

MINUTES
LEWIS COUNTY PLANNING BOARD
June 16, 2022

- (1) **Call to Order:** Chairman Petersen called the regular meeting of the Lewis County Planning Board to order at 2:30 PM in the conference room on the 2nd floor at the Lewis County Court House, Lowville, New York. Roll call was requested by Mr. Petersen.
- (2) **Roll Call:** Board Members Present: Tim Petersen, John Lehman, Donald Cook, Thomas Osborne, Eric Virkler and Tim Hunt. Staff Present: Megan Krokowski, Community Development Specialist.
- (3) **Reading and Approval of Minutes:** The draft May 19, 2022, meeting minutes were received and reviewed prior to the meeting. Mr. Virkler motioned to approve the minutes; Mr. Cook seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:** Ms. Krokowski reviewed communications received from Adirondack Park Agency that indicated a permit was filed for a single-family dwelling along with a follow up response that the permit was found to be non- jurisdictional for the APA. The board had no comments to provide based on the correspondence received.
- (5) **Report of Officers:** None
- (6) **Report of Special Committees:**

239-M Review

Ms. Krokowski read the following review:

TOWN OF OSCEOLA TOWN BOARD

Proposed local law is to classify certain town roads or sections of these roads as Minimum Maintenance and establish a frequency schedule for listed maintenance activities.

Town of Osceola – Applicant

The General Municipal Referral Form was submitted by Francis Yerdon, Town of Osceola Supervisor.

In summary, the purpose of the proposed law is to classify certain roads as minimum maintenance and define the Town’s frequency of maintenance activities on said roads as a follow up to Local Law # 1 of 2021, which defined minimum maintenance roads and the associated terms of establishing them.

In review of the documents provided, it appears that the proposed local law for the Town of Osceola will effectively name the minimum maintenance roads and dictate the frequency of notated maintenance activities.

Recommendation: Approve

The Board discussed suggesting the addition of physical location identification and the specific mileage to be included. Furthermore, the Board would like to ensure proper signage is going to be provided disclosing the minimum maintenance roads on each end at the point that maintenance discontinues.

Additionally, the Board discussed the recommendation to consider updating the respective zoning to reflect the designated minimum maintenance roads.

Considerations should be made about providing an update to the zoning policy to discourage permanent occupancy on minimum maintenance roads.

With no further questions or comments, Mr. Lehman made a motion to approve the proposed action with the recommendations; Mr. Cook seconded this motion, which carried unanimously.

Ms. Krokowski then read the second review:

VILLAGE OF TURIN BOARD OF TRUSTEES

Proposed adoption of the Village of Turin Comprehensive Plan
Village of Turin – Applicant

The proposed Comprehensive Plan, General Municipal Referral Form, and signed FEAF were submitted by Michelle Capone, DANC, on behalf of the Village of Turin's Mayor, Joshua Leviker.

Village of Turin Comprehensive Plan

The Village of Turin's Comprehensive Plan document was reviewed in its 50-page entirety.

Contained in the Comprehensive Plan is the recommendation that the document be reviewed every 5 years by the respective board and stakeholders to ensure that the plan continues to align with the needs of a changing community.

It is suggested that the section titled 'How this Comprehensive Plan can be used' be moved to the end of this document, just prior to the Appendix, as it is referencing development goals and housing goals that have yet to be reviewed.

On Page 13, consider rephrasing "*In addition to skiing, the site offers snow tubing and terrain parks with a focus on freestyle skiing and riding, as well as disc golf and events, including weddings, in the summer*" for clarity and conciseness.

Relative statistics listed in the Employment and Income section on page 18, "*59.1% of Village residents 16 years and over are in the labor force. The unemployment rate for those in the labor force is very low, at 2.7%*", it would be helpful to include the County's overall unemployment rate to further demonstrate that 2.7 is 'very low'.

Being that the Village of Turin Rural Development Code does have stipulations for mobile homes and travel trailers under Article F, please confirm these requirements are still adequate for the Village's Vision and Comprehensive Plan moving forward or if this type of housing should be more heavily regulated.

The final paragraph on page 20 discusses the Town of Turin's zoning. It is suggested that the Comprehensive Plan references to the map provided on page 22 and that the Village considers adding a formal naming system such as, Figure 1, as there are multiple maps throughout the document.

