



TOWN OF WILLSBORO
PLANNING BOARD

MINUTES
PLANNING BOARD MEETING
DATE: February 22, 2022 at 6:00 PM
LOCATION: Willsboro Town Hall

Present: Chairman: Gregory Gordon Members: Tom Dwyer, Chauntel Gilliland, Brian King, Andre Klein

Excused: Gina Minessale, Larry Charbonneau

Absent: John Sucharzewski

Members of the Public: Yvonne Pierce, Jim Abdallah, Glenn Sayward, Brianna Pierce, Scott Davison, Russ Gilfix, Spencer Hathaway, Terry Pulsifer Jr (CEO), Andrew Leja, Jason Sweatt

Chairman Gregory Gordon called the meeting to order at 6:01pm and welcomed the public.

Minutes:

The January 2022 minutes were approved as presented.

A motion was made by King and seconded by Dwyer to approve the January 25, 2022 minutes as presented. Roll call: King, Dwyer, Gilliland, Klein, Gordon. All in favor and motion carried.

Old Business:

Seville Development, LLC – NYS Route 22 – 30.12-2-19.200 – H-1 – Dollar General Retail Store

Terry Pulsifer stated that he received a letter from Mr. Longe stating that Seville Development and AEDA have his permission to speak on his behalf in regard to his property. Gordon asked if Seville Development or AEDA had any comments in regard to the project.

Scott Davison, owner of Seville Development introduced himself and explained further on the questions the planning board had in terms of the purchase and sale agreement. Davison stated that this agreement is a private agreement between two parties for a set dollar amount. Gordon asked about the fish, Eastern Sand Darter. Jim Abdallah stated that he has received information from the NYS Natural Heritage program and submitted that information into the record. Abdallah stated that he also found information in regard to the Pearl Shell and submitted that into the record.

Gordon stated that at the last meeting the board requested a storm water plan. Gordon stated that the board knows that they have a retention pond and DOT stated their concerns. Abdallah stated that most of the water will be flowing towards the back of the lot. Abdallah stated that he is asking

the board for some sort level of movement into the public hearing to move this project into the final design making sure that the board is in agreement with the layout and architecture before they commit too far into it before they have a preliminary approval.

Gordon stated that it would have been better if the board was provided the documentation that was submitted for the record prior to the meeting and then the board could have possibly been ready to make a decision and or complete a SEQRE. Gordon stated that he was not ready to make a decision as he did not have sufficient time to review the additional documentation presented to the board at this meeting.

Gordon asked the board if they had any questions and or how they would like to proceed. Gilliland asked if the SEQRE is needed for the subdivision and Gordon stated that that is correct and was directly by the town attorney. Discussion followed in regard to the SEQRE.

King asked if there would need to be a public hearing for the subdivision. Gordon stated that he was told by the town attorney that there would need to be a public hearing but that they are still reviewing the project.

Andrew Leja, Seville Development attorney, stated that the SEQRE form was filled out with the information and provided the documentation for the two items that were needed. Gordon stated that he will not be forced to make a decision tonight and do the SEQRE tonight as he is not prepared and the board did not receive the additional documentation until tonight's meeting.

Gilliland asked if they needed public hearings.

Klein made a motion to schedule the public hearing for the minor subdivision and the site plan review for the next meeting and completing the SEQRE at the next meeting.

Gilliland stated that she has a problem with the restrictions on the deed. Gordon stated that those restrictions have no bearing on the planning board approving the site plan. Gilliland stated that she felt it is weird that the planning board can approve something where the board is aware of those restrictions in the deed. Dwyer stated that what they sell isn't the planning boards business.

Klein made a motion to schedule the public hearing for the subdivision in March, date to be determined and place to be determined and at 6pm. King seconded. All in favor. Roll call: King, Dwyer, Gilliland, Klein, Gordon.

Site Plan Review – Seville Development

Gordon stated that the building the applicant initially brought to the planning board was larger and would need a variance. The applicant has downsized the building and Gordon stated that the planning board asked for a more aesthetically pleasing building.

