

The regular meeting of the Town of Cape Vincent Planning Board was held on August 14, 2019, at Recreation Park. The Chair opened the meeting at 7 p.m. with the Pledge of Allegiance.

Board Members Present: Robert Martin, Chair
Richard Macsherry
Frank Giaquinto
Paul Docteur
Bill DeSouza
Karen Bourcy
Harvey Whit

Other:

There were 7 visitors.

Privilege of the Floor: Jarrod Radley: Mr. Radley stated that at the last Zoning Laws Public Meeting, it was mentioned that in regards to the 2500-foot setback was following the Town Comprehensive Plan. He feels that the Comp Plan should be a guide. It was reiterated that along the Scenic Trail the general setback is around 800 feet. He feels that lowering the setback to 1000 feet in the Town of Cape Vincent would be fair.

Approval of Minutes:

Board members on a motion by Mr. Macsherry and seconded by Mr. DeSouza approved as written the minutes of the July 10, 2019 meeting.

Old Business: Deb and Bob Suller- Minor Subdivision (tax map #49.00-1-1)

Mrs. Suller presented to the Board an agreement between Robert and Deb Suller and Edith Burpee Revocable Trust to be added to the deed for a Right of Way of 30 feet. Carly Bassinger reiterated that at the July meeting it was decided for a 50 foot right of way to be safe. Due to a discussion with Mr. Macsherry following the meeting in order to make sure she was following procedures correctly, it was determined that 30 feet is allowable according to the definition that was read at the previous meeting. There was a discussion as to whether the Right of Way should be 30 or 50 feet. Mr. Giaquinto feels that it should be 50 feet. Mr. Macsherry made a motion to approve the subdivision with a 30-foot Right of Way. Mr. Giaquinto does not approve and feels that it is the Boards responsibility to protect the Town from issues in the future. Mr. Macsherry stated that the solution is that in the future, the right of way can be altered to 50 feet. The Board voted on the motion with 4 aye's and 1 nay, therefore the motion passed and the subdivision with a 30 foot right of way was approved. The Chair and the Board completed Part 2 of the SEQR.

New Business: Tammy Toth, Leroy Toth, Inc./Toth enterprises- Minor Subdivision Pre-conference

The Toth's would like to move a property line. According to the Zoning Laws, the minimum lot acreage in Lake Front Recreational is 1 acre. This would create a non-conforming lot, therefore the Chair stated that this minor subdivision would not be approved.

David Christiana/Darlene Vaughn- Lot Line Adjustment (tax map #40.06-1-6.9 and 40.06-1-6.7)

Mr. Christiana, who is represented by Mr. Robert Busler, has a subdivision that was approved in the 1990's. Mr. Christiana would like to merge 2.98 acres of tax parcel 40.06-1-6.9 (33995 Hell St., Cape Vincent) with tax parcel 40.06-1-6.7 (33929 Hell St., Cape Vincent). The Chair and the Board reviewed and discussed the application. Mr. Docteur made a motion to accept and approve the lot-line adjustment. Mr. Giaquinto seconded the motion, and it carried unanimously, all voting aye. Mr. Busler paid for the lot-line adjustment of \$75 with check #001308 from LaFave, White, and McGivern.

Dennis Farrell- Minor Subdivision (Tax parcel 41.00-1-8.1)

Mr. Farrell, represented by Mr. Robert Busler, submitted an application for a minor sub-division to divide a 56.42-acre lot into 2 lots of 1.88 acres and 54.54 acres located at 35120 County Route 4, Clayton, NY 13624 (tax map #41.00-1-8.1). After a discussion, the Chair asked for a motion to accept the application. Mr. Macsherry made a motion to accept the application. Mr. Docteur seconded the motion. All approved, aye. A Public Hearing has been set for Wednesday, September 11, 2019 at 7 pm at Recreational Park, Cape Vincent.

Judith Greene- Minor Subdivision Application (Tax Map #41.00-1-19) and Judith Greene/Kevin Clark Lot-Line Adjustment (Tax Map #41.00-1-19 and 40.00-1-51.3)

Ms. Greene, represented by Mr. Robert Busler, and the Board held a pre-conference in regards to Ms. Green's minor-subdivision proposal. It was determined at that meeting that it was indeed a minor and not major sub-division. Since that meeting, Ms. Greene's neighbor, Mr. Clark, also represented by Mr. Robert Busler, contacted Ms. Greene and is interested in purchasing 6.1 acres of the 76.82 acres of Tax Map #41.00-1-19 and add it to Tax Map #400.00-1-51.3. Ms. Greene has submitted an application to the Board for a minor subdivision to divide 76.82 acres into 14 lots located at 33442 County Route 4, Clayton, NY 13624 (Tax map #41.00-1-19). Mr. Busler would like to have both applications approved at the same time. The Chair and The Board reviewed and discussed both applications. Mr. Macsherry made a motion to accept both applications. Mr. DeSouza seconded the motion. All approved, aye and a Public Hearing for Judith Greene's Minor Subdivision has been set for Wednesday, September 11 at 7pm at Recreational Park, Cape Vincent.

The Chair will contact the Town Clerk in regards to payment for the minor-subdivision due to the number of lots. Mr. Busler will pay the fees for Kevin Green Lot-line Adjustment, Judith Greene Minor Sub division, and Dennis Farrell minor subdivision once contacted by the Chair.

Other: The Chair asked for any other business from the Board. Mr. Giaquinto read page 13 from the Subdivision Law, Sec. 525 on Lot Acreage.

The next Zoning Laws work session to review the comments from the Public Meeting regarding the Zoning Laws will be held next Wednesday, August 21, 2019 at 7 pm at Recreational Park. Mr. DeSouza will be excused but will submit to the Chair his comments on the 2500-foot setback issue.

Next Meeting: The Planning Board will meet on Wednesday, September 11, 2019 at 7 p.m. at Recreation Park.

Meeting Adjourned: At 8:16 p.m., with no further business, the Chair asked for a motion for the meeting to be adjourned. Mr. Macsherry made the motion. Mr. Docteur seconded; all voting aye.

Respectfully submitted,

Sharon A. Turner
Planning Board Secretary