ZONING BOARD OF APPEALS
TOWN OF COLTON, NY
July 27, 2026
Colton Town Hall | 715p

Members Present: Cynthia Hennessy (Chair), Jim Bickford, Dennis Eickhoff, Judy Fuhr, Mary Jane Watson
Members Absent: NA
Public Present: Brittney Gravlin (Secretary), Darren Richards (CEO). Applicants Nicole Duve and WIlliam Mitchell attended via GoogleMeet.

Meeting called to order at 715p.

Quorum present.

Motion made to approve minutes from the Wednesday, October 1, 2025 meeting by M. Watson, seconded by J. Bickford. All in favor. Motion carried.

Motion made by J. Bickford, seconded by D. Eickhoff, to close the regular meeting and open the Public Hearing ZBA 35 - 2026 (BP 034-2026) Duve and Mitchell. All in favor. Motion carried.

Public hearing opened at 716p.

The public hearing notice regarding this subdivision was published in North Country This Week on July 13, 2026.

Description of 35 - 2026:
Remove existing seasonal use camp and build a year - round structure.

No additional comments were made during the public hearing.

J. Fuhr made the motion, J. Bickford seconded, to close the public hearing and move back into the regular meeting. All in favor. Motion carried.

The regular meeting reopened at 720p.

Chairperson C. Hennessy informs the applicant of their right to appeal with the New York State Supreme Court under Section 78. Additionally, a Type II SEQR is not required, and no additional guidance has been received from the Planning Board.

DRAFT

The five tests for area variance were completed for the application, as required; all were acceptable results except question five's negative answer - "Was the difficulty self created?" This answer was not a determining factor in the review process.

With all portions of the application reviewed, the Zoning Board agreed with the results and had no additional questions or comments for the applicants.

D. Richards stated that the application meets all NYS minimum setback requirements. Had a preconstruction and planning meeting with the applicants and with the neighbors on both sides, sought the input of the neighbors that would be affected. Compromises were made on the plans based on their input, D. Richards then reviewed with neighbors and applicants, agreed to C101 site plan with the north and south side setbacks.

D. Eickhoff stated he spoke to the neighbors today, cited no concerns.

M. Watson stated this application would be an improvement to the neighborhood.

M. Watson moved to approve ZBA Application 35 - 2026 as presented, without conditions, seconded by D. Eickhoff. All in favor. Motion carried.

Chairperson C. Hennessy will complete a notice of action for the official record and the applicant's records.

Motion to adjourn made by J. Bickford, seconded by J. Fuhr. All in favor. Motion carried.

Meeting adjourned at 732p.

DRAFT

Meeting minutes completed by Brittney Gravlin, Secretary.

Zoning Board of Appeals
Town of Colton

Notice of Action

Date: 7/28/26

To:Nicole Duve and William Mitchell

At a meeting of the Colton Town Appeals Board held on 7/27/26,
your application for a variance was considered, and the action indicated below was taken:

Your request was GRANTED

Conditions : None

Chairperson

Cynthia S. Hennessy

DRAFT

TOWN OF COLTON, NY

APPLICATION FOR AREA VARIANCE

Application # ZBA 35-2026

Zoning District Res. Rec.

Parcel ID # 105.080-3-8

Fee 40.00

Date ZBA Chair Received Application _____

Referrals: **County** **APA** **SEQR**

TO THE BOARD OF ZONING APPEALS:

I, Nicole M. Duvé and William J. Mitchell, the owner of the property located at 60 Sunset View Lane, Colton, NY 13625 hereby petition the Board of Zoning Appeals of the Town of Colton, NY to grant a variation of the Zoning Code Section(s) _____, to allow the following as described below or shown on the accompanying drawings which have been denied by the Zoning Officer / Building Inspector, as specified on the attached Notice of Noncompliance (attach additional sheets as necessary to address any of the following sections).

DRAFT

Describe your application as proposed and attach sketch plans with setback measurements for side, front, rear as pertains to your proposal.

We are seeking approval to remove an existing seasonal use camp (camper trailer with built on addition) and build a new year-round ~~structure. The subject lot is an existing non-conforming lot of record~~ with a driveway transecting the back portion. We are seeking an area variance for side setback requirements as depicted in the ~~attached diagram, which will largely accommodate roof overhang~~ and modest architechtural bump outs on each side of the building.

Received from applicant 07.07.2026.

