

VILLAGE OF CAPE VINCENT PLANNING BOARD

April 21, 2026

The Village of Cape Vincent Planning Board met on April 21, 2026, at the Village Office in the Community Room. The meeting was opened by the Chair, Jeffrey Herpel, at 7 p.m. with the Pledge of Allegiance.

Board Members Present: Jeffrey Herpel, Chair
Jeffrey Brooks
Richard Hodge
Willard Kirchgessner, Vice Chair
Dave Wiley - Excused

Visitors: 20

Approval of the Minutes:

The Chair asked that under Item J. add the word “applicable” after the words “with the only.” After review Mr. Kirchgessner made a motion to accept the minutes of March 17, 2026, as amended. Mr. Brooks seconded. The motion carried.

Old Business:

Public Hearing – Mike Austin The public hearing on the Site Plan Review application submitted by Mike Austin opened at 7:03 p.m. The Chair reviewed the application with the Board and asked if there were any questions or comments. The Board had none. The Chair shared that there was one comment received concerning the placement of the fence on the side of the property that abuts Cape Vincent Housing and whether the existing split rail fence would be removed as part of the fence is on Housing property. The Housing representative was informed that there are survey/boundary markers on Mr. Austin’s that the company installing the fence should follow. The hearing was closed and Mr. Herpel offered the following Resolution:

WHEREAS the Planning Board of the Village of Cape Vincent (the “Board”) reviewed a Site Plan Review application on March 17, 2026, submitted by Mike Austin to install a six-foot fence on his property at 375 Centre Street, Tax Map #39.82-1-60.3.

WHEREAS the Board has complied with the requirements of the New York State Environmental Quality Review Act and the regulations and declared this action to be an “unlisted” action and issued a negative declaration at a March 17, 2026, meeting, and

WHEREAS a public hearing was held on April 21, 2026, at which time one comment had been received.

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 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.

Seconded by Jeffrey Brooks and carried; all voting aye.

SPR Seaway Marine Group - 583 E. Broadway, Tax Map #39.81-1-75 – The Chair gave a copy to each Board member of a letter dated April 1, 2026, from Jefferson County Planning Department. The letter was in response to the review of Seaway Marine Group’s proposed project. The County Planning Board determined that the proposed project “does not raise significant county-wide or intercommunity concerns and is therefore mainly a local matter” for the Village Planning Board to decide. In the letter, the County Planning Board also identified requirements and advisory comments. The Chair reviewed those with Board members. After the review, Jeff Herpel offered the following Resolution:

WHEREAS the Planning Board of the Village of Cape Vincent (the “Board”) reviewed a Site Plan Review application submitted by Seaway Marine Group, LLC located at 583 E. Broadway, Tax Map #39.81-1-75, and

WHEREAS the Board has complied with the requirements of the New York State Environmental Quality Review Act and the regulations and declared this action to be an “unlisted” action and issued a negative declaration at a February 17, 2026, meeting, and

WHEREAS the address is on a State Highway (Rt. 12E). Therefore, the application was sent to Jefferson County Planning Board for their review as required by GML 239m.

WHEREAS a public hearing was held on March 17, 2026, at which time nine comments were expressed. At the Public Hearing, the Board reviewed and discussed with the Applicants the Site Plan Review criteria as addressed in the Village’s Zoning Law, Section 6.6, Items A. through O.

NOW, THEREFORE, BE IT RESOLVED THAT,

1. The Site Plan Review addressed the proposed changes to the site. The review included normal marina uses: vessel storage, vessel repair and construction, installing marina restrooms, marina office, fencing/gates, storage container(s) placement, lighting, parking, landscaping, signage on the waterfront and on the property facing State Route 12E. 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 addresses all of the required and applicable items set forth in the Village of Cape Vincent Zoning Law. The County Planning Board in a letter dated April 1, 2026, offered advisory comments. The advisory comments were reviewed and discussed by the Board. The letter from the County Planning Board is filed with the application.
3. 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.

Seconded by Jeffrey Brooks and carried; all voting aye.

New Business:

Site Plan Review (SPR) Application – Perry Golden A completed SPR application for a Home Occupation, Section 7.9 of the Zoning Law, was submitted by Perry Golden. Mr. Golden proposes to sell antique and vintage items using existing structures on his property at 239 E. Joseph Street, Tax Map #39.81-2- 77. Board members reviewed the application with Mr. Golden. The Chair accepted the application and the SEQR form was completed and signed by the Chair upon finding, based on the information and supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. A public hearing will be held on May 19,2026, at 7 p.m. Neighbors will be notified of the hearing and legal notices will be published and posted.