The first full paragraph discusses the Village of Turin being in a certified agricultural district. There is a map that corresponds to this paragraph on page 23, please consider continuing the above-mentioned naming system and making a formal reference.

Page 25, paragraph one is referring to the different property classes and various properties in Turin, please reference the map provided on page 26 and continue the suggested formal naming system.

Page 31, under Update/adopt and enforce zoning section; *"...however **you** could establish or strengthen regulations on certain items like junkyards, fences, setbacks, and other items. **You** should also review the siting requirements of properties around the wellhead districts and the certified agricultural lands."* Consider replacing 'you' with 'the Village of Turin'.

The first paragraph on page 33 states *"The Village is located at the southeastern tip of the Tug Hill Plateau. It is characterized by agricultural land and wetlands."* Consider adding a comma after Plateau and combining the two sentences. Additionally, please verify that agricultural land and wetlands were the only characteristic noted for this area.

Page 33, paragraph 4, *"Recreational opportunities abound in the Village, as well as right outside its boundaries in the surrounding towns. The Village is home to snowmobile trails as well as a golf course. Snow Ridge Ski Resort as well as several state parks are located nearby."* This seems contradictory to the statement provided on page 10 *"Given the geographic size of the Village, while there are some recreational opportunities within the Village itself, there are many opportunities within a few minutes of the Village."* Please review and update accordingly.

Recommendation: Approve with Recommendations

1. Consider moving the section titled 'How this Comprehensive Plan can be used' to the end of this document, just prior to the Appendix, as it is referencing development goals and housing goals that have yet to be reviewed.
2. It is suggested that the following sentence on page 12 is rephrased for clarity and conciseness: *"In addition to skiing, the site offers snow tubing and terrain parks with a focus on freestyle skiing and riding, as well as disc golf and events, including weddings, in the summer."*

3. Relative statistics listed in the Employment and Income section on page 18, *“59.1% of Village residents 16 years and over are in the labor force. The unemployment rate for those in the labor force is very low, at 2.7%”*, it would be helpful to include the County’s overall unemployment rate to further demonstrate that 2.7 is ‘very low’.
4. To ensure there is a purpose in referencing mobile homes (page 19), please elaborate whether the current stipulations for mobile homes and travel trailers under Article F of the Village’s Rural Development Law are still adequate for the Village’s Vision and Comprehensive Plan moving forward or if this type of housing should be more heavily regulated.
5. The final paragraph on page 20 discusses the Town of Turin’s zoning. It is suggested that the Comprehensive Plan references to the map provided on page 22 and that the Village considers adding a formal naming system such as, Figure 1, as there are multiple maps throughout the document.
6. The first full paragraph discusses the Village of Turin being in a certified agricultural district. There is a map that corresponds to this paragraph on page 23, please consider continuing the naming system mentioned in recommendation number 5 and adding a formal reference to the paragraph.
7. Page 25, paragraph one is referring to the different property classes and various properties in Turin, please reference the map provided on page 26 and continue the formal naming system mentioned in recommendation number 5.
8. Consider replacing ‘you’ with ‘the Village of Turin’ on Page 31, under Update/adopt and enforce zoning section; *“...however **you** could establish or strengthen regulations on certain items like junkyards, fences, setbacks, and other items. **You** should also review the siting requirements of properties around the wellhead districts and the certified agricultural lands.”*
9. The first paragraph on page 33 states *“The Village is located at the southeastern tip of the Tug Hill Plateau. It is characterized by agricultural land and wetlands.”* Consider adding a comma after Plateau and combining the two sentences. Additionally, please verify that agricultural land and wetlands were the only characteristic noted for this area.
10. Page 33, paragraph 4, *“Recreational opportunities abound in the Village, as well as right outside its boundaries in the surrounding towns. The Village is home to snowmobile trails as well as a golf course. Snow Ridge Ski Resort as well as several state parks are located nearby.”* This seems contradictory to the statement provided on page 10 *“Given the geographic size of the Village, while there are some recreational opportunities within the Village itself, there are many opportunities within a few minutes of the Village.”* Please review and update accordingly.

