

The regular meeting of the Town of Cape Vincent Planning Board was held on Wednesday, December 8, 2021, 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-Vice-Chair
Harvey White Dr. Frank Giaquinto

Board Members Absent: Bill DeSouza

Board Members Excused: Karen Bourcy- alternate

There were 7 visitors

Privilege of the Floor: none

Approval of Minutes:

Board members on a motion by Mr. Macsherry and seconded by Dr. Giaquinto approved as written the minutes of the November 10, 2021 meeting.

Old Business: Craig & Beth McGraw Minor Subdivision Application

(Tax Map#: 29.19-1-70.1)

The Chair opened the Public Hearing at 7:01 pm. With no comments from the public, the Public Hearing was closed at 7:02 pm. The Chair asked the Board for questions and/or comments and there were none. The Chair and the Board completed Part 2 SEQR and determined that the proposed action will not result in any significant adverse environmental impacts. Mr. Macsherry made a motion to approve the application. Dr. Giaquinto seconded the motion. The application was approved 4-0.

Joe and Aileen Martin Minor Sub-division Application (Tax Map #: 41.00-1-25.1)

Mr. and Mrs. Martin submitted an minor subdivision application requesting approval for a minor subdivision at 24462 County Route 4, Cape Vincent NY 13618 (tax map # 41.00-1-25.1). The applicant is proposing to divide a 118.03-acre lot into 2 lots of .9-acres and 118.03-acres. Mr. and Mrs. Martin intend to sell the .9-acres portion of the subdivision to their next door neighbor, Mr. Bob Garnsey. Dr. Giaquinto is concerned with the .9-acres being a non-conforming lot. Mr. and Mrs. Martin stated that once the subdivision is approved, Mr. Garnsey will apply for a lot-line adjustment to combine his two parcels into one conforming lot. Mr. Garnsey's well is located on the Mr. and Mrs. Martin's property which is being sold. Mr. Garnsey also signed the minor subdivision application. Mr. Macsherry made a motion to accept the application on the condition that a letter of intent to sell the property and a copy of the receipt of deposit is to be received by the Board by the next meeting on January 12, 2022. Mr. White seconded the

motion. All approved, aye. A Public Hearing has been set for Wednesday, January 12, 2022 at 7 pm at Recreation Park, Cape Vincent, NY 13618.

New Business: Bill and Lori May- Site Plan Review Application

Mr. and Mrs. May have submitted a site plan review application to have agricultural animals, chickens, ducks, and turkeys. A site plan is needed because their property is not permitted for agricultural use. It was noted that Mr. and Mrs. May put up a building without a permit, fenced in an area and already have the animals prior to submitting any application or contacting the town. The Chair started the conversation by asking Mr. and Mrs. May if they have contacted the DEC due to their property being on DEC and Federal Wetlands. Mr. and Mrs. May questioned as to why the DEC would need to be contacted because it is their property. The Chair explained that prior approval is needed from the DEC first and then the Board could continue on with the site plan review process. Mrs. May was upset and produced a letter from her doctor stating that due to her anxiety, her farm animals were therapeutic to her. A neighbor of Mr. and Mrs. May was present at the meeting who was defending Mr. and Mrs. May's reasoning for the site plan is that chickens were domestic animals. There was a discussion regarding whether or not a special use permit is needed and it was decided that it was not. The Chair reiterated that once DEC approval has been received, the Board can continue with the site plan review process. As Mr. and Mrs. May and their neighbor were leaving the meeting, the neighbor, who refused to state or give his name, threatened the Board with a big lawsuit.

Next Meeting:

The Planning Board will hold its next regular meeting on Wednesday, January 12, 2022 at 7 p.m. at Recreation Park.

Meeting Adjourned: At 8:00 p.m. with no further business, the Chair asked for a motion for the meeting to be adjourned. Mr. White made the motion. Mr. Macsherry seconded; all voting aye.

Respectfully submitted,

Sharon A. Nebbia
Planning Board Secretary