

**Minutes for the Ticonderoga Planning and Zoning Board meeting held on March 6, 2025,
commencing at 6:00 p.m. with a Public Hearing for 22 Pearl Street**

Present: Chairman Dr. W.D. McTyier, Mike Powers, Walt Lender, Don Meserve, Tonya M. Thompson, Town Clerk, Attorney Matthew Fuller

Absent: Ben Leerkes

Others: Dennis & Wanda Herlihy, Zoning Officer Dave Burrows, Charles Kryston, Lori Clak, Arnold Lafountain, Bill Dolback, David & Karen Dixon, Linea Bhatia, Bob & Diane Labounty, Charlene Driemiller, Peter & Claire Lafountain

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

Site Plan Review

Dixon - 59 Outlet Drive (150.67-4-16.000) 16'x38' Pole Building to house boat/workshop

- 16'x38' Pole Barn (19,074 sq. feet)
- Storage for wooden boat
- Small workshop
- Electric service will be relocated to front of this building
- Meets the 5' set back
- Not on a County Road

Resolution #19-2025PZB brought by Mike Powers, seconded by Walt Lender determining that a Public Hearing is not necessary for this Dixon - 59 Outlet Drive (150.67-4-16.000) 16'x38' Pole Building to house boat/workshop project. **4-Ayes, 0 – Nays. Carried.**

Dennis Herlihy inquired if this property was on the lakeside of Outlet.

Chairman McTyier stated yes, it is in front of this board because it is on the Lake side.

Resolution #20-2025PZB brought by Walt Lender, seconded by Mike Powers to Declare minimal environmental impact for this Dixon - 59 Outlet Drive (150.67-4-16.000) 16'x38' Pole Building to house boat/workshop project. **4-Ayes, 0 – Nays. Carried.**

Resolution #21-2025PZB brought by Mike Powers, seconded by Doug McTyier to declare a complete application for Dixon - 59 Outlet Drive (150.67-4-16.000) 16'x38' Pole Building to house boat/workshop project. **4-Ayes, 0 – Nays. Carried.**

Resolution #22-2025PZB brought by Doug McTyier, seconded by Mike Powers to approve the Complete Site Plan application for Dixon - 59 Outlet Drive (150.67-4-16.000) 16'x38' Pole Building to house boat/workshop project. **4-Ayes, 0 – Nays. Carried.**

Public Hearing

Area Variance, Special use and Site Plan Review

At a Glance Properties – 22 Pearl Street (150.2-7-8.000) Trailer Park/Downsizing to 20 Lots

- Purchased the Pearl Street Trailer Park
- Reducing the lots from 30 down to 20
- Bringing everything up to code and make everything look nicer

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Charles Kryston would like to know if this project is talking about trailers. As far as Pearl Street is concerned that the road is narrow and long. Whatever will be put into this area will make unsafe conditions. It is a dead end street number 1 and as far as population with students using the road with the school bus stop being at the end of Pearl Street, for morning hours and evening hours during the fall and winter it will be difficult to see them without a sidewalks, going to the bus stop #1 Number 2 what is being done with Pearl Street – he is more concerned about the safety impact with Pearl Street and the area itself. Being an unposted road, which most posted roads in Town are 30 mph, that road would be considered in NYS Law 55 mph for an unposted road. He thinks it will be an unsafe condition. As far as the traffic count, as it stands right now, morning wise there are maybe two or three vehicles that are traveling the road and he noticed where some of the vehicles are at that stage of high speed. His opinion and according to the state. Evening wise, you are looking at more traffic, people coming home from work, going to work, etc. etc. He doesn't feel as though, whatever we do with Pearl Street, it is really unsafe. As far as potholes, it is not upkept as far as the road is concerned. He had mentioned to the Town Highway Department as far as the pothole that is on that road, it is about the size of a tractor trailer. They did come up and fill it, but they filled it with Item 4, it is washed away now, it has been plowed, from the snow into the sewer system. Stones, rocks, sand etc, and etc. Also, on the lawn that he mows, that he has had to replace mower blades on. As far as his next door neighbor, with his age, he proceeds with his wheelbarrow, with his broom and his shovel to clean-up the area, so the Town does not upkeep the road, it is an unsafe road all together. It is not maintained and it is just not going to work.

William Dolback – Read from a prepared statement.

