



TOWN OF WILLSBORO
ZONING BOARD OF APPEALS

MINUTES
ZONING BOARD OF APPEALS
DATE: June 18th, 2025 at 6:00PM
LOCATION: WILLSBORO TOWN HALL

Present: Chairperson: Anna Reynolds; Board Members: Susan Mueller, Nichole Gerding and Trisha Sheehan

Absent: Kathleen Nasner

Members of the Public: Phoebe Sanborn, Andrea Sanborn, Martha Williamson, Barry Williamson, Rachel Bud, Pete Sowizdral, Sam Blanchard, Mark Schiesser, Joan Hubbard Schiesser, Eduardo Silva, Charlotte Herzenberg, Philip Corell and Jonathan Franke (Zoning Officer)

Reynolds called the meeting to order at 6:08pm. Meeting was late due to not having access to building.

Minutes:

The May 2025 minutes were approved as presented.

A motion was made by Mueller and seconded by Sheehan to approve the May 2025 minutes as presented. Roll call: Gerding, Sheehan, Mueller, Reynolds. All in favor and motion carried.

Public Hearing:

Mark Schiesser – 31.13-5-4.000 – 1230 Sunset Drive – RM-2 – Covered Porch

Reynolds opened the public hearing at 6:09pm.

Reynolds asked the applicant and or representative if they had anything to add about the project. Mark Schiesser stated that porch will be 8' off of the front of the house and it will have a roof on it.

Reynolds stated that the measurement for the variance is taken from the middle of the road for clarification.

Reynold asked if anyone from the public had any public comment. No one from the public present for this project. No comments.

A motion was made by Sheehan, seconded by Mueller to close the public hearing at 6:10pm. Roll call: Gerding, Sheehan, Mueller, Reynolds. All in favor and motion carried.

The Board read aloud and reviewed the five questions. Discussion followed.

The Board read aloud and reviewed the SEQR and declared a negative declaration.

A motion was made to approve a 5-foot front yard setback for the proposed covered porch by Reynolds, seconded by Mueller. Roll call: Gerding, Sheehan, Mueller, Reynolds. All in favor and motion carried.

Richard Foley – 21.14-1-15.000 – Lake Shore Drive – RL-1 – Single Family Home

Reynolds opened the public hearing at 6:15pm.

Reynolds asked if anyone from the public had any comments.

Reynolds stated to Sam Blanchard (representative) that there is actually a need for a 6' relief in addition to the side yard as the front porch was over looked at the previous meeting.

Pete Sowizdral showed the board a photo of the building on this lot prior to it burning and stated that the applicant should not need a variance.

The ZO stated that it doesn't state anywhere in the zoning law that a photo of a prior building means that they don't need a variance.

Sowizdral stated that it has always been that if the applicant builds in the same footprint that its been fine and Sowizdral also stated that the applicant is moving the structure in a better place than where the original structure was.

The ZO asked if the original structure is larger or smaller.

Sowizdral asked why the size mattered as its in the zoning from 1972 and the board is probably going to give him the variance but in reality by showing the photo of the original structure that it was one of the biggest in the area and he is not going to be closer than the original structure, will actually be further away and the proposed structure will be better than the original footprint.

It was stated that there is relief needed of 23' for the side yard and 6' relief for the front yard.

Blanchard stated that he received a copy of the new deed with the lots combined and provided a copy to the ZO.

Reynolds stated that the variance request is including two properties so it's a less substantial request.

Reynolds shared a map showing how many single family homes within 750' of this property.

Sowizdral shared a photo of the cottages next to this property and it showed a tree in the middle of the road years ago and it has been since taken down.

Reynolds asked if there was any other public comment. No other public comment.

A motion was made by Mueller, seconded by Sheehan to close the public hearing at 6:24pm. Roll call: Gerding, Sheehan, Mueller, Reynolds. All in favor and motion carried.

The Board read aloud and reviewed the five questions. Discussion followed.

The Board read aloud and reviewed the SEQR and declared a negative declaration.

Reynolds asked if there were any further comments from the board. No further comments.

A motion was made by Mueller, seconded by Gerding, to approve the application for a single family home in RL-1 for minimum lot size relief of 20,338 square feet resulting in a minimum lot size of 19,602 square feet and a front yard setback relief of 6 feet resulting in 44 foot front yard setback and a side yard setback relief of 27 feet resulting in a maximum side yard setback of 23 feet. Roll call: Gerding, Sheehan, Mueller, Reynolds. All in favor and motion carried.

Charlotte Herzenberg & Eduardo Silva – 30.2-1-2.000 – Beaver Way – RL-3 – Single Family Home

Reynolds opened the public hearing at 6:29pm.

Reynolds asked the applicant if they would like to add anything about their project. Charlotte Herzenberg stated that they would like to build a single family home and they are asking for a variance to build on it even though its an undersized lot and they are building closer to the water than zoning allows due to power lines and the road. Herzenberg stated that they looked into purchasing land from neighbors to make this lot larger but it wasn't possible. Herzenberg stated they are not able to build any closer to the road than they are proposing and they need to leave a 20' clearance from the power lines per NYSEG. Herzenberg stated that their single family home with a porch on it would be 25' from the water.

