

Village of Sackets Harbor Planning Board  
May 16, 2018  
Regular Meeting  
112 N. Broad St.  
Sackets Harbor, NY 13685

The meeting was called to order by Chair Quinn at 7:00 pm with the Pledge of Allegiance. Members present were Dick Stephens, Tom Dyckes, Frank Reynolds, Merle Tousant and Janet Quinn. A quorum was established. Also in attendance was Jim Corbin, Zoning Enforcement Officer.

A few revisions to the minutes were discussed to clarify sections pertaining to discussions at the April 18, 2018 meeting. A motion was made by Merle Tousant to amend the minutes with the noted changes, seconded by Dick Stephens. Vote 4 ayes (Stephens, Reynolds, Tousant, Quinn), Tom Dyckes abstained.

### **Report to Village Board**

Chair Quinn presented the report from the April 18, 2018 regular meeting to the Village Board at their May 8, 2018 meeting.

Being that there is a very large agenda; Chair Quinn asked if anyone had any comments on any of the items that are on the tonight's agenda. Mr. Kenyon Wells of 107 West Hamilton Street remarked that he was fine with Mr. Jay Rubin installing a fence. There were no other comments.

Chair Quinn noted that the first item on the agenda was for Lawler Realty a boat launch project. She made a suggestion to the Planning Board to consider moving that toward the end of the agenda, so that they can take care of the minor projects, such as painting a garage, replacing a porch, etc, since the boat launch is a more complex project and may take longer to review. The board agreed as long as it was acceptable with Mike Campbell, Lawler Realty representative, which he agreed.

### **Old Business**

**#18-01 Gordon Jacobs 113 West Main Street.** Conditional Approval was previously granted with ZBA granting the required area variance. At the time the board approved his project one condition for approval was, he would come back with design and materials for a second story balcony, as he did not have the information with him. In the interim County Building Codes inspected his project and suggested a one foot reduction in the width of the building.

Gordon Jacobs provided the board with an historic photo of what the balcony would look like. The original balcony was on the Eveleigh building which burned down. The balcony was removed and attached to the side of 113 West Main Street. Gordon Jacobs would like to have the balcony look like the original and explained the materials for the balcony, a metal platform and composite decking. Chair Quinn wanted to know if the board needed more information. A motion was made by Merle Tousant for the one outstanding condition that the materials and design for the balcony are acceptable. Seconded by Frank Reynolds, Vote 4 ayes (Dyckes, Reynolds, Tousant, Quinn), Dick Stephens abstained.

### **New Business**

#18-12 Merle and JoAnne Tousant, 301 General Smith Drive. Applicant requests Site Plan approval to install a flag pole on peninsula along eastern end of the harbor. The property is in the Village Residential Zoning District, the Historic Overlay and National Register Districts. A public hearing was scheduled. Merle Tousant recused himself. Chair Quinn reviewed the application materials. The board reviewed Part 1 of the SEQR form which has been provided by the applicant and then the board completes Part 2. Tom Dyckes made a motion that there is no significant adverse impact on the environment, seconded by Dick Stephens. Vote 4 ayes (Dyckes, Reynolds, Stephens, Quinn). 0 nays. A motion was made by Chair Quinn to accept the application materials, seconded by Tom Dyckes. Vote 4 ayes (Dyckes, Reynolds, Stephens, Quinn). 0 nays. Chair Quinn opened the public hearing at 7:24 pm, no comments were made, the public hearing was closed at 7:25 pm. Chair Quinn made the motion to approve the project as requested, seconded by Dick Stephens. Vote 4 ayes (Dyckes, Reynolds, Stephens, Quinn). 0 nays.

#18-13 Sofia O'Sullivan, 104 General Smith Drive. Applicant requests Site Plan Review approval to install a wooden fence. The project is located in the Village Center Zoning District, the Historic Overlay and National Register Districts. A public hearing was scheduled. Chair Quinn reviewed the application materials. After reviewing Part 1 of the SEQR form provided by the applicant, the board reviews Parts 2 & 3. A motion was made by Dick Stephens that there would be no significant adverse impact on the environment, seconded by Chair Quinn. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. Chair Quinn made a motion to accept the application as provided, seconded by Merle Tousant. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. A public hearing was opened at 7:32 pm, with no comments made, the public hearing was closed at 7:32 pm. A motion was made by Tom Dyckes to accept the application as complete and was seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. Frank Reynolds made the motion to approve the application as written, seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays.

