

March 17, 2026 – Village of Cape Vincent Planning Board Meeting

Chairperson Jeffrey Herpel opened the meeting at 7:00 PM with Richard Hodge and Jeffrey Brooks present. David Wiley and Bill Kirchgessner were excused. Mr. Herpel welcomed the attendees and led in the Pledge of Allegiance.

The Board then reviewed the minutes of the February 17, 2026 regular planning board meeting and Mr. Herpel made the motion to accept them as written with Mr. Hodge seconding the motion and Mr. Brooks voting yes.

The Board then accepted a site plan review application submitted by Mr. Mike Austin at 375 Centre St, Tax Map #39.82-1-60.3 for a 6-foot fence. The application also included a completed SEQR, which the Board reviewed and Mr. Herpel signed. The Board set a public hearing to be held at the next Planning Board meeting on April 21, 2026. Neighbors will be notified of the public hearing.

The Board then reviewed a submitted SEQR for the Village of Cape Vincent's downtown streetscape and pedestrian zone project. The Board reviewed the submittal. As a result, the SEQR was found to have no environmental impact and a negative declaration was determined. The Village will be the lead agency and Mr. Herpel signed the SEQR form.

Mr. Herpel then moved onto the site plan review (SPR) for Seaway Marine Group, at 583 E. Broadway, Tax Map #39.81-1-75. Mr. Herpel stated that the scope of the site plan review will be limited to the changes proposed to the site. The review is on proposed buildings and placement, fencing/gates, signs, storage containers placement and lighting. The review followed the zoning law section 6.6 from A. through O. and discussed as follows:

- A. Existing entrances will be utilized. Safe traffic and parking is defined.
- B. Safe pedestrian foot traffic will be clearly defined and fencing will be surrounding all work areas. There is a Village sidewalk across the road. The site will not be open to the public, unless they are customers of the marina.
- C. Parking is addressed on drawing and adequate.
- D. No setbacks apply in Commercial district, but all buildings are well setback from property lines. The lighting was not defined specifically in the site plan and it was suggested that any new lighting be downward focused. Next the fuel tanks will be regulated by Jefferson County.
- E. The landscaping of trees/shrubs border all the marina area.
- F. N/A
- G. DPW Superintendent Dustin Cooley was contacted and stated that he has spoken to owners and all water/sewer/storm water hook-ups will be made to the Village

systems. There is no concern, as the site is level, with no ponding or flooding issues or concerns.

- H. Flooding-the site has been raised and leveled. No concern.
- I. Adjacent properties- fencing and/or landscaping will be installed/planted.
- J. Comp. plan conformance – page 50 of plan refers to Metalcraft and there are many strengths listed to include recreational facilities and dark skies with the only weakness listed as there is limited employment opportunities.
- K. The SPR addresses open spaces adequately.
- L. N/A
- M. Compliant with architectural design.
- N. No erosion/drainage concerns – it is a level property.
- O. LWRP-Water dependent use- marina, boat construction, repair, storage, bait/tackle and tourist accommodations should be encouraged. As listed in the plan, there were 5 commercial marinas. The plan also states that state and local planning and economic development agencies should actively promote water-dependent uses and this major activity in the harbor will be protected and encouraged. Also, from the Zoning Law, applicable policies of the LWRP as have development policies to restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses; to facilitate water-dependent uses/facilities on or adjacent to coastal water and to strengthen the economic base of smaller harbor areas by encouraging development/enhancement of traditional uses/activities which have provided such areas with their unique maritime identity.

