

**VILLAGE OF CAPE VINCENT  
ZONING BOARD OF APPEALS**

**February 9, 2026**

The Zoning Board of Appeals Board met on February 9, 2026, at 6 p.m. at the Village Office in the Community Room. The meeting was opened by the Chair, Michele Carlton, at 6 p.m. with the Pledge of Allegiance.

**Board Members Present:** Michele Carlton, Chair  
Perry Golden  
Doug Putnam – **Excused**

**Visitors: 16**

The Chair announced that an application had been received on January 20, 2026, in the Village Office. The application was submitted by Sarah Dayton, Mary Jordan, and Cyril Cullen, all Village residents. The Chair read two paragraphs of the application to the public in attendance. “We are appealing the decision communicated in writing by ZEO, Cody Higgins, to Seaway Shipyard on 10/30/25 to allow operations on the property at 583 E. Broadway, Cape Vincent, NY, to proceed without a site plan review or zoning approval.

The ZEO exceeded his authority by communicating a determination that the operation may proceed without site plan review/permits because the ZEO’s authority is limited to administering and enforcing the code and issuing permits only when the code’s prerequisites are met.” (Complete application is filed in the Village Office.)

The Chair then read a letter dated December 17, 2025, and sent to the ZBA from the above-referenced individuals also referencing the appeal pursuant to Village Law §7-712-a. (Complete letter is filed in the Village Office.)

A duplicate email from Gerilyn Gault, Mary Ann Reid, Susan Quinn, Mary Jordan, Jorge Eller, Juanita and Matthew Critz, and Christine Martin was sent to the Mayor, Village ZBA, Village Trustees, and Village Planning Board was also read. The subject of the email: Re: Request for consistent application of zoning law and rescission of ZEO determination for 583 Broadway. (Complete email is filed in the Village Office)

At this point in the meeting, the Chair opened the floor for public comment.

*Stan Bach, Village resident*, - Mr. Bach stated that he supports the owners of Seaway Shipyard in their efforts to clean up the property and restoration of the marina. He shared he is happy with the new owners and their endeavors of running a business.

*Jeff Herpel, Village resident*, - Mr. Herpel spoke to the use of the terminology “grandfathered in.” He acknowledged that term is not in the Village Zoning Law but referred to and read from the Village’s Zoning Law Section 1.5, Prior Existing Law. He shared the duties/responsibilities of the ZEO with regard to the Planning Board and ZBA Board. (Note: Mr. Herpel is Chair of the Village Planning Board). He referenced the Site Plan Review for Metalcraft and the floating light industrial term being consistent with the Village’s Zoning Law.

*Sarah Dayton, Village resident*, -Ms. Dayton shared she supports the new marina and the clean up to date. Her concern is over the lack of permitting and the use of the term “grandfathered in.” She has attended Village Board and Planning Board meetings multiple times asking for

clarification for light industrial use as the property in question is not zoned for industrial and requesting that a Site Plan Review be done.

*Jennifer and Jake VanReenen, Marina property owners.* Mrs. Van Reenen read a lengthy statement giving a history of the marine company and its operations and the eventual purchase of the property on Broadway. She referred to the Comprehensive Plan, plans for the marina, new boat slips, renovations, new structures, and eventually vessel construction and repair. She shared business hours 7 a.m. to 5 p.m. and that the marina would employ year-round skilled workers. She shared some insight regarding the demolition of the train depot, the significant deterioration of the structure, and a clause in their contract that they could not sell or donate the Train Depot to the Town, Village, a non-profit, or individual.

*George Sperry, Village resident* – appreciates the clean up of the property and asked if the business hours are from 7 a.m. to 5 p.m., then why the train depot was torn down at 5 a.m. Mr. Sperry said he had attended a Village Board meeting and Mayor J. Golden said that there would be a forum for Q&A with the Van Reenens. He shared that has not happened to date.

The Chair reminded the audience that this was not a Q&A session and only for public comments at this time.

The Chair then discussed the application and the three sources in her research of an appeal. She read from each of the three: Department of State's "Guidelines for Applicants to the Zoning Board of Appeals"; "The Short Course, A basic guide for planning boards and zoning boards of appeal in New York State"; and the Village's Zoning Law. The Board discussed the appeal and whether a public hearing should be held or if a determination could be made at this meeting. After discussion, the Board came to an agreement that there was no change in use of the property at this time. At the present time, it is still a marina.

A short clarification was given by the Van Reenens concerning the large equipment at the marina, the difference between a vessel and a barge, and a light industrial marina.

Board members discussed the basis for the application and came to the consensus that there has been no change in use and, therefore, no reason for a Site Plan Review.

The Chair made a motion that the ZBA is not accepting the appeal application at this time. Mr. Golden seconded and both voted aye.

At 6:53 p.m., with no further business the Chair motioned to adjourn the meeting. Mr. Golden seconded; both voting aye.

Respectfully submitted,

Kathleen M. Pierce  
ZBA Secretary