TOWN OF COLTON, NY

APPLICATION FOR AREA VARIANCE

Application # _____

Zoning District _____

Parcel ID # 105.080-3-8

Fee _____

Date ZBA Chair Received Application _____

Referrals: **County** **APA** **SEQR**

TO THE BOARD OF ZONING APPEALS:

I, Nicole M. Duvé and William J. Mitchell, the owner of the property located at 60 Sunset View Lane, Colton, NY 13625 hereby petition the Board of Zoning Appeals of the Town of Colton, NY to grant a variation of the Zoning Code Section(s) _____ _____, to allow the following as described below or shown on the accompanying drawings which have been denied by the Zoning Officer / Building Inspector, as specified on the attached Notice of Noncompliance (attach additional sheets as necessary to address any of the following sections).

DRAFT

Describe your application as proposed and attach sketch plans with setback measurements for side, front, rear as pertains to your proposal.

We are seeking approval to remove an existing seasonal use camp (camper trailer with built on addition) and build a new year-round ~~structure. The subject lot is an existing non-conforming lot of record~~ with a driveway transecting the back portion. We are seeking an area variance for side setback requirements as depicted in the ~~attached diagram, which will largely accommodate roof overhang~~ and modest architechtural bump outs on each side of the building.

TOWN OF COLTON, NY
APPLICATION FOR AREA VARIANCE
FIVE TESTS FOR AREA VARIANCE

1. Will an undesirable change be produced in the character of the neighborhood, or will a detriment to nearby properties be created by the granting of the area variance?

No. We consulted the owners of the neighboring properties during the planning phase of our project; reviewed the application/attached drawing with our neighbors, giving them each copies; staked/walked the perimeter of the proposed footprint for our neighbors' ease of visual understanding; and, have made adjustments based on our neighbors' input. The design is intended to compliment neighboring structures, while incorporating a pleasing asthetic. Our neighbors have no objections to the plan. (And will be very happy to see the trailer go!)

2. Can the benefit you are seeking be achieved by some method other than an area variance?

No. The lot is not a uniform width and the proposed building footprint has already been scaled back to minimize the impact on setback requirements while allowing for architectural details that will enhance living space, structural integrity and exterior visual impact.

3. Is the requested area variance a substantial one?

No. The variance sought is not substantial and the building footprint has been re-worked to diminish the need for a variance as much as possible.

4. Will the proposed variance have an adverse effect, or impact on, the physical or environmental conditions of the neighborhood?

No. The proposed variance will have little to no adverse effect/impact on the environmental conditions of the neighborhood as the intended use of the property will not substantially change. The physical condition will be affected in that a larger, more permanent structure will be built, but the result will be a positive impact on the character and condition of the neighborhood due to the considerable enhancement to the dwelling on the property.

5. Has the alleged difficulty been self created?
This consideration shall be relevant to the Zoning Board of Appeals, but not necessarily preclude the granting of the variance.

No. The lot dimensions were established before we bought the property over 20 years ago. We have since purchased an additional strip of land at the back of the property adding depth to the lot but are unable to expand width. We have reduced the proposed building width to minimize any variance needed and have intentionally included our neighbors in the planning process to minimize/eliminate any hurdles.

The Zoning Board of Appeals, in the granting of area variances, shall grant the minimum variance that it deems necessary and adequate, while at the same time preserving and protecting the character of the neighborhood and the health, safety, and welfare of the Colton Community.

DRAFT

TOWN OF COLTON, NY
APPLICATION FOR AREA VARIANCE

You are encouraged to notify your neighbors of your proposal. You will receive a notice in the mail of the date when your application will be reviewed.

Circle Utilities and Services Available

Municipal Water System	Public Sewer System
Private Well	Private Septic System
Storm Drains	Fire Protection
Electricity	Natural Gas

DRAFT

Name of Applicant	Nicole M. Duvé and William J. Mitchell
Signature of Applicant	Nicole M. Duvé William J. Mitchell
Date Signed	July 7, 2026
Mailing Address	11 Lawrence Ave., Potsdam, NY 13676
Phone Number	315-569-2634
Email Address	wmitch_11@yahoo.com

TOWN OF COLTON
Application for Building/Demolition Permit
Or Inspection Request

Date June 18, 2026

Property Owner Nicole Duve and William Mitchell Permit No. BP- 34-2026

Applicant: Nicole Duve and William Mitchell Fee 25

Mailing Address 11 Lawrence Ave, Potsdam, NY 13676

Best Phone Number: 315-569-2634 (Nicole cell) Tax Map # 105.080-3-8

Lot Dimensions/Acres .25 acres Location of Property 60 Sunset View Lane

A permit is requested to perform the following:
Remove existing seasonal structure and erect new residence in its place.
Please also see attached Appendix B pertaining to the review of this application by the collective owners of the neighboring properties on either side of the subject parcel, which are directly impacted by this application.

