VILLAGE OF BARKER
ZONING BOARD OF APPEALS
MEETING MINUTES
September 30, 2026 6:00pm

Zoning Board of Appeals
Dale Corwin-Chairman
Joseph Naish
Trent Kenny

In **Attendance**: Code Enforcement Officer Dan Wojewoda, Attorney Tom Seaman, Mary Deemer, Randi Watts, Villette Jary, Ryan Thurston, Brad Knox, Jennifer Jaques, Kathryn Jaques

The **Meeting was opened at 6:00pm** by Chairman Corwin.

A motion to Adopt of Minutes from February 4, 2026, was made by Trent Kenny and seconded by Joe Naish.
The previous was ADOPTED. AYES-3-Corwin, Naish, Kenny NAYS-0/None Motion Carried.

Address: 1623 Quaker Road
Proposed Use Variance Request: Harbor Chickens inside Village Limits

Application Introduction was given by Chairman Corwin reading aloud the Public Hearing Notice.

Applicant Presentation
Randi Watts spoke as the applicant of the proposed use variance application. Ms. Watts began by stating that she was unaware of the village ordinance prohibiting the harboring of chickens within the village limits. It was further stated that the Realtor, Jennifer Mason, was unaware of this parcel being located within the village limits. The first chickens were brought home from Barker Central School after they were hatched as a class project. The household has 3 disable children and they love the chickens, especially Villette. Villette has an attachment disorder and has even brough "Buddy" the chicken to the meeting that she held in her lap. Ms. Watts spoke about how Villette cares deeply for the chickens and has brought them into her bedroom to nurse it back to health after an injury and that a lot of money has been spent to ensure the enclosure is adequate, safe and enriching. A son of Ms. Watts enjoys collecting the eggs and distributing them to the neighbors, which she stated is big thing for a child with autism.
Ryan Thurston addressed the ZBA and the public present by stating he supports the chickens at the household and that he is the owner of the premises.

Board Questions & Discussion
Chairman Corwin stated that there is a Village Limit sign kitty corner on Quaker Road, just south of the intersection of Quaker Road and Haight Road. Ms. Watts stated she had no knowledge of it.
Chairman Corwin restated that the chicken was brought home from being hatched at Barker Central School and inquired if the teacher knew that the child resided in the Village. Ms. Watts stated that the teacher, Mr. Strong, was aware of where the student lived.

The **PUBLIC HEARING was opened at 6:06pm** by Chairman Corwin.
The following Public Comment was offered:
Mary Deemer: Stated her property is located behind 1623 Quaker Road and is approximately 5.5 acres. Ms. Deemer opposes the harboring of chickens. Over the past couple of years, she stated that she has had to pick up empty feed bags on her property and that the chickens have roamed her property many times. It was stated the chickens were attacking a neighbor's dog on occasion. Ms. Deemer has witnessed dead chickens on the property in the past. Ms. Deemer has been accused of harboring chickens, but in fact they were Ms. Watts chickens. The sentiment that if you want to harbor chickens go out to the rural area to do so and others must follow the rules/ordinances.
Villette Jary: Stated that the chickens are her chickens and that she received her first set of chickens from the school after they were hatched during an environmental science project. Ms. Jary stated that there were dead chickens at the residence in the past and their death was from someone throwing objects into their enclosure in the dead of winter. She discovered their demise after she returned home from school and taken care of them. Ms. Jary stated that they do have a heated enclosure.

Attorney Seaman asked if anyone else would like to speak.

Brad Knox: Stated that he is the immediate neighbor to the south of 1623 Quaker Road and that the chickens do not bother him at all. He also stated if there is a law then the law is the law.

Chairman Corwin asked Ms. Watts if a rooster was on premises and how many chickens are there? Ms. Watts stated no and that there were 21 chickens.