Dear Members of the Planning Board,

I am writing on behalf of the Trustees of ***The Lower Adirondack Regional Center for History, (LARCH)*** formerly known as the Ticonderoga Historical Society, located at 6 Moses Circle, Ticonderoga. We are addressing the application submitted by "***At A Glance Properties LLC***," the property owner, seeking a variance for the parcels Identified as 150.-2-7-8000 (27.8 acres) and 150.50-1-5.000 (2.10 acres) with the intent to develop a 20- lot mobile home park. These two parcels are adjacent to the newer section of Pearl Street. Our interest in this matter is multifaceted:

1. **Boundary Lot Concerns:** As a boundary lot landowner, we hold several acres of environmentally sensitive land that includes approximately 1,100 feet of riverbank and wetlands which could have potentially negative impacts from the proposed development.
2. **Historical Significance:** The properties in question are part of a larger acreage that marks a significant site from the French and Indian War Era. Notably, on July 6, 1758, Viscount Lord Howe, the local commander of British forces, was engaged in battle and killed in this vicinity. Furthermore, this area formed part of the French scouting route from Fort Carillon and Mount Pelee (Rogers Rock) and a second route into the Trout Brook Valley. Two key engagements known as the "Battle on Snowshoes" occurred here: one on January 21, 1757, involving British Rangers led by Robert Rogers against a mixed French force, and another on March 13, 1758, in which Rogers and his Rangers again faced French forces. The historical relevance of these events should be fully considered during your deliberations.

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- 3. Scenic Value:** The area adjacent to State Route 9N, just past the Liberty Monument, comprising our parcel (150.42-6-1.0), is a recognized scenic overlook, offering a vista that encompasses the valley below, the upper falls and La Chute River. The trail itself and the brook edge offers an unbroken scene of the surrounding hills.
- 4. Environmental Impact:** There are significant concerns regarding potential environment impacts due to the proximity of the proposed development to key wetlands and the larger Lake Champlain watershed.

Wetlands receive a near constant input of nutrients, and as such are incredibly biologically active, providing habitat for diverse flora and fauna populations. They are also integral in filtering sediment and runoff, allowing for water to be biologically cleaned before entering larger water bodies. Additionally, wetlands protect shorelines from erosion. Despite the environmental and economic importance of wetlands, they have historically been neglected. Wetlands are very fragile ecosystems that can filter and control an infinite amount of input. Surrounding lands help to limit the amount of runoff, sediment and pollutants entering the wetland at any given time. Soil acts as a "pre-filter." Paving and developing this soil creates an impervious surface which rapidly increases the wetlands input, potentially to the point where the entire ecosystem fails. The topography of the proposed site is of grave concern. The slope of this site directs all runoff toward Trout Brook, the adjoining wetland and/or directly into the La Chute River. Over-development of this parcel can have disastrous effects on these bodies of water and ultimately the Lake Champlain Watershed basin.

In reviewing the two data sets available to us: 1) the map with boundary lines and property identification, and 2) the proposed 20 lot-park design layout, alongside the town's zoning ordinance law under: "Mobile Home & Travel Trailer Parks - Park Design Standards" -we have noted several deficiencies that warrant attention:

- Setbacks and screening- concerns related to setbacks and the adequacy of screening;
- Map - does not show walkways nor reflect location of utilities;
- Park Office - not identified;
- Lot size-Only lots 8 and 20 conform to the 7,500- square-foot required lot size;
- Parking- does not indicate the two required parking spaces per lot - nor does it provide the four guest parking spaces as stipulated by regulations.
- Sloping Slopes - request the review takes a special interest in the environmental impact that the proposal will have on the nearby wetlands and Trout Brook.

As you consider the variance application, we kindly request that you consider our interest in the potential impact it may have on the town's historical uniqueness, as well as the possible adverse environmental changes to an important watershed.

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LARCH, headquartered at the Hancock House, is a 128-year-old non-profit educational organization chartered by the New York State Board of Regents. Our mission focuses on the historical, environmental, scientific, and social aspects of the Adirondack Mountains, Lake Champlain, and the Lake George regions. We aim to showcase the contributions of our region to the broader history of New York and the United States while preserving and promoting our unique cultural heritage.

