Town of Orleans

Planning Board

Notice of Public Hearing - Meeting Minutes - April 21, 2026

Municipal Building - 20558 Sunrise Avenue, LaFargeville, NY 13656

Board Members Present: Donna Dutton (Chair), Joe Rotella, Andy Greene, Jason Stowell, Mitch Robinson, Lee Shimel (Enforcement Officer)

Meeting called to order at 7:00 PM

Pledge of Allegiance

Old Business:

Motion to approve minutes from the January 20, 2026 Town of Orleans Planning Board Meeting as written - Joe Rotella
Second - Andy Greene
All in favor? Yes

New Business:

There were no communications.

Public Hearing #1 was opened at 7:01 PM.

#1. **An application from Michelle Vielhauer 44951 Rock Baie Rd., Tax Map 6.14-1-6.2, for a Site Plan Review. The applicant is considering erecting a new garage with a bathroom upstairs including a sleeping area for their children when visiting. Major use is for storage. RES 1**

Michelle Vielhauer represented self and stated she intends to construct a garage, mainly for storage with a bathroom upstairs with a sitting and potential sleeping area mainly for visitors. The size of the structure is 24 x 28 ft. There are property owners on each side; it is clearly a storage building; setbacks and lot coverage are acceptable per Enforcement Officer Lee Shimel.

There were no Public comments.

Motion to close the Public Hearing at 7:04 PM - Jason Stowell
Second - Andy Greene
All in favor? Yes

Motion to approve the Site Plan application as submitted - Mitch Robinson
Second - Jason Stowell
All in favor? Yes

Public Hearing #2 was opened at 7:06 PM.

#2. An application from Daniel Smith, 10165 Co. Rt. 9, Cape Vincent, N.Y. for a subdivision on Co. Rt. 13, Tax Map No. 21.00-2-3.4. The applicant would like to divide one parcel into two parcels, the new lot will be a residence in the future. AR

Rob Busler represented Daniel Smith and stated Mr. Smith is buying 13 acres of land on Co. Rt. 13. The current owners, Cary and Shelia Steele own ~`63 acres. There are three (3) sheds located on Mr. Smith's proposed acquisition. Enforcement Officer Lee Shimel will notify the owners and see if they want to move the shed or do a lot line adjustment and get them permitted.

Motion to close the Public Hearing at 7:11 PM - Andy Greene
Second - Joe Rotella
All in favor? Yes

Motion to have the Town of Orleans Planning Board act as the Lead Agency and consider the SEQR form - Andy Greene
Second - Jason Stowell
All in favor? Yes

Chair Dutton read the SEQR questions. It was determined that the application as submitted does not create any adverse environmental impacts and she called for a motion to approve the application as submitted.

Motion to approve the site plan as submitted: Mitch Robinson
Second: Jason Stowell
All in favor? Yes

Chair Dutton read the following statement prior to Public Hearing #3:

Before we begin our next public hearing, I would like to outline what will and will not be allowed . This particular application was tabled several months ago in an effort to obtain additional information. Once the hearing is opened, the applicant and his attorney may address the board explaining what is being proposed and giving what written proof they have that the property is not encumbered in any way from allowing it to be used as a short term rental.

Once that presentation is presented, the floor will be opened to the attorney representing Mr. Quinn who may give written proof that the property is encumbered and may not be used as a short term rental.

After both attorneys have finished their presentations, the board members may ask questions of each attorney.

There will be no talking by the public during any of this time. If members of the public become disruptive, they will be asked to leave.

Following the board members questions, the floor will be opened to the public to speak. At which time, members of the public will be allowed 3 minutes each to express their opinions to the board. You may ask questions of the attorneys as well. But, there will be a strict 3 minute limit on each person in the public .

At no time will any member of the public be disrespectful to board members or to the applicant. If this happens, you will be asked to leave.

Public Hearing #3 was opened at 7:18 PM.

#3. An application from John Vourus, LOI Properties LLC, at 18338 Quinn Dr., Tax Map No. 6.13-1-27.12 for a Site Plan Review. The application is seeking approval for a rental cottage. This is a continuation of the Public Hearing that was tabled on September 16, 2025. RES 1

Attorney Brett Dawson represented John Vourus. Mr. Vourus' deed, when he bought the property, had no restricted covenants. In a 1960 deed, there are two (2) restrictive covenants. The purpose of the Board is to determine if the zoning permits a rental business.

