

Minutes
Town of Essex Planning Board
Regular Meeting
January 21, 2016
7:12 p.m.

Call to Order

Chairman Van Hoven called the Regular Meeting of the Town of Essex Planning Board to Order at 7:12 p.m.

Attendance

Present: James Van Hoven, Mark Walker, Derrick Wisley, Nancy Dougal, David Hislop, Thomas Stransky
Catherine DeWolff, Secretary

Absent: Olive Alexander

Also Present: Doug Rock, Nick Muller, Stephen Sayward, Jr., Mark Hall, Anita Shapiro, Steven Valachovic, Steven Kellogg, Cole Starkey, and Julia Backus

Review and Acceptance of Minutes of December 17, 2015

On a motion to accept the minutes of December 17, 2015 by Mr. Stransky, seconded by Mr. Walker, the motion carried, Aye-6 No-0 Absent-1 (Alexander)

Old Business

SEQRA Review – Shapiro – Tax Map #40.73-3-6.1

Chairman Van Hoven read the EAF that was submitted by the applicant. On a motion to declare the EAF a Negative Declaration in conformance with the NYS DEC SEQRA law by Mr. Hislop, seconded by Mr. Stransky, the motion carried, Aye-6 No-0 Absent-1 (Alexander)

Draft Permit #EPB-2016 – Shapiro – Site Plan Review permit for a storage shed.

Mr. Stransky brought up a condition that he would like to see on the permit, that being that “if an old septic system is disturbed, it will be up to the homeowner to remedy in conformance with NYS Building Codes”. On a motion to accept the draft permit with condition by Mr. Hislop, seconded by Mr. Walker, the motion carried, Aye-6 No-0 Absent-1 (Alexander)

SEQRA Review – Kellogg – Tax Map #40.57-3-10

The Chairman read the EAF that was submitted by the applicant. On a motion to declare the EAF a Negative Declaration in conformance with the NYS DEC SEQRA law by Mr. Stransky, seconded by Mr. Hislop, the motion carried, Aye-6 No-0 Absent-1 (Alexander)

Draft Permit #EPB 2016-2 – Kellogg – Site Plan Review permit for a new residence.

The Chairman brought up the issue of a possible generator that was raised by a neighbor to this action. After discussion the following wording was suggested, "Any proposed generator will be of a low decibel nature and located furthest from any neighboring properties and will run only for a limited time period for periodic maintenance unless needed in an emergency situation". On a motion to accept the draft permit with condition by Mr. Wrisley, seconded by Mr. Walker, the motion carried, Aye-6 No-0 Absent-1 (Alexander)

SEQRA Review – Mastrovich – Tax Map #40.73-2-16.100 (See Special Meeting of 1/28/16)

Draft Permit #EPB 2016-3 – Mastrovich – Site Plan Review for the addition of 4 Lamp Posts with Globes in the Town Right of Way and in the Historic District. Applicant has requested an additional lamp post be included in the Permit (for a total of 5) – this will need a determination from the Planning Board for approval and addition to the Permit.

The Chairman advised the Board that since the last Planning Board meeting, we learned that the lights are not on the Mastrovich's property, but in the Town Right-of-Way. The most recent survey clearly shows that their fence is in the Town's Right of Way as well. He further noted that if we go ahead with this these will be the only such structures in the Town Right of Way plus there is the matter of aesthetics. Mr. Stransky spoke in favor of the lamp posts saying that they enhance the house. Mr. Hislop advised that they are not appropriate in the Hamlet. Mr. Hislop said that historically and compatibly he could see one light on each fascade entryway. Lauren Murphy, Code Enforcement Officer, said they should be inside the sidewalk on the private side not in the public space. Mr. Hislop: It would be in the interest of the homeowner to light the entrance way and not the side walls. On a motion by Mr. Hislop to compromise and allow lamp posts closest to the entryway and remove others, seconded by Mr. Stransky, the motion carried, Aye-4 Hislop, Dougal, Van Hoven, Stransky No-2 Wrisley, Walker Absent-1 Alexander. Town Judge Stephen Sayward reminded the Board that they are only there to vote on the draft permit not to re-do the application. The above vote was unanimously rescinded.

On a motion to accept the draft permit as written by Chairman Van Hoven, seconded by Mr. Hislop, the motion is put to a vote of the Board: Hislop-No, Wrisley-Yes, Dougal-No, Van Hoven-No, Walker-No, Stransky-Yes. The motion fails, Aye-2 No-4 Absent-1 (Alexander). The draft permit is not accepted. Chairman Van Hoven advises that the Applicant may come back to the Planning Board with another proposal. Until such time they must cease and desist.

New Business

Tax Map #40.32-2-14.200 - Amendment to Permit #2015-1 – Fruition Orchards – Special Use Permit/Change of Use, Jori Wekin is the representative/owner. Amended Permit to include two office spaces and a workshop space in addition to the formerly permitted commercial kitchen space at 545 Middle Road, Essex. The upstairs space remains a self-storage facility.

On a motion to accept the Amendment to the Permit by Mr. Stransky, seconded by Mr. Hislop, the motion carried, Aye-6 No-0 Absent-1(Alexander)

Tax Map #40.3-3-1.100 – Stephen A. Sayward, Jr. – Special Use Permit application for a Change of Use from residential to commercial at 2386 NYS Rt. 22, Essex, for a rental house. To deem application complete.

On a motion to deem the application complete by Chairman Van Hoven, seconded by Mrs. Dougal, the motion carried, Aye-6 No-0 Absent-1 (Alexander)

On a motion to set a Public Hearing for February 18, 2016 by Chairman Van Hoven, seconded by Mr. Wrisley, the motion carried, Aye-6 No-0 Absent-1 (Alexander)

Lauren Murphy, Codes Officer advised that the Septic system must be approved by the APA as well as the Zoning Officer

Chair Report

The Chair wants to be sure the Board knows what is going on regarding the Zoning Officer. Lauren Murphy on Monday tendered her resignation effective upon the appointment of her successor. The Town is in the process of working out a shared services agreement with Willsboro. Doug Rock is at our meeting to see how we do things here. I have met him and am in favor this arrangement. Lauren Murphy stands ready to help Doug Rock in the transition. He will be here one half day per week, and will be available in to us in Willsboro. The Zoning Officer reports to the Town Board.

The Chair has been meeting with resident Maureen DeLaughter, an expert on putting together websites. One of the things she asked is if Board Members would be comfortable with having assigned emails through the new website. These would then link to their personal email. The Board appeared receptive. The Chair noted that he sent a memo about paper reduction. Discussion followed.

Zoning/Code Officer Report

Lauren Murphy presented her December 2015 report.

Public Comment

Mr. Stransky asked about the Thorn application a couple of years back for a deck renovation. The Chair asked the secretary to look into the matter.

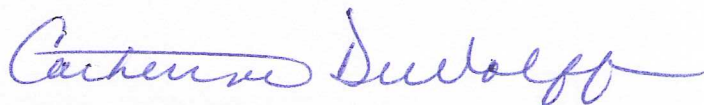
Mrs. Dougal asked if the Feigel's have been permitted for two residential dwellings on their property. Lauren Murphy stated that he put in a mother-in-law apartment. Mrs. Dougal noted that on less than 7 acres that constitutes two residences. The Chair asked Lauren Murphy to look into this.

There was no further comment from the Public.

Adjourn

On a motion to adjourn the regular meeting at 8:25 p.m. by Mr. Stransky, seconded by Mr. Walker, the meeting is adjourned by unanimous vote.

Respectfully submitted by



Catherine DeWolff, Secretary