In late 2023, we acquired four parcels from Moses Ludington Hospital Corp. that possess unique characteristics that will assist us in advancing our environmental and scientific studies as well as our educational programming. To ensure a dedicated focus, we established these lands as the **Lord Howe Heritage Preserve**.

Thank you for your attention to this matter, William Dolback, President

Claire Lafountain – That park, over the years with nobody being up there, has turned into an area where a lot of wildlife is. She can account for right now, the deer population and once there is more activity up there, the deer come from either the top cemetery or the field, they come down across the road and go behind our property to the water. Once there is activity up there, there is no way for the deer no longer to get down to that water and there are quite a few of them, we have counted up to 15 deer at a time. There are bear, racoons, all kinds of wildlife that no longer will have a home, once all of that activity up there, they will have to find a new home. The other thing that she is quite, quite worried about is there is no ditches or anything for water runoff. You start putting people up there and they are using their hoses and sprinklers and all that stuff, that water is going to go straight down that main road and into the lower houses and flood them like it has before because nobody maintains the road or the gullies up there. That is her issue.

Peter Lafountain wanted to thank Bob for bringing this to light. His issue is the traffic that will be going up that road and like Chuck said in the beginning of this meeting, it is not maintained. It has not been maintained. His father (Arnold Lafountain) does a lot of work on that road and he has been doing it for year, the water runoff that his wife just spoke about, there is a lot more than just that part, if Bob does reduce this, he apologized, he is nervous to speak in front of the board. The issue will be traffic, it is one way in there unless something else is done with it.

Chairman McTyier explained that there are three phases to this project, we are right not on the Area Variance, we will then proceed to the Special Use and finally the Site Plan if this all goes through. The Site Plan is where we will address these things, we appreciate the comments.

Arnold Lafountain stated that he is never against anybody trying to update things, he feels we are all trying to make a living, that is what it is all about. He understands the Planning Board; he has lived here all his life since 1958 and he has turned all of his properties over to his family so they can have a little bit of privacy or whatever they are looking for. He knows Bob will keep this up, but the next thing is the people that will live up there. This is a one way street all the way up there, the trailer park was put in there in 1965, he knows because he moved there in 1958. My biggest issue is keeping this road up, he is always out there with his wheelbarrow, especially before a storm comes. He understands that the Town is shorthanded, and they have cut back but

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back to the road, it was supposed to go all the way to Trout Brook. He knows Bob Labounty and knows he works hard and knows that he will keep up with the problems, but with the water problems, this is a big issue. (Mr. Lafountain gave a bit of a history lesson of the property). There is a big ravine out back and they have never corrected the water issue. It comes down that ravine and floods the bottom. This is also a very quiet neighborhood and as a taxpayer he doesn't want to put a burden on anyone but why don't they add on to take care of the water issue. That may change the picture of the water issue, he is glad this hearing is tonight and thanks everyone that is here. There is no reason why they don't maintain the water issue, that is the issue.

Chairman McTyier again explained that the Site Plan is going to address some of these concerns.

Bob Labounty would like to address some of these comments. He thanked the Lafountain family for coming. He stated that he knows this is a historical site, he held and hosted 3,000 people to do a re-enactment and he didn't spend \$250,000.00 to be micromanaged by the Historical Society, they had a chance to buy this property. As far as the condition of the roads, he agrees with what is being said, he has complaints from his tenants that are in the park right now. When he gets done with some of the projects that he started this past summer, he was going to ask the Highway Superintendent if he could put it on his agenda to pave the road. It has always been a park, since he was five years old, it has been a park.

Chairman McTyier inquired about the one thing that he saw and the way he pictured this; this has been a trailer park for a long time (yes) and he saw some letters that approved that years ago. He went up there and saw three or four trailers that are still there. When you build these projects, it is essential, there has to be water control, there has to be adequate road, there has to be an adequate place for people to walk, that is all part of this. This will all get addressed if this moves forward, so we have to look at this as three part. This was a special use, is this how it was put in, as a special use?

Mr. Labounty stated, no, those regulations were not in effect back then. There were 30 units in there and that is what the town had been charging the prior owner for water/sewer – 30 units and for the last five years there had been only 5 trailers in there and for the last year only 4. The Town has been charging the full rate for all 30, why the previous owner never said anything or why it was never changed he doesn't know, but since he has bought this property in July, we are absorbing all the costs. It costs him an extra \$3,000.00 for water and sewer for every quarter, wasted money. He has gotten the assessor to modify this going forward. He is downsizing this from the 30 that the Town approved years ago to 20.