Randi Watts: Stated that the chickens are very well taken care of and have an enclosure with 3 houses, separate roosting boxes and is heated for the winter. Very well insulated and can get quite warm if you're spending an extended period in there. The chickens have enrichment in the form of swings, toys and a pool. Ms. Watts spoke further about the deceased chickens and stated they were out there for hours not days or weeks. The authorities were called regarding the incident that killed those chickens, as well.
Jennifer Jaques: Stated that she can attest to the notification of law enforcement regarding the dead chickens and that all her points had already been addressed by Ms. Watts and Ms. Villette's statements.
Randi Watts: Stated that each of the 21 chickens means a lot to Villette and that they all have names. Ms. Watts continued to state that she would agree not to get more chickens.

Chairman Corwin asked Ms. Watts why she choose to apply for a use variance to address this issue? Ms. Watts stated that is what she was advised to do to keep her chickens legally. For a use variance to allow a use not otherwise allowed under the Village zoning code, an applicant must demonstrate to the Board - unnecessary hardship . Such demonstration includes all of the following, for each and every permitted use:

- The applicant cannot realize a reasonable return on his/her property - this inability must be substantial as shown by competent financial evidence
- The alleged hardship is unique and does not apply to a substantial portion of the district or neighborhood
- The requested variance will not alter the essential character of the neighborhood
- The alleged hardship has not been self-created.

Attorney Seaman stated that use variances are very difficult to successfully prove that the criteria are met. The applicant must demonstrate that no other allowable use could result from the property in question. The property is being used as residential, so the benchmark of no other allowable use isn't met.

Attorney Seaman inquired if anyone else would like to speak.

A motion to **Close the Public Hearing was made at 6:14pm** was made by Trent Kenny and was seconded by Joe Naish.
The previous was ADOPTED. AYES-3-Corwin, Naish, Kenny NAYS-0/None Motion Carried.

A motion to **enter into executive session to consult with council present was made at 6:15pm** by Chairman Corwin and was seconded by Trent Kenny.
The previous was ADOPTED. AYES-3-Corwin, Naish, Kenny NAYS-0/None Motion Carried.

Attendance in Executive Session: Chairman Corwin, Trent Kenny, Joe Naish and Attorney Seaman.
The ZBA members and Attorney Seaman exited the meeting room.

A motion to **exit executive session was made at 6:25pm** by Trent Kenny and seconded by Chairman Corwin.
The previous was ADOPTED. AYES-3-Corwin, Naish, Kenny NAYS-0/None Motion Carried.

Decision
Attorney Seaman read the following motion aloud.

That the applicant has failed to demonstrate unnecessary hardship as he/she has not established that the permitted use of single or two family residence

1) Is unable to realize a reasonable rate of return
2) That the alleged hardship related to the property is unique
3) That the alleged requested variance would not alter the essential character of the neighborhood
4) That the alleged hardship has not been self-created

The applicant is unable to prove these prongs of the Use Variance test because the alleged difficulty set forth is not related to the land, but is instead related to an alleged family medical condition or conditions.

The fact that the property is already used for a single-family residence proves that an allowable use of the premises is appropriate of that parcel, and therefore, the Use Variance request must legally be denied.

To the extent that this applicant seeks to apply for an alternative remedy under the Americans with Disabilities Act, or other similar statute or law, due to an alleged disability or disabilities of the family members, this applicant is advised to make such application to the Village Board.

Additionally, to the extent that this applicant seeks to request the Village Board of Trustees consider amending the Village Code to allow for the housing of chickens, this applicant is advised to make such application to the Village Board.

Chairman Corwin motioned to ADOPT the before mentioned motion and was seconded by Trent Kenny.
The previous was ADOPTED. AYES-3-Corwin, Naish, Kenny NAYS-0/None Motion Carried.

A motion to **adjourn was made at 6:27pm** by Chairman Corwin and was seconded by Trent Kenny.
The previous was ADOPTED. AYES-3-Corwin, Naish, Kenny NAYS-0/None Motion Carried.

Respectfully Submitted,

Amanda M. Detschner, MMC/RMC/CMFO
Clerk-Treasurer