Andrea Sanborn stated that she is the neighbor adjacent to the property – to the east and stated that the argument is that they knew the rules when they purchased the property and the limitations to the property and is worried that if the ZBA starts making exceptions on empty lots that its going to snowball.

Mueller stated that the property is assessed as a buildable lot.

Sanborn asked the size of the proposed home. It was stated that it would be roughly 1,300 square foot home.

Sowizdral stated that the other issue would be the Adirondack Park Agency (APA).

The ZO stated that they received a non-jurisdictional letter and doesn't need their approval. The ZO read aloud the letter from the APA.

Barry Williamson stated that he noticed in the zoning law there were hash marks in appendix 6. Reynolds stated that it's the lakefront overlay and Williamson was asking what the 400' number was and is concerned with environmental issues.

Herzenberg stated that they plan to do solar plans and have plans to be environmentally friendly as her mother is an environmentalist.

Eduardo Silva stated that he doesn't understand how they can be so concerned with the environmental issues as they are being mindful with such concerns.

Herzenberg asked why the neighbors were so against them building a home there and not wanting them there.

Barry Williamson stated that someone incorporated those rules and restrictions years ago and it isn't anything against the applicant personally. Barry Williamson also stated that he is also concerned about them being there year round.

Sowizdral stated that the home is about 1300 square feet and asked if it had a second story.

Herzenberg stated that it would not be a full second story but more loft like.

Martha Williamson stated that she and her husband are not here fulltime and that they have tried to be here during the winter and it is very difficult.

Herzenberg stated that they are willing and up for the challenge during the winter months with plans to snowshoe in if they have to and that they love the community here and want to be more a part of it with music and soccer and they aren't able to afford any other properties that are on the water on Lake Champlain.

Martha Williamson stated that as a board you should also take into consideration and be prepared to make changes for others that may not have the respect for the land that these applicants have and that the board needs to think about others wanting variances.

Mueller stated that it is not the boards job to determine who is purchasing property and that the boards job is to review variance requests and do our job to see if we think its extreme or not. Mueller stated that this particular lot is still assessed as a buildable lot and there are a lot of lots that are assessed as a buildable lot but then the zoning law states they cant without a variance.

Andrea Sanborn asked where the septic would be going. Herzenberg shared the drawing with Sanborn. Martha Williamson asked if they would have a well. Herzenberg stated that they would be drawing from Long Pond. The neighbors stated that they do that as well.

A motion was made by Mueller, seconded by Sheehan to close the public hearing at 6:52pm. Roll call: Gerding, Sheehan, Mueller, Reynolds. All in favor and motion carried.

Reynolds stated that the septic has to be 10 feet from the power lines and 100 feet from the water and asked if the applicant had anymore information on the septic, such as size of leach field etc.. Herzenberg stated she did not have any information due to the company not giving them a quote until they received approval as there is a lot that goes into quoting a septic system but assured the board that they would be following all guidelines.

Reynolds asked the applicants if they spoke with NYSEG about moving the power lines. Herzenberg stated that she did not speak with NYSEG directly but did receive the information from another reliable source in regards to being 10 feet away. Reynolds asked if they would be willing to pay for the power lines to be moved. Herzenberg stated that would not be in their budget.

Reynolds stated that she would like to see the single family home further away from the water. Reynolds stated that the APA can still overturn the boards decision and has 30 days to do so.

Herzenberg stated that they could remove the deck from their plans if that meant they would get approval.

Sheehan confirmed that the neighbors are closer than what this single family home would be. Herzenberg stated that there are homes that are a lot closer than what this home would be.

Mueller and the board talked about moving the structure but its not able to due to needing to be 10 feet away from the power lines. So that is not an option.

Sheehan stated that having power lines moved is very expensive if NYSEG would even consider doing it.

Reynolds stated that they have an option to resubmit the application, make a decision tonight or ask the applicants to remove their deck.

Mueller stated that she did not want to delay this project any further as they have a deadline to meet but if the applicant was willing to remove the deck from their plans that she would be willing to move forward with the approval.

Sheehan stated that she wanted to discuss the five questions and make a decision tonight.

The Board read aloud and reviewed the five questions. Discussion followed.

Mueller stated that this project would be less substantial if they are removing the deck from their plans.

Sheehan stated that for the investment the applicants are making she would not ask them to remove the deck.

Herzenberg stated that they will remove the deck.

Mueller stated that the board and the ZO will need that in writing.

The Board read aloud and reviewed the SEQR and declared a negative declaration.

A motion was made by Mueller, seconded by Sheehan, to approve the application for a single family home in RL-3 for minimum lot size relief of 93,864 square feet resulting in a minimum lot size of 26,136 square feet and a maximum shoreline setback (Long Pond) relief of 40 linear feet, which results in a maximum shoreline distance of 35 feet from mean high water mark. Roll call: Gerding - yes, Sheehan - yes, Mueller - yes, Reynolds - no. Yes -3. No -1. Motion carried.

Old Business: No old business.

New Business: No new business.

Reynolds asked if there was any other business. No other business.

A motion was made by Mueller, seconded by Sheehan, to adjourn the meeting at 7:17pm.

The next meeting will be held on Wednesday, July 16th, 2025.

Respectfully Submitted,

Morgan Drinkwine
Secretary for Planning and Zoning Board

DRAFT