Chairman McTyier is trying to understand why it is a special use, he was always a trailer park for 30 trailers and you are downsizing.

Zoning Officer Dave Burrows explained the way the Zoning reads, existing parks have certain things that they can do, but now that he is upgrading, he has to bring it all up to existing codes, today. That is why we have to do the Area Variance because the lots are going to be somewhat smaller than the 7,500 sq. foot that it calls for. For the Zoning now a special use permit is required for a mobile home park and it is supposed to be updated every year with yearly

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inspections. That is something that we are working on another one also. This one, he came in because he wanted to make these upgrades, so he has to bring everything up to existing code.

Mr. Labounty added that this is not like the old days where you can just stack up cinder blocks, you have to pour slabs, etc.

Mr. Fuller asked if there is a written determination from Mr. Burrows on this application, that is part of this confusion. That would explain what he is applying for with an Area Variance.

Mr. Burrows explained that the lots do not meet the 7,500 sq. feet requirement. He did not write out the determination, no.

Mr. Fuller stated that this is part of the problem for the board, they do not have anything that says what you are actually appealing.

Mr. Kryston stated that according to the plan – paragraph 6 in your Town of Ticonderoga Law – could any other solution alleviate the practical....

Chairman McTyier agreed, that is all part of this hearing for the board to make in its determination. So, his question, if this was a trailer park, why are we doing a special use?

Mr. Burrows stated that the zoning law calls for a special use permit, which has to be applied for every year so that inspection on the park is done every year.

Chairman McTyier asked when did this become a special use. He can understand for new parks, but this was an existing park.

Mr. Burrows agreed that this is an existing park, but now he has to bring it up to the existing code for a new mobile home because he is upgrading the system, the lots. That is where he is coming from.

Mr. Powers stated that a special use permit is only good for one year and then it goes away. Regardless of what we approved how many years ago, if there was a special use permit and it has expired, he can see a special use.

Chairman McTyier stated that if this was existing before the special use came into effect, then they are already there.

Mr. Lender agreed.

Mr. Fuller again explained that unfortunately, it is not for the board to make that decision. Mr. Burrows needs to make that decision and it needs to be set out in writing. Then if the applicant disagrees, the applicant has a right to either appeal that or request a variance. So, the reality is that there must be a written decision that goes along with this application. Looking at the map that the gentleman submitted, how many variances are being applied for, because it doesn't look like any of these lots are 7,500 sq. feet.

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Chairman McTyier stated that there are a couple, but the average is 5,800, but we know it is per individual lot.

Mr. Powers stated that this sounds like the cart has been put well before the horse.

Mr. Lender asked if this would be 20 variances that would be applied for?

Mr. Labounty stated it would be 18.

Chairman McTyier stated that this a Town Road, do we need any approval by County? (It has been seen by county and they have no issue).

Mr. Labounty stated that he does have to have the Department of Health involved in this project also. The actual park size is 8 acres all the way around it. He plans to leave that the way it is because he also enjoys seeing the wildlife.

Mr. Powers asked how many total acres is the project (right around 30 acres).

Chairman McTyier asked what we are doing here. We need to table this.

Mr. Fuller stated that the importance of this, some of the questions that the board is asking about (ie: grandfathered, etc.) if the applicant disagrees with the letter of determination, he can then appeal that; but until that determination is given to there is nothing to appeal. That is the standard and then the board will have it in writing to know what they are acting. The other questions that this board is asking needs to be determined in your letter also.

Mr. Lender agreed, such as is this multiple variances?

Resolution #23-2025PZB brought by Mike Powers, seconded by Walt Lender to table the Public Hearing and applications for At a Glance Properties – 22 Pearl Street (150.2-7-8.000) Trailer Park/Down sizing to 20 Lots to May 1, 2025, at 6:00 p.m. **4-Ayes, 0 – Nays. Carried.**

Resolution #24-2025PZB brought by Doug McTyier, seconded by Walt Lender to close the Planning and Zoning Board meeting at 6:50 p.m. **4-Ayes, 0 – Nays. Carried.**

Respectfully submitted, Tonya M. Thompson, Town Clerk