

PLANNING BOARD REGULAR MEETING, February 1, 2023 AT 7:00PM

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Members present: Robin Severance, Alan Hipps, MaryLou Fitzgerald, Chris Maron, Elisha Bartlett, Ken White, Rob King, Daniel Berheide, and Cheri Phillips.

Guest Present: George Hainer and Catherine Simmer

Chairwoman Severance: Opened the Regular Meeting at 7:02 p.m. Called to order the first meeting of 2023 of the Westport Planning Board.

Chairwoman Severance: Has everyone had a chance to review the minutes from the Rippon- Butler Public Hearing and the Regular Meeting? It has been a while since we have last seen each other.

Ms. Fitzgerald: I would like to ask the Regular Meeting minutes be corrected. I was not at the last meeting.

The Planning Board Secretary will correct the Regular Meeting minutes to reflect Mary Lou Fitzgerald was not present on September 28, 2022.

Mr. White: I make a motion to approve the minutes for the Rippon- Butler Public Hearing and the Regular Meeting minutes.

Mr. Hipps: I second that motion with correction.

- **Resolution 2023-1 Approval of Rippon- Butler Public Hearing and Regular Meeting Minutes from September 28, 2022**

Resolved: To approve the minutes of September 28, 2022 for the Rippon-Butler Public Hearing and Regular Meeting.

Moved by: Mr. White

Seconded by: Mr. Hipps

In Favor: Mr. Rob King, Ms. Elisha Bartlett, Mr. Ken White, Ms. Mary Lou Fitzgerald, Mr. Chris Maron, Mr. Alan Hipps, and Chairwoman Severance.

Opposed: None

Chairwoman Severance: We need to discuss the 2023 organization of the Planning Board.

Ms. Fitzgerald: I would like to make a motion that the current Chairwoman and current Vice-Chairman remain in office for 2023 if they are willing.

Mr. Maron: I second that motion.

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- **Resolution 2023-2 Approve the 2023 Planning Board Chairwoman and Vice- Chairman.**
Resolved: To approve Robin Severance as the Chairwoman and Alan Hipps as the Vice- Chairman for the 2023 Westport Planning Board.
Moved by: Ms. MaryLou Fitzgerald
Seconded by: Mr. Chris Maron
In Favor: Mr. Rob King, Ms. Elisha Bartlett, Mr. Ken White, Ms. Mary Lou Fitzgerald, Mr. Chris Maron, Mr. Alan Hipps, and Chairwoman Severance.
Opposed: None

Chairwoman Severance: We also need to discuss Dwight Anson's position. Dwight will not be returning to the Planning Board. I would like to get a gift from the Planning Board and go visit him. If anyone has any suggestions for a gift or would like to go visit him with me, that would be nice.

Ms. Fitzgerald: Maybe a card and a box of chocolates.

Chairwoman Severance: I will definitely get a card so we can all sign it. A box of chocolates would be nice.

Chairwoman Severance: We need to also move one of the alternate members into Dwight's spot. Since we appointed all three alternate members at the same time, the only fair way to move one up is by order in which their letters of interest were received. Robert King's letter was received first followed by Daniel Berheide and then Cherri Phillips.

Mr. Maron: I'm not sure this is how we appointed alternates in the past because they may have all heard about the vacancies at different times, then submitted their letters once they heard about the opening. This is not the procedure that we have used in the past.

Chairwoman Severance: What procedure have we used in the past?

Mr. Maron: Well, I'm not sure. Whomever was an alternate longer.

Chairwoman Severance: Well, they all were put on as alternates at the same time.

Mr. White: Then that seems to go along with whomever has been an alternate longer. The order in which we received the letters is the only way to fairly say the order in which they became alternates since they all were appointed at the same time.

Chairwoman Severance: Ok, any more discussion about moving Robert King up to Dwight Anson's spot?

No comments.

Chairwoman Severance: We will recommend Robert King to the Town Board as a voting member of the Westport Planning Board.