Architect: LaBella - Matthew French Contractor Name: Buddy Rouleau

Estimated Expense: $ $300,000.00 Contractors' Phone: 315-212-8294

Current use of building or property:
Seasonal use camp

Zoned: _____ Signature: Nicole M. Duve William J Mitchell

DRAFT

Space below for office use only.

IBC Use: _____ Insurance Affidavit Yes _____ No _____ SFLA _____

Referred to: _____ County Planning Board _____ Town Planning Board _____ ZBA

SEQR Type: _____ I, _____ II, _____ Unlisted, _____ Neg. Dec., _____ Pos. Dec.

On a Waterway? _____ In 100 year flood plain? _____ Snow Load: _____

Seismic Design Cat: _____ Frost Depth 4'6", Wind Exposure _____ MPH

_____ Permit Granted D Permit Request Denied

Dawn Thurston

TOWN OF COLTON, NY
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DRAFT

TOWN OF COLTON, NY
APPLICATION FOR AREA VARIANCE

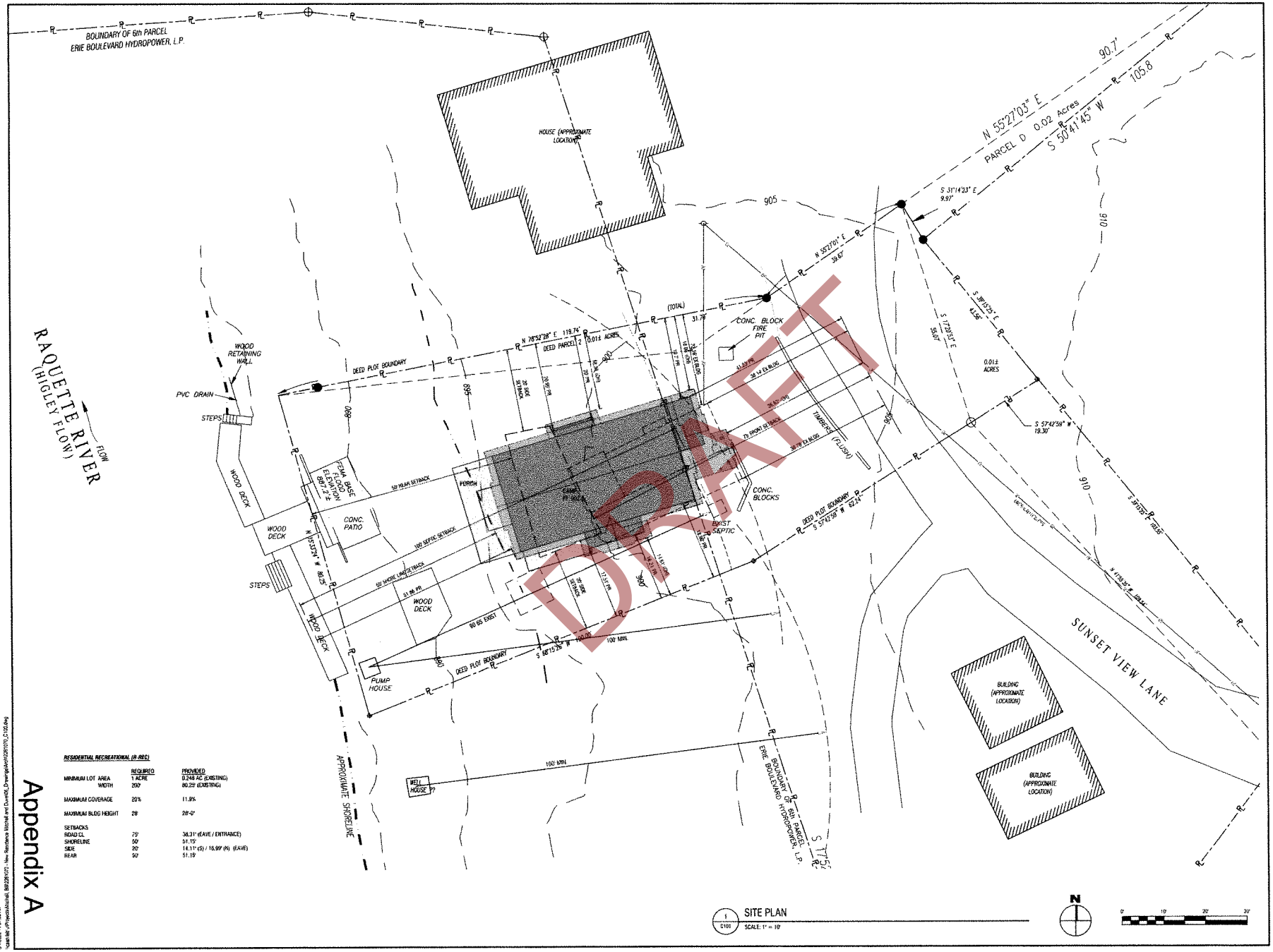
You are encouraged to notify your neighbors of your proposal. You will receive a notice in the mail of the date when your application will be reviewed.

