

**Minutes for the Ticonderoga Planning and Zoning Board held on September 4, 2025,
commencing at 6:00 with a Public Hearing regarding 53 Mossy Point Road**

Present: Chairman Dr. W.D. McTyier, Mike Powers, Ben Leerkes, Walt Lender, Tonya M. Thompson, Town Clerk

Absent: Don Meserve

Others: Maria Bagneschi, David & Nancy McCarey, Nikki teRiele, Dave Burrows.

Chairman McTyier opened the meeting with the Reciting of the Pledge of Allegiance.

Public Hearing

Bagneschi – 53 Mossy Pt Road (150.83-1-22.200)–Demo existing camp & build a new home

- Demolition of existing season camp
- Building a 4 season home
- Meets both APA and Town Zoning requirements with setbacks
- Minor Stormwater permit from LGPC – controls will be installed to meet conformance, no increase in stormwater runoff and no change to drainage patterns

David McCary asked what the variance is actually for.

Dave Burrows explained that the requirement is 20,000 square foot and there is only 17,500 square feet. This is the reason for an area variance as it does not quite meet the zoning regulations.

No further questions from the board and no public comment.

Resolution #67-2025PZB brought by Ben Leerkes, seconded by Walt Lender to close the Public Hearing at 6:02 p.m. **4 – Aye, 0 – Nays. Carried.**

Mr. Leerkes does not see a problem; it should be grandfathered as there is a residence already there. There is nothing there for new requirements.

Mr. Lender sees no issue with it.

Mr. Burrows explained that this is just a technicality, it is non-conforming; it is the size of the lot.

The Board went over the Area Variance criteria:

- whether benefit can be achieved by other means feasible to applicant **NO**
- undesirable change in neighborhood character or detriment to nearby properties **NO**
- whether request is substantial **NO**
- whether request will have adverse physical or environmental effects **NO**
- whether alleged difficulty is self-created (which is relevant, but not determinative) **NO**

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Resolution #68-2025PZB brought by Ben Leerkes, seconded by Walt Lender to approve the Area Variance for Bagneschi – 53 Mossy Pt Road (150.83-1-22.200)–Demo existing camp & build a new home. **4 – Aye, 0 – Nays. Carried.**

Resolution #69-2025PZB brought by Mike Powers, seconded by Ben Leerkes to determine no Public Hearing is needed for the Site Plan Review Application for Bagneschi – 53 Mossy Pt Road (150.83-1-22.200)–Demo existing camp & build a new home and there is no significant environmental impact. **4 – Aye, 0 – Nays. Carried.**

Resolution #70-2025PZB brought by Mike Powers, seconded by Ben Leerkes to declare a complete application for Bagneschi – 53 Mossy Pt Road (150.83-1-22.200)–Demo existing camp & build a new home and accept the storm water runoff plan. **4 – Aye, 0 – Nays. Carried.**

Resolution #71-2025PZB brought by Walt Lender, seconded by Ben Leerkes to approve the application for Bagneschi – 53 Mossy Pt Road (150.83-1-22.200)–Demo existing camp & build a new home. **4 – Aye, 0 – Nays. Carried.**

Other Business

Mrs. Thompson explained to the board that this was not on the agenda, but they have all received a letter from Nicole Justice Green – TRA/President & CEO of NRDC requesting a special meeting be considered on an application for 108 Montcalm Street, Newberry Commons Project. Nikki teRiele is here tonight if the board has questions regarding this request. Mrs. Thompson explained to the board that if they do make a decision on a special meeting there must be a Public Hearing Announcement along with letters being sent to adjoining landowners. This will take up to two weeks so the earliest you could possibly hold a meeting would be the week of the 22nd of September. Your October meeting is already scheduled for the 2nd.

Mr. Lender inquired what prompted this request, what is the time constraint that it cannot come to the October meeting just 10 days later.

Nikki teRiele stated the Area Variance is about the 5 residential units that are being put in, and this is getting funded by a property program and it took so long to get the design aspect together that it is pinching us a little bit on our timeline to get the permits. The state would really like us to have something ASAP, obviously, the minutes from this meeting will be submitted to the state, but if you could call a special meeting, it would be greatly appreciated.

Mr. Lender again asked if the potentially 10 day advance would give you that much.

Ms. teRiele explained that she is just hearing about this 10 day difference now.....

Mr. Powers asked when does the funding source dry up, is there a date that it goes away?

Ms. teRiele stated that we have committed funds, but if we don't have commitment relatively soon to show our due diligence at acquiring such permits and such to move forward, then it would be considered a failed project and losing that funding source would be catastrophic.

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Mr. Lender stated that none of us want to see that happen, he just isn't sure that the 10 days buys you that much time for the effort.

Ms. teRiele stated that it leaves us in September still, instead of October, that is the huge thing. Our quarters run different than the Federal or IRS quarters do. She knows the end of September happens to be our 2nd quarter to check in, so if we can have an answer before the end of September, just to show the state that we are doing our due diligence on these permitting processes. That would look much better for this project.

Chairman McTyier asked the board's opinion. He cannot make a meeting before that September 22 date.

Mrs. Thompson reminded that we need to have at least three board members commit to this date on Monday, September 22nd. She also noted that this meeting will be for an Area Variance (which is the reason for the Public Hearing) and Site Plan Review.

Mr. Leerkes inquired why the variance was needed.

Mr. Burrows explained that they need 26 spaces of parking for the use. They do not have any spaces available on their property.

Mr. Leerkes stated that there is Town parking behind there.

Mr. Burrows explained that the Zoning calls for a certain number of parking spaces per....

Mr. Leerkes asked if they have to own or if they are available? It seems to him that in the law they counted all the spaces on the main street. He doesn't remember if it is this law or the one that was recommended.

Mr. Burrows stated currently the residential requires 6 and the business requires 20 and it does not meet these requirements because they can't fit those on their own property, which is the requirement. There are zero spaces on their property, the footprint of the building pretty much takes up all of the property.

Mr. Leerkes believes that it is to count the spaces that are available, not what they own, it is what is available.

Mr. Burrows stated that there is nothing in our Zoning Law that pertains to being able to use public parking. There is no exception for that, maybe that was in that other law that was shot down. He is hoping that this will be looked into after the Comprehensive Plan has been completed.

Mr. Leerkes, Mr. Powers, Chairman McTyier and Mr. Lender believes they can all make it.

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Resolution #72-2025PZB brought by Ben Leerkes, seconded by Doug McTyier to schedule a special meeting on September 22, 2025, at 6:00 p.m. to review an Area Variance and Site Plan Review application for 108 Montcalm Street, Newberry Commons. **4 – Aye, 0 – Nays. Carried.**

Resolution #73-2025PZB brought by Ben Leerkes, seconded by Mike Powers to accept the minutes from August 7, 2025. **4 – Aye, 0 – Nays. Carried.**

Resolution #74-2025PZB brought by Doug McTyier, seconded by Mike Powers to close the meeting at 6:22 p.m. **4 – Aye, 0 – Nays. Carried.**

Respectfully submitted, Tonya M. Thompson, Town Clerk