

**MEETING OF THE LOUISVILLE BOARD OF APPEALS
FEBRUARY 28, 2023
LOUISVILLE MUNICIPAL BUILDING 6:30 PM**

BOARD OF APPEALS MEMBERS PRESENT:	DAN CASEY/CHAIRMAN
	JEFF LABA
	CARL BENDER
	HERBERT DUCOLON
	SCOTT LASHOMB
PLANNING BOARD MEMBERS ABSENT:	TYLER MONTONDO
	BERNARD LASHOMB
CODE CLERK PRESENT:	AMY ELLSWORTH, JOANNE CAMERON
PUBLIC PRESENT:	DERRICK & AMANDA WHITE
	TERRI CARR

Chairman Casey called the meeting to order at 6:30 pm.

First order of business is to discuss a request from Derrick and Amanda White to run a detail business out of their garage located at 52 Oliver Road. This parcel is in the RA – Residential – Agricultural district.

Mr. Casey asked Clerk Ellsworth to state the request and read St. Lawrence County Planning Board's response. St. Lawrence County Planning Board reviewed the request for a use variance at 52 Oliver Road, and was returned for Local Action Pursuant to MOU.

Discussion followed:

Mr. Casey and asked Mr. White about the detail business he would like to have and would it consist of a paint booth. Mr. White had responded that he is looking to make this a full time business. He would be offering simple detailing, tire rotations, tune ups, and fixing brakes. Mr. White stated there would not be a paint booth, that if there was any painting all he would do is a small rust spot and he would sand it down and air spray it. He was not looking to do body work, he would like to mainly be doing detail and some light mechanic work. Detailing would consist of waxing, ceramic coating, and cleaning vehicles inside and out. Mr. White had worked for Mahoney's Auto Mall and this is what he enjoys doing. Mr. White had spoken with his neighbors and they have no objection.

MEETING OF THE LOUISVILLE BOARD OF APPEALS
FEBRUARY 28, 2023
LOUISVILLE MUNICIPAL BUILDING 6:30 PM

Mr. Casey asked for clarification from Mr. White on whether a tire rotation business would become a part of the detail business in the future. Mr. White said no, there will not be a tire rotation business, nor will he be selling tires.

Mr. Casey stated he had taken a drive and looked at the property and asked Mr. White which garage he planned to use on the property for the proposed detail business. Mr. White replied that it would be the three-stall garage on the right.

Mr. Laba asked Mr. White about how many cars he would expect to have at a time, that he wouldn't want a large amount of vehicles lined up on the property for a long period of time. Mr. White responded that he would expect one car a day for four hours of work, and he would expect fifteen cars a month. He would like to see returning customers. Mr. White also mentioned that he will rotate and schedule so the vehicles are in and out.

Mr. White explained that there would be operating hours of 9-6 and 10-4.

Mr. Casey then mentioned that St. Lawrence County Planning Board does have some concerns with no provisions to recover any solvents or cleaning solutions that might be used in the proposed Vehicle Detail Shop. They don't want any chemicals going into the ground, local homes around the area have wells and use the water as drinking water, and the County doesn't want contamination in the groundwater. Mr. White then explained he would only be using detail cleaning products and they would be disposed in regular garbage removal.

Moved by Herbert Ducolon, seconded by Jeff Laba and duly carried the motion passes unanimously for the use variance at 52 Oliver Rd, Derrick White to run a detail business out of his garage, tax map # 15.004-3-1.12.

Moved by Dan Casey seconded by Herbert Ducolon all in favor to adjourn meeting at 6:55 pm.

Respectfully Submitted,

Amy Ellsworth
Code Clerk

**MEETING OF THE LOUISVILLE BOARD OF APPEALS
MAY 23, 2023
LOUISVILLE MUNICIPAL BUILDING 6:30PM**

BOARD OF APPEALS MEMBERS PRESENT:	DAN CASEY - ACTING CHAIRMAN SCOTT LASHOMB CARL BENDER HERBERT DUCOLON TYLER MONTONDO BERNARD LASHOMB
ABSENT BOARD MEMBERS:	JEFF LABA
CODE CLERK PRESENT:	AMY ELLSWORTH
CODE ENFORCEMENT OFFICER:	ANTHONY MCMANAMAN
PUBLIC PRESENT:	CECILY MORRIS

Chairman Casey called the meeting to order at 6:30 pm.

Chairman Casey had asked Clerk Ellsworth to give an overview on what today's meeting is in regards to. Clerk Ellsworth stated, for 290 Crescent Drive there was a variance put on back in June 2020 now plans, size of structure and with steps off to side. The steps will need a platform a 36" platform which will run into the variance the parcel has currently.

