

Minutes
Town of Essex Planning Board
Regular Meeting
April 15, 2021
7:00 PM

Meeting was held remotely and was recorded. Recording and minutes available at www.essexnewyork.gov.

Call to Order

Chairman Hislop opened the meeting at 7:20 PM.

Attendance: Anh Thu Cunnion, David Hislop, Gladys Person, Jonathan Pribble, Anita Shapiro, Tom Stransky, Mark Walker, Jacqueline Thomas (Secretary)

Alternates: Karol Kempster

Approval of Minutes

On a motion to accept the minutes for the March 18, 2021 Public Hearing and Regular Meeting by Mr. Walker, seconded by Mr. Stransky, and by roll call vote, the motion carries. Aye 7 No 0

Old Business

Tax Map #40.81-3-1.000 – Thomas Duca, Special Use with Site Plan Permit Application to construct a storage outbuilding at 2224 Lake Shore Road, Essex

The additional information requested at the March meeting was submitted. There was no further discussion.

On a motion to issue the permit by Ms. Cunnion, seconded by Mr. Stransky, and by roll call vote, the motion carries. Yes 6 No 0 Abstain 1 (Pribble)

Tax Map #40.65-3-7.000 – John Szeliga, Special Use Permit Application to install a seasonal, non-permanent dock at 2314 Main Street, Essex

The town owns the land under the water. The applicant will need to obtain an easement from the town before the dock can be installed.

The permit will be issued with the following conditions. The applicant must obtain an easement from the town and have approval from the APA, Army Corps of Engineers, NYS DOS, NYS OGS, and NYS DEC before the dock is installed. Copies of the easement and the approval from each agency must be submitted to the Planning Board.

On a motion to issue the permit with conditions by Mrs. Shapiro, seconded by Mrs. Person, and by roll call vote, the motion carries. Yes 7 No 0

Tax Map #40.65-3-5.200 – John Doyle, Special Use with Site Plan Permit Application to demolish and reconstruct Lattice Building, reconfigure stairs from Emporium building second floor, and

install a split rail fence at 2750 Main Street, Essex

The additional information requested at the March meeting was submitted. There was no further discussion.

On a motion to issue the permit by Mr. Stransky, seconded by Mr. Walker, and by roll call vote, the motion carries. Yes 7 No 0

Tax Map #40.3-2-14.200 – Fruition Orchards, Special Use Permit Application for a boundary line adjustment at 545 Middle Road, Essex

No one from Fruition Orchards attended the meeting. The application is tabled until the May meeting.

New Business

Tax Map #40.65-3-4.002 – Copeland Houghton, Special Use Permit Application to host weddings at the Old Dock restaurant at 2752 Essex Road, Essex

Chairman Hislop is recusing himself for this project. Vice Chairman Stransky will lead the meeting.

The applicant said he was planning to have weddings at the restaurant. The noise level would be consistent with the regular restaurant business so that attendees can easily have a conversation. The venue will close by 11 PM. The applicant is under contract with ECHO to purchase the parking lot across Route 22 from the restaurant.

There will not be any regular restaurant hours when there is a wedding. Weddings will be held at 120 people maximum. The restaurant seating capacity is 289.

There were concerns about security, parking along Route 22, having more people in town, and have attendees leave the venue later at night and be loud as they walked to their cars, especially by the church area. Not everyone will leave the venue at the same time and there won't be regular restaurant hours so there shouldn't be an influx of people or vehicles.

There was discussion about the ECHO parking lot. What is the capacity? The applicant hopes to move stones and increase parking spots. He feels that the parking lot and parking by the restaurant will be enough for the wedding guests.

Jay White, CEO said 25 cars can currently fit in the ECHO parking lot according to state regulations. The applicant is hoping to add 6-8 more spaces.

On a motion to deem the application complete and set the public hearing for May 20, 2021, by Mr. Walker, seconded by Ms. Cunnion, and by roll call vote, the motion carries. Yes 6 No 0 Abstain 1 (Hislop)

Chairman Hislop rejoined the meeting.

Tax Map #49.15-3-5.000 & #49.15-3-6.000 – Louise Sattar, Special Use Permit Application to repair an existing eroded slope at 122-123 Albee Lane, Essex

Peter Gibbs, PE explained the details regarding the eroding slope along Albee Lane to the lake.

The project was started and Mr. White, CEO issued a stop work order. The contracting crew was told they needed to obtain permits.

There was discussion about project details, APA requirements, DEC permit, trees and views from the lake, and continuity of other similar project at neighboring properties.

Trisha Sheehan (Contractor) said the owner wants the project to look similar to the neighboring properties.

Mr. White explained that the town received a complaint and that is how he became aware of the project. The work crew was very professional and understanding regarding the stop work order. He thanked the contractor for following the regulations to bring the project into compliance. Mr. White suggested that the public hearing be waived due to the low lake level and continuing erosion.

There was a concern about waiving a public hearing when a complaint was made. Mr. White said the complaint was regarding the failure to follow the permitting process and not for the project itself.

On a motion to deem the application complete, waive the public hearing due to the current low lake level, and issue the permit by Mr. Pribble, seconded by Mrs. Person, and by roll call vote, the motion carries. Yes 7 No 0

Tax Map #40.65-3-6.000 – Leigh Firestone, Special Use with Site Plan Permit Application for change of use to a pub/tavern at 2748 Main Street, Essex

The applicant explained the project to change the use to a pub and be open year round. The liquor license application has been filed, fingerprinting is done, and legal notice has been published in the paper. She has been in contact with NYS DOH for the kitchen and bathroom requirements. Only beer and wine will be served.

