

MINUTES
LEWIS COUNTY PLANNING BOARD
June 18, 2025

- (1) **Call to Order:** Chairman Petersen called the regular meeting of the Lewis County Planning Board to order at 2:30 PM in the 2nd floor conference room at the Lewis County Courthouse, Lowville, New York. Mr. Petersen requested roll call.

The Board unanimously agreed that when electronic media is available to present meeting content, hardcopy packets are not necessary; however, agendas should continue to be provided in hardcopy form to all attendees.

- (2) **Roll Call:**
Board Members Present: Tim Petersen, Don Cook, Tom Osborne, Sarah Metott, John Lehman, John Reed and Larry Dolhof (Non-voting member).
Staff Present: Megan Krokowski, Community Development Specialist
Public Present: Dan Szalach, Town of Turin Planning Board Chair, and National Grid representative, Joseph Crisler.

- (3) **Reading and Approval of Minutes:** The draft minutes from the May 15, 2025 meeting were provided and reviewed in advance. Mr. Osborne made a motion to approve the minutes; Mr. Cook seconded. Motion carried unanimously.

- (4) **Correspondence and Communication:**
- **APA Permit 2025-0084: Application Received- UPDATED to Major Project** Michael Dolhof, Two-lot subdivision, Pleasant Valley Road, Town of Greig, has been updated to an eleven (11)-lot subdivision with eight lots improved by a single-family dwelling, two lots with no new land use, and one lot to be used as an access road for the subdivided parcels.
 - **APA Permit 2025-0127: Application Received- UPDATED to Major Project** Michael Dolhof, Six (6)-lot subdivision, Van Arnam Road, Town of Greig, creating vacant building lots ranging in size from 3.2 acres to 3.67 acres.

No comments were proposed regarding the above correspondence.

- (5) **Report of Officers:** None

- (6) **Report of Special Committees:**

Ms. Krokowski read the following review:

TOWN OF TURIN TOWN BOARD

Proposed a twelve (12) month land use moratorium specific to residential development on Seasonal Roads.

Town of Turin – Applicant

The proposed local law and General Municipal Referral Form were submitted by Town of Turin Planning Board Chairman, Daniel Szalach, on behalf of Town of Turin Supervisor, Jane Gillette. Land use moratoria are classified as Type II actions; therefore, the Town of Turin is not required to undertake SEQR review for this action.

Land Use Moratorium

The Town of Turin Board is proposing a twelve (12) month moratorium on the acceptance and approval of applications for permits related to the placement, construction, enlargement, or erection of residential dwellings on seasonal roads within the Town of Turin. While it is presumed that this moratorium applies to all zoning districts within the Town, it is recommended that this be explicitly stated to avoid ambiguity and ensure uniform application.

The Town is concerned about residential development on seasonal roads, which cannot be maintained year-round. This may lead to unsafe living conditions, especially in winter. The Town will address these issues through careful planning.

This moratorium is intended to provide the necessary time to review, revise, and potentially adopt land use regulations that better reflect the unique challenges associated with development on seasonal-use roadways, thereby protecting public safety, infrastructure integrity, and overall community welfare. Incorporating this language into the introductory or enabling section of the local law would help clearly establish the Town Board's legal authority to impose the moratorium and reduce the risk of legal challenges.

According to Town Highway Law § 205-a, Seasonal limited-use highways shall be those town highways without occupied residences **or commercial** buildings dependent upon such highways for access. For this reason, prior to adoption, the Board should consider adding commercial development to all sections referencing residential development, to include the title of the local law.

It is also recommended that the Town verify whether other road classifications—such as *Minimum Maintenance Highways*—exist within its jurisdiction and whether these classifications meet criteria similar to Seasonal Use Roads. If so, and if such designations are not currently addressed in the moratorium, the Town should consider including them to ensure the proposed moratorium presents a comprehensive and cohesive regulatory approach.

The Town Board should consider ensuring consistent terminology throughout the proposed moratorium, as the current draft appears to use the terms “*residential dwelling*” and “*residence*” interchangeably. This inconsistency may lead to confusion or misinterpretation during implementation or enforcement. It is recommended that the Town choose one term and apply it uniformly throughout the document.

Prior to taking action, there should be an additional section (e.g., Section X-Definitions) added to the proposed local law to clearly define the Town's intent to include or exempt certain uses or applicability from the moratorium's scope. At a minimum, camp, seasonal dwelling, residential dwelling, commercial structure, seasonal limited-use highway, and minimum maintenance highway shall be included in this section.

Specifically, Section 240 of the Town of Turin Rural Development Law references *single-family dwellings*, *two-family dwellings*, and *multi-family dwellings*, whereas "Camp" is defined under Section 140, but does not appear in the land use table found in Section 240. This suggests that camps may not be a permitted use in any district, though the law is silent on this point. The moratorium should account for this discrepancy and either affirm or clarify the regulatory status and definition of what shall be considered a camp and other seasonal-use structures.

Providing clear definitions and consistent language will support enforceability, reduce the risk of misapplication, and enhance the overall clarity and intent of the moratorium.

The Town should consider revising the language used in Section 2.1 to ensure greater precision and clarity. The current statement reads: "*The Town of Turin has received inquiries concerning applications for the construction of residences on seasonal-use roads in the Town. The Town is unable to undertake the cost of updating, maintaining, and plowing seasonal **limited-use** roadways to Town standards in every instance.*"

First, the Town should review whether it has received only **inquiries** or both **inquiries and formal applications**. If applications have already been submitted, this may frame the moratorium as a reactive measure. By contrast, referencing ongoing inquiries would position the moratorium as a proactive step to address foreseeable development pressures and regulatory gaps.

Secondly, the final sentence could be strengthened to more clearly establish the moratorium's connection to public health and safety. A potential revision may read:

"Accepting new applications prior to the completion of the ongoing land use regulation update would significantly impede the Town's ability to properly protect the health, safety, welfare, and quality of life of its residents by committing the Town to a regulatory framework that is not yet fully developed and may lack the necessary protections."

This revised language more clearly communicates the purpose and urgency of the moratorium while grounding it in the Town's responsibility to its residents.

Section 2.2 could be expanded to more clearly articulate that the Town of Turin's Rural Development Law does not sufficiently address development on Seasonal Limited Use or Minimum Maintenance Highways. Clarifying this gap in the current regulatory framework would further support and justify the necessity of the proposed moratorium.

