

MEETING MINUTES
Town of Essex Planning Board
Public Hearing Meeting
October 18, 2018
7:00 p.m.

Call to Order

Chair DeWolff opened the meeting at 7:01 p.m. and led the meeting with the Pledge of Allegiance

Attendance

Present: Chair Catherine DeWolff, Vice Chair David Hislop, Thomas Stransky, Mark Walker, Janellen Fortune (alternate), James Van Hoven (alternate), Cheryl Sprang, Secretary

Absent: Derrick Wrisley, Anh Thu Cunnion, Jonathan Pribble

Others present: John Orberg, Anita Shapiro, James Youngs-Schmitt, Mei-Lin Young, Justin Green, Meghan Giroux, Katherine O'Hara, Hillary Stransky, John Fortune, Pam Drollette, Leonard Duffy, Emma Paladino, Kevin Hall, Karol Kempster, Ken Hughes

Public Hearing (s)

Tax Map #40.65-1-4.000 – Essex Legacy Trust – 2775 Lakeshore Road, in the town of Essex – Special Use w/ Site Plan. Construction of a boathouse and docks on the waterfront in the historic waterfront district. Justin Green is the representative for Essex Legacy Trust.

Public comment: None

Mr. Duffy presented additional images of the project.

Chair DeWolff and the Planning Board thoroughly discussed and considered at the length for which no inconsistencies were determined for the project as it related to the Waterfront, Historic and Hamlet, as well as the LWRP, Waterways and Harbor Management Law, Comprehensive Plan and Town Zoning Laws. It was the opinion of the Chair that the historic content section of the original applications to state and federal agencies was misrepresented by the applicant as being factual, whereby the actual history of place proves otherwise. The Chair provided evidence and cautioned the applicant about skewing information to seem factual.

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 October 19, 2018 where no significant impacts on the environment were determined. A Type I unlisted action in the Historic District was issued by negative declaration on the application by majority vote of the Planning Board, Aye- 5 No- 1 Absent-3 (Wrisley, Cunnion, Pribble)

Tax Map #40.73-5-1.1 & 40.73-5-3.1 – Mesick to Pribble – 290 School Street, in the town of Essex and 18 Ross Way, in the town of Essex, NY – Minor Subdivision/Boundary Line Adjustment. Mesick currently has a 1.6± acre parcel, Pribble currently has a 1.9± acre parcel. Mesick will convey .3± acre to merge to Pribble property. The amended Mesick lot will be 1.3± and the amended Pribble lot will be 2.2±. No new land use or development at this time. Kevin Hall is the representative in this project.

Public comment: None

Tax Map #49.3-2-13.200– Hillary and Thomas Stransky – 1420 Whallons Bay, in the town of Essex – Special Use w/ Site Plan. Demolish existing and replace with new modern structure. Footprint to remain the same

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 October 19, 2018 where no significant impacts on the environment were determined. A Type I unlisted action in the Shoreline Overlay District was issued by negative declaration on the application by majority vote of the Planning Board, Aye- 4 No- 0 Absent-3 (Wrisley, Cunnion, Pribble) Abstain – 1 (Stransky)
Public comment: Pam Drollette was present and not in favor of the project.

Tax Map #40.73-3-8.000 – James Youngs-Schmitt – 37 Beggs Point Road, in the town of Essex – Special Use Permit. Application for additional Commercial use of a Transient/Tourist and Accommodation in compliance with the Town of Essex Zoning Law

Public Comment: Anita Shapiro expressed concern over the large inflatable soda sign.

Public Comment

Adjourn

On a motion to adjourn the regular meeting at 7:54 p.m. by unanimous vote, Motion carries, meeting is adjourned at 7:54 p.m.

MEETING MINUTES
Town of Essex Planning Board
Regular Meeting
October 18, 2018
7:00 p.m.

Call to Order Chair DeWolff opened the meeting at 7:55 p.m.