Circle Utilities and Services Available

Municipal Water System	Public Sewer System
(Private Well)	(Private Septic System)
Storm Drains	Fire Protection
(Electricity)	Natural Gas

DRAFT

Name of Applicant	Nicole M. Duvé and William J. Mitchell
Signature of Applicant	Nicole M. Duvé William J Mitchell
Date Signed	July 7, 2026
Mailing Address	11 Lawrence Ave., Potsdam, NY 13676
Phone Number	315-569-2634
Email Address	wmitch_11@yahoo.com


BOUNDARY OF 6th PARCEL
ERIE BOULEVARD HYDROPOWER, L.P.
HOUSE (APPROXIMATE LOCATION)
RAQUETTE RIVER
(HIGLEY FLOW)
FLOW
WOOD RETAINING WALL
PVC DRAIN
STEPS
WOOD DECK
CONC. PATIO
FEMA BASE FLOOD ELEVATION 687.2'±
50 YEAR SETBACK
100' SEPTIC SETBACK
65' MHWL SETBACK
DEED PLOT BOUNDARY
DEED PARCEL 2
0.014 ACRES
N 78°52'28" E 119.74'
N 55°27'01" E 39.67'
CONC. BLOCK FIRE PIT
CONC. BLOCKS
EXIST SEPTIC
TIMBERS (FLUSH)
PORCH
PUMP HOUSE
WELL HOUSE
100' MHW
APPROXIMATE SHORELINE
ERIE BOULEVARD HYDROPOWER, L.P.
PARCEL D 0.02 Acres
N 55°27'03" E
S 50°41'45" W
S 31°14'23" E 9.97'
90.7'
105.8
S 38°15'25" E 4.58'
S 17°29'37" E 56.07'
0.01± ACRES
S 57°42'58" W 19.30'
S 57°42'58" W 67.74'
S 61°52'25" E 78.56'
N 61°52'25" W 109.44'
SUNSET VIEW LANE
BUILDING (APPROXIMATE LOCATION)
BUILDING (APPROXIMATE LOCATION)
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Town of Colton Application for Building/Demolition Permit or Inspection Request
Applicants: Nicole Duvé and William Mitchell
Parcel: 105.080-3-8

Appendix B

We, the undersigned owners of the property on either side of the subject parcel # 105-080-3-8, have reviewed the attached application and drawing pertaining to the proposed building project on said parcel. Based upon our review, we have no objections to the proposed area variances sought to the side setback requirements as described and depicted in said application and drawing.

William Amoriell (315-212-4933)
Owner, parcel # 105.080-3-7

Amelia Amoriell (315-212-0954)
Owner, parcel # 105.080-3-7

Rachelle Romoda (315-212-3565)
Owner, parcel # 105-080-3-9

DRAFT

Column

OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **North Country This Week** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(315) 265-1000**.