Chairman Casey addressed the Board and Code Enforcement Officer McManaman for clarification, 10 foot was offered in previous variance and now the change in plans brings it into the 10 foot and another variance is needed. The foot print is the same as previous structure other than going 5 1/2 foot into the current variance, due to the steps at the side entrance.

Code Enforcement Officer McManaman explained the property is 76' wide and the old house plan was 56" wide with the side steps it is 62" wide with an 18" overhang on the opposite side. It is 63' 6" wide leaving 12'6". The variance was for 10' on each side total of 20' with this structure, the modular it has been reduced to 12'6".

Cecily Morris had questioned the dimensions and wanted to know if there would be a deck. Code Enforcement Officer McManaman explained that the structure is basically the same size aside from the eaves, as far as the deck, she could have one out back possibly.

Carl Bender had mentioned going back to the steps maybe building them differently at an angle? Code Enforcement Officer McManaman said she could but that is not how the plans are drawn up.

Dan Casey will abstain from vote.

Carl Bender made a motion to accept the area variance of an 18" overhang on the Morris' side, and 5' on the other side Area Variance for Micheline Cappione located at 290 Crescent Drive. Tyler Montondo seconded the motion; All in favor: Scott Lashomb AYE, Carl Bender AYE, Herbert Ducolon AYE, Bernard Lashomb AYE

Dan Casey made a motion to adjourn meeting at 6:49 pm. Carl Bender seconded the motion: All in favor
Scott Lashomb AYE, Herbert Ducolon AYE, Bernard Lashomb AYE

Respectfully Submitted,

Amy Ellsworth

Code Clerk

MEETING OF THE LOUISVILLE BOARD OF APPEALS

July 18, 2023

LOUISVILLE MUNICIPAL BUILDING 6:30 PM

BOARD OF APPEALS MEMBERS PRESENT: DAN CASEY - ACTING CHAIRMAN

JEFF LABA

CARL BENDER

SCOTT LASHOMB

TYLER MONTONDO

BERNARD LASHOMB

ABSENT BOARD MEMBERS:

HERBERT DUCOLON

CODE CLERK PRESENT:

AMY ELLSWORTH

PUBLIC PRESENT:

BRENT COOK

Dan Casey called the meeting to order at 6:30 pm.

Discuss the request the request for a use variance for Brent Cook to start an Auto Body Repair Shop on his parcel located at 630 CR 39, tax map #15.004-1-5, in the Town of Louisville. This parcel is located in a RA – Residential-Agricultural District.

Mr. Casey asked Code Clerk Ellsworth to explain/state the request and read St. Lawrence County Planning Board's response. St. Lawrence County Planning Board reviewed a request for the use variance. St. Lawrence County Planning Board returned for Local Action Pursuant to Memorandum of Understanding (MOU). Clerk Ellsworth had also explained that his current Use Variance is for a Paint Shop and the Use Variance he is seeking to get is for an Auto Body Repair Shop.

Discussion followed:

Chairman Dan Casey had asked Brent Cook was there an error on the paperwork previously submitted. Mr. Cook had said he had filled out the forms thinking Paint Shop would cover everything he was planning to do in his garage but had later discovered that the wording needed to be more specific. Chairman Casey had asked if he plans to do anything more than the Auto Body Repair Shop such as engine repair for an example, Brent Cook replied no, but there could be some suspension repairs depending on the damage to the vehicle. Mr. Cook had continued to explain that he has spoken with his neighbors and they are all ok with him having The Auto Body Repair Shop out of his garage.

Board Member Scott Lashomb had asked Brent Cook about how many cars he expects to have on site at a time if there would be one or more. Mr. Cook had replied with "There would be more than one but there would never be a mess of cars on his property at once either, that he doesn't want his property looking messy either. "

MEETING OF THE LOUISVILLE BOARD OF APPEALS

July 18, 2023

LOUISVILLE MUNICIPAL BUILDING 6:30 PM

Board Member Jeff Laba questioned what brought this meeting up tonight to have to come back, if there was a clerical error made on our end, Mr. Cook replied "No, he should have clarified in previous application Auto Body Repair Shop."

Jeff Laba moved to approve the use variance for Brent Cook to use his garage for an Auto Body Repair Shop on his parcel located at 630 CR 39, tax map #15.004-1-5 as requested.
Bernard Lashomb seconded the motion. The motion passes unanimously.