Attendance

Present: Chair Catherine DeWolff, Vice Chair David Hislop, Thomas Stransky, Mark Walker, Janellen Fortune (alternate), James Van Hoven (alternate), Cheryl Sprang, Secretary

Absent: Derrick Wrisley, Anh Thu Cunnion, Jonathan Pribble

Others present: John Orberg, Anita Shapiro, James Youngs-Schmitt, Mei-Lin Young, Justin Green, Meghan Giroux, Katherine O'Hara, Hillary Stransky, John Fortune, Pam Drollette, Leonard Duffy, Emma Paladino, Kevin Hall, Karol Kempster, Ken Hughes

Review and Acceptance of Minutes

On a motion to accept the minutes of September 20, 2018, by Mr. Hislop, seconded by Mr. Stransky, the motion carries, Aye-5 No-0 Absent-3 (Wrisley, Cunnion, Pribble) Abstain-1 (Van Hoven, Alternate)

Old Business

Tax Map #40.65-1-4.000 – Essex Legacy Trust – 2775 Lakeshore Road, in the town of Essex – Special Use w/ Site Plan. Construction of a boathouse and docks on the waterfront in the historic waterfront district. Justin Green is the representative for Essex Legacy Trust.

SEQRA completed in Public Hearing.

Additional conversation between board members.

The Draft permit was conditionally approved with revisions and with the Essex Planning Board receiving clarification from the State agencies and final permits from each. On a motion to approve the permit once clarification is received, by Mr. Stransky and seconded by Mrs. Fortune (alternate), the motion carries, Aye-5 No-1 Absent-3 (Wrisley, Pribble, Cunnion) Abstain-0

Tax Map #40.73-5-1.1 & 40.73-5-3.1 – Mesick to Pribble – 290 School Street, in the town of Essex and 18 Ross Way, in the town of Essex, NY – Minor Subdivision/Boundary Line Adjustment. Mesick currently has a 1.6± acre parcel, Pribble currently has a 1.9± acre parcel. Mesick will convey .3± acre to merge to Pribble property. The amended Mesick lot will be 1.3± and the amended Pribble lot will be 2.2±. No new land use or development at this time. Kevin Hall is the representative in this project.

A short Environmental Assessment Form was completed. The Planning Board conducted a SEQR review in conformance with the NYS DEC SEQR law on September 20, 2018 where no significant impacts on the environment were determined. A Negative Declaration on an unlisted action, was issued on the application by vote of the Planning Board, Aye-5 No-0 Absent-1 (Wrisley) Abstain-1 (Pribble)

On a motion to approve the Permit as written by Mr. Van Hoven (alternate), seconded by Mr. Hislop, the motion carries, Aye-6 No-0 Absent-3 (Wrisley, Pribble, Cunnion) Abstain-0

Tax Map #49.3-2-13.200– Hillary and Thomas Stransky – 1420 Whallons Bay, in the town of Essex – Special Use w/ Site Plan. Demolish existing cabin. A second application will be submitted at a later date to rebuild/replace with new modern structure. Footprint to remain the same

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 October 19, 2018 where no significant impacts on the environment were determined. A Type I unlisted action in the Shoreline Overlay District was issued by negative declaration on the application by majority vote of the Planning Board, Aye- 5 No- 0 Absent-3 (Wrisley, Cunnion, Pribble) Abstain – 1 (Stransky)

On a motion to approve the Permit as written by Chair DeWolff, seconded by Mr. Van Hoven (alternate), the motion carries, Aye-5 No-0 Absent-3 (Wrisley, Pribble, Cunnion) Abstain-1 (Stransky)

Tax Map #40.73-3-8.000 – James Youngs-Schmitt – 37 Beggs Point Road, in the town of Essex – Special Use Permit. Application for additional Commercial use of a Transient/Tourist Accommodation in compliance with the Town of Essex Zoning Law

The Planning Board conducted a SEQR review in conformance with the NYS DEC SEQR law on September 20, 2018 where no significant impacts on the environment were determined. A Negative Declaration on a type 1 action in historic, hamlet, historic districts was issued on the application by vote of the Planning Board, Aye-6 No- 0 Absent-1 (Wrisley) Abstain-0

Three signs will be added to the permit. A 2' x 4' rectangular at roof height to go on above the store, an 18" x 30" hinged sign to be placed off-premise and a 19" x 15" small, stick in the ground sign for lawn facing street. No product displays, coolers, inflatable or other advertising may be placed on-site.