Gordon asked the board if they had any other concerns and stated that the board is waiting for a letter from DOT. Gordon asked if the applicant wanted to add anything. Abdallah stated that they reduced the footprint, therefore they reduced the parking lot, addressed the elevations and came up with a more Adirondack looking building, addressed the signage – will have a sign on the building and a freestanding sign will be within the zoning law.

Davison stated that that once the preliminary review is done through DOT they will proceed to stage 1. From there once it is approved then they will go to the level of drainage and where the driveway will be etc. Stage 3 is insurance and bonding etc.

Gordon asked what the lighting was going to be like. Abdallah stated that in the final design plan the applicant will provide the detail of the proposed lighting.

Gordon confirmed with Davison that he was the owner of the building. Davison confirmed that he would be. Gordon asked Davison how much say he will have with what it put in the front of the building. Gordon asked if Davison would consider asking Dollar General to not put the propane tank cage out front, no ice machine out front and no sidewalk sales out front. Davison stated that he can limit sidewalk sales but hasn't had any luck with eliminating the tanks and ice machine. Gordon stated that he doesn't have to eliminate them but would ask that they are placed on the side of the building. Davison confirmed that he would look into this further but doesn't see this being an issue and that they would extend the sidewalk out a little further to be sure there was enough space to pass by them.

Gordon asked Davison what would happen if the building became vacant and asked what the plan would be. Davison stated that he doesn't have control over his tenants financially. However, Davison did state that his responsibility is to fill the building and that this project is close to a \$2 million investment and Davison cannot have a vacant building. Davison stated that with this building being stick built it is very easy to split up the building into different spaces if needed. Davison stated that if he needed or wanted to he would split the building up and encourage local businesses to use and be a tenant of that building.

Gordon asked if Terry Pulsifer, CEO, had any questions. Pulsifer stated that he did not have any questions.

Gordon asked the board if they had any comments or questions. No comments or questions.

Klein made a motion to move this site plan review to a public hearing at the same public hearing as the subdivision, seconded by King. All in favor. Roll call: King, Dwyer, Gilliland, Klein, Gordon.

Gordon stated that we will notify Seville Development once we know the location and date of the public hearing as we will need a larger room due to a large appearance expected.

Public Hearing: No public hearing.

New Business:

Russ Gilfix – 63 Corlear Drive – 21.9-2-10.100 – RL-1 – Site Plan Approval for Renovations

Gordon asked Russ Gilfix if he would like to add any information in regard to his project. Gilfix stated that he is putting on a new roof and would like to replace the deck. Gilfix stated that the closest point to the water is going to be a little further away from the water than it is now. Gilfix confirmed that he will be redoing the whole deck.

Pulsifer stated that Gilfix has come in and spoken with him for over a year and now is the time to address the issues. Pulsifer stated that the main reason Gilfix is here is due to being within 500' of the water. Structural work is being done so that is why Pulsifer asked for stamped plans. Pulsifer stated that he is not adding bedrooms or anything like that.

King asked if there were any height changes. Pulsifer stated that there are not any height changes.

Gordon asked if the board had any questions.

Gordon stated that he has driven by multiple times and see the structure from the lake side and stated that the applicant has ample space and that they are basically reconstructing the deck and the new roof with a new dormer, same footprint. Gordon stated that the applicant is in front of the planning board due to being within 500' of the water.

Gordon asked the board if they had any questions. No questions.

King made a motion to approve the site plan approval for renovations, seconded by Dwyer. All in favor. Roll call: King, Dwyer, Gilliland, Klein, Gordon.

Jason Sweatt – 43 Mountain View Drive – 39.1-2-9.000 – RR – Special Use: Redemption Center

Gordon read the definition of home occupation major. Sweatt explained that he went to the Zoning Board of Appeals and advised him to come to the planning board for a home occupation major and special use. Sweatt stated that he was going to put the redemption center in the new building but now he is not going to do that. Sweatt stated that he has an existing portion of the structure that is about 480 sq. ft. and there is no reason why the redemption center couldn't be run out of that space. Sweatt asked the board if they knew how long it takes for a bottle to break down and Sweatt stated according to Google it takes 480 years. Sweatt stated that there is a real need for a redemption center as people have to travel out of town to bring their bottles back.