Notice ID: l4viuljjCozfRZq5Da9P | **Proof Updated: Jul. 13, 2026 at 09:10am EDT**
Notice Name: ZBA Duve' and Mitchell

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Jennifer Cole
clerk1@townofcolton.com
(315) 262-7650

FILING FOR

North Country This Week

Columns Wide: 2
Ad Class: Legals
Total Column Inches: 3.26
Number of Lines: 13

07/17/2026: 2. Public Notice - NO Affidavit Needed Notice	24.22
Subtotal	$24.22
Tax	$0.00
Processing Fee	$0.00
Total	**$24.22**

DRAFT

See Proof on Next Page

COLTON
PUBLIC NOTICE

Town of Colton Zoning Board of Appeals
The Town of Colton Zoning Board of appeals will hold a meeting Monday, July 27th at 7:15 PM at the Colton town hall, 94 Main St., Colton NY 13625, to review application ZBA-35-2026 by Nicole Duve' and William Mitchell to build a new structure, not according to code, located 60 Sunset View Lane, Colton, NY (zone R Rec). All interested people are invited to attend.
Cynthia S Hennessy
Chair

DRAFT

NORTH COUNTRY THIS WEEK
ST. LAWRENCE COUNTY EDITION

Invoice

North Country This Week
PO Box 975
4 Clarkson Ave.
Potsdam, NY 13676
help.column.us

Bill to
Town of Colton - Colton, NY

Invoice number	7YRISFT4-0029
Notice ID	l4viuIjjCozfRZq5Da9P
Publisher	North Country This Week
Date of issue	Jul 13, 2026
Date due	Aug 13, 2026
Amount due	**$24.22**

Description	Qty	Unit price	Amount
07/17/2026: 2. Public Notice - NO Affidavit Needed Notice	1	24.22	24.22

=== Notes ===
Notice Name: ZBA Duve' and Mitchell

=== How to pay this invoice ===
Column Software PBC accepts online payment via credit or debit card, or ACH bank transfers. Please click here to pay online:
https://www.column.us/invoices/VKbYxt6lCFP6LSkP5oU3/pay

Please note that, once paid, the merchant name on your billing statements will be Column Software PBC.

Select organizations may also pay via check. Checks will result in processing delays and should not be used if your notice requires upfront payment. Please pay the exact amount due, write your invoice number 7YRISFT4-0029 on the memo, include a printed copy of your Invoice PDF, make the check payable to North Country This Week, and mail to the address above.

Net Subtotal	$24.22
Tax	0.00
Amount due	$24.22

DRAFT

TOWN OF COLTON
Application for Building/Demolition Permit
Or Inspection Request

Property Owner Nicole Duve and William Mitchell Date June 18, 2026

Permit No. BP-34-2026

Applicant: Nicole Duve and William Mitchell Fee 25

Mailing Address 11 Lawrence Ave, Potsdam, NY 13676

Best Phone Number: 315-569-2634 (Nicole cell) Tax Map # 105.080-3-8

Lot Dimensions/Acres .25 acres Location of Property 60 Sunset View Lane

A permit is requested to perform the following:
Remove existing seasonal structure and erect new residence in its place.
Please also see attached Appendix B pertaining to the review of this application by the collective owners of the neighboring properties on either side of the subject parcel, which are directly impacted by this application.

Architect: LaBella - Matthew French Contractor Name: Buddy Rouleau

Estimated Expense: $ $300,000.00 Contractors' Phone: 315-212-8294

Current use of building or property:
Seasonal use camp

Zoned: _____ Signature: Nicole M. Duve William J. Mitchell

DRAFT

Space below for office use only.

IBC Use: _____ Insurance Affidavit Yes _____ No _____ SFLA _____

Referred to: _____ County Planning Board _____ Town Planning Board _____ ZBA

SEQR Type: _____ I, _____ II, _____ Unlisted, _____ Neg. Dec., _____ Pos. Dec.

On a Waterway? _____ In 100 year flood plain? _____ Snow Load: _____

Seismic Design Cat: _____ Frost Depth 4'6", Wind Exposure _____ MPH

_____ Permit Granted _____ Permit Request Denied

Dawn Thiel

Reasons:

Comments to Applicant:

7/7/2026
Date of Inspection

Code Enforcement Officer

Approval of this permit request is not authority to disregard any covenants or deed restriction attached to this parcel of land.

CONSTRUCTION INSPECTIONS

It is the contractor and the property owner's responsibility to call the Code Enforcement Office on the following inspection prior to moving forward on all building permits and concrete pours.

