

Minutes
Town of Essex Planning Board
Regular Meeting
March 18, 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 7:07 PM.

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

Absent: Anh Thu Cunnion

Alternates:

Approval of Minutes

On a motion to accept the minutes for the February 18, 2021 Public Hearing and Regular Meeting by Mr. Walker, seconded by Mrs. Shapiro, and with unanimous consent of the board, the motion carries.

Old Business

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 submitted the requested information regarding the options and pricing for wood and brick siding and a proposed reduction of over 50 square feet for the deck. The brick listed in the estimate won't match the current brick on the rest of the house. The price would be three times as much for matching brick. Using the bricks on the prior addition that was demolished would be cost prohibitive since each brick would have to be hand chiseled. There was further discussion about the siding options, cost, possible financial hardship, and if matching brick could be used on at least one side of the addition rather than all sides to help with the expense. Bill Kissell attended the meeting as legal representation for Mr. Lambert.

Conditions for the permit include clapboard siding with brick siding used if possible. The deck will be 23' x 10' with a low profile railing.

On a motion to approve the permit with conditions by Mr. Pribble, seconded by Mrs. Person, and by roll call vote, the motion carries. Yes 7 No 0 Absent 1 (Cunnion)

Tax Map #40.65-3-4.002 – Copeland Houghton, Special Use Permit Application to open the Old Dock restaurant for the 2021 season at 2752 Essex Road, Essex

Mr. Houghton didn't respond to questions due to technical difficulties.

There were questions regarding the wedding and event plans. The parking lot across from the ferry dock is privately owned and can't be considered by the Planning Board as an option for this business. A suggestion was made to approve the permit for the 2021 regular restaurant season and then consider the wedding/event portion of the business at a later meeting when Mr. Houghton is present to answer questions.

Conditions for the permit will include operating hours of 11 AM to 11 PM and the noise level will be the responsibility of the owner.

On a motion to approve the permit for the 2021 season with conditions by Mr. Hislop, seconded by Mr. Walker, and by roll call vote, the motion carries. Yes 7 No 0 Absent 1 (Cunnion)

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

Mr. Maxey explained that the lawyer is processing the paperwork to combine all three lots. Building rights were not included with the documentation. The owners are now considering the future use of the building rights. There could possibly be a 20 x 30 barn or maybe nothing. No decision have been made.

The garage will have a slab foundation with a floor plan of 26' x 26'. There will be a storage loft upstairs that has a smaller floor plan.

There will be a retaining wall to hold the driveway and will include some storage area. A seasonal dock has been approved by APA and Mr. White, CEO.

Conditions for the permit include a generator to support the pump system for the sewer. A fence will need to be installed near the cliff. The three lots need to be combined.

On a motion to approve the permit with conditions by Mr. Hislop, seconded by Mr. Walker, and by roll call vote, the motion carries. Yes 7 No 1 Absent 1 (Cunnion)

New Business

Tax Map #40.81-3-1.000 – Thomas Duca, 2224 Lake Shore Road, Essex
Construction of storage outbuilding

Mr. Duca explained that this new outbuilding will be used for seasonal storage and tools. There will be limited electricity and no heat. It will be 640 square feet with dark gray exterior. There are no business plans for the building.

Mr. Duca was asked to submit dimensions from the road.

On a motion to deem the application complete and set the public hearing for April 15, 2021, by Mr. Stransky, seconded by Mr. Walker, and by roll call vote, the motion carries. Yes 6 No 0 Abstain 1 (Pribble) Absent 1 (Cunnion)

Tax Map #40.65-3-7.000 – John Szeliga, 2314 Main Street, Essex
Install seasonal, non-permanent dock

Mr. Szeliga explained that there is 130' of lake front/beach area. The dock will be centered on the beach. Dock Doctors from Vermont will install a 36' seasonal, non permanent, moving dock. The dock is for use by the owners only.

The APA application has been submitted and receipt has been received by APA. They requested pictures that have been submitted this week and the application is in process.

The owner will need to contact the Corps of Engineers.

The dock will be stored on the owner's property during off season.

Ken Hughes, Town Supervisor, said the RPTS parcel viewer shows the town owns the land underwater off the shoreline in the cove. Questions have been asked for years regarding the ownership of the shoreline and coves/bays of the lake.

The applicant has a mooring for their own boat.

