

MEETING MINUTES
Town of Essex Planning Board
Public Hearing Meeting
July 19, 2018
7:00 p.m.

Call to Order

Chair DeWolff opened the meeting at 7:10 p.m. and led the meeting with the Pledge of Allegiance

Attendance

Present: Chair Catherine DeWolff, Vice Chair David Hislop, Jonathan Pribble, Mark Walker, Cheryl Sprang, Secretary

Absent: Anh Thu Cunnion, Thomas Stransky, Derrick Wrisley

Others present: Justin Green, Beth Lawrence, June Lawrence, Anita Shapiro, James Youngs-Schmitt, Lauren Murphy

Public Hearing (s)

Tax Map # 40.73-6-8.100 and Tax Map # 40.73-6-8.200 – Essex One, LLC, 2266 and 2264 Lake Shore Drive, Essex – Special Use permit w/ Site Plan – Construction of a set of stairs leading from 2266 Lake Shore (Marina property) to 2264 Lake Shore Road (Cleland House). Justin Green is the representative for this project.

Public Comment

We received two emails about the project. One was to ask more details about the project, the other was neutral to the project but asked that the Marina property be cleaned up.

Ms. Murphy and Beth Lawrence asked numerous questions about the project and the properties. Chair DeWolff answered where she could with input from Justin Green.

Q. What is the proposed purpose? A. Easier access from one property to another

Q. Are there separate Tax maps? A. Yes, the two properties are separated

Q. Why were they subdivided? A. To make the home a residential tax instead of commercial.

Q. How close will the bottom of the stairs be to the old Rudder Club. A. The bottom landing will be where the kitchen used to be, specifically the walk-in cooler.

Q. Mr. Pribble asked about future use of the properties, how does the easement effect that? A. Justin answered that the properties are not on the market.

Adjourn

On a motion to adjourn the public hearing at 7:33 p.m. by Mr. Hislop, seconded by Mr. Pribble. Motion carries, meeting is adjourned at 7:33 p.m.

MEETING MINUTES
Town of Essex Planning Board
Regular Meeting
July 19, 2018
7:00 p.m.

Call to Order

Chair DeWolff opened the meeting at 7:35 p.m.

Attendance

Present: Chair Catherine DeWolff, Vice Chair David Hislop, Jonathan Pribble, Mark Walker, Cheryl Sprang, Secretary

Absent: Anh Thu Cunnion, Thomas Stransky, Derrick Wrisley

Others present: Justin Green, Beth Lawrence, June Lawrence, Anita Shapiro, James Youngs-Schmitt, Lauren Murphy

Review and Acceptance of Minutes of June 21, 2018

On a motion to accept the minutes of June 21, 2018, by Chair DeWolff, seconded by Mr. Hislop, the motion carries, Aye-4 No-0 Absent-3 (Cunnion, Stransky, Wrisley) Abstain-0

Old Business

Tax Map # 40.73-6-8.100 and Tax Map # 40.73-6-8.200 – Essex One, LLC, 2266 and 2264 Lake Shore Drive, Essex – Special Use permit w/ Site Plan – Construction of a set of stairs leading from 2266 Lake Shore (Marina property) to 2264 Lake Shore Road (Cleland House). Justin Green is the representative for this project.

SEQR Review: A Long Environmental Assessment Form was completed. The Planning Board conducted a SEQR review in conformance with the NYS DEC SEQR law on June 21, 2018 where no significant impacts on the environment were determined. A Type I unlisted action was issued by negative declaration on the application by majority vote of the Planning Board, Aye-6 No- 0 Absent-1 (DeWolff)

Chair DeWolff gave a summary of the project and went over the draft permit, specifically conditions.

There was a lengthy discussion in regard to the Easement and the way it is written. Members felt that a simple easement or right of way would have better served this project. The easement was written and provided to the town without us asking as the project was originally supposed to be on the Marina Property only. The easement also satisfied the set back issues.

Conditions of permit will include that the Easement must be filed with Essex County prior to a building permit being issued.

The planning board asked numerous questions about the project.

Q. Distance from water?

A. 79 ft

Q. How long are the stairs

A. 100 ft

Q. What happens if the property is sold to two different owners? How does this effect them?

A. Justin Green stated the property is not on the market

Q. A member of the public asked if the Planning Board can make a decision based on a possible sale of the property in the future.

A. Yes, the Essex Planning Board is responsible for looking at long-term or future issues that may arise because of the action.

On a motion to approve the draft permit with conditions by Mr. Hislop, seconded by Chair DeWolff, the motion carries, Aye-3 No-1 Absent-3 (Cunnion, Stransky, Wrisley) Abstain-0
The motion does not pass.

Report of the Zoning Officer

The zoning officer was not present at the meeting

Report of the Chair

Other Reports and Communications

Resolution of Support for Town Hall renovation/preservation project

No resolution required as their will not be a grant for this project.

Resolution to Deem Air B and B's Tourist Accommodations subject to the Town of Essex Zoning Law

See attached Resolution

Public Comment

Ms. Shapiro asked about our zoning officer, she indicated she has not heard back from her various emails regarding illegal signs.

Adjourn

On a motion to adjourn the meeting at 8:15 p.m. by Chair DeWolff, seconded by Mr. Hislop, Motion carries, meeting is adjourned at 8:15 p.m.

Respectfully submitted by

Cheryl Sprang
Secretary

Town of Essex Planning Board
PO Box 355
Essex, NY 12936
(518) 963-4287

Resolution to deem Airbnb and all other online reservation services as Tourist Accommodations.

The Town of Essex Planning Board does hereby deem Air B and B's and all other online reservation services that enables residents to rent out their homes or rooms in their homes on a day to day basis. As such, the Town of Essex declares that these rentals create a "Transient/Tourist Accommodation", as defined in the Town of Essex Zoning Law.

Transient/Tourist Accommodations require permitting from the Town of Essex Planning Board as a Special Use Permit for a change of use in accordance with the TOE Zoning Law, Schedule A: Land Use Chart. This Resolution does not impact long-term leased rentals of 3 months or more that provide necessary housing opportunities in the Town.

A letter will go to Residents renting on Air B and B and all residents who use other online reservation services, who will have until the next meeting of the Town of Essex Planning Board, August 16, 2018, to comply with the Zoning Law, file their applications, attend the meetings and get permitted for the eligible use. Further, those residents who do comply by the next meeting, will be offered a waiver of the fee for such application. After that date, the offer is rescinded, and the permittee must pay the regular application fee.

Mr. Hislop moved to adopt the resolution, Ms. DeWolf seconded the motion. The resolution is adopted by majority vote of the Essex Planning Board on Thursday, July 19, 2018.

	Aye	No	Absent	Abstain
Catherine DeWolff, Chair	X			
David Hislop, Vice Chair	X			
Anh Thu Cunnion			X	
Jonathan Pribble	X			
Thomas Stransky			X	
Mark Walker	X			
Derrick Wrisley			X	