Gordon asked Pulsifer if he had anything to add. Pulsifer stated that he will have to do a 239M to send to Essex County but he wanted to wait to submit until after the preliminary. Pulsifer did state that the ZBA offered the Use Variance however, it is a very difficult process and the fail rate is about 97%. Pulsifer stated that if this application does go to a public hearing he will then send over the 239M because Mountain View Drive is a county road.

Discussion followed on how many square feet the existing garage was and how big the old redemption center was on Fish and Game Club Road.

Gordon stated that he agreed that the Town of Willsboro needs a redemption center. Gordon stated that the issue is the size of the space. Gordon asked Sweatt what his plan was when his space is full of bottles and can't take anymore. Sweatt would like to keep the bottles contained but is willing to build something to be sure that the bottles are contained. Gordon stated that he does not want this to be an eye sore.

Gordon stated that this application cannot be approved tonight because the 239M has to be submitted to Essex County and the special use will have to go to a public hearing. Gordon stated that they planning board can put stipulations in once it comes time for the approval. Gordon stated that one stipulation that will be put in is no outside storage.

Gordon asked if the board had any other concerns. No other concerns.

Klein made a motion to schedule a public hearing for the special use permit on March 22, 2022 at the Town Hall at 6pm at the regular planning board meeting, seconded by King. All in favor. Roll call: King, Dwyer, Gilliland, Klein, Gordon.

Pulsifer asked the planning board if they would like to expand the 500' to a larger area due to the fact that there are not a lot of neighbors within the 500'. The planning board agreed to keep it at 500' for notification purposed for the public hearing.

Gordon suggested to Sweatt that he comes with a map and is present at the public hearing to answer any questions from the public and the planning board. Also, recommended that he has measurements on how far the building is from the road etc.

Thurston Clark & Antonia Bullard – 858 Point Road – RL-3 – Modification of Guest Cottage

Gordon stated that this application is for the guest cottage that is near to the road. The applicant would like to relocate the door as the existing door is street side and very close to the road. Daughter, Sophie, was present representing along with Spencer Hathaway, contractor. Sophie stated that there are two ways that are being presented on the modifications. The cottage is currently three levels. The planning board reviewed both options with the applicant's representatives. Hathaway and Sophie stated that the applicant is leaning towards option 2 which would include enclosing the existing deck and the stairs that go to the current deck instead of the front of the cottage.

King asked if the roof line was going to stay the same. Hathaway stated that the shed roof will be coming over the existing deck.

Gordon asked why this application was in front of the planning board. Pulsifer stated that this project is 471' from the water.

King asked the representatives of the applicant to confirm which option the applicant would like to go with. Gordon stated that if they go with option 1 the applicant will have to go in front of the ZBA and then back to the planning board. It was confirmed that the applicant would like to disregard option 1 and move forward with option 2.

Dwyer made a motion to approve option 2 of the modifications to the guest cottage, seconded by Klein. All in favor. Roll call: King, Dwyer, Gilliland, Klein, Gordon.

Todd Toensing & Elizabeth Kohler – 172 Lakeshore Drive – LR-1 – Site Plan Approval for new building

Gordon stated that this applicant was in front of the ZBA and received approval for the variances that were needed. Gordon stated that the applicant is within 500' of the water and will need approval from the planning board. Gordon asked if Hathaway had any comments in regard to this project. No comment.

Gordon asked if the height will be below 35' and Hathaway and Pulsifer confirmed that this will be below 35'. Discussion followed in regards to measurements and heights.

Gordon asked the board if they had any questions or comments. No questions or comments.

King made a motion to approve the site plan approval with the ZBA variance in consideration, seconded by Klein. All in favor. Roll call: King, Dwyer, Gilliland, Klein, Gordon.

