



TOWN OF WILLSBORO

OFFICE OF THE SECRETARY FOR PLANNING AND ZONING BOARD

MINUTES PLANNING BOARD MEETING DATE: March 28th, 2017 at 7:00 PM LOCATION: Willsboro Town Hall

Present: Board Members: Wayne Feeley, James Leibeck, William Bardeen, John Sucharzowski,

Absent: Chairman, Robert DeMello, Robert Powell, Tess Grub

Member of the Public: Douglas Rock(Codes Enforcement Officer)

Vice Chairman Bardeen called the meeting to order at 7:03 pm

MINUTES:

Bardeen called for a motion to approve the February 2017 Planning Board Meeting Minutes as amended. Feeley moved. Leibeck seconded. All in favor and motion carried.

PUBLIC HEARING:

Application No. 2684: Mr. Kermit Lavigne (Owner: HUI LLC), 3922 NYS Rte 22, Suite 2A, Zoning District H-C-1, Change of Use; from restaurant to Healing Waters Church of God(place of worship).

Public Hearing Opened:

No one from the public attended.

Closed Public Hearing

DISCUSSION: Bardeen questioned if the banner that is hung to advertise the Church was permitted. Doug stated that there was no permit applied for regarding the banner but there needs to be a permit. Doug also stated that he tried to work with Mr. Lavigne to get the necessary permits and gave them all the required things they needed. Also there was some concern as to whether a church can be within close proximity to a bar (The Bowling Alley and The North End). Doug checked the ordinance and a special use permit was required. A change of use permit required some code considerations such as Occupancy, fire inspection, etc. Doug has given them all the necessary paperwork to get all of the code considerations but has not yet addressed the banner permit in writing. Bardeen mentioned that Tess had brought up a possible parking issue if the church grew larger.

Feeley called for a motion to move the Special Use Permit be granted with the proviso that all occupancy, inspections and signage issues are resolved with the code enforcement officer prior to the special use permit issuance to Kermit Lavigne. Leibeck Seconded. All in favor and Motion carried.

NEW BUSINESS: No New Business:

OLD BUSINESS: No Old Business

ADJOURNMENT:

Vice Chairman Bardeen called for a motion to adjourn the meeting at 7:31 pm. Feeley moved to adjourn. Leibeck seconded. All in favor, motion carried.

Respectfully Submitted

Codia Crandall
Secretary for Planning and Zoning Board

Special Use Criteria

Name: Kermit Lavigne	Application No. 2684	Date: 2/28/2017
Address: 3922 Route 22	Zoning District: HC-1	

Description: Applicant seeks to rent space in the Willsboro Business Center (WBC) to conduct religious activities. The space in question (a portion of Suite 2) is 754 square feet at the south-east corner of the WBC. The space was formerly part of a restaurant. Applicant seeks to change the use of that portion of the WBC from 'Commercial' to 'Public or Semi-Public.' A 'Public or Semi-Public' use in the HC-1 district requires a Special Use Permit. The Special Use Permit process requires a public hearing. The WBC also contains a bowling alley with bar, retail bakery store, and office space. All other general and supplemental regulations set forth elsewhere in the Zoning Law.

The Special Use Permit section of the Zoning Law has no special provisions for 'Public or Semi-Public' use.

Use and Operation Standards- The location and size of the use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, the location of the site with respect to streets giving access to it, and the character and intensity of the road traffic generated by the site shall be such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

Applicant states that here will initially be two meetings each week: Sunday 10:30 AM-1:00PM and Wednesday 6:00 PM to 9:00 PM. Approximately 12-24 people will be involved. The space seems large enough for that number of people. Parking seems adequate for the use.

Building and Landscaping Requirements- The location, nature and height of buildings, walls, signs, and fences, and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, or will not impair the value thereof.

Building is pre-existing and no changes in the size or exterior of the building have been requested. The building is on NYS Route 22 with easy access to Route 22. Historically parking had been adequate for both the bowling alley and the restaurant that formerly occupied Suite 2. Parking should be adequate for the new use. No exterior modifications are proposed so the new use will not hinder or discourage the appropriate development and use of adjacent land and buildings; it will not impair the value thereof. The current landscaping is adequate and there is no need for any change.

Parking-Parking areas shall be of adequate size for the particular use, properly located, and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to prevent traffic hazards and nuisances.

Historically parking has been adequate for both the bowling alley and the restaurant that formerly occupied suite 2. Parking should continue to be adequate for the new use.

Emissions-There shall be no noise, dust, fumes, erosion or run-off from the special permit use which would have an undue adverse effect upon the appropriate development and use of adjacent land and buildings or impair the value thereof.

The new use will not change the amount of noise, dust, fumes, erosion or run-off. Currently noise, dust, fumes, erosion and run-off are minimal.

Other

1. Impact of vehicular traffic on the area: The new use will have minimal impact on traffic in the area.
2. Impact on pedestrian use of area: The new use will have no impact on pedestrian use of the area.
3. Water Supply and sewage disposal: The site has town water and private septic system. The private septic system is adequate for the change of use.
4. Adequacy of fire lanes and other emergency zones: The site is on NYS Route 22 and is easily accessible by emergency vehicles. There are no dedicated fire lanes.
5. Impact on neighborhood: The new use will have minimal impact on the neighborhood.

Motion made by: Wayne Feeley

Motion seconded by: James Leibeck

Motion: Move that the Special Use Permit be granted with the proviso that all occupancy, inspections and signage issues are resolved with the code enforcement officer prior to the special use permit issuance to Kermit Lavigne. This Special Use Permit is to conduct religious activities in the 754 square foot portion of Suite 2 in the south-east corner of the Willsboro Business Center, subject to the following conditions:

1. The space must conform to provisions of the Town of Willsboro Zoning Law, except for any variances granted by the Zoning Board of Appeals.
2. The space must adhere to provisions of all applicable public safety and health laws.

Because:

1. This approval does not grant the applicant the right to violate provisions of the Willsboro Zoning Law unless authorized by the Zoning Board of Appeals.
2. This approval does not grant the applicant the right to violate provisions of the Uniform Fire Code or any other law governing safety and health of people.
3. Parking appears adequate for the new use.
4. The change has minimum impact on the area.
5. Other evaluation criteria are either not applicable or are acceptable.