Before adoption, the Town Board should consider explicitly citing the statutory authority under which it enacts the proposed moratorium to strengthen its legal foundation and clarity. The following language may be appropriate for inclusion:

"Pursuant to the authority and provisions of the New York State Constitution, Section 10 of the Municipal Home Rule Law, and the statutory powers vested in the Town of Turin to regulate and control land use and to protect the health, safety, and welfare of its residents, the Town Board of the Town of Turin hereby enacts a moratorium on the acceptance or processing of applications, the review of applications, and the issuance of approvals or permits for the placement, construction, enlargement, or erection of residential or commercial structures on seasonal limited use and minimum maintenance highways. This moratorium shall remain in effect for a period of twelve (12) months from the effective date of this Local Law."

Additionally, the Town Board should consider amending Section 2 to reflect that the Town of Turin is actively engaged in the process of developing appropriate regulations to address these concerns. It would also be advisable to include a statement that the Town Board has determined this moratorium constitutes a Type II action under the State Environmental Quality Review Act (SEQRA), thereby not requiring further environmental review. The suggested additions are as follows:

- 1. The Town of Turin has been actively reviewing and drafting regulatory measures for the Town of Turin Rural Development Law to clearly and fairly address development on seasonal and minimum maintenance roads to promote and preserve the health, safety, and welfare of the Town and its citizens.*
- 2. The Town Board finds that the adoption of this moratorium constitutes a Type II action under the State Environmental Quality Review Act (SEQRA), as it is intended to prevent environmental impacts that could result from unregulated development and thus does not require further environmental review under 6 NYCRR Part 617.*

Section 5 currently establishes a term of twelve (12) months for the moratorium, with the possibility of a one-time extension of up to an additional twelve (12) months, subject to approval by Board Resolution. However, consultations with multiple professionals in the field have raised concerns regarding the legal validity of extending moratoria through such a resolution. It is uncertain whether this approach would withstand legal scrutiny, potentially placing the municipality at risk if challenged. Considering these

concerns, it is recommended that the provision allowing for an extension be removed entirely from Section 5. It is also widely recognized as best practice to limit moratoria to a maximum duration of twelve (12) months. Since the proposed term already reflects this standard, the removal of extension language is further justified. Should the Town be unable to implement the necessary changes within the initial twelve-month period, it would be more appropriate to adopt a new moratorium. To avoid any lapse, the Town should consider initiating the process for a new moratorium approximately three (3) months prior to the expiration of the filed moratorium.

The Town should clarify enforcement authority and procedures for issuing stop work orders or requiring removal of non-compliant structures within Section 6 by cross-referencing existing code enforcement procedures within the Town of Turin Rural Development Code.

While the proposed language in Section 7. Validity is not technically improper; the section could be revised to improve clarity and effectiveness. The Town Board may wish to consider whether the following alternative language would be more appropriate:

Section 7. Severability

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

The proposed moratorium submitted by the Town of Turin, which addresses the construction of residential dwellings on seasonal limited-use roads, presents potential risks for misinterpretation and legal challenge in its current form. However, with careful revision and clarification, the moratorium has the potential to serve as an effective and enforceable regulatory tool.

Recommendation: Approve with Conditions

The acting municipal body must have a super-majority (majority plus one) vote to disregard the following conditions:

1. Before acting, the Town Board should revise the local law to explicitly state that the moratorium applies to all zoning districts within the Town to eliminate any potential ambiguity and ensure consistent enforcement across all areas.
2. According to Town Highway Law § 205-a, Seasonal limited-use highways shall be those town highways without occupied residences **or commercial** buildings dependent upon such highways for access. For this reason, prior to adoption, the Board should consider adding commercial development to all sections referencing residential development, to include the title of the local law.

3. Before taking action, the Town Board should expand the scope of the proposed moratorium to include similar but legally distinct road classifications, such as Minimum Maintenance Highways. While the moratorium does not currently address these roads, similar issues related to development could arise. Including Minimum Maintenance Highways within the moratorium's scope will help ensure a comprehensive and cohesive regulatory approach. With this addition, the title of the proposed law should also include Minimum Maintenance Highways.
4. Prior to taking action, there should be an additional section (e.g., Section X-Definitions) added to the proposed local law to clearly define the Town's intent to include or exempt certain uses or applicability from the moratorium's scope. At a minimum, camp, seasonal dwelling, residential dwelling, commercial structure, seasonal limited-use highway, and minimum maintenance highway shall be included in this section.
5. Before acting, the Town Board should consider explicitly citing the statutory authority under which it enacts the proposed moratorium to strengthen its legal foundation and clarity. The following language may be appropriate for inclusion:

"Pursuant to the authority and provisions of the New York State Constitution, Section 10 of the Municipal Home Rule Law, and the statutory powers vested in the Town of Turin to regulate and control land use and to protect the health, safety, and welfare of its residents, the Town Board of the Town of Turin hereby enacts a moratorium on the acceptance or processing of applications, the review of applications, and the issuance of approvals or permits for the placement, construction, enlargement, or erection of residential or commercial structures on seasonal limited-use and minimum maintenance highways. This moratorium shall remain in effect for a period of twelve (12) months from the effective date of this Local Law."

Incorporating this language and the updated references to minimum maintenance highways and commercial structures into the introductory or enabling section of the local law would help to clearly establish the Town Board's legal authority to impose the moratorium and reduce the risk of legal challenge.

6. Before acting, the Town Board should ensure consistent terminology within the proposed moratorium, choosing between "residential dwelling" and "residence" to prevent confusion. The selected term should be clearly defined in the recommended definitions section to specify whether structures like camps or seasonal dwellings are included. This is crucial, as Section 240 of the Rural Development Law references various dwellings but omits camps, creating ambiguity about their permitted use. Addressing this and clarifying the regulatory status of such structures will enhance the moratorium's clarity, enforceability, and alignment with existing laws.

7. Prior to taking action, the Town should clarify enforcement authority and procedures for issuing stop work orders or requiring removal of non-compliant structures within Section 6 by cross-referencing existing code enforcement procedures within the Town of Turin Rural Development Code.

Non-Binding Notes:

These are used as suggestions and/or advice from the County Planning Board, the municipality is not required to take action, nor is a supermajority vote required.