#18-14 Jay Rubin, 105 West Hamilton Street. Applicant requests Site Plan approval to replace existing garage door, install a backyard fence and paint two exterior doors. The project is located in the Village Residential Zoning District, the Historic Overlay and National Register Districts. A public hearing was scheduled. Chair Quinn reviewed the application materials. The board reviewed Part 1 of the SEQR form that was provided by the applicant. The board reviewed Part 2 of SEQR. Chair Quinn made a motion that there is no significant adverse impact on the environment, seconded by Merle Tousant, Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. Tom Dyckes made a motion that the application was complete, seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. Frank Reynolds made the motion to accept the application materials, seconded by Merle Tousant. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. Chair Quinn made a motion to approve the application for the paint, color and the fence as purposed, and the new garage door, seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays.

#18-15 Mark and Shayne McWilliams, 118 North Broad Street. Applicant requests Site Plan approval construct a garage. The project is located in the Village Residential Zoning District, the Historic Overlay and National Register Districts. A public hearing was scheduled. Chair Quinn reviewed the application materials that included an area variance. Mark McWilliams presented the board with additional photos and materials that will be used. The board reviewed Part 1 of the SEQR form that was provided by the applicant and found that on page 2 they should note it is the Village Planning Board, Site Plan Review, and also the Zoning Board of Appeals. The board then reviewed Part 2 of the SEQR form. Dick Stephens made the motion that there is no significant adverse impact on the environment, seconded by Merle Tousant. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. Chair Quinn made a motion to accept the application materials as provided, seconded by Tom Dyckes. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. A public hearing was opened at 7:50 pm, with no comments made the public hearing was closed at 7:50 pm. Dick Stephens remarked on the setbacks for the garage they should be from the roofline and not from the walls. It was suggested to contact the Jefferson County Code Enforcement for clarification on setbacks before meeting with the Zoning Board of Appeals. A motion was made by Chair Quinn that the board has determined it is a complete application, seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. Dick Stephens made the motion to grant approval with the condition that the Zoning Permit be issued after the Zoning Board of Appeals grants the necessary area variance, seconded by Merle Tousant. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays.

#18-16 Bill and Helen Couch, 313 General Smith Drive. Applicant requests Site Plan approval for renovation of façade. The property is in the Village Residential Zoning District, the Historic Overlay and National Register Districts. A public hearing was scheduled. Chair Quinn reviewed the application materials. Chair Quinn asked Bill Couch to explain the project.

Bill Couch wants to change the façade in keeping with the original structure and the neighborhood and make the house more energy efficient. The board reviewed Part 1 of the SEQR form that was provided by the applicant. After reviewing Parts 2 & 3 of SEQR Tom Dyckes made the motion that there was no significant adverse impact on the environment, seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. A motion made by Frank Reynolds that the application is complete, seconded by Merle Tousant. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. A public hearing was opened at 8:03 pm, with no comments made, the public hearing was closed at 8:03 pm. Dick Stephens made the motion to approve the application as submitted, seconded by Chair Quinn. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays.

#18-17 Michael Campbell, 155 Vollum Road. Applicant requests Site Plan approval for construction of a 100 foot terraced landscape wall along the waterfront to protect the property from high water. The property is in the Madison Barracks PDD, the Historic Overlay and National Register Districts. A public hearing was scheduled. Chair Quinn reviewed the application materials. The board reviewed Part 1 of the SEQR form provided by the applicant. The board then reviews Part 2 of the SEQR form. A motion was made by Tom Dyckes that there is no significant adverse impact on the environment, seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. A public hearing was opened at 8:11 pm, with no comments made, the public hearing was closed at 8:11 pm. Chair Quinn made a motion to accept the application materials, seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). Frank Reynolds made a motion that the application is complete, seconded by Merle Tousant. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. A motion to approve the application was made by Tom Dyckes, seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays.

#18-18 Madison Off-Post, 144 Bartlett Road. Applicant requests Site Plan approval for roof replacement on three buildings. The properties are in the Madison Barracks PDD, the Historic Overlay and National Register Districts. A public hearing was scheduled. Chair Quinn reviewed the application materials. Chair Quinn asked Rafi Barsoum, the representative for Madison Off-Post, to explain the project. Rafi Barsoum explained that three of the buildings in officers row have holes in the roofs. The board reviewed Part 1 of the SEQR form provided by the applicant and found a few minor items not marked properly on pages 2, 3 & 8. Parts 2 & 3 of the SEQR forms were reviewed by the board. A motion was made by Frank Reynolds that there is no significant adverse impact on the environment, seconded by Merle Tousant. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. A motion was made by Chair Quinn to accept the application materials, seconded by Tom Dyckes. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. The board is concerned about the type of shingle they wanted to use on the buildings. Frank Reynolds made mention of the discussion a while back that never came through, it was determined at the time that a roofing material be an imitation slate rather than a standard architectural as it has been done on other structures in the Barracks, such as the theater and YMCA.

