

**Minutes**  
**Town of Essex Planning Board**  
**Regular Meeting**  
**January 21, 2021**  
**7:00 PM**

**Meeting was held remotely and was recorded. Recording and minutes available at [www.essexnewyork.gov](http://www.essexnewyork.gov).**

**Call to Order**

Chairman Hislop opened the meeting at 7:10 PM.

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

Absent: Anh Thu Cunnion

Others in Attendance: Tom Duca, Ken Hughes, Tom Lambert, Lee Maxey, Jillian Neely, Jay White, Sarah White, James Youngs-Schmitt, Kelly Youngs-Schmitt

**Approval of Minutes**

On a motion to accept the minutes for the December 17, 2020 Public Hearing and Regular Meeting by Mr. Stransky, seconded by Mrs. Person, and by roll call vote, the motion carries.

**Old Business**

Tax Map #40.81-1-2.000 – Marshall Neely, Special Use Permit Application to replace a window at 2219 Lakeshore Road, Essex

On a motion to accept the application as complete and issue the permit by Mrs. Person, seconded by Mr. Stransky, and by roll call vote, the motion carries.

**New Business**

Tax Map #40.73-3-7.000 – James Schmitt & Kelly Youngs-Schmitt, Special Use Permit Application for Air BNB rental at 39 Beggs Point Street, Essex

Applicant was not in attendance. Board members have questions and can't determine if the application is complete. There are question regarding the driveway and parking and if there is a separate entry for Air BNB. Is this the red house?

The applicant will need to provide a site sketch plan showing entrance to the building and parking info and a photo ID for the applicant or representative before the application can be reviewed.

On a motion to table this application until February 18, 2021 by Mr. Stransky, and seconded by Mrs. Shapiro, by roll call vote, the motion carries.

Kelly Youngs-Schmitt and James Youngs-Schmitt remoted into the meeting late. Their application was reopened for discussion.

Mrs. Youngs-Schmitt explained their application. The top floor of the red house consists of 2 bedrooms and 1 bathroom and will be Air BNB. Renters will have access to common areas on the first floor. The downstairs workshop will be locked. Renters will use the main door of the house. The upstairs will be rented as one unit so there will only be one rental at a time. Renters will only be allowed to have one vehicle.

The parking area is L-shaped. There are four parking spots by the motel and two spots by the storage tent. One parking spot by the motel will be dedicated for the Air BNB.

The board requires a sketch to scale with dimensions for the parking areas and the photo id in order for the application to be complete. A public hearing will be scheduled once these items are received. February 8, 2021 is the deadline for the February 18, 2021 public hearing. The application or representative must attend the public hearing and meeting for this project.

On a motion to deem the application complete, pending receipt of requested information, and to schedule the public hearing by Mr. Walker, and seconded by Mr. Pribble, and by roll call vote, the motion carries.

The board discussed how many permits have been issued, and the density, for Air BNB. There was a suggestion to have a simplified application for Air BNB if there is no construction required.

Tax Map #40.73-2-14.002 – Tom Lambert, Special Use with Site Plan Permit Application to replace addition on house and install new floor in barn at 9 Church Street, Essex

Mr. Lambert explained his project, timeline, and the current status. The house was purchased in 2019 and the bank required a wall to be replaced within a year due to a bowing crack. A building permit was issued in February 2020 to repair and replace a wall. An engineer was hired in March 2020 and said the wall was unsafe. A building permit was issued in May 2020 for an emergency repair and replace of a wall. In September 2020 Mark Buckley said the wall needed to be replaced and deemed the wall condemned. A building permit was issued for demolition of the addition and to rebuild on same footprint with a note that the Planning Board would need to approve all exterior work.

There was discussion about the timeline of what was done and when, what needs to be done, and the building permits being issued without the owner first getting Planning Board approval. The building permits should not have been issued. Mr. Lambert feels he followed instructions given by town officials. The code officer who issued the permits is no longer employed by the town.

The plans for windows, exterior finishes, and the roof were discussed. Mr. Lambert said the March drawing should be removed from the application packet since it was a draft.

The board members are requesting the following information for the application to be deemed complete:

- photos of the prior brick wing, demolition phase, and current status;
- the first letter from the engineer stating the wall needed to be removed or replaced;
- bank correspondence stating the wall needed to be replaced;

site plan sketch to scale of property including setbacks and all structures with sizes and dimensions;  
explanation and drawings of project; and  
details for the rest of the project including windows, roof, and exterior finish.

A monolithic floor is planned for the barn.

On a motion to accept the application as complete pending receipt of all requested information, and set the public hearing by Mr. Walker, seconded by Mr. Stransky, and by roll call vote, the motion carries.

February 8, 2021 is the deadline for requested information for the February 18, 2021 public hearing.

### **Report of Code and Zoning Officer**

There was review and discussion with Mr. White regarding his report.

### **Report of the Acting Chairman**

There will be 24-hour reminder emails before each meeting.

There are on-line training opportunities.

The first 6 PM informal session was held tonight and it went well.

A suggestion was made to include \*6 to mute and unmute phones and request that people identify themselves when they enter a meeting on the meeting agendas.

There was an idea to post applications on the town website before a public hearing but it was decided that applications may include personal and/or sensitive information that should not be shared publicly. Anyone with questions can contact the secretary.

The next public hearing and regular meeting will be held on February 18, 2021. Deadline for applications and information will be February 8, 2021.

### **Public Comment**

None

### **Adjourn**

Chairman Hislop adjourned the meeting at 8:52 PM.

Respectfully submitted by

Jacqueline Thomas  
Secretary