1. The Town Board should consider amending Section 2 before enactment to reflect that the Town of Turin is actively engaged in the process of developing appropriate regulations to address these concerns. It would also be advisable to include a statement that the Town Board has determined this moratorium constitutes a Type II action under the State Environmental Quality Review Act (SEQRA), thereby not requiring further environmental review.
 4. *The Town of Turin has been actively reviewing and drafting regulatory measures for the Town of Turin Rural Development Law to clearly and fairly address development on seasonal **limited-use and minimum maintenance highways** to promote and preserve the health, safety, and welfare of the Town and its citizens.*
 5. *The Town Board finds that the adoption of this moratorium constitutes a Type II action under the State Environmental Quality Review Act (SEQRA), as it is intended to prevent environmental impacts that could result from unregulated development and thus does not require further environmental review under 6 NYCRR Part 617.*
2. The Town of Turin Board should reconsider the extension provision in Section 5, which allows a 12-month moratorium to be extended by resolution for another 12 months. Legal experts have expressed concerns about the validity of such extensions, potentially exposing the Town to legal challenges. As best practice limits moratoria to 12 months, the extension clause should be removed. If additional time is needed, the Town can adopt a new moratorium, initiating the process at least three months before the existing moratorium's expiration to avoid any lapse.
3. The Town Board should consider whether an expanded Section 2.2 is warranted to more clearly articulate that the Town of Turin's Rural Development Law does not sufficiently address development on Seasonal Limited-Use or Minimum Maintenance Highways. Clarifying this gap in the current regulatory framework would further support and justify the necessity of the proposed moratorium.
4. The Town of Turin should consider adding the following elements at the beginning of the moratorium document to ensure uniformity, consistency, and clarity: *Town of Turin*, the local law number (e.g., *Local Law No. [__] of 2025*), and a clear and descriptive title for the moratorium (e.g., *"A Local Law Establishing a Twelve-Month Moratorium on the Acceptance and Processing of Applications for Development on Seasonal Limited-Use and Minimum*

Maintenance Highways in the Town of Turin”). Including these elements at the outset aligns the document with standard legislative formatting practices and improves transparency and ease of reference for both municipal officials and the public. ~~Including these elements at the outset aligns the document with standard legislative formatting practices and improves transparency and ease of reference for both municipal officials and the public.~~

5. Section 7. Validity – While the current language is not technically improper, the section could be revised to improve clarity and effectiveness. The Town Board may wish to consider whether the following alternative language would be more appropriate:

Section 7. Severability

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

6. The Town should consider revising the language used in Section 2.1 to ensure greater precision and clarity. The current statement reads: “The Town of Turin has received inquiries concerning applications for the construction of residences on seasonal use roads in the Town. The Town is unable to undertake the cost of updating, maintaining, and plowing seasonal **limited-use** roadways to Town standards in every instance.”
7. The Town should review whether it has received only **inquiries** or both **inquiries and formal applications**. If applications have already been submitted, this may frame the moratorium as a reactive measure. By contrast, referencing ongoing inquiries would position the moratorium as a proactive step to address foreseeable development pressures and regulatory gaps.
8. The final sentence could be strengthened to more clearly establish the moratorium’s connection to public health and safety. A potential revision may read:

“Accepting new applications prior to the completion of the ongoing land use regulation update would significantly impede the Town's ability to properly protect the health, safety, welfare, and quality of life of its residents by committing the Town to a regulatory framework that is not yet fully developed and may lack the necessary protections.”

This revised language more clearly communicates the purpose and urgency of the moratorium while grounding it in the Town’s responsibility to its residents.

9. The Town Board should consider revising the Rural Development Law to explicitly add the term “Camp” to the land use table in Section 240, accompanied by appropriate permitting requirements that reflect the Town’s standards and comfort level. Additionally, the Board may wish to

refine the existing definition of Camp—particularly the phrase “lacking improvements necessary for permanent use as a dwelling”—to provide clearer guidance on what constitutes a camp versus a permanent residence. Since “Camp” is currently defined in Section 140 but is absent from the land use table in Section 240, it is presumed that camps are prohibited across all zoning districts. By formally including camps in the land use table with clear permitting criteria, the Town can provide clarity, establish appropriate regulatory controls, and ensure that seasonal or recreational structures are properly addressed within the zoning framework.

10. The Town Board is encouraged to consider publishing all currently active local laws and ordinances on the newly established municipal website in order to promote greater accessibility, transparency, and public awareness.

Several conditions were discussed with the Applicant and the Board. These included the Town of Turin's no-plow law and the potential loss of right-of-way if woody vegetation exceeding four inches in diameter were to grow. The applicant also disclosed that while only inquiries had been made at the time the moratorium was drafted, a formal application has now been submitted. The applicant sought guidance on how the Town should proceed, and it was recommended they consult with the Town's legal counsel.

This review revealed a redundant sentence within non-binding note 4, which has since been removed (as indicated by the strikethrough).

With no further discussion, Mr. Lehman motioned to approve the land use moratorium, including the stated conditions and non-binding notes. Mr. Petersen seconded the motion, and it carried unanimously.

Ms. Krokowski proceeded to read the next review.

TOWN OF TURIN PLANNING BOARD

Special Use Permit for the proposed construction of a 200' x 200' temporary commercial construction storage yard for an essential facility located at 6610 Burdicks Crossing Road (County route 36) in the Town of Turin.

Tax Map Parcel #290.00-04-15.000

National Grid – Applicant

The applicant provided the following Project Documentation: 1) Site Plans; 2) General Municipal Referral Form with Agricultural Data Statement (to be corrected); 3) FEAF Parts 1-3; and 4) Turin Special Use Permit Application.

The County Planning Board has been made aware that development activity was initiated on the subject property within the Town of Turin prior to the issuance of the required local permits. We must emphasize that proceeding

with work before obtaining appropriate approvals is a violation of established municipal procedures and compromises the integrity of the local and intermunicipal planning review process.

While the County Planning Board serves in an advisory capacity, it is our obligation to note that unauthorized development can lead to complications in both permitting and project compliance. We recommend that the Town of Turin Planning Board carefully evaluate the extent of the unpermitted work and ensure that any continued review of this application includes full disclosure and documentation of the activities undertaken without prior approval.

- *Compatibility with Adjacent Uses*

The subject parcel lies within the Town's "C" Zoning District and is surrounded by agricultural, low-density residential, and forested uses. The proposed setbacks are not consistent with Article 2, Section 250 of the Town's Rural Development Law, an area variance should be pursued before taking action.

Town of Turin - District "C"		
Set Back	Minimum	Proposed
Lot Frontage	200'	800'
From Centerline of Non-State Roads	60'	45'
From Side and Rear Lot Lines	25'	+25'
From Well or Septic Absorption Field to any Lot Line	50'	NA'

The applicant should be aware that the prior use as a Drive-in Movie Theatre undoubtedly had a septic system, and the area should be flagged and avoided by heavy equipment for safety purposes.

The site also abuts the Lewis County Trail System (ATV/snowmobile). According to the site plan, the construction yard will maintain an adequate setback to avoid interference. The Lewis County Recreation, Forestry & Parks Director confirmed the department is coordinating trail signage to mitigate potential cross-traffic safety concerns.

- *Traffic Generation and Effect*

The applicant has indicated that operations will occur between 7:00 a.m. and 7:00 p.m., with an estimated 20 trucks entering and exiting the site daily. Based on additional submissions and consultation with the Lewis County Highway Superintendent, the following updated findings and recommendations are noted:

Traffic Type and Phasing: According to Eric Hall, Lead Supervisor for National Grid, only limited traffic related to timber swamp pad installation is anticipated at this time. The bulk of the construction traffic will be addressed in a future phase, with a detailed logistics and routing plan to follow.

