENIES** the appeal in its entirety based on the foregoing findings of fact; and

**BE IT FURTHER RESOLVED** that any stay pursuant to Town Law §267-a(6) is **TERMINATED**, as there are no further proceedings to be heard by the Board; and

**BE IT FURTHER RESOLVED** that the Chair of the Board is directed to file this Resolution with the Town Clerk no later than five (5) business days after its adoption, with a copy thereof to be mailed to the Applicant; and

**BE IT FURTHER RESOLVED** that this Resolution shall also be filed with the Oswego County Supreme Court in connection with the Verified Petition of Jonathan Norton for a Judgement pursuant to Article 78 of the CPLR v. Town of Schroepfel Zoning Board of Appeals; Gordon Walts; and Town of Schroepfel (Index No. EFC-2026-0355); and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

The question of the foregoing Resolution adopting these findings of fact was made by Board Member Jason Connolly, seconded by \_Robert Morrow, and duly put to a vote as follows:

Douglas Deeb	Voting	Aye
Jason Connolly	Voting	Aye
Ronald Johst	Voting	Aye
Robert Morrow	Voting	Aye
Timothy Dunnigna	Voting	Aye

The resolution was thereupon declared duly adopted.

**Dated:** May 13, 2026

**CERTIFICATE**

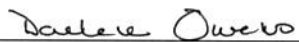
**STATE OF NEW YORK )**  
**COUNTY OF OSWEGO )**

I, the undersigned Town Clerk of the Town of Schroepfel, Oswego County, New York,  
**DO HEREBY CERTIFY:**

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Town Clerk of the Town of Schroepfel, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

**I FURTHER CERTIFY** that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town on May 14, 2026.

  
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**Darlene Owens, Town Clerk**

(SEAL)