A public hearing was opened at 8:33 pm, James Corbin, spoke not as the Zoning Officer, suggested to the Planning Board to have the applicant seek out what the cost would be of getting a shingle or something similar to what is on the Health Club, that has the appearance of slate. He feels that they should try to maintain the look as best as possible. The public hearing was closed at 8:34 pm. Dick Stephens made a motion to table the application pending new information on alternative materials that aesthetically resembles slate, more similar to the historic nature of the building. Seconded by Tom Dyckes. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays.

#18-19 Margaret Coe, 103 West Main Street. Applicant is requesting Site Plan Review for a new use, from The Playhouse to an event center, Sackets Harbor Ballroom, including a sign. The property is in the Village Center, the Historic Overlay and National Register District. A public hearing was scheduled. Chair Quinn reviewed the application materials. Chair Quinn asked the applicant, Margaret Coe to explain the project. Margaret Coe explained she wanted a place in Sackets Harbor for weddings, receptions and parties, she also explained the events would end at 10:00 pm to comply with the noise ordinance, and she will not have a liquor license. The board reviewed Part 1 of SEQR, on pages 2 & 6 had some minor errors. The board then reviewed Parts 2 & 3 of the SEQR form. A motion was made by Chair Quinn that they determined that there is no significant adverse impact on the environment, seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. Chair Quinn asked the Zoning Officer, Jim Corbin, if the application was a change in use review, Jim Corbin replied that it has been used as a public assembly, but at one point that the owner asked if it could be look at as a residence when there was no public use. Chair Quinn wanted simply to be clear about what they were looking at, the use of the structure in related impacts or as a sign request. Jim Corbin ZEO suggested it should be both. Chair Quinn remarked that the two items that jump out at her was the sign regulations and parking. Chair Quinn made the motion to accept the application materials, seconded by Tom Dyckes. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays. The first item that the board reviewed was the sign, on the application it states it is a 24 square feet and that according to the Village Law it should be no larger than 20 square feet. The next item the board will look at pertains to parking, Chair Quinn asked Margaret Coe to explain how she is going to handle the parking. She explained some solutions to the parking, such as guests staying at local hotels, shuttle services, Uber, Limousines and she also has a contract with the Sackets Harbor Central School District for use of their parking lot when they are not using it. Chair Quinn asked Jim Corbin ZEO, what was his interpretation of the zoning law requirement on the parking, which is on pages 23 to 25 in the zoning law. Required spaces for parking are 1 per 200 square feet of gross floor area, or 1 per 3.5 seats, whichever is greater. It was also noted that the agreement with the school has to be a part of the application. A public hearing was opened at 9:09 pm with no comments. The public hearing was closed at 9:09 pm. A motion was made by Dick Stephens to table the application until a special meeting to review the agreement from the school and confer with the Planning Board attorney. Seconded by Merle Tousant. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays.

#17-32 Lawler Realty, 85 Worth Road, Madison Barracks. Applicant requests Site Plan Review to construct and install a boat launch. The project is in the Madison Barracks PDD, the Historic Overlay and National Register Districts. A public hearing was scheduled. During the April meeting this project was discussed and the original application was dated in the Fall of 2017. The second meeting the applicant requested that the SEQR review not be conducted until after the project completed the Army Corp. review. Chair Quinn stated, that there were letters sent to out for coordinated SEQR review and had conversations with Army Corp., the Planning Boards attorney and Village Engineer to try and decipher the early details of the application. At the April meeting the boat launch project was discussed and Chair Quinn questioned whether this project was a part of the Galloo Island Wind Project. She presented documentation from the Article 10 application process that suggests the boat launch it is a part of that application process and those documents are attached to the minutes of the April meeting. Mike Campbell maintained that the application was strictly for the boat launch and not part of the Galloo Island application although there could be future potential uses with the boat launch related to the Galloo Island project. Mr. Habig was at the April meeting and stated the boat launch might be used and identified some uses such as a water truck. The majority of the Planning Board felt it was best to review the project as the boat launch, not as part of the greater entity that Chair Quinn was seeing as a part of the wind mill project. It was determined to table the project and address SEQR at the May meeting. There were some gaps in the SEQR form and Mike Campbell has returned the SEQR form completed and should be a part of the application materials. Chair Quinn wanted to make it clear that in reviewing SEQR tonight, it is strictly for the boat launch at Madison Barracks as part of the Madison Barracks project and they are not reviewing it in terms of a parking area, staging for equipment or the work trailers. None of that is part of this environmental review. Should those elements evolve at a later time, they would have to be dealt with through a review under the Article 10 process and local zoning would have to be part of those considerations. Tom Dyckes asked about if there was proposed outdoor lighting, Mike Campbell replied no that the break wall has lighting. Upon review of Part 1 of the SEQR form, provided by the applicant, there were questions on pages 5, 9, 10, 11, 13, and 15 that were explained by Mike Campbell. The board reviewed Part 2 of SEQR. Chair Quinn asked if the board was comfortable determining that there is no significant adverse impact on the environment, stating that she, seeing documentation about the link to the wind project, wanted it on the record she was not comfortable because of how she felt at the meeting last month, but assumed that the other 4 members are. Chair Quinn asked the board members if they were comfortable with no significant adverse impact and Dick Stephens stated he was, Tom Dyckes stated that given the parameters established tonight, which was simply recreational boating, but he shares the concern about potential very significant impacts if there was a change in use and development. Frank Reynolds and Merle Tousant replied they have no problem with it. Frank Reynolds made the motion that there is no significant environmental impact, seconded by Dick Stephens. Vote 4 ayes (Dyckes, Tousant, Reynolds, Stephens). 1 nay (Quinn). A motion was made by Chair Quinn to accept the application materials, seconded by Dick Stephens. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays.