Site Access and Internal Circulation: The submitted site drawing now includes a clearly defined access and egress driveway with labeled traffic flow patterns. Equipment and material loading/unloading areas are located within a designated 200' x 200' gravel surface yard, with on-site parking for equipment and vehicles located adjacent to the temporary job trailer.

Driveway Adequacy and Entrance Protection: The County Highway Superintendent requested that the applicant place stone at the entrance to reduce damage to road aprons. This recommendation has been communicated and acknowledged.

Signage and Trail Safety: The applicant, in coordination with the Lewis County Recreation, Forestry, and Parks Department and NYSDOT, has agreed to install the following:

- “Trucks Entering” signs on NYS Route 12 and Burdicks Crossing Road
- ATV/snowmobile trail signage at 150' and 500' intervals in both directions due to the trail's proximity to the site.

Trail safety coordination is ongoing, with signage placement to be completed prior to high-traffic construction phases.

Road Use Agreement: A formal Road Use Agreement has been requested by the Highway Superintendent to address potential damage due to heavy construction traffic. The applicant has agreed to a future meeting to establish the agreement once project activities increase.

Noise and Dust Considerations: The project will generate noise from 7:00 a.m. to 7:00 p.m. No vegetative noise barriers are proposed, but the trailer and construction yard are set back approximately 150' from the nearest residential structure. The gravel surface of the yard is expected to suppress dust, and the applicant has stated that fencing placement accommodates trail and roadway setbacks.

Traffic Safety Data: The FEAF projects a modest increase in truck traffic on Burdicks Crossing Road from 10% to approximately 12% of total road use. These estimates align with NYS Traffic Viewer data and are considered acceptable within the road's capacity.

These updates demonstrate improved alignment with the Town of Turin Rural Development Law requirements and reflect coordination with relevant County departments. Before issuing a special use permit, documentation of the following should be submitted to the Town Planning Board:

- a. Confirmation of entrance stabilization with stone;
- b. Execution of the Road Use Agreement;
- c. Finalized signage placement, particularly for trail crossings;
- d. Updated traffic management plans once construction phases advance

▪ *Protection of Community Character*

According to pages 12 and 13 of the submitted Full Environmental Assessment Form (FEAF) Part 1, the project site is not located within a Critical Environmental Area, nor is it listed on the National or State Registers of Historic Places. It is not identified as a state remediation site, is not reported to be home to any threatened or endangered species and is not situated within the 100-year floodplain. This information has been corroborated as part of this technical review.

However, mapping through the New York State Historic Preservation Office's (SHPO) Cultural Resource Information System (CRIS) indicates that the parcel lies near an area designated as archaeologically sensitive. Therefore, consultation with SHPO is strongly recommended prior to the commencement of any ground-disturbing activities.

Additionally, the U.S. Fish and Wildlife Service's Official Species List identifies the Monarch Butterfly, a candidate species, as potentially present in the project area. As such, during construction activities, care should be taken to avoid disturbance of any habitats supporting protected or at-risk species.

The NYS Environmental Assessment Form (EAF) Mapper further identifies the site as being located on or adjacent to:

- Federally regulated wetlands
- A Class C and C(T) stream
- A Principal Aquifer
- An archaeologically sensitive site

Should any aspect of the proposed development have the potential to directly or indirectly impact these features, the applicant must obtain all necessary environmental permits to ensure compliance and to prevent contamination or degradation of these natural resources.

▪ *Signage*

The proposal, as submitted, does not include plans for permanent signage. However, should any signage be proposed in the future, it must comply with Article 3, Section 305 of the Town of Turin Rural Development Law.

In accordance with New York State Industrial Code Rule 57.8, any equipment capable of operating near high-voltage lines must display a durable warning sign in plain view of the operator. This sign must be legible from a distance of at least 12 feet and contain the following wording in black letters on a yellow background:

DANGER
Unlawful To Operate Any Part
Of This Equipment Within 10 Feet Of
High-Voltage Lines

Additional warning signage should be placed on equipment and around the work area to ensure adequate visibility and awareness for all personnel and visitors on site.

While there are no specific signage regulations for temporary work yards under New York State law, general construction site requirements include clearly displayed address identification signage. As required by the 2020 New York State Fire Code, the address must be:

- New and existing buildings must have approved address identification
- Clearly visible from the street
- Composed of Arabic numerals or letters (not spelled out)
- In characters at least 4 inches in height with a minimum stroke width of 0.5 inches.
- In a color that contrasts clearly with the background
- Additional Locations: The fire code official may require address identification in other approved locations for emergency response facilitation.

Proper address signage assists emergency responders, code officials, and delivery personnel in quickly locating the site, which is especially important for temporary industrial or construction facilities.

▪ *Drainage*

According to Page 6 of the submitted FEAF) Part 1, the proposed project is not anticipated to generate stormwater runoff from new point sources either during or after construction. Additionally, Page 11 of the FEAF indicates that the entire project site consists of slopes between 0–10%, and that no waterbodies or wetlands are present on or immediately adjacent to the parcel.

However, as part of this review, Lewis County Planning Department staff completed a supplemental review using the NYS Environmental Assessment Form Mapper, which identified Douglass Creek, a Class C stream, located on the adjoining parcel to the north. While not situated on the project site itself, this nearby waterbody should be carefully avoided and left undisturbed throughout project planning and construction activities to prevent indirect impacts such as sedimentation, runoff, or erosion-related contamination.

▪ *Erosion:*

According to Page 3 of the submitted FEAF Part 1, approximately 0.919 acres of land will be physically disturbed as part of the proposed activity. Should the scope of disturbance increase to one acre or more, the applicant will be required to obtain coverage under the New York State SPDES General Permit for Stormwater Discharges from Construction Activity.

Pursuant to Section 1120 of the Town of Turin Rural Development Law, all development proposals must comply with the Erosion and Sediment Control Plan Standards as detailed in one or more of the following:

- USDA Soil Conservation Service Engineering Field Manual (EFM)
- New York Guidelines for Urban Erosion and Sediment Control
- Any other erosion control manual recognized by the Town Planning Board

As further required under Section 1120.21, the Town Planning Board may request a detailed grading and drainage plan, including identification of all existing hydrologic features and proposed contour elevations at intervals of ten feet or less. The applicant is encouraged to seek technical guidance from the Lewis County Soil and Water Conservation District, the Town Engineer, or a licensed Professional Engineer to ensure best practices are followed.