Lot-Line Adjustment (LLA) – 343 and 369 Elm Street - A LLA application was submitted by Maret M. Salsbury. Board members reviewed the survey map and the two properties the applicant is requesting for the LLA . Mr. Herpel made a motion to approve a Lot-Line Adjustment to move the property line of Tax Map #39.82-1-44 (343 Elm Street) to the south property line of Tax Map #39.82-1-43 (369 Elm Street) combining the two properties into one property lot. Seconded by Mr. Kirchgessner and carried; all voting aye. The Chair signed the survey maps. The applicant will have 62 days to record the maps with the Jefferson County Clerk’s Office.

Site Plan Review (SPR) Application – Cup of Joy – A completed SPR application was submitted by Michael Chavoustie and Amanda Derouchie for the business Cup of Joy at 288 E. Broadway, Tax Map# 39.81-2-19. They plan to install an ADA ramp parallel to the front of the building, extending approximately 48” onto the Village sidewalk and replacing an existing patio with a new patio with pavers. The Board reviewed and discussed the proposed project with Mr. Chavoustie. The SEQR form was completed and signed by the Chair upon finding, based on the information and supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. The application was accepted. Pending the outcome of input by the Village Trustees at their meeting on April 28, 2026, as the ramp would be partially on Village property, the need for a public hearing will be determined, a date set, and neighbors notified.

Site Plan Review (SPR) Application – Todd Ewing – Mr. Ewing submitted an SPR application for his property at 223-225 E. Broadway—a mixed use Residential/Commercial property. Mr. Ewing would like to convert the property to all residential making the building into two apartments. One apartment already exists. The Board discussed the proposal with Mr. Ewing. He confirmed he has spoken to the Zoning Officer and was advised as to what was needed to be done to make it residential – permit, smoke alarms and egress. After discussion, the Board felt it was not necessary for a SPR but only needed what the Zoning Officer advised and a building permit from the County.

Communication(s): None

Items for Information/Discussion: None

Privilege of the Floor:

Jim Gault, Village resident, read a letter from Attorney Corey Auerbach regarding the SPR application of Seaway Marine Group LLC. The complete letter is on file in the Village Office. Mr. Auerbach notes “that we support the continued use and redevelopment of this property for recreational marina purposes,” but the majority of his letter “concerns that warrant further consideration.” They are: 1. Scope of the Action/Completeness of the Record, 2. SEQRA Review and Segmentation, 3. Zoning Framework, 4. LWRP Consistency, and 5. Administrative Record and Findings.

Buffy Golden, Village resident, support the marina fully and shared she doesn't understand why folks are against it.

Mary Jordan, Village resident, stated no one was against a recreational marina but asks that the legal process be followed.

Jennifer VanReenen, Seaway Marine Group, felt that Mr. Auerbach's opinion was not correct and shared some facts concerning the SPR and the proposed project. She also shared some of the repairs that have been done to the shoreline and existing buildings and that all laws have been followed with regulating agencies.

Gerilyn Gault, Village resident, shared that her attorney, Mr. Auerbach, has reviewed the project.

Mary Jordan at an October 21, 2025, meeting requested that a comprehensive SPR be done.

Stan Bach, spoke in support of the marina and feels Seaway Marine is following the law with all permitting agencies.

Mary Jordan asked that the legal process be followed.

Perry Golden, Village resident, shared he has been a ZEO and is on the ZBA, and has 30 years of investigative experience and feels that there is something under the surface that makes people suspicious of the intent of those pushing against the marina.

Next Meeting: Tuesday, May 19, 2026, at 7 p.m., Community Room at the Village Office.

Recognition of Board Member: The Chair shared the following:

On behalf of the Planning Board, I would like to recognize Planning Board member, Willard "Bill" Kirchgessner. Bill has reliably served on the Village Planning Board since 2013. He has been a dedicated Planning Board member who has served with commitment, fairness, and responsibility.

Also, Bill's commitment to the local community should be recognized and acknowledged. He has dedicated many volunteer hours to worthy causes – the Lion's Club, Cape Vincent Fire Department, Cape Vincent Ambulance, St. Vincent's, and to your friends and neighbors.

Thank you for giving your time so freely. Your dedication to Cape Vincent reflects true excellence in service and you and Bernadette will be missed!

Adjournment: At 8:10 p.m. with no further business, the Chair made a motion to adjourn. Mr. Hodge seconded and carried; all voting aye.

Respectfully submitted,

Kathleen M. Pierce
Planning Board Secretary