Chair Quinn informed Mike Campbell that as they started this last fall, and looked at the application at that point and again last month. Chair Quinn consulted with the Planning Board's attorney and the Village Engineer and as authorized in the Zoning Law she is requesting a cash deposit or check for administrative costs estimated at \$1,500.00 and if it is not used it is returned to the applicant.

Chair Quinn remarked that she expects some objection from Mike Campbell. Mike Campbell did object and wanted to make sure that it would go into the escrow account as fully described by the zoning law. He also stated the check would be made out to the Village of Sackets Harbor, go through the vouchering system and make sure all the bills are presented and that they have the right to think about what is reasonable and unreasonable.

Chair Quinn had questions on some of the drawings; she was concerned about the gravel and silt washing into the water. Dick Stephens remarked that the drawings were stamped by a licensed engineer and they would be legally responsible.

A motion was made by Chair Quinn to accept the application materials, seconded by Frank Reynolds. Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays.

A public hearing was opened at 9:35 pm, Paul Warneck from Ambrose St. was concerned that the 16 foot ramp is too short, even in high water there would only be about 3 inches of water and would not be easy for people to launch boats. He also had concerns about the 10 foot driveway which would be too narrow for people who are not experienced in unloading a boat. The public hearing was closed at 9:40 pm.

Chair Quinn remarked that people could hit the remnants of the stone wall that was part of the Old Stone Hospital, Mike Campbell replied that they want to take it down. Chair Quinn remarked that it should have been part of the site plan as well as the application. Mike Campbell stated he would be back with an application to remove the wall.

Dick Stephens wanted to know if they approved the application tonight who will look at it when they start to build it and say this is not going to work. Mike Campbell replies that Mike Lawler would. Dick Stephens asked if Mike Lawler wants to do it differently, will they come back to the Planning Board? Mike Campbell said his actions would be to come back and get an application.

A motion was made by Tom Dyckes to determine that the application is complete, seconded by Dick Stephens. Vote 4 ayes (Dyckes, Tousant, Reynolds, Stephens). 1 nay (Quinn).

Dick Stephens made a motion to approve the application, seconded by Frank Reynolds. Vote 3 ayes (Tousant, Reynolds, Stephens). 2 nays (Dyckes, Quinn).

Other Items for Discussion:

Chair Quinn presented a pre-conference meeting for Application 18-22 Nicole Best from 205 East Main Street to remove an old barn and debris piece by piece to ground, level and landscape ground and existing driveway to original by a contractor. The contractor will only do this work on June 2, 2018.

Chair Quinn explained that they cannot act on it because needed to go to a public hearing. She also explained that this is a demolition and would have to go to site plan review, because Nicole Best is located in the Historic district. Nicole Best explained the project.

A special hearing will be held on Tuesday May 29, 2018 at 4:30 pm for the following applications: Zoning App 18-19 -Margaret Coe to review contract with school.  
Zoning App 18-18 - Madison Off-Post to review additional information on roofing materials.  
Zoning App 18-22 - Nicole Best - Public hearing on demolition of old barn.

A motion was made at 10:22 pm by Frank Reynolds to adjourn, seconded by Merle Tousant. .  
Vote 5 ayes (Dyckes, Tousant, Reynolds, Stephens, Quinn). 0 nays.

NEXT MEETING: (Special) Tuesday, May 29, 2018

Minutes submitted by

Kelli Ritz  
Planning Board Secretary