Per Section 1125 of the Town of Turin Rural Development Law, the Town Planning Board retains discretion to waive specific submission requirements. However, if such a waiver is granted, a thorough justification should be included in the official Planning Board meeting minutes and clearly documented for the public record.

▪ *Parking*

In accordance with Article 3, Section 310 of the Turin Rural Development Law, all proposed uses must provide adequate off-road parking sufficient to accommodate vehicles during typical peak-use periods. The law further requires that parking layouts be designed to prevent the need for vehicles to back out onto public roads, thereby enhancing safety and traffic efficiency.

The Town Planning Board must determine whether any of the use-specific parking standards apply to this project, particularly those for places of employment, public meeting areas, or commercial uses. As the currently submitted Site Map does not identify designated parking areas, the Town Planning Board is advised to clarify one of the following in its formal findings:

- Whether the provided parking arrangements are deemed sufficient;
- Whether a detailed parking plan is required;
- Whether a waiver of parking requirements has been issued;

- Or whether the application necessitates a zoning variance for nonconformance.

Clear documentation of whichever determination is made should be included in the meeting record to ensure transparency and procedural consistency.

▪ *Community Facilities*

According to the information presented in Part 1 of the FEAF, the proposed action will not generate a new demand for water and does not include any connection to an existing public water supply. Furthermore, the project is not anticipated to produce liquid waste.

While no permanent water or wastewater infrastructure is proposed, the applicant must provide additional information regarding the temporary sanitary facilities to be utilized during construction operations. This should include:

- The number and location of portable restrooms;
- Provisions for handwashing or water access;
- Service and maintenance schedules for these facilities

Given the temporary nature of the proposed construction yard, the Town Planning Board shall determine the applicability of:

- Section 610 – Required Public Improvements; and
- Section 620 – Required Financial Security as outlined in the Town of Turin Rural Development Law, particularly with respect to site infrastructure that supports safe and sanitary operation.

▪ *Lighting*

As described in the submitted FEAF, the applicant proposes the use of a light plant for nighttime security, which will be positioned to illuminate the temporary construction trailer and is reportedly directed away from the road.

To fully evaluate the potential impact of proposed lighting on traffic, trail users, and neighboring properties, the applicant is advised to submit the following:

- A lighting plan with the locations of all proposed fixtures;
- The lumen output and type of fixtures to be used;
- The placement of the temporary trailer in relation to nearby roadways and the ATV/snowmobile trail.

Per Sections 1115 and 1120 of the Town of Turin Rural Development Law, outdoor lighting must be designed to:

- Avoid glare and minimize light pollution;
- Prevent interference with visibility on NYS Route 12, Burdicks Crossing Road, and the adjacent trail system.

The use of fully shielded, downcast lighting fixtures is strongly encouraged to minimize intrusion into surrounding areas and protect public safety.

▪ *Landscaping and Screening*

The applicant proposes a gated, 6-foot-high chain-link fence along the road frontage to provide site access control and accommodate the existing snowmobile trail and road easement. No additional landscaping or screening measures have been proposed at this time.

Given the visual exposure of the site and proximity to public recreation corridors and residential properties, the following recommendations are offered:

- The proposed fence should be eight (8) feet in height to be consistent with other essential facilities identified within the Town of Turin Rural Development Law;
- Privacy slats or screening inserts should be included to reduce visual impacts, enhance site security, and limit off-site dust and debris dispersion.

These recommendations are consistent with fencing requirements for other essential facilities within the Town, such as Telecommunication Towers, as noted in the Rural Development Law.

Per Section 1115, all development applications must demonstrate that the site is: "...suitably landscaped and appropriately screened from adjacent properties and the road so as to protect the visual character of the area and to minimize negative impacts on adjacent properties and the neighborhood."

Furthermore, Section 1120 requires the submission of a general landscaping plan, including:

- Proposed buffer areas;
- A planting schedule;
- Long-term maintenance provisions

The Town Planning Board shall determine whether the materials submitted meet these standards, or whether additional screening and landscaping measures are warranted to preserve the rural visual character—particularly from Burdicks Crossing Road, the adjacent ATV/snowmobile trail, and the residential structures located opposite the site.

▪ *Miscellaneous*

Prior to project approval, the Town of Turin Planning Board should require the applicant to develop, submit, and maintain an Emergency Operations Plan (EOP) for the proposed temporary construction yard. The intent of this requirement is to ensure preparedness for potential hazards and to

safeguard facility personnel, emergency responders, and the surrounding community.

A finalized and approved copy of the EOP shall be:

- Retained by the system owner;
- Provided to the local fire department and emergency management personnel prior to the issuance of a certificate of occupancy; and
- Permanently stored in an accessible location on-site for use by facility personnel and first responders.

The Emergency Operations Plan should, at a minimum, include the following components:

- a. Emergency Shutdown Procedures**
Protocols for the safe shutdown, de-energizing, or isolation of site equipment and systems in emergency conditions, including safe reactivation procedures following incident resolution.
- b. Inspection and Alarm Protocols**
Testing and maintenance procedures for any safety alarms, interlocks, or controls, where applicable.
- c. System Failure Response**
Protocols to follow in the event of system failure, including emergency notifications to the fire department regarding hazardous conditions.
- d. Incident Response Procedures**
Step-by-step guidance for response to emergencies such as fires, explosions, hazardous material releases, electrical incidents, or other dangerous situations. Procedures should include:
 - I. Evacuation instructions;
 - II. Equipment shutdown procedures; and
 - III. Containment and extinguishment actions
- e. Safety Data Reference**
Response protocols similar to a Safety Data Sheet (SDS) for materials and equipment on site, especially where SDS documents are not legally required, to aid emergency responders in hazard identification and management.
- f. Damaged Equipment Handling**
Guidance on the safe management and removal of damaged, flammable, or compromised equipment, including contact information for qualified personnel authorized to conduct such removals.
- g. Additional Safety Measures**
Any other emergency preparedness or safety protocols as deemed necessary by the Town Board to ensure the health and safety of occupants, adjacent properties, and emergency responders.
- h. Training and Drills**
A schedule and description of routine training sessions and emergency drills to familiarize on-site personnel and local first responders with

emergency response procedures, including the use of personal protective equipment (PPE).

i. **Site Access for Emergency Responders**

A minimum of one (1) gate key or access code must be provided to each of the following:

- I. A designated Town Official;
- II. A member of the local Fire Department; and
- III. A County Emergency Management representative

In addition, a pre-construction walkthrough and annual site orientation shall be conducted with the Town Board, Fire Department, and County Emergency personnel.

All individuals working at or visiting the National Grid construction yard must be made aware of potential hazards and are required to adhere to all posted safety instructions and verbal directives issued by authorized personnel.