At this time, Mr. Herpel then read/addressed written comments/letters submitted. Ms. Sarah Dayton submitted a letter with 4 separate requests to include (1) zoning authorization, which Mr. Herpel stated that light industrial are allowed, (2) historic activity, which Mr. Herpel stated is not pertinent. (3) Lack of response for request for written determination, (4) completeness of SPR submission. Mr. Herpel stated that the submission was complete. The areas of question are regulated by other agencies, ie. Fuel tanks, wave attenuator/dock. Mr. Herpel also addressed a portion of an attached email that Ms. Dayton submitted from DOS employee Monica Ryan that stated that using and approving floating zones typically refers to a tool incorporated into local zoning code to allow for land development that does not meet the underlying zoning. All uses at this site are approved and commercial. It was also stated that ZEO Higgins will continue to monitor the site for any violations.

Mr. Herpel then stated that there was a written letter from Mary Jordan. The letter addressed the same issues/concerns as Ms. Dayton, and Mr. Herpel addressed them already.

Mr. Herpel then stated that perhaps the local historian can assist with historical activities of the site.

There were no more communications/comments in writing and there were no questions amongst the Board members.

At this time, the public hearing began:

Cheryl Masterson, resident: questions about noise and lighting and the rules that apply to them. Mr. Herpel stated that noise complaints are difficult to control and the lighting has been asked to be downward facing. Ms. Van Reenen stated that the lights will only be on the docks, no flood lighting and as it is a recreational marina, the noise will be kept at a minimum as to not disrupt the marina customers.

George Sperry, resident: likes the pump-out stations, but inquired why they would not be moved to the proposed fuel tank area and that the station should be more defined prior to approval.

Lynn Miller, resident: inquired how wave attenuator/dock would impact water uses/activities, as she is a member of the swimming club that use the adjacent area. She also inquired what the architecture of the new buildings would be. Ms. Van Reenan stated that the Army Corp. approves the attenuator/dock and it will be roughly 200 feet from the shore near the entrance from the water. There should be no interference with the swimming area as described and the buildings will all be within the shipping theme and the same color/look.

George Sperry: more attenuator questions to include if it will be above water and lit. Ms. Van Reenan stated that the Coast Guard regulations for dock lighting will be used and the attenuator is essentially a dock, visible above the water.

Cyril Cullen, resident: read a prepared letter that focused more on the Zoning law than the SPR for the Seaway Marine Group and his opinion about the site use and ZEO determinations.

Sarah Dayton, resident: stated that the 2011 review of Metalcraft addressed noise concerns and she wonders if the new owners will be held to the same standards. Mr. Herpel stated that the noise generating activities will mainly be indoors, just like Metalcraft. Ms. Dayton referenced the 2011 review again about shifts worked and Ms.

Van Reenan stated that zoning and planning boards cannot regulate the internal workings of business operations.

Richard Ingerson, resident: spoke out in support of the project and the owners and as a ZEO in another community he also stated that they can use the site under existing SPR as long as use doesn't change.

James Gault, resident: wondered if the pump-outs would be approved tonight. He has concerns about amount generated and if the current plant can handle the additional waste. Mr. Herpel stated that the plant can indeed take any additional waste. Mr. Van Reenan then pointed out that the pump stations will be on the docks and Ms. Van Reenan stated that they are regulated by the DEC and she is willing to update the drawings, but they will be on the docks.

Alicia Johnson, business owner/resident: stated that the marina project brings huge opportunities for our Village, for economic development, more tourism and jobs. She stated that she is uncertain why a small group of individuals seem to be working hard to stop the progress at this site. She also stated that if we want families to live and raise children here, we must allow thoughtful growth and opportunity. Must look forward to future generations and the hope that Cape Vincent will continue to be the kind of place that welcomes opportunities and new businesses.

Mr. Herpel then stated that the SPR has been submitted to Jefferson County for review. Their meeting is at the end of March and the Board should be able to make a decision at the next meeting.

At 8:02pm, the public hearing was closed. The next meeting will be April 21st at 7:00pm.

At 8:03pm, Mr. Brooks made a motion to adjourn the meeting with Mr. Hodge seconding the motion and Mr. Herpel voting yes.

Respectfully submitted,

Mary E. Rupp, Clerk/Treasurer