

## VILLAGE OF CAPE VINCENT PLANNING BOARD

June 20, 2017

The regular meeting of the Village of Cape Vincent Planning Board was held on June 20, 2017, in the Community Room of the Village Offices. The meeting conducted by the Chair Jeffrey Herpel opened at 7 p.m. with the Pledge of Allegiance.

**Board Members Present:** Jeffrey Brooks  
Jeffrey Herpel, Chair  
Richard Hodge  
Willard Kirchgessner

**Board Member Excused:** David Wiley

**Other:** Perry Golden, ZEO

There were four visitors.

### **Old Business:**

#### **Approval of the Minutes:**

- Board members reviewed the minutes of the May 16, 2017, meeting. Mr. Herpel made a motion to accept the minutes as written. Mr. Brooks seconded and carried; all voting aye.

**Joanna Lee – Site Plan Review (SPR):** The board continued their discussion on Ms. Lee's SPR application. The response from Jefferson County Planning Department was shared with board members. The County's comments for information purposes concerned access onto State Route 12E be reduced to minimize vehicles backing out onto 12E; building permit required for any proposed building alterations; any boat storage in the rear yard could have a visual impact on surrounding properties; requiring additional landscaping to mitigate the impact of vehicle/boat storage and to serve as a buffer; lighting and any glare from them. Ms. Lee shared that a small boat was to be placed in the front of the building to minimize parking in front and cars making u-turns in the front of the building. The Chair shared another complaint filed by Kayla Britton as to the noise coming from the business after hours of operation. The ZEO offered that Ms. Britton's next step should the noise continue would be to call the local police as noise would come under the disorderly conduct law. Ms. Lee said she would speak to her employees about the complaint. Board members agreed to add a stipulation in the Resolution addressing the noise concern.

The Chair asked that the Resolution be read:

**WHEREAS** the Planning Board of the Village of Cape Vincent (the "Board") is reviewing an application dated March 30, 2017, submitted by Joanna K. Lee, (the "Applicant") for approval of a Site Plan Review to operate RiverTronicz, an auto and boat detailing business with retail sales, service, and installation of vehicle/boat accessories, and window cleaning services in the Commercial District at 682 E. Broadway Street, Tax Map #39.81-2-44.

**WHEREAS** the Board has complied with the requirements of the New York State Environmental Quality Review Act and the regulations promulgated thereunder and declared this action to be an "unlisted" action and issued a negative declaration at an April 18, 2017, meeting, and

**WHEREAS** a public hearing was held on May 16, 2017, at which time there were concerns expressed by a neighboring property owner regarding noise and language coming from the business.

**NOW, THEREFORE, BE IT RESOLVED THAT,**

1. The application and implementation of the application submitted by the Applicant has no significant adverse effect on the public health, safety, welfare, comfort, and convenience of the public in general and residents of the immediate surrounding area.
2. The application submitted by the Applicant addresses all of the required and applicable items set forth in the Village of Cape Vincent Zoning Law.
3. The Applicant, in order to preserve and protect peace and quiet in the surrounding neighborhood, will cease any business operation by 8 p.m.
4. The Clerk of the Village of Cape Vincent is hereby directed to file this Resolution, in the main office of the Village of Cape Vincent in a file that will be readily accessible to the public.

A motion was offered on the Resolution by Willard Kirchgessner and seconded by Jeffrey Herpel and carried; all voting aye (4-0).

**Public Hearing – Laurie Hanna – The Cape Vincent Brewing Co., Inc. – Site Plan Review**

The public hearing on the SPR application submitted by Laurie Hanna to open Cape Vincent Brewing Company, a craft brewery and taproom, in the Commercial District at 294/296 E. Broadway, Cape Vincent, Tax Map #39.81-2-20.2 was opened at 7:35 p.m. Ms. Hanna gave an overview of her business plan. She presented a drawing of outdoor seating which the board reviewed and answered questions regarding her hours of operation, days of week to be open, number of employees, etc. She was informed that the Planning Board has no authority over the outdoor seating plan as it would be located on Village property. Board members shared that they liked the proposed outdoor seating plan and said it would help with safety and traffic flow concerns in that area (James St. and Broadway). Comments from Jefferson County Planning Department were read and included a building permit for any alterations to the building, license required from the NYS Liquor Authority, food available if required by the State, and abide by local sign requirements. There were no comments from the public. The hearing was closed at 8:05 p.m.

The Chair asked that the Resolution be read:

**WHEREAS** the Planning Board of the Village of Cape Vincent (the “Board”) is reviewing an application dated May 8, 2017, submitted by Laurie Hanna, (the “Applicant”) for approval of a Site Plan Review to operate Cape Vincent Brewing Company, a craft brewery and taproom, in the Commercial District at 294/296 E. Broadway Street, Tax Map #39.81-2-20.2.

**WHEREAS** the Board has complied with the requirements of the New York State Environmental Quality Review Act and the regulations promulgated thereunder and declared this action to be an “unlisted” action and issued a negative declaration at a May 16, 2017, meeting, and

**WHEREAS** a public hearing was held on June 20, 2017, at which time there were no negative concerns expressed.

**NOW, THEREFORE, BE IT RESOLVED THAT,**

1. The application and implementation of the application submitted by the Applicant has no significant adverse effect on the public health, safety, welfare, comfort, and convenience of the public in general and residents of the immediate surrounding area.

2. The application submitted by the Applicant addresses all of the required and applicable items set forth in the Village of Cape Vincent Zoning Law.
3. The Applicant has proposed an outdoor seating area next to the building that is located on Village property. The Planning Board has no authority to approve the patio seating on Village property, but the Board is in favor of the seating design as proposed and feels it would be not only beneficial for the business but also an improvement to the public's safety in that area.
4. The Clerk of the Village of Cape Vincent is hereby directed to file this Resolution, in the main office of the Village of Cape Vincent in a file that will be readily accessible to the public.

The Resolution was offered by Jeffrey Herpel and seconded by Richard Hodge. The motion carried; all voting aye (4-0).

**New Business:**

- A request from Laurie Cornelia made through her contractor, Ron Stevens, Yankee Fence, to install a six-foot vinyl fence approximately 60' in length along the back lot line of her property at 141 East Broadway was discussed. The request will need Site Plan Review per the Zoning Law. An application was sent to the contractor and a public hearing on the request was set for July 18, 2017, at 7 p.m.
- Mike Chauvostie, Aubrey's Inn, made a request to review an outdoor seating plan to see if his proposal would need Site Plan Review. The board reviewed the pictures and sketch of the outdoor seating and spoke with Mr. Chauvostie by phone regarding his plan. It was determined by the board that this was not a change in use and did not require Site Plan Review. A memo will be sent to the Village indicating that his request did not need any action by the Planning Board. Board members did express that if the Village Trustees did approve the outdoor seating plan that seating be moved closer to James and Broadway for safety and traffic flow concerns in that area.
- ZEO Report: Mr. Golden informed the board that he has submitted to the Village Trustees a letter of resignation from his position as ZEO. Mr. Golden also discussed with board members whether it was permissible for a property owner to park a recreational vehicle on their vacant, residential lot and use it one to two weeks a year.

**Communications:** None

**Next Meeting:** Tuesday, July 18, 2017, at 7 p.m.

**Adjournment:** At 9:12 p.m., with no other business, Mr. Brooks made a motion to adjourn. Mr. Kirchgessner seconded; all voted aye.

Respectfully submitted,

Kathleen M. Pierce  
Planning Board Secretary