



TOWN OF WILLSBORO

5 FARRELL ROAD WILLSBORO, NY 12996

518-963-8668

Minutes

Planning Board

Date: July 26th, 2022 at 6pm

Location: Willsboro Town Hall

Present: Chairman- Gregory Gordon; **Board Members-** Tom Dwyer, Brian King, Andre Klein

Chairman Gordon calls the meeting at 6:00pm. He makes sure that members of the public know where emergency exits are, restrooms available to the public and to silence all cell phones. He informs everyone that Stevie Carman is the new secretary, so asks everyone to say their name before they speak to help her learn names and faces.

Motion made to approve minutes of the June 28th 2022 meeting by King, seconded by Klein. Roll call to approve by Dwyer, King, Gordon and Klein.

Old Business: Gordon remedy article 78 hearing against the town of Willsboro- issuing of special use permit for storage project at 3647 Essex Rd for Christine Benedict. Still being reviewed by the town's attorney but in favor of the petitioners. She has moved forward with her project and petitioners are claiming its going against their previous ruling to put self-storage on commercial property. They are going to call their lawyer and start the process again. CEO states Ms. Benedict is being compliant. It's an ongoing issue, even though a decision has been made.

Public Hearing: No Public Hearing

New Business:

Donald Shambo- 233 Corlear Drive- 21.5-1-31.000- RL- 1 LF- Deck with a handicap ramp

Dave Gowans came to speak for the property owners, was advised to bring a letter next time stating he is allowed to represent the property owners. Gordon asks Gowans to give an overview of the project. Gowans states that there is a modular home on the site that has been there for 2 years. Mr. Shambo is elderly, and having physical problems getting in and out of the house. They would like to put a 14' by 32' deck up with a handicap ramp. The proposed deck is past the 50' of the watermark. The side lot setbacks are 20' from the side of the property line on a 100' lot. 88.7 minus 15'. Gowans stated that he went with the CEO to measure and the CEO said that the measurements were in compliance with code setbacks. Gordon asks if he knows what the setbacks are for the south side yard, Gowans states that the lot next door is empty. Gordon states that there is 5' from the bottom of the ramp to house. Gowans states that the bottom of the ramp to the property line will be within the 20' setback. Gordon states that the plans state the deck would be 46' from the line, and 54' long.

Gordon states they need side yard setbacks in future as well as high water mark lines.

Motion to approve as long as they meet the setbacks per the CEO of more than 20' on south side and far enough back for the 50' setback for the high-water mark. King makes a motion to approve, Dwyer seconds. Roll call Dwyer, King, Gordon, Klein. All in favor, motion carried.

Lorilee Sheehan- 127 Corlear Drive-21.5-1-52.00- RL-1 LF- Site Plan review, Variance previously granted

Gordon states that Lorilee is here for a variance previously granted. Due to conflicts of interest, he has opted to abstain from voting on the case. It's now within 500' of the lake. She did get a variance for the 50' setback because of the preexisting building, as well as going over with the 15% lot coverage. Gordon states that the board received 4 different sets of measurements for the property from different people, and hopes that with the rewrite of the Zoning Laws, this confusion will be cut down. Sheehan states that for the last 20 years, there has been a screened in porch, but as her family grows, she would like to utilize more space. The work that will be done for landscaping was old railroad ties as support. She states that she is at 16.9% lot coverage currently, which is what it was originally.

Gordon reminds the board of what was considered coverage previously by the ZBA, in regards to the screened in porch. A porch patio that not covered, it is considered a pervious surface, until you at a roof to it. A deck, whether covered or uncovered is considered in the lot coverage. Klein asks if the board is covered, having the ZBA already voting on this. The APA approved the book, and had no jurisdiction, and doesn't require APA approval for individual projects.

Motion to approve by Klein seconded by Dwyer. Roll call Dwyer, King, Klein.

Bill & Beth Trembley- 146 Cedar Lane- 20-20-3.6000- RL-1 LF- Repair existing deck

Dave Gowans steps in to speak for the property owners. Gordon states that he talked to the Code Enforcement officer, who could have approved a building permit under the current maintenance clause of New York State. The Code Enforcement Officer felt that the owners should come before the Planning Board regardless. The deck is within 500' of the lake. Gowans explains that the deck is currently 6' by 6' on a concrete frame. He believes it is 30'

from the mean high water mark. The Trembley's wish to demolish the current deck and build a new frame with a roof over it and install stainless steel railings. Gordon points out that the deck would be going in front of the cabin on the property. Gowans points out to the board that the project would still be under the lot coverage. King asks if the footprint of the new deck would be the same as the old one. Gowans states that it would be 15' and Klein points out that it would be slightly smaller than the existing deck. Gordon states that the even if the deck is considered covered, it would still be under the 15% lot coverage. King states that being that close to the lake, it should be about the same size. Gordon reiterates that the Code Enforcement Officer could have just given a permit for maintenance to get it repaired.

Board agrees that the new deck is within guidelines, and farther from the lake and smaller than current deck. Klein makes a motion to approve, King seconds. Roll call Dwyer, King, Gordon, Klein. All in favor, motion carried.

Mark & Jane Thomson- 51 Rowley Way- 21.13-1-19.000- RL-1 LF- Site Plan Review

Mike Sherman came to speak on behalf of the owners. He states that the property is a seasonal camp. It was last renovated 22 years ago. The owners want to build a 16' by 30' screened in deck, and a 10' by 15' mudroom addition. The existing deck is roughly 36' from the lake. The South side of the addition would be 50' from the property line, the screened in porch on the north side would be roughly 20'.

Gordon points out that the additions would not move closer to the lake. The screened in porch is coming out slightly from where the deck exists.

. King points out that they would need 24' of side yard setback, and there is 36' from the high-water mark to the deck.

Dwyer points out that the owners have 165' of waterfront property. The amount of setback is determined by how much land you have. He would need 58' for the setback.

Gordon states that if it was actually 24' and the owners had 149' of property, he could do it, but with the measurements and size of property the Planning Board would have to table this while the Thomson's go in front of the ZBA for a variance on the side yard setbacks. Klein asks if they should approve the southern addition for the mudroom while they go back to the ZBA about the northern addition. Gordon is concerned the ZBA would halt the decision to let them do the south side because of the setback. If the camp was built before the 50' rule was put into place, they could say that a variance was needed, but unable to speak further on their behalf. Gordon suggests that the Thomson's also talk to the Code Enforcement Officer.

The board feels that the additions are too close from the deck to the mean high watermark. A motion by Klein was made to table for the ZBA to make a decision for a side yard setback variance and a high-water variance. King seconded. Roll call Dwyer, King, Gordon, Klein. All in favor.

Before the meeting closed, Gordon informed the board of two trainings coming up in the future. He asks the other members to let him know if anyone wants to attend, he has a signup sheet.

*Motion to close the meeting by King, seconded by Dwyer.
Adjourned at 6:56p*

Respectfully Submitted
Stephanie Carman
Secretary of Zoning and Planning Board