Moved by Dan Casey, seconded by Bernard Lashomb and duly carried to adjourn the meeting at 6:40 pm.

Respectfully submitted,

Amy Ellsworth – Code Clerk

MEETING OF THE LOUISVILLE BOARD OF APPEALS
November 28th, 2023
LOUISVILLE MUNICIPAL BUILDING 6:30PM

BOARD OF APPEALS MEMBERS PRESENT: DAN CASEY - CHAIRMAN
SCOTT LASHOMB
CARL BENDER
HERBERT DUCOLON
BERNARD LASHOMB
JEFF LABA

ABSENT BOARD MEMBERS:

TYLER MONTONDO

CODE CLERK PRESENT:

AMY ELLSWORTH, CHLOE HARVEY

CODE ENFORCEMENT OFFICER:

N/A

PUBLIC PRESENT:

N/A

Chairman Casey called the meeting to order at 6:30 pm.

Chairman Casey had asked Clerk Ellsworth to give an overview on what today's meeting is, as Clerk Harvey was experiencing her first meeting. Clerk Ellsworth stated, Linda Tredo at 69 Wolverine Point was requesting an area variance for a two-stall garage she wants to build.

Chairman Casey addressed the Board as there were many questions on the entire project. There were no dimensions drawn on the building permit application, and no stairs or doors. Chairman Casey also mentioned that he went to the property to get a better look and the property did not provide him with many answers.

Chairman Casey suggested that the Board of Appeals table this variance request until the site plan with dimensions is submitted, there has been contact with the neighbors, and the question of why the garage is being built so close to the property line is answered.

Chairman Casey made a motion to not approve this variance request and revisit it at a later time when all the questions above are answered by the property owner. This motion was seconded by Board member Jeff Laba. The meeting was adjourned by Chairman Casey at 6:45 pm.

Respectfully Submitted,

Amy Ellsworth, Chloe Harvey

Code Clerks

MEETING OF THE LOUISVILLE BOARD OF APPEALS
January 22, 2024
LOUISVILLE MUNICIPAL BUILDING 6:30PM

BOARD OF APPEALS MEMBERS PRESENT: DAN CASEY - CHAIRMAN
CARL BENDER
TYLER MONTONDO
BERNARD LASHOMB

ABSENT BOARD MEMBERS: HERBURT DULCOLON
SCOTT LASHOMB
JEFF LABA

CODE CLERK PRESENT: CHLOE HARVEY

CODE ENFORCEMENT OFFICER: N/A

PUBLIC PRESENT: LINDA TREDO, DARRELL & LESLIE WOOD

Chairman Casey called the meeting to order at 6:30 pm.

Linda Tredo's area variance request for a 5 feet variance at 62 Wolverine Point was brought in front of the board at the November meeting, but was tabled due to her not having enough information. The Board of Appeals requested that Ms. Tredo bring a more detailed site plan with dimensions, and a letter of approval from her neighbors. Ms. Tredo brought the letter to the meeting and Larry Legault, a potential contractor for the project, dropped off her more detailed site plan. The Board asked how far the roof of the garage is going to hang past the wall. They were informed by Mr. Legault that the overhang will be 16 inches. They were also informed there are no windows or doors facing the property line, as the garage doors will be facing the house not the road. With the dimensions the site plan provided, the end of the garage will be 10 feet from the property line, also taking into consideration a 16-inch overhang on the roof. Chairman Casey made a motion to approve a 5-foot area variance. This motion was seconded by Bernard Lashomb. All in favor.

Darrell and Leslie Wood recently moved to the area and bought a house at 9735 State Highway 56. This house has an out building and a barn behind the house. The Woods are requesting a use variance in case they want to get some farm animals, chickens or possibly cows. They would need to put them in the barn sometimes, but the barn is zoned general commercial. The property behind the barn is zoned residential agriculture, so the property of about 69 acres has different zones. Darrell Wood wants to be able to fence in up to the barn so that he can get the animals from the barn to the field behind the barn. He also mentioned that if he does get animals, they will mostly be in the RA zone rather than the GC zone since they will be grazing in the field. Carl Bender requested that if the use variance were to be approved by the Board, that there will be a condition that the Wood's must follow. The Wood's must establish their fence line at least 150 feet away from their neighboring and adjacent house. Chairman Casey made a motion to approve a use variance for the Wood's to have farm animals in a general commercial

zone under the condition that the fence is 150 feet away from their neighbor's house. Bernard Lashomb seconded the motion. All in favor.

Motion to adjourn made by Dan Casey, Tyler Montondo seconded, all in favor. The meeting adjourned at 6:55p.m.