Recommendation: Approve with the following conditions

The acting municipal body must have a super-majority (majority plus one) vote to disregard the following conditions:

1. Due to the site's proximity to an archaeologically sensitive area, the applicant must consult with the New York State Historic Preservation Office (SHPO) and submit confirmation of such consultation, including any recommended mitigation or clearance, prior to further ground disturbance.
2. Should any proposed or incidental development impact federally regulated wetlands, Class C or C(T) streams, or the identified Principal Aquifer, the applicant must secure all required environmental permits from relevant federal and state agencies.
3. Unless the Town Planning Board issues a documented waiver per Section 1125, the applicant shall submit an Erosion and Sediment Control Plan consistent with Section 1120.21 of the Town of Turin Rural Development Law. This plan must be reviewed for compliance with:
 - a. USDA Soil Conservation Service Engineering Field Manual,
 - b. New York Guidelines for Urban Erosion and Sediment Control,
 - c. Or any other Board-recognized standardA professional engineer or the Lewis County Soil and Water Conservation District should review and comment on the plan.
4. If physical disturbance on the site reaches or exceeds one (1) acre, the applicant must obtain coverage under the New York State SPDES General Permit for Stormwater Discharges from Construction Activity.
5. An Emergency Operations Plan (EOP) must be submitted for review and approval. It shall meet the specifications outlined in the Town's guidance and include all items listed under the Emergency Preparedness section (e.g., shutdown procedures, incident response, site access for first responders, etc.). Approved copies must be retained in a secure, accessible location and must be distributed to:

- a. The System Owner,
 - b. Local Fire Department,
 - c. County Emergency Management
- 6. Signage, warning of proximity to high-voltage lines, must be posted in accordance with New York State Industrial Code Rule 57.8., and address signage must be provided and meet the 2020 New York State Fire Code for visibility and legibility.
- 7. The applicant shall place stone at the entrance to reduce damage to road aprons to the satisfaction of the Lewis County Highway Superintendent. This recommendation has been communicated and acknowledged.
- 8. The applicant, in coordination with the Lewis County Recreation, Forestry & Parks Department and NYSDOT, has agreed to install the following:
 - a. "Trucks Entering" signs on NYS Route 12 and Burdicks Crossing Road.
 - b. ATV/snowmobile trail signage at 150' and 500' intervals in both directions due to the trail's proximity to the site.
- 9. A lighting plan must be submitted indicating fixture locations, type, lumen output, and direction. Fixtures must be downcast and shielded to prevent light spillage onto NYS Route 12, Burdicks Crossing Road, or the adjacent trail.
- 10. Unless the Town Planning Board issues a documented waiver per Section 1125, the applicant must revise the site plan to include:
 - a. A 6-foot chain-link fence with privacy slats;
 - b. A general landscaping and buffer plan with a planting schedule
- 11. Unless the Town Planning Board issues a documented waiver per Section 1125, maintenance provisions, in accordance with Sections 1115 and 1120 of the Town's Rural Development Law, should be followed.
- 12. The applicant shall submit a temporary sanitary facilities plan, including the following:
 - a. The number and location of portable restrooms;
 - b. Provisions for water access and handwashing;
 - c. The schedule for regular service and maintenance
- 13. The Town Planning Board shall determine the applicability of Section 610 (Required Public Improvements) and Section 620 (Required Financial Security) of the Town of Turin Rural Development Law and require documentation or waivers as appropriate.
- 14. The applicant shall coordinate with NYS DOT regarding any signage proposed within the state highway right-of-way to warn of commercial vehicle ingress/egress on NYS Route 12.
- 15. The Town shall require a fully executed formal Road Use Agreement between the County and the applicant to address potential damage due to heavy construction traffic.
- 16. Before taking action, the applicant should provide the Town Planning Board with written confirmation that they will comply with Article 3 Section 315 in which *"No use in any district shall cause unreasonable nuisance adversely affecting adjacent property. This means objectionable noise, smoke, dust, air*

or water pollution, or any other nuisance must be restrained within property lines.”

17. Compliance with all Local, State, and Federal regulatory requirements for this type of facility and the products stored.

Non-Binding Notes:

These are intended as suggestions and/or advice from the County Planning Board; the municipality is not required to take action, nor is a supermajority vote required to disregard these notes.

1. The Town Planning Board should consider whether the Agricultural Data Statement should include all adjoining properties with active crop acreage within Agricultural District 6.
2. While the County Planning Board serves in an advisory capacity, it is our obligation to note that unauthorized development can lead to complications in both permitting and project compliance. We recommend that the Town of Turin Planning Board carefully evaluate the extent of the unpermitted work and ensure that any continued review of this application includes full disclosure and documentation of the activities undertaken without prior approval.

Condition 5 was discussed regarding the applicability of providing an Emergency Operation Plan, as the Town indicates it would apply more to the subsequent permit expected next year. The applicant’s representative, who was present, indicated that National Grid has to have such plans prepared, and he could submit such to the Town Board. Based on this discussion, the Board chose to leave Condition 5 as is.

Mr. Szalach stated that the Town has been lenient with the applicant since the Planning Board feels the site has been improved from its original condition, which had perceived safety concerns.

No additional comments or questions were raised. Mr. Cook motioned to approve with the conditions and non-binding notes. Mr. Osborne seconded the motion, which carried with a majority in support. Mr. Lehman opposed the motion.

Ms. Krokowski read the third review:

TOWN OF TURIN PLANNING BOARD

Special Use Permit for the proposed construction of a municipal glass-fused-to-steel groundwater storage tank and access road connecting to an existing gravel access path from Lee Gulf Road, classified as an essential facility located at 4173 West Road (County route 51) in the Town of Turin.

Tax Map Parcel #TBD* (previously #305.00-01-09.118)

Village of Turin – Applicant

The applicant provided the following Project Documentation: 1) Site Plans; 2) General Municipal Referral Form with Agricultural Data Statement; 3) SEAF Parts 1-3 and previously prepared FEAF (for the entire water infrastructure project); and 4) Turin Special Use Permit Application.

*Real Property Director, Candy Akin verified that the deed was filed on 6/10/2025 and the official resulting tax parcel will be forthcoming.

The Village and Town of Turin propose to construct a 209,100-gallon ground-level water storage tank along with associated water infrastructure, including an 8-inch ductile iron water main, electrical and communication conduits, grading, drainage improvements, and a stone access road. The tank will serve public water needs and improve water system reliability and fire protection capacity. This review was limited to the water tank site and adjoining easements thereto rather than the entire improved water system per the referral provided by the Town Planning Board.