Matt Norfolk, Attorney attended the meeting.

The applicant will need to submit a letter from NYSLA stating that there are no distance requirements to sell beer and wine.

There were questions about parking, heating, facade changes, kitchen and bathroom details, and vents/chimneys. A site plan showing all of this information was requested and will need to be submitted by May 10, 2021.

Parking is still in question. The applicant suggests having an engineer's plan for parking and will obtain this for the next meeting.

There will be propane for cooking and wood for heat with maybe some electric baseboard. Where will the propane tank be located and firewood be kept?

Where are the survey markers around the building? Any parking on either side of the building may actually be on neighboring properties. The applicant said there would be no parking on the

north side and maybe one space on the south side.

The site plan must be drawn to scale and show setbacks.

Have the Essex Town Highway Dept, NYS DOT, or Essex County DPW been contacted? The applicant said she will have the professional engineer take care of that.

All requested information must be received by May 10, 2021 in order to be added to the May 20, 2021 public hearing and meeting agendas.

On a motion to declare the application complete pending the receipt of additional requested information by May 10, 2021, and to schedule the public hearing for May 20, 2021 by Mr. Walker, seconded by Mr. Pribble, and by roll call vote, the motion carries. Yes 7 No 0

Tax Map #40.65-3-7.000 – Leigh Firestone, Special Use Permit Application for a new bathroom addition at 2748 Essex Road, Essex

This application was withdrawn on April 14, 2021.

Tax Map #40.73-8-4.000 – Katherine and Elizabeth Sharp, Special Use Permit Application for a roof replacement at 269 School Street, Essex

Chris Buckley attended the meeting as the representative for the applicants. He explained this is a simple roof replacement. The slate roof is failing and will be replaced with a modified fiberglass roofing material that is slate-appearing. The entire roof will be replaced.

On a motion to deem the application complete and schedule a public hearing for May 20, 2021, by Mr. Stransky, seconded by Mrs. Shapiro, and by roll call vote, the motion carries. Yes 7 No 0

Tax Map #49.15-1-5.000 – Lorraine Besser, Special Use with Site Plan Permit Application to restore a cabin and build a new 8 x 12 bathhouse at 1793 Lake Shore Road, Essex

The applicant explained that a lakeside cabin will be restored on the current footprint with the same siding and reusing the windows as possible.

There is a second cabin across the road that does not have plumbing and needs an accessory bathhouse. It would be parallel or sitting back a little from the cabin. This will all be behind where the house used to be that burnt and is maybe 400' from the road. There is a poured cement foundation. APA approved the project without a deck.

A scaled site plan is requested and must be submitted by May 10, 2021 in order to be on the May 20, 2021 public hearing and regular meeting agendas.

On a motion to accept the application as complete pending receipt of requested information by May 10, 2021, and to schedule a public hearing on May 20, 2021, by Mrs. Shapiro, seconded by Mr. Walker, and by roll call vote, the motion carries. Yes 6 No 0 Abstain 1 (Pribble)

Tax Map #40.73-6-13.100 – Heather & Lee Maxey, Special Use with Site Plan Permit Application to construct a barn at 2226 Lake Shore Road, Essex

Mr. Maxey explained the new barn project. The garage that was previously approved will not be built. The barn will be 24 x 36 and have solar panels on the south facing roof. There will be a lean-to on the ends for animal shelter. They may park a car under the lean-to at some point in the future. They are leaning toward site #1 as the location for the barn. There will be a slab foundation for the barn and gravel and chips for the lean-to ends. The second story will be an open loft.

On a motion to accept the application as complete and schedule a public hearing for May 20, 2021, by Mr. Stransky, seconded by Mr. Hislop, and by roll call vote, the motion carries. Yes 6 No 0 Abstain 1 (Pribble)

Tax Map #40.81-2-1.000 – Larry Barns, Special Use Permit Application to replace clapboard siding and repair broken windows on a barn at 2175 Lake Shore Road, Essex

The applicant did not attend the meeting and there was no representative present.

Mr. White, CEO said the project started without a permit and the new siding was already done.

This application was tabled until May.

Report of Code and Zoning Officer

Mr. White apologized for not having a written report before the meeting. He will submit a report within the next week. He has been attending week-long trainings.

He has issued two stop work orders, issued building permits, and there are pending permits for projects. In the interest of time for this meeting he offered to answer questions rather than go on with details. There was no discussion.

Report of the Acting Chairman

There were no projects during the first quarter last year and this year there is an influx!

There will be a meeting to review zoning law updates for air bnb, solar panels, and the 500' neighboring property list requirement.

Public Comment

Cole Starkey said the roof at the Beggs Point kiosk needs to be replaced. He would donate his time and supplies for the project. He needs to speak with Mr. White to determine the proper procedure for this project.

The secretary asked if she could share board member contact information with Anna Reynolds, Director of Essex County Community Resources, for training opportunity communication. No one stated any concern.

Adjourn

Chairman Hislop adjourned the meeting at 9 PM.

Respectfully submitted by

Jacqueline Thomas
Secretary