On a motion to deem the application complete and set a public hearing for April 15, 2021 by Mr. Stransky, seconded by Mr. Walker, and by roll call vote, the motion carries. Yes 7 No 0 Absent 1 (Cunnion)

Tax Map #40.65-3-7.000 – John Doyle, 2750 Main Street, Essex
Demolish and reconstruct Lattice Building, reconfigure stairs from Emporium building second floor, and install a split rail fence

Mr. Doyle said the Lattice Building would be demolished and replaced on the same footprint. The building will be on a Texas slab and have a small skylight. The right-of-way for the Old Dock will remain in place.

The stairs from the north are dangerous and need to be replaced. They will be moved behind the new fence and adjacent to the reconstructed building.

The building will be used for storage. There will be an additional 3 x 12 walkway/deck. A drawing is to be submitted.

On a motion to declare the application complete and schedule the public hearing for April 15, 2021 by Mr. Stransky, seconded by Mrs. Person, and by roll call vote, the motion carries. Yes 7 No 1 Absent 1 (Cunnion)

Tax Map #40.65-3-7.000 – Leigh Firestone, 2748 Essex Road, Essex
Change of Use to Pub/Tavern, installation of skylights and chimney, construction of new deck on ground level, and various exterior changes

Ms. Firestone explained the various points of the project. The building is being remodeled, a dead tree will be removed, two heaters will be installed, two skylights will be installed in the attic, a faux wall will be replaced, the west wall will be fixed, the sunburst on the front of the building will be changed, the second floor balcony railing to be changed, front door to be replaced, windows will be replaced with double pane windows, the front facade will be repaired or replaced, the

exterior will be white or gray, there will be a new deck built on the first floor with walkway/door on east wall, and a pub/tavern on the ground floor.

There was discussion regarding various parts of the project including change of use, exterior changes, required scaled drawings, approval from other agencies, pub details and business plan, and parking.

A workshop will be scheduled for Monday, March 22, 2021, at 7 PM Ms. Firestone will attend with her contractor, Cole Starkey. Planning Board members to attend will be Chairman Hislop, Mrs. Shaprio, and Mr. Goff. Mr. White, CEO will also attend.

Ms. Firestone requested that the pub portion of the application be scheduled for a public hearing. All information and required documentation has not been submitted and there are many questions. Chairman Hislop explained the process and procedure for the Planning Board applications. Ms Firestone stated she did not want a workshop for the pub project and didn't agree to submit the required information. Chairman Hislop asked if any board member would make a motion to accept the application as complete and move the proposal forward. No board member would make the motion so the application was tabled.

that it should be accepted. No board member said yes or offered a motion. After more discussion the project was tabled.

Tax Map #40.3-3-14.200 – Fruition Orchards, 545 Middle Road, Essex
Boundary Line Adjustment

Jori Wekin said they would be purchasing 10 acres of property from a neighbor and it would be added to their current lot for a total of 16 acres.

On a motion to deem the application complete and schedule a public hearing for April 15, 2021 by Mr. Walker, seconded by Mrs. Person, and by roll call vote, the motion carries. Yes 7 No 0
Absent 1 (Cunnion)

Tax Map #40.3-3-14.200 – Fruition Orchards, 545 Middle Road, Essex
Creamery

This will be a change of use for the north end of the building from a workshop to a creamery. The APA is involved. This is agricultural use so a public hearing is not required.

On a motion to approve the permit by Mrs. Person, seconded by Mr. Pribble, and by roll call vote, the motion carries. Yes 7 No – Absent 1 (Cunnion)

Report of Code and Zoning Officer

Mr. White submitted his report prior to the meeting. There was some discussion regarding a few of the items.

There are many questions about zoning law changes. There are opportunities for the Town Board, Planning Board, and ZBA to participate.

Report of the Acting Chairman

Proposed changes to rules were sent to the Planning Board members.

The Planning Board Secretary has submitted her resignation for May. Sorry to see her leave. Very nice comments were shared.

Public Comment

The Secretary explained a change in the permit issuing process. A draft permit will be started by the Secretary and will be sent to the Planning Board Chairman and the Code Enforcement/Zoning Officer for any changes. It will then be forwarded to the Planning Board members and alternates before the public hearing. When the board approves the permit the final document will be signed by the Chairman or Vice Chairman. This is a correction in procedure to match the Planning Board by-laws.

Adjourn

Chairman Hislop adjourned the meeting at 9:38 PM.

Respectfully submitted by

Jacqueline Thomas
Secretary