Gordon stated that he had a few housekeeping items. Gordon wants to make sure the board is comfortable in asking questions to Gordon and Pulsifer. Gordon reviewed other housekeeping items and procedural items with the board.

Gordon stated that the public hearing for the Seville Development project on March 21, 2022 at 6pm with a location to be determined but tentatively the Willsboro Central School in the auditorium. Gordon stated that Morgan Denton, secretary, will check with the school and then notify. Gordon thanked the board for their time.

Gilliland asked if there were any updates regarding the training from the town attorney. Gordon stated the attorney was on vacation and will reach out and give an update as soon as he has more information.

A motion was made by King, seconded by Dwyer to adjourn the meeting at 7:31pm.

Respectfully Submitted,

Morgan Denton
Secretary for Planning and Zoning Board

DECISION FORM:

BOARD:	Planning Board
DATE OF MEETING:	February 22, 2022
APPLICATION NUMBER:	103P
NAME:	Russ Gilfix
PROJECT ADDRESS:	63 Corlear Drive
TAX MAP NUMBER:	21.9-2-10.100
REQUEST FOR APPLICATION FOR:	Site Plan Approval for Renovations

PROPOSED MOTION:	<i>A motion was made to approve the site plan approval for renovations.</i>			
MOTION MADE BY:	Brian King			
MOTION SECONDED BY:	Tom Dwyer			
MEMBER VOTE:	MEMBER NAME:	YES	NO	NOTES
	Gregory Gordon	X		
	John Sucharzewski	-	-	Absent
	Brian King	X		
	Chauntel Gilliland	X		
	Gina Minessale	-	-	Excused
	Larry Charbonneau	-	-	Excused
	R. Andre Klein	X		
	Tom Dwyer (Alternate)	X		
SIGNATURE OF PLANNING CHAIRMAN:				

DECISION FORM:

BOARD:	Planning Board
DATE OF MEETING:	February 22, 2022
APPLICATION NUMBER:	104P
NAME:	Thurston Clark & Antonia Bullard
PROJECT ADDRESS:	858 Point Road
TAX MAP NUMBER:	21.6-2-4.111
REQUEST FOR APPLICATION FOR:	Modification of Guest Cottage

PROPOSED MOTION:	<i>A motion was made to approve option 2 of the modifications to the guest cottage.</i>			
MOTION MADE BY:	Tom Dwyer			
MOTION SECONDED BY:	Andre Klein			
MEMBER VOTE:	MEMBER NAME:	YES	NO	NOTES
	Gregory Gordon	X		
	John Sucharzewski	-	-	Absent
	Brian King	X		
	Chauntel Gilliland	X		
	Gina Minessale	-	-	Excused
	Larry Charbonneau	-	-	Excused
	R. Andre Klein	X		
	Tom Dwyer (Alternate)	X		
SIGNATURE OF PLANNING CHAIRMAN:				

DECISION FORM:

BOARD:	Planning Board
DATE OF MEETING:	February 22, 2022
APPLICATION NUMBER:	105P
NAME:	Todd Toensing & Elizabeth Kohler
PROJECT ADDRESS:	172 Lakeshore Drive
TAX MAP NUMBER:	21.10-1-13.00
REQUEST FOR APPLICATION FOR:	Site Plan Approval for new building

PROPOSED MOTION:	<i>A motion was made to approve the site plan approval with the ZBA variance in consideration.</i>			
MOTION MADE BY:	Brian King			
MOTION SECONDED BY:	Andre Klein			
MEMBER VOTE:	MEMBER NAME:	YES	NO	NOTES
	Gregory Gordon	X		
	John Sucharzewski	-	-	Absent
	Brian King	X		
	Chauntel Gilliland	X		
	Gina Minessale	-	-	Excused
	Larry Charbonneau	-	-	Excused
	R. Andre Klein	X		
	Tom Dwyer (Alternate)	X		
SIGNATURE OF PLANNING CHAIRMAN:				