▪ *Compatibility with Adjacent Uses*

The project site is within a rural area characterized by forested and low-density residential land uses. A 7-foot chain link fence and gated access point will restrict unauthorized entry. Given the essential public function, the project is compatible with surrounding uses. This is consistent with the definition of "Essential Facilities" in Article 1, Section 140 of the Town of Turin Rural Development Law. According to C507 of the submitted plans, the proposed height of the structure is a total of 41.59 feet when including the roof. Section 320 sets a structure height threshold at 40 feet; however, an exemption is provided for water tanks. According to the table below, the proposal complies with Article 2, Section 250 of the Town of Turin Rural Development Code.

The following dimensional requirements were evaluated as part of this review:

Town of Turin - District "B"		
Set Back	Minimum	Proposed
Lot Frontage	200'	208'*
From Centerline of Non-State Roads	60'	+60'
From Side and Rear Lot Lines	25'	58'
From Well or Septic Absorption Field to any Lot Line	50'	450'

*The lot frontage/road frontage requirements were waived due to the essential facility classification and the proposed deeded access through the Snow Ridge Campground off Lee Gulf Trail per email with the Turin Planning Board Chairman, Dan Szalach, dated 6/10/2025.

It should be noted that the Ag Data Statement may require updates to address properties within Agricultural District 6 and 250 feet of the proposed permanent easements containing crop acreage.

- *Traffic Generation and Effect:*

Temporary construction-related traffic will be generated during installation. Long-term traffic impacts are negligible. Construction access will be provided by a new stone road. The Town Planning Board should ensure that Lee Gulf Road, or any portion of the access route used to reach the water storage facility, is maintained **year-round** by the Town. This is necessary to ensure continuous emergency and operational access consistent with the facility's classification as an **essential public utility** and in accordance with the requirements of the Emergency Operations Plan under Section 1120.22. No adverse traffic effects are anticipated. However, the applicant should:

- Ensure safe ingress/egress for emergency and maintenance vehicles.
- Notify local first responders of site access and road conditions during construction and post-construction, since access differs.
- Confirm with the Town will maintain access year-round to serve this essential public infrastructure and emergency responders must be able to access the site at all times in addition to operational reliability and continuity.

- *Protection of Community Character:*

Based on the EAF Mapper summary, the site is not located in or adjacent to any designated Critical Environmental Area, nor is it associated with any properties listed or eligible for the State or National Registers of Historic Places. The site is not recognized in the SHPO archaeological site inventory. Additionally, the U.S. Fish and Wildlife Service's IPaC report confirms that the only federally listed species that may be present in the project area is the Monarch Butterfly (*Danaus plexippus*), which is currently proposed for threatened status. No critical habitats are designated within the project area. The construction and operation of the water storage tank is not expected to impact this species.

Further review of the NYS Environmental Resource Mapper (ERM) indicates the project site does not intersect mapped Significant Natural Communities or Rare Species occurrences. No Unique Geological Features or Mussel Screening Areas are indicated in the vicinity. A review of the National Wetlands Inventory and Freshwater Wetlands data layers also confirms no mapped wetlands are located directly on the proposed tank site; however, compliance with 6 NYCRR Part 664 is required. According to the provided FEAF on the entire water infrastructure project (including the new water tank), wetland delineations will be conducted during the project's design phase to identify the boundaries of wetlands and surface waters within the project area.

Recommendations:

- Consult SHPO prior to ground disturbance.
- Ensure site screening and fencing maintain the rural character. Refer to Section 1115 of the Rural Development Law for screening requirements.
- Monitor for any future changes to the federal species list and review impacts if Monarch habitat conditions change.

Given the placement on such an elevation, visual impact should be strongly considered, including the color of the structure itself, and mitigation measures should be implemented as the Town Board/Planning Board sees fit.

▪ *Signage:*

No permanent signage is proposed. Utility safety signage, address markers, and high-voltage warnings (per NYS Industrial Code Rule 57.8) must be posted. Any future signage must comply with Article 3, Section 305 of the Town of Turin Rural Development Law.

▪ *Drainage:*

Comprehensive drainage measures are included:

- Detention pond
- Infiltration basin
- Diversion and conveyance swales
- Riprap energy dissipation

The system is designed to contain runoff on-site. Elevations and slopes meet current engineering standards. Drainage features must conform to requirements in Article 3, Section 335 of the Rural Development Law.

▪ *Erosion:*

Land disturbance exceeds one acre. Coverage under NYS SPDES General Permit is required. The applicant is aware of this requirement and additionally plans to prepare a SWPPP detailing suitable erosion control measures. Erosion controls include silt fencing, dry swales, and check dams.

▪ *Parking:*

As a utility site, no public parking is required. A small access pad is included for operational vehicles. Parking provisions are aligned with Article 3, Section 310.

▪ *Community Facilities:*

The facility improves municipal water capacity and reliability, enhancing fire protection. No additional burden on community infrastructure is expected. This utility development aligns with the goals stated in Article 1, Section 120 of the Rural Development Law.

- *Lighting:*

Minimal security downcast lighting will be provided according to the FEAF. Fixtures must be shielded and downward-facing to prevent off-site glare. Refer to Section 1115 of the Rural Development Law for additional outdoor lighting requirements. The applicant should submit a lighting plan that includes:

- Fixture locations
- Specifications (downcast/shielded)
- Lumen output and coverage area
- Orientation and cut-off angles

This is especially important to ensure compliance with **Section 1115 of the Rural Development Law**, which governs light spillage and glare in rural areas.

- *Noise*

The applicant should attest to compliance of Article 3 Section 315, *“No use in any district shall cause unreasonable nuisance adversely affecting adjacent property. This means objectionable noise, smoke, dust, air or water pollution, or any other nuisance must be restrained within property lines.”*

- *Landscaping and Screening:*

A 7-foot chain-link security fence was proposed. It is suggested that the 7-foot chain-link fence includes privacy screening slats to reduce potential visual impacts. The tank is sited below the tree line where possible. Additional vegetative screening is recommended along prominent viewpoints. All site landscaping should adhere to Sections 1115 and 1120 of the Rural Development Law unless a written waiver is provided, as allowed in Section 1125.

- *Miscellaneous*

It should be noted that the tank includes cathodic protection and internal mixing system. Additionally, coordination with utility companies for conduit installation is noted.

The Board should consider requiring an Emergency Operations Plan (EOP) to be submitted and reviewed (see Section 1120.22). The EOP could include procedures for contact information, inspection schedules, failure response, incident protocols, safety documentation, damaged equipment handling, coordination with emergency responders, and an on-site copy accessible to first responders.

