

Minutes of the meeting of the Planning Board of the Village of Rouses Point, New York, held on Monday, 26 November 2012 at Halstead Hall, commencing at 7:00 p.m.

PRESENT: Tom Murnane, Michael Tetreault

RECORDING SECRETARY: Geri Favreau

CALL MEETING TO ORDER: Mr. Cooper called the meeting to order at 7:00 p.m. and began with the Pledge of Allegiance.

ROLL CALL: In attendance: Ms. Hall, Mr. Cooper, Mr. Batha, Mr. Roush; Absent: Mr. Gladd

APPROVAL OF MINUTES: Mr. Batha made a motion to approve the minutes of the 22 October 2012 meeting; Seconded by Ms. Hall. Aye Carried

COMMUNICATIONS: There will be training offered at the Clinton County Government Center on Thursday, 6 December 2012 concerning "Enforcement of Zoning and Other Local Laws and Case Law Update for Planning And Zoning. This will give board members 4 credit hours. Members are requested to let Carol Hanfield or me know if they wish to attend.

REPORTS OF COMMITTEES: None

OLD BUSINESS: Public Hearing/SEQR for Site Plan Review for Lighthouse Point Marina/Fairsea, LLC

Mr. Murnane stated that since part of this project extends beyond the bounds of the Village into the Town of Champlain that the Town ZBA should be involved. They have not been notified and Ms. Favreau was requested to supply them with a copy of the complete application. This application had been submitted to the County since borders Village property. Initially, this application was for Special Use but with the Code Update, it should be for Site Plan Review. The County denied the project as Special Use. Ms. Favreau was requested to send a complete file of the Site Plan Review application to the County Planning Board.

Mr. Batha inquired why it was just determined on 15 November that the Town should be involved. Mr. Tetreault stated that he discovered this while doing work for another marina on the river and it was shown on a FEMA map. Davie Everett (attorney for Mr. Walker) agreed that the application needs to be resubmitted to the County.

Peter Gibbs, another Engineer was in attendance. It was asked who retained him since the Planning Board had hired RMS Engineering. Apparently, he had been retained by the Mayor and would be paid by Mr. Walker. Mr. Batha felt that we needed Mr. Gibbs' expertise. Mr. Murnane stated that Mr. Ovis was hired to review for the Planning Board and that it was not the responsibility of the Village's Engineer to prove the validity of this project for the applicant. Mr. Ovis and Mr. Gibbs will review and provide technical information to the Planning Board.

Mr. Everett feels that all SEQRA issues have been addressed. He will respond to the 15 November RMS letter in writing.

15 November Letter:

#1 – Special Use removed and Site Plan added. Bath House may need variance for set back from the Town. Marinas are not allowed in that zone in the Town Zoning Law, will need Use Variance.

#2 – Should identify potential impacts before construction to prove that there will no significant impact on the environment.

Mr. Gibbs believes that he was hired by the Village Board to give advice concerning stagnant water. He is not the design engineer. He made a site visit to many marinas. Will give advice to Mayor. There is an existing barrier and most water will be going through the channel. It will be rebuilt with five culverts. It was suggested that Messrs. Ovis, Gibbs and Ferris meet to discuss this project. Flow is not a simple problem. Ovis and Gibbs are looking at different things.

Mr. Batha feels that the Village should have a study of the whole lakefront and asked how the south wind will affect?

Mr. Everett feels that the new design will be better. A bond should be posted to pay for the installation.

Mr. Murnane stated that the trestle will be back filled with rock and six culverts installed.

Mr. Gibbs explained how the new design will make the flow better.

Mr. Murnane stated that Mr. Ferris is very familiar with the lake and has done a lot of work for the Village regarding the lake.

Mr. Ovis was not provided with any dimensions. A bond could make the Village prove where problems are coming from (if there are any) – Walker or other marinas.

Mr. Walker stated that he is prepared to post bond. He has 300 slips north of the trestle and if there is algae bloom, he will have many unhappy guests and they will not return.

The Mott project was questioned. It was a reconstruction.

#3 – Applicant needs to provide proof of ownership of the lands under the old trestle. Mr. Everett stated that this is a legal issue and does not have to address as an Engineering issue. They will provide proof and discuss with OGS.

#4 – Where do these agencies stand in regard to the bathhouse? Mr. Everett stated that DEC is waiting on the Planning Board. He will have a conversation with DEC regarding structures.

#5 – Parking Plan. Mr. Everette stated that revised plans have been presented to the Planning Board and have provided a lease for land for additional land for parking.

Mr. Walker stated that he hope to expand to 60 moorings but if parking is an issue, they will scale back.

Mr. Ovis questioned if the Planning Board needs a study by the applicant _____??? And information about lighting, structure of the bldg., foundation?? Noise probably won't increase. Will project have an adverse impact?

Mr. Batha stated that there will be visual impact of the structure.

Mr. Everett stated that this is a Planning Board decision and other agencies will need to abide by it. Other agencies will do a technical review.

Mr. Murnane asked if we have enough information about water flow, would like the Engineers to get together and need input from the Town. He doesn't feel that the Board has enough information to determine if there will be an adverse impact or not.

Mr. Cooper stated that he wants the project to go forward but wants to make sure the Planning Board does its job to prevent problems in the future.

Mr. Ovis stated that from a SEQR viewpoint, what has changed? Mr. Gibbs asked to have Mr. Ovis develop a study. Mr. Everett stated that Mr. Ferris is the Design Engineer and he should provide calculations to Mr. Ovis. Mr. Gibbs stated that a simple hydraulic calculation is what is needed from Mr. Ferris.

Mr. Everett asked for a special meeting in two weeks and would like additional comments regarding Site Plan Review prior to that meeting.

Mr. Batha made a motion, seconded by Ms. Hall to hold a Special Meeting on 10 December for SEQR review for the Lighthouse Point Marina Project. Carried

Ms. Hall made a motion, seconded by Mr. Roush to submit the Site Plan Review application and all additional information to the County Planning Board. Carried Mr. Everett and Mr. Walker will attend the County meeting on 5 December.

A letter and the Site Plan Review Application and all information will be sent to the Town of Champlain Zoning Board requesting their comments.

Ms. Favreau was requested to advertise for the 10 December meeting.

NEW BUSINESS: Special Use Permit for Saxony Apartments/Marc Chapman

Mr. Chapman explained his project to the Board. Mr. Tetreault stated he has only one set of building plans and made them available for the Board's review. This application needs to be sent to the County because it is on a State Highway.

Ms. Hall inquired about the concrete deck and green space. Mr. Chapman stated that the deck will remain. Mr. Tetreault stated that this is a commercial zone and green space not required. There will be parking on the west side of the building. Fifteen spaces are required and he has them. There will be apartments on the first and second floor that go all the way through the building. They will have front and back doors. Mr. Chapman stated that his residence is on the top floor.

Mr. Batha made a motion, seconded by Mr. Roush that this application be sent to the County Planning Board and that a Public Hearing be scheduled on 26 December for Site Plan Review and SEQR. Carried.

PUBLIC COMMENT: None

ADJOURNMENT: Ms. Hall made a motion to adjourn at 8:55 p.m.; Seconded by Mr. Batha. Carried

NEXT REGULAR MEETING: Wednesday, 26 December 2012 at 7:00 p.m. at the Civic Center.

Please note the Village Office is closed 24 & 25 December 2012 and therefore, the Planning Board meeting will be held on Wednesday, 26 December.

Respectfully submitted,

Geri Favreau
Planning Board Secretary