DRAFT

Permit # _____ Parcel I.D. _____

Work site inspection prior to issuance of permit _____

Footing and foundation _____

Preparation for concrete slab _____

Framing _____

Building systems _____

Fire resistant construction _____

Energy code compliance _____

Solid fuel-burning heating appliances, chimneys, flues or gas vents _____

Final Inspection:

Remarks:

_____

_____

_____

Cost of Construction: $_____ Type of Heating System/Fuel _____

DRAFT

Number of Stories: _____

Total Number of Rooms: _____

Number of Bedrooms: _____

Number of Full Baths: _____

Number of Half Baths: _____

Outside Dimensions of Basement: _____

Exterior Wall Material: _____

Building Style: _____

Fireplace: _____ YES _____ NO

All construction must comply with New York State Uniform Fire and Building Codes.
Permit expires one (1) year from date issued.
Sketch on the sheet the location of septic system, well, building, set backs from road, side and rear lot lines of proposed construction.

SKETCH: See attached Appendix A

DRAFT

Building Permit # _____ Parcel I.D. _____

NOTES:

- Certified Electrical Inspector must inspect all electrical work.
- Code Enforcement Officer will inspect septic system before back filling.
- No changes will be made to the conditions of this permit without approval of the Code Enforcement Officer.
- No building shall be occupied or used until the Code Enforcement Officer has issued a Certificate of Occupancy or Certificate of Compliance.
- A copy of this permit shall be maintained at the job site.
- The Building Permit placard issued with this permit shall be posted conspicuously at the job site.
- Heating/Air conditioning certificate stating the system has been installed in accordance with manufacturer's installation instructions from installer will be required.
- Premises identification.

  Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall be at least four inches high and one half inch in width.

Applicant Initial: Nicole M. Dube
William J. Mitchell

DRAFT

Town of Colton Application for Building/Demolition Permit or Inspection Request
Applicants: Nicole Duvé and William Mitchell
Parcel: 105.080-3-8

Appendix B

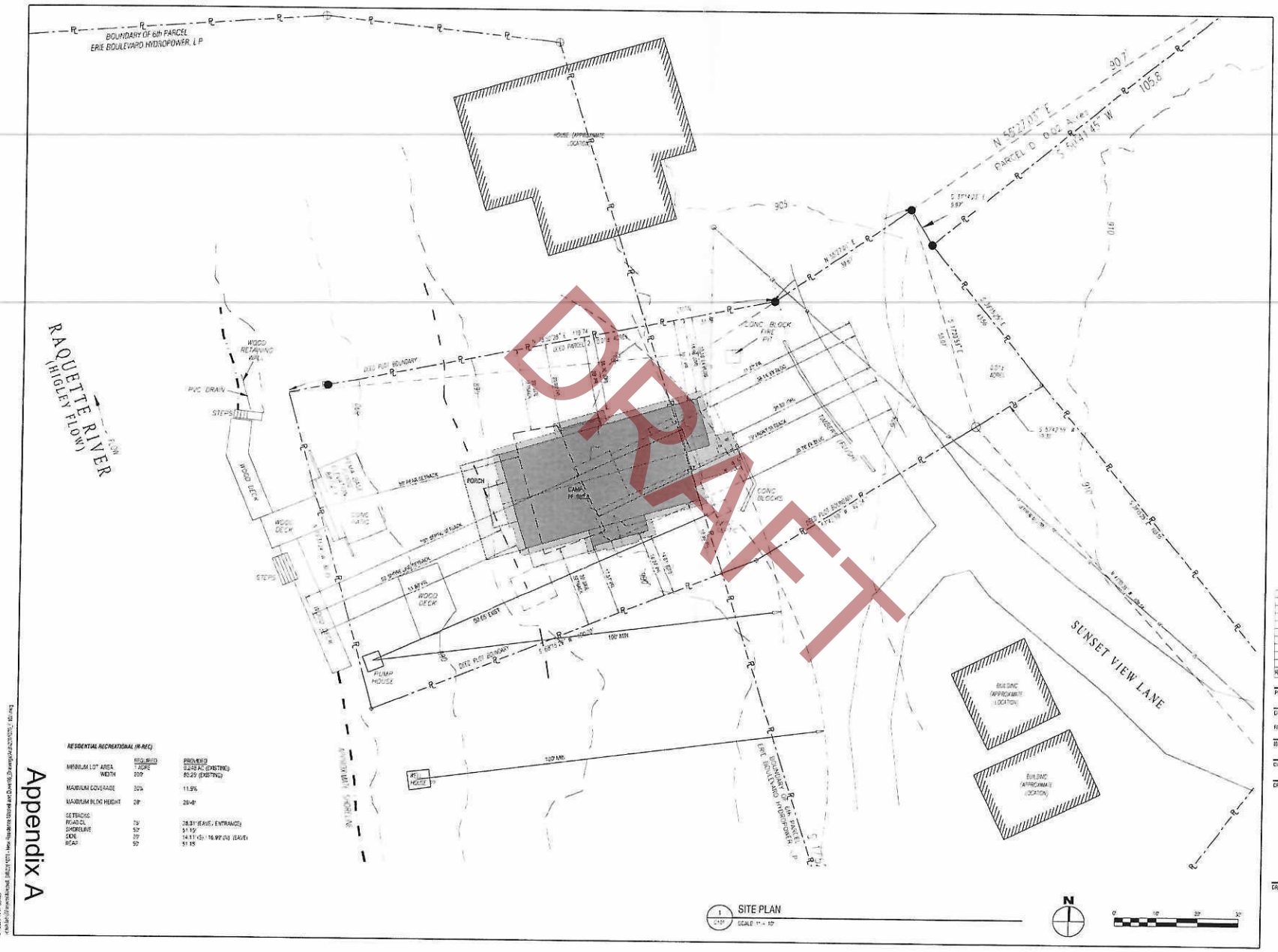
We, the undersigned owners of the property on either side of the subject parcel # 105-080-3-8, have reviewed the attached application and drawing pertaining to the proposed building project on said parcel. Based upon our review, we have no objections to the proposed area variances sought to the side setback requirements as described and depicted in said application and drawing.