Note: After reviewing the document for content, a variety of grammatical errors were identified. As a courtesy, reference to the errors found will be sent separately to the Village Clerk for correction prior to finalizing the document.

The County Planning Board discussed additionally asking the Village of Turin why they are discussing Snow Ridge, which is not in the Village and would like to add this to recommendation 2.

The Board had a brief discussion regarding recommendation 8, to determine if the preparer was intending it to single out the reader, they decided that was not their intention and that the recommendation should remain as is.

With no further discussion, Mr. Peterson made a motion to approve with conditions and additions; Mr. Virkler seconded the motion, which carried unanimously.

Ms. Krokowski read the next review:

VILLAGE OF LOWVILLE BOARD OF TRUSTEES

Proposed zoning text amendment to amend Chapter 201 of the Code of the Village of Lowville, Zoning.

Village of Lowville – Applicant

The proposed amendment, General Municipal Referral Form, and signed FEAF were submitted by Danielle St. Louis on behalf of Mayor Joseph Beagle.

Village of Lowville Zoning Law Revision

In summary, the purpose of the proposed law is to rename the neighborhood commercial zone and add a second neighborhood commercial zone that is intended for properties that are currently in the Industrial and Neighborhood Commercial Zones located in the center of the Village. Additionally, this law aims to amend specific dimensional standards for the Industrial Zone.

Proposed update to Chapter 201- Zoning:

Chapter 201 of the Code of the Village of Lowville is hereby amended as follows:

A. *§ 201-230 of the Code shall be amended to add the following to the lot coverage definition thereto:*

That the percentage of the lot area covered by the building area, including all principal and accessory structures, decks, porches, and carports which are open at the sides, but excluding parking lots and access driveways and roadways.

The underlined addition provides additional clarity to the definition of Lot Coverage to clearly exclude parking lots, driveways and roads from Lot Coverage.

B. *§ 201-230 of the Code shall amended to add the following definition:*

Silo - An accessory structure used for either Agricultural or Manufacturing storage

Previously, there was not a definition for 'Silo', so one was added to provide clarity regarding silos used for agricultural or manufacturing purposes.

C. § 201-310 of the Code shall be amended Neighborhood Commercial (NC) zone thereto:

Neighborhood Commercial 1 (NC-1):

This change updates Neighborhood Commercial (NC) to Neighborhood Commercial 1 (NC-1)

D. § 201-310 of the Code shall be amended to add the following zone thereto:

Neighborhood Commercial 2 (NC-2): To provide a pedestrian oriented, mixed-use (residential, small-scale commercial, warehousing, and light industrial uses) transition between Industrial zones, Neighborhood Commercial zones and surrounding residential areas.

This adds an additional zone and defines the new zone, Neighborhood Commercial 2 (NC-2)

E. § 201-320 of the Code shall hereby adopt the Village of Lowville Zoning Map annexed hereto as Exhibit "A".

Updated map provided by Danielle St. Louis on June 8th reflects the transition of several parcels to Neighborhood Commercial 2 (NC-2) and updates Neighborhood Commercial to Neighborhood Commercial 1 (NC-1).

F. § 201-420, Schedule A, of the Code shall be amended to revise the existing Neighborhood Commercial zone to reflect Neighborhood Commercial 1 (NC-1)

G. § 201-420, Schedule A, of the Code shall be amended to permit the following uses in the Neighborhood Commercial 2 (NC-2) Zone with a zoning permit:

Accessory dwelling unit, Dwelling, one-family, Dwelling, two-family, Home-based Business, and Small solar energy system

H. § 201-420, Schedule A, of the Code shall be amended to permit the following uses in the Neighborhood Commercial 2 (NC-2) Zone with a zoning permit and site plan review:

Bed-and-breakfast inn, Boarding house, Office, business, and Restaurant/no alcohol

I. § 201-420, Schedule A, of the Code shall be amended to permit the following uses in the Neighborhood Commercial 2 (NC-2) Zone with a zoning permit, site plan review, and special use permit:

Apartment complex, Brewpub, Club, Community Center, Convenience store, Day-care, child, Dwelling, group, Dwelling, multiple-family, Essential facilities, Funeral home, Hospital, Hotel, Light industrial use 1, Mixed-use development, Motel, Recreation, indoor, Recreation, outdoor, Religious institution, Restaurant/bar, Retail sales and service, general, School, and Warehousing