Respectfully Submitted,

Chloe Harvey

Code Clerk

MEETING OF THE LOUISVILLE BOARD OF APPEALS
JULY 9, 2024
LOUISVILLE MUNICIPAL BUILDING 6:30 PM

BOARD OF APPEALS MEMBERS PRESENT: DAN CASEY, CHAIRMAN

JEFF LABA

CARL BENDER

HERBERT DUCOLON

SCOTT LASHOMB

BERNARD LASHOMB

TYLER MONTONDO

CODE ENFORCEMENT OFFICER PRESENT: TONY MCMANAMAN

CODE CLERK PRESENT:

TERRI O'KEEFE

MICHELE STONE

PUBLIC PRESENT:

MICHELLE & JOHN FOBARE

OTHER MEMBERS OF THE FOBARE FAMILY

INTERESTED COMMUNITY MEMBERS

Chairman Casey called the meeting to order at 6:29pm.

This meeting was held to discuss the request for a use variance by Michelle & Katie Fobare to construct and operate a venue of approximately 6,000 square feet to hold gatherings, like weddings, showers, meetings, charity events, and more. This venue would be located on County Route 36, tax map #22.004-3-4.211, in the Town of Louisville. This parcel is in the RA – Residential-Agricultural district.

Mr. Casey asked Code Clerk O'Keefe to state the request and read St. Lawrence County Planning Board's response. St. Lawrence County Planning Board reviewed the request for a use variance and "voted to disapprove the request based on the following reasons the information provided was insufficient to satisfy the four legal test and a better planning alternative exists that would allow for the development to best fit into the community and be in compliance with Town land use regulations." Due to the County Planning Board's disapproval, the Board of Appeals will need a majority plus one of the full membership to approve this use variance.

Discussion followed:

Mr. Casey asked members of the Fobare family if they would like to explain their ideas/vision for this venue on this parcel of land that they currently own. John Fobare shared that he hopes this venue will give people a place to gather to various types of celebrations and provide a few employment opportunities for his children and community members. Chairman Casey asked about the site plan for this venue. Mr. Fobare stated that this 17-acre parcel contains a section of lower elevation along the Grasse River and a section of higher elevation up by the roadway. They would like to build in the higher section. Michelle Fobare passed out pamphlets they made to show their ideas of what the building will look like and

MEETING OF THE LOUISVILLE BOARD OF APPEALS
JULY 9, 2024
LOUISVILLE MUNICIPAL BUILDING 6:30 PM

further explained where on the parcel the building would be located. Chairman Casey asked about the portion of this parcel that is located in the Scenic Preservation District. Mr. Fobare explained that they will not be building in that portion of the parcel. The Scenic Preservation District covers the lower portion along the Grasse River. Discussion continued between the Board members and the Fobare family in regards to a parking lot, power supply, water supply, sewer, including the Department of Health, privacy fence and opinion of the neighbors. Community members, Mrs. Zysik, Ms. Pulley and Mr. Curran all spoke up in support of this venue project on behalf of the Fobare family. Michelle Fobare explained to a community member that the venue will contain a kitchen but they will not be preparing food any event held at their venue will need to use outside catering. She also added that they plan on requiring event insurance from anyone who rents their venue to hold an event on top of the insurance that they will also have on the property. Chairman Casey asked if anyone had any additional questions or comments. Some conditions for approval were discussed.

Tyler Montondo moved to approve the use variance for Michelle & Katie Fobare construct and operate a venue of approximately 6,000 square feet located on County Route 36, tax map #22.004-3-4.211 with the following conditions:

1. There is to be no development in the Scenic Preservation District area.
2. There is to be no parking alongside the roadway. All vehicles will need to be parked in a parking lot located on the parcel.
3. Lighting will need to be downcast or pointed away from the roadway.
4. Privacy fence or shrubs will be used to create separation between the roadway and the parking lot and venue

Jeff Laba seconded the motion. The motion passes unanimously.

Moved by Dan Casey seconded by Bernard LaShomb and duly carried to adjourn the meeting at 7:07pm.

Respectfully submitted,

Terri O'Keefe

Code Clerk

MEETING OF THE LOUISVILLE BOARD OF APPEALS
NOVEMBER 18, 2024
LOUISVILLE MUNICIPAL BUILDING 6:30 PM

BOARD OF APPEALS MEMBERS PRESENT:	CARL BENDER, ACTING CHAIRMAN
	JEFF LABA
	BERNARD LASHOMB
	HERBERT DUCOLON
	SCOTT LASHOMB
BOARD OF APPEALS MEMBERS ABSENT:	DAN CASEY
	TYLER MONTONDO
CODE ENFORCEMENT OFFICER ABSENT:	TONY MCMANAMAN
CODE CLERK PRESENT:	TERRI O'KEEFE
	LISA LINCOLN
PUBLIC PRESENT:	TIM LONG
	TAMARA LETT
	JOHN O'BRIEN

Acting Chairman Bender called the meeting to order at 6:30pm.