Attorney Andrew Capone represented John Quinn. The issue at hand is not whether there is a restricted title covenant on the property, rather in question is the Zoning Law adopted in 2012, what is the definition of a rental cottage. Mr. Capone presented advertisements taken from the Airbnb site last year and this year. Airbnb collects sales and bed taxes. Does this type of use require a 239M review by the County? The property must be referred to the County if it is within 500 ft of a major road/highway; the existing property is ~140 ft from Rt 191.

Chair Dutton questioned the applicant if the number of guests and bedrooms combined living space in both the house and outbuilding (garage), to which the answer was yes.

Enforcement Officer Shimel stated he received the following written correspondence from the public:

John Vouros, 4/7/2026
John Vouros, 4/14/2026

From the previous Public Hearing on September 16, 2025:
Chandler "Chip" Whiting
Ann VanValkenburg
Elisabeth Wultsch
Nora Gallagher
Anonymous from "Concerned Citizen, wellesleyisland13640@gmail.com"
Erich and Diane Leonard
Mark Lesser
Mark Wolff
Susan Sachs

Board Member Mitch Robinson asked if the septic was designed for 12 guests. The response was there are two separate septics, one for each structure; the second septic was installed tin the last five years and does not have a permit. There have been no additional living quarters added since the septic was installed.

Enforcement Officer Shimel shared that the property measures more than 500 ft from the roadway/highway and does not require a 239M; it is not near a park nor recreation area and there are no other limiting factors. Mr. Shimel also read the Zoning Law's definition of rental property.

Mr. Capone opined that Airbnb did not exist when the 2012 Zoning Law was adopted.

Mr. Shimel commented on bed tax and stated the County would need to present a case to NY State to enact bed tax for this and other rental properties. He cited examples of cottages on the corner of Rt. 12 and Rt. 180 and Bill and Jack's Marina rental cottages. Furthermore, Mr. Shimel stated that "short term rentals" is a very confusing terminology and the County is bringing someone in from the State to conduct a workshop.

Board Member Rotella opined that regulation allows rentals; the previous owners who have petitioned the Board have bee very cooperative with quiet hours, lighting, trash pickup, etc.

The floor was opened for Public comment at 7:46 PM.

Mr. Shimel stated that Zoning is a complaints driven process. There are hundreds of parcels within the Town and Mr. Quinn brought forward the complaint and he, Mr. Shimel, contacted the owner for compliance.

Chip Whiting, neighbor and resident expressed he has spent time since 1965 and Save the River campaign. Mr. Capone represents 25 homeowners in the neighborhood. He also commented about the septics and wants the County to verify the requirement for size and number of septics. He expressed that the rental of the property has disturbed the peace with people and traffic traveling down a dead end road, and vulgar language.

Ken Adams reiterated what he said during the September 2025 meeting; the homes and families on Otter Point, over 25 years have developed into a community. Many are close friends; would like consideration given to the "small community" when rendering the decision.
John Quinn, whose property is located n Quinn Drive, stated that he owns both Quinn Drive and Otter Road, they are both private and used by Mr. Vouros and his renters. He recalled that during the last meeting, Mr. Vouros said there were no covenant restrictions.

Comments from the Board - regarding the septic, the Board cannot question sewers. Mr. Robinson stated the Board cannot entertain covenant restrictions; it is beyond the Board's governance. Regarding 239M, the Board measured the distance and it exceeds the requirement. Regarding septic, it was installed with the original dwelling size in mind. The extent the Board can rule on is the Zoning definition for rental property in RES 1. Mr. Greene stated the public could petition the County for a septic permit.

Motion to close the Public Hearing at 8:03 PM - Andy Greene
Second - Joe Rotella
All in favor? Yes

Motion to approve the application as submitted - Mitch Robinson
Second - Joe Rotella
All in favor?

Andy Greene - Yes. Expressed that he is completely sensitive to what the community members are saying and he is really uncomfortable with the approval, but the Board must must lobby the Town to change zoning laws.

Jason Stowell - Yes. Stated he agreed with Mr. Greene. He hears and understands the community's concerns.

Joe Rotella - Yes. He acknowledged the points made on both sides and stated the create good conversation. The Board is limited to interpretation of Zoning Code and others are conducting the same and managing it well. He asked that Mr. Vouros be cognizant of the neighbors and deal with abusive renters.

Mitch Robinson - Yes. He reiterated the statements made by previous Board Members and thanked all for coming in and presenting great and valid points. Mr. Vouros is doing everything legal with respect to Zoning Code, his intent is not to rent to crappy renters, he wants to rent with reputable renters. If you see something out of the ordinary, report it.

Chair, Donna Dutton - Yes. Thanked everyone for the discussion and stated the Board has approved these applications in the past.

Motion to adjourn at 8:21 PM - Jason Stowell

Second - Joe Rotella; All in favor? Yes