- J. § 201-420, Schedule A, of the Code shall be amended to prohibit the following uses in the Neighborhood Commercial 2 (NC-2) Zone:
 Agricultural use, Car wash, Cemetery, Garage, public, Garage, repair, Gasoline outlet, retail, Industrial use, Manufactured home park, Park, Parking lot, Principle solar energy system, Retail sales and service, large product, Truck terminal, and Wholesale trade
- K. § 201-420, Schedule A, of the Code shall be amended to reference "See § 510-540" for the Accessory structure or use in the Neighborhood Commercial 2 (NC-2) Zone.
- L. § 201-420, Schedule A, of the Code shall be amended to reference "See note below" for the Manufactured home use in the Neighborhood Commercial 2 (NC-2) Zone.
- M. § 201-430, Schedule B, of the Code shall amend "NC" to "NC-1".
- N. § 201-430, Schedule B, of the Code shall be amended to reflect the following Dimensional Requirements within the Neighborhood Commercial 2 Zone:
 Minimum lot size: 9,000 square feet
 Minimum frontage: 70 feet
 Minimum depth: 125 feet
 Front yard, minimum: Lesser if the yards previously established on adjacent parcels*
 Front yard, maximum: Lesser of the yards previously established on adjacent parcels*
 Side yard minimum: 8 feet
 Rear yard minimum: 30 feet
 Maximum lot coverage: 35%
 Principle/building minimum height **: -
 Principle building maximum height * *: 35 feet
 Accessory building maximum height * **: 20 feet
- O. § 201-430, Schedule B, of the Code shall be amended to reflect the following Dimensional Requirement relative to the Industrial zone:
 Maximum lot coverage: 50%
 Accessory building maximum height * **: 50 feet
- P. § 201-430, Schedule B, of the Code shall amend "Accessory building maximum height* *" to "Accessory building/structure maximum height* *"
- Q. § 201-430, Schedule B, of the Code shall include the following addition relative to all zones:
 ** *Accessory structures, such as towers or silos, shall not exceed **in** height twice their distance from the nearest lot line.

Additionally, it is recommended that Article VII 201-715 Design, construction, and location of signs D. "Signs shall not be placed inside or rear yards in the Neighborhood Commercial and Residential Zones." be reviewed to ensure no changes are required.

Recommendation: Approve with conditions.

1. Article VII 201-715 Design, construction, and location of signs D. “Signs shall not be placed inside or rear yards in the Neighborhood Commercial and Residential Zones.” should be reviewed to ensure no changes are required.
2. In Section P of the proposed amendment, correct the reference error from § 201-43 to § 201-430.
3. Section Q of the proposed amendment should add the word “in” to the sentence “** *Accessory structures, such as towers or silos, shall not exceed **in** height twice their distance from the nearest lot line.”

NOTE: When opening the Schedule B document, the file shows up being named Schedule A, may want to consider updating.

The Board discussed allowing towers or silos in the neighborhood commercial zone.

The Board had a brief discussion on what the intent of Article VII 201-715 and if signs should be allowed for a commercial business, provided recommendation was determined to be adequate.

Additional conversation was had regarding the Section 201-230 discussing the intention of the update for lot coverage definition. The Board suggests this section is reviewed and possibly rewritten to provide additional clarity.

The Board also wanted to ensure compliance with all Local, State and Federal regulatory requirements for this policy change regarding impervious surface.

With no further discussion, Mr. Lehman made a motion to approve with conditions and additions; Mr. Virkler seconded the motion, which carried unanimously.

Ms. Krokowski then read the final review:

VILLAGE OF LOWVILLE JOINT PLANNING BOARD

Site Plan Review for the proposed 8’x20’ expansion of Stewart’s Shop located at 7491 South State Street in the Village of Lowville.

Tax Map Parcel: #212.15-01-21.110

Stewart’s Shops – Applicant

The following project documentation was submitted: 1) Site Plans; 2) Variance Approval Resolution from ZBA; 3) Agricultural Data Statement; 4) SEQR Short Environmental Assessment Form (SEAF) with EAF Mapper Report; 5) Project Location on Zoning Map and 6) Tax Parcel Map.