This meeting was held to discuss the request for an area variance by Charles and Tracy Bird to construct a new modular home on 114 River Drive, tax map # 8.047-1-34, in the Town of Louisville. The area variance is requested because the front yard and side yard setbacks do not meet the zoning requirements for this district. This parcel is in the RR– Resort Residential district. This district requires a 75 feet front yard setback, and a side yard setback of 15 feet with a total of 35 feet.

Mr. Bender asked Code Clerk O'Keefe to state the request and read St. Lawrence County Planning Board's response. St. Lawrence County Planning Board reviewed the request for an area variance and "the referenced referral has been deemed by the staff of the County Planning Board not to have county wide or intermunicipal significance. Therefore, pursuant to the current Memorandum of Understanding between the County Planning Board and your board, it is returned for local action." Clerk O'Keefe proceeded to state the Area Variance request: 53 feet and 5 ¼ inches set back from the road, and 4 feet from the side yard. (The 4 feet setback includes the overhang distance of the proposed build.) The new proposed build will include a room that connects the existing garage with the new home.

Discussion followed:

Carl wondered what would happen in the future if trees inhibited the structure, since it will be only 4 feet from the property line. Who would take care of any trees? It was stated that the 4 feet requested will be on the side of the property that is vacant land owned by NYPA. On the other side it will be 20 feet from the neighbor's property line, which does have a home on it. It was stated that NYPA would likely take care of any trees on their property as

MEETING OF THE LOUISVILLE BOARD OF APPEALS
NOVEMBER 18, 2024
LOUISVILLE MUNICIPAL BUILDING 6:30 PM

needed. Tim Long asked if there was any concern about trees currently, Carl replied that no, no current concerns, just bringing up possible future concerns.

Jeff moved to approve the area variance request for the front and side yard setbacks for the new home build. Scott seconded the motion. All in favor, unanimously voted to approve the request.

Acting Chairman Bender asked if anyone had any additional questions or comments.

Tamara Lett approached the Board and handed out copies of the statement she had mailed to Brian Hurlbut, Dan Casey, and Clerk O'Keefe several weeks before. Her concern is regarding a use variance approved for her neighbor; Brent Cook to use his property for an auto body repair shop. This shop is situated directly across County Route 39 from her home and she is concerned about the increase in traffic coming and going, shining headlights into her home, and at times mistaking her driveway/home for the auto body business. She is also concerned about how big his business sign will be and where it will be located. Clerk O'Keefe stated that the sign did not need a separate variance request, it was added to his recent building permit with size and placement requirements noted, this sign is allowed due to his previous use variance being granted to operate a business there.

Tamara asked if she could be notified if Brent Cook requests future variances to grow his business, she is concerned he may begin a used car sales lot there. It was stated that no current requests have been made and that she would have to watch the public notices to be notified.

Tamara strongly stated that she is unhappy with the amount of traffic due to Mr. Cook's business, is concerned about the sign, and about the business getting bigger. Clerk Lincoln asked for an estimate on how many cars come and go or are parked at the shop daily. Tamara did not give a number estimate.

Tamara states she does not trust Brent Cook, when he approached her about his starting a business, he led her to believe it would be more of a hobby and she feels he was not honest about growing his business. She noted she feels his customers are confused about where to find his business.

It was suggested an arrow on Brent Cook's sign could be helpful to direct people clearly.

The question was raised – did the Board give a limit to how many cars could be parked at the business at a time, it was stated that we do not believe any stipulations were added to the use variance approval. Acting Chairman Bender asked either Clerk O'Keefe or Clerk Lincoln to verify and email him the answer to this question.

MEETING OF THE LOUISVILLE BOARD OF APPEALS
NOVEMBER 18, 2024
LOUISVILLE MUNICIPAL BUILDING 6:30 PM

Jeff stated these concerns may fall under Code Enforcement, as there are not any specific requests open for the Board to act on.

Moved by Jeff Laba, seconded by Bernard Lashomb and duly carried to adjourn the meeting at 7:05pm.

Respectfully submitted,

Terri O'Keefe

Lisa Lincoln

Code Clerk