

Minutes of the Meeting of the Zoning Board of Appeals of the Village of Rouses Point, New York held on February 13, 2017 at the Village of Rouses Point Village Office 139 Lake Street, Rouses Point, NY commencing at 4:30PM

Present: Patricia Birkett
Pamela Gadway
Karin Thone

Absent: Mike Casey

Others Present: Thomas Murnane, Village Attorney
Clifford Sterling, Codes Enforcement Officer

Recording Secretary: Donna J. Boumil

CALL TO ORDER:

Chair Pat Birkett called the meeting to order at 4:35PM and began with the Pledge of Allegiance.

PUBLIC HEARING:

This Public Hearing is to hear comments and concerns from the public concerning the Use Variance Application submitted by Justin Roberge, Rouses Point Yacht Club to expand the existing marina from 30 to 41 vessels. Thereby increasing the parking requirements to 60 spaces.

Mr. Roberge gave a synopsis of the proposal to include:

- Mr. Roberge stated that the initial application has been changed due to complications with the Army Corp of Engineers. Therefore, a new application has been filed.
- Application submitted and approved by Army Corp of Engineers (with stipulation) for 11 moorings to be located between the Barge Canal Terminal (Montgomery Street Pier/State Dock and Sportsman Pier). A diagram was provided.
- RP Yacht Club is a small marina/yacht club
- Provides no services such as storage, a store, pump out, gas, etc.
- Located between 2 huge marinas (Gaines and Barcombs)
- Price is the same as the other marinas
- Limited to the number of docks (cannot add more)
- The only way to increase membership is by adding moorings
- Additional parking will be provided by:
 - Gaines Marina – an agreement for valet parking has been signed for 1 year for 16 parking spaces
 - Chauvin Agency – an email received agreeing to let marina members use the parking lot on weekends (6-8 parking spaces)
 - Municipal parking lot – not an option. No overnight parking allowed. There are no signs posted.
 - Chapman Street – north side. Not an option. No overnight parking allowed. There are no signs posted.
- 3 busiest weekends during season: July 1st, July 4th and Labor Day
- RP Yacht Club is the only marina with controlled access parking (use of a card).

- Mr. Roberge stated that he believes that the additional parking needed will be satisfied with what is available at the Yacht Club.

Mr. Roberge explained the Booth Grant.

Mr. Roberge has the support of Gaines Marina, Sandi's Deli, Pam Keable and Chauvin Agency.

Discussion continued about the benefits and non-benefits of the expansion.

Chair Pat Birket reiterated that there is a law on the books that prohibits overnight parking at the Municipal Parking Lot and on the north side of Chapman Street even if there are no posted signs.

Mark Lawrence – 123 Lake Street provided a summary of the Use Variances that the RP Yacht Club has applied for and received.

- Mr. Lawrence began by stating that according to the Law, a marina is not allowed in this zone
- 3/2012 – Use Variance for a Non-Conforming Use for up to 16 vessels. This Use Variance was based on the fact that there was a marina at this location in 1992. The Zoning Board allowed this variance
- 11/2012 – 2nd Use Variance to add 14 vessels for a total of 30. The County stated this was a local issue and recommended that parking be accessible directly and consider having larger parking spaces. The County specifically mentioned the sizes of the parking spaces. The Zoning Board allowed double stacking parking.
- Mr. Lawrence commended Mr. Roberge for the nice job he is doing at the marina. There haven't been any noise issues.
- Mr. Lawrence stated that the Montgomery Pier is utilized all the time for weddings and prom pictures and has become a local attraction for residents and tourists. The Village has spent a great deal of time and money on the pier.
- Mr. Lawrence mentioned the parcel of land behind him that the Village owns. This is the only other access to the Village, by way of the lake, other than paying at the marinas. He feels that 11 more moorings would interfere with the aesthetics and physical area and future development.
- These moorings will not provide additional revenue to the Village, only to Mr. Roberge.
- Mr. Lawrence urged the Village to "Look at the big picture".
- Mr. Lawrence read a quote from Vinny and Kathy Guay, who own property next to Mr. Lawrence. Mr. and Mrs. Guay are "against having boats in the background that will restrict water flow of the lake..." and expressed concern about parking.
- Mr. Lawrence continued by saying that he cannot see anything good of this expansion. He feels that the businesses and residents will not benefit, only Mr. Roberge.
- Lastly, Mr. Lawrence stated that under the original proposal, the land under the moorings are owned by the shoreline residents.

Scott Yelle – expressed concerns about the expansion of the yacht club. This is a "private club" and for members only. Mr. Yelle continued to state that he spoke to DEC about the moorings. NYS can rent a spot for a mooring as long as it is not deeded. He also said that this expansion doesn't offer anything else to the Village. Also, the water flow is deterred and creates algae.

Chair Pat Birkett reiterated that the Zoning Board does not have jurisdiction over the moorings. This hearing is to hear concerns as it relates to the effects it may have on the community, the character of the neighborhood and businesses.

Gary Babbie –

- Expressed concerns that the additional moorings do not generate revenue for the Village.
- Affects aesthetics of the lake and the view will be blocked by the moorings
- Owns part of the fence separating the two properties and has concerns about the misuse
- Mentioned concerns about an outside light shining onto tenant's apartments
- Devalued his apartments
- Concerns about parking

Public Hearing closed at 5:45PM

REGULAR SESSION:

Attorney Tom Murnane

- Explained that the County Board disapproved the application based on the parking issue
- Mr. Roberge can request an appeal with the County Planning Board
- Mr. Murnane explained that even if the Village Zoning Board wanted to approve the Use Variance submitted by Mr. Roberge they wouldn't be able to. This requires a majority vote plus 1. There is only a majority (quorum) at the meeting.
- Mr. Murnane suggested another public hearing be set and the residents/businesses located within 500' of the Yacht Club and the 11 additional moorings be notified.

Karin Thone made a motion to table the application until the March 13, 2017 meeting; Seconded by Pam Gadway; AYE CARRIED

MINUTES:

Motion by Pam Gadway to approve the January 9, 2017 minutes; Seconded by Karin Thone; AYE CARRIED

COMMUNICATIONS:

There are no communications

OLD BUSINESS:

There is no old business

NEW BUSINESS:

There is no new business

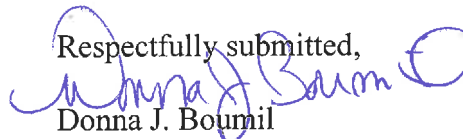
Comments from the public:

NEXT MEETING:

March 13, 2017 at 4:30PM

ADJOURNMENT:

Motion by Pam Gadway to adjourn at 6:07PM; Seconded by Karin Thone; AYE CARRIED

Respectfully submitted,

Donna J. Boumil
Zoning Board Secretary