Recommendation: Approve with the following conditions (to be met prior to Board action)

The acting municipal body must have a super-majority (majority plus one) vote to disregard the following conditions:

1. The Planning Board should ensure that Lee Gulf Road, or any portion of the access route used to reach the water storage facility, is maintained year-round by the Town. This is necessary to ensure continuous emergency and operational access consistent with the facility's classification as an essential public utility. The applicant should also:
2. Ensure safe ingress/egress for emergency and maintenance vehicles.
3. Notify local first responders of site access and road conditions during construction and post-construction, since the means of access differs.
4. Confirm with the Town Highway Department that they will maintain access year-round to serve this essential public infrastructure, and emergency responders must be able to access the site at all times, in addition to operational reliability and continuity.
5. Town Planning Board must confirm SHPO consultation has occurred, and any related recommendations have been addressed. Likewise, the applicant shall be responsible for consulting with SHPO and providing documentation that all SHPO's conditions have been addressed, if any.
6. Applicant must obtain NYSDEC SPDES permit coverage and submit documentation to the Planning Board, as land disturbance exceeds one acre. The applicant is aware of this requirement, according to the supporting documentation provided with the FEAF.
7. Unless the Town Planning Board has provided the applicant with a written waiver, the applicant shall provide lighting fixture specifications and locations showing downcast, shielded lighting compliant with Section 1115, along with lumen output and coverage area required by Section 1120.
8. Applicant shall identify proposed address signage on plans consistent with NYS Fire Code, including utility safety signage, address markers, and high-voltage warnings (per NYS Industrial Code Rule 57.8) must be posted. Any future signage must comply with Article 3, Section 305 of the Town of Turin Rural Development Law.
9. Before acting, the applicant should provide the Town Planning Board with written confirmation that they will comply with Article 3 Section 315 in which *"No use in any district shall cause unreasonable nuisance adversely affecting adjacent property. This means objectionable noise, smoke, dust, air or water pollution, or any other nuisance must be restrained within property lines."*
10. Compliance with all Local, State, and Federal regulatory requirements for this type of facility and the products stored.

Non-Binding Notes:

These are intended as suggestions and/or advice from the County Planning Board; the municipality is not required to take action, nor is a supermajority vote required to disregard these notes.

1. Coordinate with SHPO and NY Natural Heritage Program for any future expansion.
2. The Planning Board should consider whether requiring a certain color water storage tank, such as forest green or grey olive, would reduce visual impact related to the structure.
3. It is suggested that the applicant submit a complete Emergency Operations Plan (EOP) to the Town Planning Board. The EOP should include procedures for inspection schedules, failure response, incident protocols, safety documentation, damaged equipment handling, coordination with emergency responders, and an on-site copy accessible to first responders.
4. While the EAF Mapper identifies the presence of wetlands or regulated waterbodies nearby, no direct encroachment is indicated in the project materials. The Town should ensure the occurrence of all necessary wetland delineations related to the entire water infrastructure project.
5. The Town and Village of Turin should establish intermunicipal agreements to clearly define responsibilities for the joint system and any infrastructure that crosses municipal boundaries. These agreements should include provisions for periodic inspections — at a minimum, on an annual basis — to assess site conditions and equipment. The inspection should also confirm which party, such as the Village Department of Public Works, Town staff, or another designated entity, is responsible for ongoing maintenance and oversight, given the public visibility of the proposed project.

Turin Planning Board Chairman, Dan Szalach indicated the Lee Gulf Road is technically an abandoned road; however, the Town has an agreement with Snow Ridge to allow them to plow. Additionally, Mr. Szalach indicated that the respective municipalities have an effective intermunicipal agreement; therefore, non-binding Note 5 can be removed, of which the Board agreed.

There was a sizable discussion between the Planning Board and Mr. Szalach regarding Condition 1, relative to year-round access. Eventually, the Board decided the condition language was flexible enough to justify retention.

With no further comments or questions, Mr. Petersen motioned to approve the review with the above conditions and the non-binding notes, with the exception of non-binding Note 5. Mr. Reed seconded the motion, which carried unanimously.

Ms. Krokowski read the following final review:

TOWN OF TURIN PLANNING BOARD

Special Use Permit for the proposed construction of a 68' x 100' prefabricated steel structure to serve as a vehicle and engine service and repair shop/office space to be located at 4314 NYS Route 12 in the Town of Turin.

Tax Map Parcel #306.00-02-05.100 (*new tax map number to be assigned after subdivision of land is formalized*)

Jeffrey O'Brien – Applicant

The applicant provided the following Project Documentation: 1) Site Plans; 2) General Municipal Referral Form with Agricultural Data Statement; 3) FEAF Parts 1-3; and 4) Turin Special Use Permit Application.

Pursuant to the authority granted to the County Planning Board under its adopted Bylaws, the Board has determined that the current submittal does not warrant further review due to its substantial similarity to the previously reviewed project dated February 20, 2025. This determination is based on the premise that the second review was originally warranted to address the inclusion of an additional unpermitted business operating outside of the approved project footprint. As the unpermitted business is no longer under consideration in this application, the scope of the current submittal aligns with that of the previously reviewed project.

Accordingly, the County Planning Board deems this matter to be one of local concern, with the understanding that all conditions and recommendations set forth in the February 20, 2025 review remain in effect and should be addressed prior to any action taken by the Town Planning Board.

Recommendation: Matter of Local Concern

Pursuant to the authority granted to the County Planning Board under its adopted Bylaws, the Board has determined that the current submittal does not warrant further review due to its substantial similarity to the previously reviewed project dated February 20, 2025. This determination is based on the premise that the second review was originally warranted to address the inclusion of an additional unpermitted business operating outside of the approved project footprint. As the unpermitted business is no longer under consideration in this application, the scope of the current submittal aligns with that of the previously reviewed project.

Accordingly, the County Planning Board deems this matter to be one of local concern, with the understanding that all conditions and recommendations set forth in the February 20, 2025 review remain in effect and should be addressed prior to any action taken by the Town Planning Board.

With no comments or questions, Mr. Lehman motioned to deem this project a Matter of Local Concern. Mr. Cook seconded the motion, which carried unanimously.

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

(8) **Unfinished Business:** Ms. Krokowski presented the updated County Planning Board Bylaws for review. Ms. Metott made a motion to adopt the revised Bylaws, which include the following notable updates:

- Delegation of authority to Planning staff to determine matters of local concern and to request the presence of applicants or referring bodies at meetings.
- Removal of the “Report of Officers” requirement, as it has not been applicable in recent years.

Mr. Petersen seconded the motion, which then carried unanimously.

(9) **New Business:** None

(10) **Adjournment:** With no further business, Mr. Cook moved to adjourn the meeting. Mr. Lehman seconded the motion, which was carried unanimously. The meeting adjourned at 3:54 PM.

Respectfully submitted,



Megan Krokowski
Community Development Specialist

Note: These minutes were transcribed from a recording. They are not verbatim, but reflect a summary of meeting events.