On a motion to approve the Permit with addition of permitting three signs for the convenience store in accordance with the Town of Essex sign laws, attached, by Mr. Van Hoven (alternate), seconded by Mrs. Fortune (alternate) the motion carries, Aye-5 No-0 Absent-1 (Wrisley, Pribble, Cunnion) Abstain-1 (Stransky)

New Business

Meg Giroux – Attended planning board meeting as a courtesy to townspeople and to introduce herself as a land steward for a project in Whallonsburg on the corner of Cook and Walker Road. Meghan is an Agri-forester and has been awarded federal grants to plant trees over a five-year period at this property. There will be many kinds of trees and eventually, she will be bringing her very successful nursery from Vermont to New York.

Leonard Duffy – Introduced and gave a brief description of a new project he is working on at 2892 Lake Shore Road for Linda Shigley. Mr. Duffy was instructed to complete the Special Use w/ Site Plan application (along with SEQR) and provide it to the Planning Board no later than November 5 for consideration at the November 15 meeting.

Tax Map #40.73-1-1 – Karol Kempster – 2712 NYS Route 22, in the town of Essex – Special Use Permit. Application for additional use to residential of a Transient/Tourist Accommodation in compliance with the Town of Essex Zoning Law

On a motion to declare the application complete, waive the public hearing and permit application on October 18, 2018, by Mr. Stransky, seconded by Mr. Hislop, the motion carries, Aye-6 No-0 Absent-1 (Wrisley, Pribble, Cunnion) Abstain-0

Tax Map #49.15-1-13.000 – John and Jan Fortune – 30 Albee Lane, in the town of Essex – Special Use Permit with Site Plan. Application for demolition of current barn/garage structure and rebuild in same style and footprint.

Mr. Fortune was present and explained the project.

A short Environmental Assessment Form was completed. The Planning Board conducted a SEQR review in conformance with the NYS DEC SEQR law on October 18, 2018 where no significant impacts on the environment were determined. A Negative Declaration on an unlisted action, was issued on the application by vote of the Planning Board, Aye-5 No- 0 Absent-3 (Wrisley, Pribble, Cunnion) Abstain-1 (Fortune)

On a motion to deem the application complete and schedule for public hearing on November 15, 2018, by Mr. Hislop, seconded by Mr. Van Hoven, the motion carries, Aye-5 No- 0 Absent-3 (Wrisley, Pribble, Cunnion) Abstain-1 (Fortune, alternate)

Report of the Zoning Officer

The zoning officer was not present at the meeting.

Report of the Chair

None

Other Reports and Communications

None

Public Comment

Pam Drollette expressed concern and great sadness over an email that was sent to the Town Board about the alleged use of Town property without permission. Pam explained that her family has owned that location for 45 years and it is possible they have planted a garden or parked beyond their landline.

Mr. Stransky apologized for not speaking with Pam directly but explained that as a member of the Planning Board, he felt it his responsibility to the Town Board.

Anita Shapiro asked about the use of jet ski's and water planes in the Historic district. It was determined both are permitted to be on the lake.

Executive Session

8:51pm Entered Executive Session

8:57pm Exited Executive Session with no action taken

Adjourn

On a motion to adjourn the regular meeting at 8:57 p.m. by Chair DeWolff, seconded by Mr. Stransky, Motion carries, meeting is adjourned at 8:57 p.m.

Respectfully submitted by

Cheryl Sprang
Secretary