▪ ***Compatibility With Adjacent Uses:***

The zoning for this area is identified as VC (Village Center). Currently, the property identified is an operational convenience store/gas station, which is consistent with the commercial nature of the Village Center. The applicant is proposing an 8’ x 20’ freezer/cooler addition to accommodate the increased

demand of ice cream during the annual ice cream sale. The proposed use appears to be compatible with adjacent uses.

- *Traffic Generation and Effect:*

The roadway is identified as South State Street, also known as NYS Route 26. This roadway consists of two lanes of travel in a north-south direction. The applicant intends to use the existing driveway entrance and as noted on page 2 of the submitted SEAF, the proposed action will not result in a substantial increase in traffic above present levels.

- *Protection of Community Character:*

The applicant is proposing a minimal addition to a commercial property inside the Village's auto-commercial zone. Based on review of the current zoning criteria in the County file for the Village of Lowville, the proposed project is in compliance with the criteria under Part II, Article III Section 201-310 Types and purposes of zones.

According to the SEAF submitted, the proposed action is not in a critical environmental area, national or state register of historical places or state eligible sites or archeological site, is not designated as a critical habitat to threatened/endangered species; however, the applicant should be cognizant of activities that could impact the Northern Long-Eared Bat and the Monarch Butterfly. US Fish and Wildlife Services also identified 2 bird species having common breeding seasons from May-August, which should be avoided for activities of potential impact. The proposed site does not contain all or part of a registered National Natural Landmark. As part of this review, an Environmental Assessment Form Mapper was completed and the project site, or any portion of it, is not located in or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.

The proposed action appears to be consistent with the community character.

- *Signage:*

The applicant has not proposed any updates to their current signage. If changes to the current signage are needed, compliance with Article VII is required.

- *Drainage:*

Based on the information supplied by the applicant on the SEAF, the action site and/or adjoining lands do not contain wetlands or other waterbodies regulated by a federal, state, or local agency. The addition is not expected to significantly change the drainage patterns of the site and downspouts will be used to direct runoff into existing catch basins.

- *Erosion:*

According to the application, there will be approximately .003 acres (Acreage=(8'x20')/43560) disturbed for the proposed project. The ground disturbance should be limited to the blueprint of the proposed structure. The

proposed project falls below the 1-acre threshold which would require the applicant to obtain a SPDES permit.

- *Parking:*
The existing parking spaces will be utilized, as this is a minor project that is not anticipated to increase the customer traffic. Nonetheless, the applicant should ensure compliance with Article VIII Parking and Loading regulations.
- *Community Facilities:*
According to the submitted SEAF, the proposed action will not connect to public water supply or wastewater utilities.
- *Lighting:*
The applicant has not proposed lighting for the addition. If the applicant intends to add lighting, to ensure compliance with Article X § 201-1030, the applicant should submit a lighting plan to the Village Planning Board before approval is issued.
- *Landscaping and Screening:*
The applicant has not proposed landscaping; however, the addition will not be visible to the public or adjacent properties due to the proposed location in relation to the fence and existing retaining wall.

Recommendation: Approve with the following conditions

1. While lighting was not included in the application, to ensure compliance with Article X § 201-1030, if lighting is indeed planned, the applicant should submit a lighting plan to the Village Planning Board before approval is issued.
2. The applicant has not proposed any updates to their current signage; however, if changes to the current signage are needed, compliance with Article VII is required.
3. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Note: On page 1 of the submitted SEAF, the answers to number 3 seem to be inconsistent with the scope of the project, please review to ensure the accuracy.

There was a brief discussion about the practicality of this review as well as the fact that it causes a burden for business development.

With no further discussion, Mr. Lehman made a motion to approve with conditions; Mr. Hunt seconded the motion, which carried unanimously.

(7) **Report of County Planner:**
None

(8) **Unfinished Business:**
None

- (9) **New Business:** Ms. Krokowski discussed the newly schedule land use training dates of September 20th and 21st.
- (10) **Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Lehman, seconded by Mr. Virkler, which carried unanimously. Mr. Petersen adjourned the meeting at 3:17 PM.

Respectfully submitted,

Megan Krokowski
Community Development Specialist