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Chairwoman Severance: Our next order of business is Holly Rippon- Butler, the ice cream shop in Wadhams. We couldn't approve her special permit at the last meeting, because we were waiting to hear from the County. Essex County has responded with the determination that the request will not have an adverse effect on County Property, therefore no recommendation or no comment was made.

Ms. Bartlett: This was a referral to the County, but she didn't need to apply to the County?

It was referred because of possible issues with the road.

Mr. Hipps: No other outside approvals are needed?

Mr. Hainer: No

Mr. Maron: Can we move to approve?

Chairwoman Severance: Do we need to go back through the paperwork?

Mr. Hainer: You need to determine if there are any conditions you are putting on the special permit.

A few members asked if she needed to come back to the planning board if anything changes with the use of the space.

Chairwoman Severance: I think it would be a good idea to have her come back, if anything changes with the use of the space, since there are neighbors.

Mr. Maron: I think we should use the language the County used.

Ms. Bartlett: Is it my understanding that she will be making the ice cream there and selling it there, as well?

Chairwoman Severance, Mr. White and Ms. Fitzgerald replied that the ice cream will continue to be made at the HUB on the Hill and she would just be having a scoop shop at the location for now.

Mr. Maron: I'll make a motion to approve the project as described in the initial application.

Mr. Hipps: I'll second that motion.

- **Resolution 2023-3 Approval and Sign a Special Permit for Holly Rippon- Butler Project, 2 Church Lane, Tax Map #57.55-1-21.000**

Resolved: To approve a special permit for Holly Rippon- Butler for continued long-term rental unit with a low-impact retail space for a small ice cream shop and/or office space rental with the condition she will need to come back to the Planning Board if changes are made to the use of the space.

Moved by: Mr. Chris Maron

Seconded by: Mr. Alan Hipps

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In Favor: Mr. Rob King, Ms. Elisha Bartlett, Mr. Ken White, Ms. Mary Lou Fitzgerald, Mr. Chris Maron, Mr. Alan Hipps, and Chairwoman Severance.

Opposed: None

Ms. Bartlett: So, there is going to be one retail space, one rental unit and one shop?

Mr. White: There is more than one room, if she can get tenants, if that is what you are asking.

Chairwoman Severance: Richard Sherman has submitted a request to the Town Board to amend the zoning district to allow residential at 57 Commercial Park Lane.

Mr. Hainer: This would allow for single and multi-family dwellings in the commercial/ industrial district. All of his APA permits have lapsed. He merged all his lots into one lot. If you approve to allow for residential, you can still keep the commercial/ industrial zone. It's a total of around 24.02 acres with a 5-acre zoning, but it is one big lot now.

Ms. Bartlett: If it gets rezoned.

Mr. Hainer: Not rezoned, just amended. There are two houses over there that are a non-conforming use.

Mr. Hipps: Can this change make the surrounding properties compliant? Can it be more than a single family use?

Mr. Hainer: There are only five building rights.

Ms. Bartlett: Can they subdivide?

Mr. Hainer: Yes, they can, into 5-acre lots.

Chairwoman Severance: Right now it is one lot?

Mr. Hainer: Yes, he merged the little lots into one big lot. He let the permit with the APA lapse since he couldn't sell it.

Chairwoman Severance: Are the neighbors going to be able to get along? Currently there is a big water tank, the Fire Department, and Bessboro Builders. Did it have residential before?

Mr. Hainer: Yes, before the industrial/ commercial rights were created. We also need to consider the tractor trailers. The Town Board is looking for a recommendation from the Planning Board, because they ultimately make the decision.

Mr. Maron: We need more information.

Mr. Hainer: This is preliminary. There are still more steps that need to be taken. We need to consider this because the Governor talked about creating housing. This would help create additional space in

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town for housing. We should also look at some other areas in town to see if that needs to be updated, as well.

Mr. Maron: We are aware now that we need a more formal presentation.