William Amoriell (315-212-4933)
Owner, parcel # 105.080-3-7

Amelia Amoriell (315-212-0954)
Owner, parcel # 105.080-3-7

Rachelle Romoda (315-212-3565)
Owner, parcel # 105-080-3-9

DRAFT



RESIDENTIAL RECREATIONAL (R-REC)

	REQUIRED	PROVIDED
MINIMUM LOT AREA	1 ACRE	0.248 AC (EXISTING)
WIDTH	200'	80.25' (EXISTING)
MAXIMUM COVERAGE	30%	11.9%
MAXIMUM BLDG HEIGHT	28'	28'-0"
SETBACKS:		
ROAD DL	75'	26.31' (EAVE - ENTRANCE)
SHORELINE	50'	51.15'
SIDE	20'	14.11' (S) / 16.99' (N) (EAVE)
REAR	50'	51.15'

1 SITE PLAN
SCALE: 1" = 10'

N

0 10' 20' 30'

Appendix A

LaBella
Powered by partnership
22 Depot Street, Suite 16
Potsdam, NY 13676
315-268-1338
labellapc.com

NOT FOR CONSTRUCTION

CERTIFICATE OF AUTHORIZATION NUMBER:
PROFESSIONAL ENGINEERING: 0021172
LAND SURVEYING: 0021271
GEOLOGICAL: 002-653

It is a violation of New York Education Law Art. 145 Sec. 7209 & Art. 147 Sec. 7307 for any person, unless acting under the direction of a licensed architect, professional engineer, or land surveyor, to alter an item in any way. If an item bearing the seal of an architect, engineer, or land surveyor is altered, the altering architect, engineer, or land surveyor shall affix to the item their seal and notation "altered by" followed by their signature and date of such alteration, and a specific description of the alteration.

© 2026 LaBella Associates

WILLIAM MITCHELL
& NICOLE DUVE
11 LAWRENCE AVE.
POTSDAM, NEW YORK 13676

NEW RESIDENCE
HIGLEY FLOW COLTON, NEW YORK
(ST LAWRENCE COUNTY)

NO.	DATE	DESCRIPTION
Reviews		

PROJECT NUMBER: 2261070
DRAWN BY: DCW
REVIEWED BY: MDF
ISSUED FOR: REVIEW
DATE: 01 JUNE 2026
DRAWING NAME:

SITE PLAN

DRAWING NUMBER:

C101

* * * RECEIPT * * *

Date: 07/13/26

Receipt#: 9593

Quantity	Transactions	Reference	Subtotal
1	Building Permit	0342026	$25.00

Total Paid: $25.00

Notes: parcel ID# 105.080-3-8
60 Sunset View Lane
Contr - Buddy Rouleau
315-212-8294
Demo existing structure
build new

Payment Type	Amount	Paid By
~~CASH~~ CK 1707	$25.00	Duve, Nichole

DRAFT

Name: Duve, Nichole
William Mitchell
11 Lawrence Ave
Potsdam, NY 13676

Clerk ID: JENN

Internal ID: 0342026