Mr. Hipps: We need to check the ordinances and see the process.

Chairwoman Severance: We have a responsibility to keep both residential and commercial happy.

Mr. Berheide: When was the last Comprehensive Plan done?

Mr. Hainer: There has never really been a plan, however, there was that Blue Ribbon plan. We just have a bunch of ordinances and zoning.

Ms. Bartlett: We don't have George forever. It would be a good idea to pin point some areas for residential. We also should consider having a plan instead of piecemeal. Do we really want to give away an industrial/ commercial area?

Mr. Hipps: The problem with marketing is that they are privately owned.

Chairwoman Severance: Let's move forward with getting more information.

Chairwoman Severance: Our next project is Pete and Ellen Croto, who bought the Guy Lever property.

Mr. Hainer: The Guy Lever lot has all the setbacks and restrictions. The septic system was designed by Mark Hutley.

Mr. Maron: I wouldn't think that was a modular home area.

Mr. Hipps: They are not manufactured. They are actually built to NYS standards.

Mr. Hainer was going through the slides of the project presented.

Ms. Bartlett: This doesn't need to meet any standards for the Furnace Point?

Ms. Fitzgerald: What do we need to do?

Chairwoman Severance: We need to say yay or nay to let them build.

Mr. Hainer: They are using a prefab foundation that is already insulated.

Mr. Maron: This seems to comply with everything and all the conditions.

Mr. Hipps: Was there a document that went to Giles?

Chairwoman Severance: Everything seems good. We need to make sure that septic doesn't infringe.

Ms. Bartlett: There is a stone wall there in the building envelope. Will that be a problem?

Mr. Hainer: No, that was taken into account.

Mr. Hipps: This seems like the sort of project that would have been approved. I guess it's coming to us because of what happened.

Mr. Maron: I move to approve this project, with the condition that no lights will shine on other properties.

Mr. White: I'll second that motion.

- **Resolution 2023-4 Approval of site plan and new home construction for Peter and Ellen Croto, 74 Furnace Point, Tax Map # 66.2-2-22.131.**

Resolved: To approve the site plan and new home construction for Peter and Ellen Croto, 74 Furnace Point, Tax Map # 66.2-2-22.131, with the condition that no light will shine on other properties.

Moved by: Mr. Chris Maron

Seconded by: Mr. Ken White

In Favor: Mr. Rob King, Ms. Elisha Bartlett, Mr. Ken White, Ms. Mary Lou Fitzgerald, Mr. Chris Maron, Mr. Alan Hipps, and Chairwoman Severance.

Opposed: None

Chairwoman Severance: Other business: We have the dates for the 2023 schedule. We will meet again on February 22, 2023 to keep things moving along. I'm going to get a card for Dwight, so we can all sign it. I would also like to take him a gift, if anyone has any ideas.

Ms. Fitzgerald: What about a plaque? A box of chocolates?

Ms. Bartlett: A blanket?

Secretary Simmer: Ike can order plaques from the County for years of service.

Everyone agreed that is what they would like to do.

Chairwoman Severance: I will get a card and leave it with Kate, so everyone can stop in and sign the card.

Ms. Fitzgerald: What are we doing about education?

Chairwoman Severance: There is the ADK Forum. If you plan to attend, please let Kate know.

Mr. White: I move we adjourn.

Mr. Maron: I second that motion.

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Mr. Severance: All in favor? Adjourned.

- **Resolution 2023-5 Adjournment**

Resolved: To adjourn the regular meeting at 7:57 pm

Moved by: Mr. Ken White

Seconded by: Mr. Chris Maron

In Favor: Mr. Rob King, Ms. Elisha Bartlett, Mr. Ken White, Ms. Mary Lou Fitzgerald, Mr. Chris Maron, Mr. Alan Hipps, and Chairwoman Severance.

Opposed: None

Respectfully submitted,

Catherine L. Simmer, Secretary