

MINUTES
LEWIS COUNTY PLANNING BOARD
July 17, 2025

- (1) **Call to Order:** Vice-Chairman Lehman called the regular meeting of the Lewis County Planning Board to order at 2:31 PM in the 3rd floor conference room at the Lewis County Courthouse, Lowville, New York. Mr. Lehman requested roll call.
- (2) **Roll Call:**
Board Members Present: John Lehman, Tom Osborne, Sarah Metott, Eric Virkler and John Reed.
Staff Present: Casandra Buell, Director of Planning and Community Development, Megan Krokowski, Community Development Specialist, and Cole Souva, Intern.
- (3) **Reading and Approval of Minutes:** The draft minutes from the June 18, 2025 meeting were provided and reviewed in advance. Mr. Osborne made a motion to approve the minutes; Mr. Reed seconded. Motion carried unanimously.
- (4) **Correspondence and Communication:** None
- (5) **Report of Special Committees:**

Ms. Krokowski read the following review:

TOWN OF CROGHAN TOWN BOARD

A proposed local law regarding manufactured homes and travel trailers (to replace the 1986 Mobile Home and Travel Trailer Law) in the Town of Croghan.
Town of Croghan – Applicant

The Town submitted the General Municipal Referral Form, Full Environmental Assessment Form (Part 1), and the proposed Local Law.

The Town of Croghan has submitted a proposed local law updating the 1986 Mobile Home and Travel Trailer Law. The primary intent is to replace outdated terminology by adopting the HUD-recognized term “manufactured home.” This law is currently drafted as a stand-alone regulation addressing manufactured homes, travel trailers, and associated park uses.

While it is common and permissible for municipalities to regulate these uses through a separate law, integrating these provisions into the Town’s zoning code would provide greater legal clarity, streamline administration, enhance ease of use for residents and officials, and better support comprehensive planning objectives. The Town is encouraged to evaluate whether such integration would better serve its goals and be easier in terms of administration and enforceability.

The Town has made a commendable effort to modernize an outdated law; however, several sections of the draft, as written, may present legal, administrative, or interpretive challenges that could hinder enforcement or complicate future updates. The Planning Board encourages the Town to consider the following improvements before adoption, particularly if it chooses to retain the manufactured home and travel trailer provisions as a stand-alone law.

The Town Board should consider citing NYS Town Law §130, which authorizes stand-alone trailer regulations within Section 110. Enactment and Authorization. Additionally, it is recommended that the proposed local law encompass a specific repeal provision clearly stating that the new law shall repeal and replace any prior local laws or ordinances that are superseded by the new regulations. Including a repeal section helps to eliminate any potential conflicts or confusion regarding which law governs, ensures legal clarity, and provides a smooth transition from old regulations to the updated framework.

The Town Board should consider adding page numbers, and a header with the Town name + law name, and a document version or date in the footer for consistency and conformance with other local laws.

The following sections are recommended for revision to clarify legal standards, reduce enforcement risks, and improve interpretability:

- Section 1125-Permit Revocation -While the draft law provides for a hearing, it should explicitly allow for representation by counsel and require written findings based on the record to ensure procedural fairness. Additionally, the Town Board should consider revising the enforcement structure to authorize the Zoning Enforcement Officer (ZEO) to investigate violations and, when appropriate, recommend revocation of a permit to the Town Board. This approach preserves due process, provides a clear administrative enforcement pathway, and avoids overburdening the Town Board with initial investigations or minor administrative matters. The following language may be appropriate to achieve these goals:

“Section 1125. Permit Revocation

The Zoning Enforcement Officer shall have the authority to investigate violations of this law and may issue a written notice to the permit holder identifying the specific violation(s) and requiring corrective action within a specified time frame, not to exceed thirty (30) days.

If the violation is not remedied within the prescribed period, the Zoning Enforcement Officer may recommend revocation of the permit to the Town Board. Prior to any revocation, the Town Board shall afford the permit holder written notice and an opportunity to be heard. The permit holder shall have

thirty (30) days from receipt of such notice either to cure the violation or to request a hearing before the Town Board.

If a timely request for a hearing is made, the Town Board shall schedule a public hearing and provide at least twenty (20) days' notice to the permit holder. The permit holder shall have the right to be represented by counsel and to present evidence at the hearing.

The Town Board shall issue written findings and a determination based on the record. Revocation shall only occur upon a finding that a material violation has occurred and remains uncorrected after reasonable notice and opportunity to cure."

- Section 1150-Variance Process does not specify who hears the variance (Town Board or ZBA), and no mention of SEQRA applicability or required findings (e.g., minimum necessary to afford relief). The following is potential language to implement this recommendation:

A. "Authority to Hear Variances

All applications for area and use variances shall be heard and decided by the Town of Croghan Zoning Board of Appeals (ZBA), in accordance with Section 267-b of the Town Law."

B. SEQRA Compliance

The Zoning Board of Appeals shall comply with the requirements of the State Environmental Quality Review Act (SEQRA) prior to granting any variance. The ZBA shall determine the appropriate level of environmental review and shall not issue a variance unless all SEQRA requirements have been satisfied.

C. Findings Required for Variance Approval

In deciding whether to grant a variance, the ZBA shall make written findings that:

- 1. The variance is the minimum necessary to alleviate the practical difficulty or hardship;*
- 2. The requested variance will not alter the essential character of the neighborhood or district;*
- 3. The variance will not cause a substantial detriment to adjacent properties or the community;*
- 4. The alleged hardship has not been self-created; and*
- 5. The variance is consistent with the spirit and intent of this local law and the Town's comprehensive plan.*

D. Conditions

The ZBA may impose reasonable conditions and safeguards in granting variances to minimize adverse impacts and to protect the public welfare."

- Sections 310(6) and 310(7) refer to temporary/emergency use of manufactured homes but could benefit from a cross-reference to NYS Building Code and definition of “temporary” dwelling (which often means ≤180 days under NYS code). See below for potential ways to integrate this suggestion:

“Section 310(6) Emergency Use of Manufactured Homes

Manufactured homes used for emergency housing shall be permitted only in the event of a declared local, state, or federal emergency. Such use shall comply with all applicable health, safety, and building standards, including those set forth in the New York State Building Code. Emergency use shall be limited to the duration of the emergency declaration and any reasonable recovery period thereafter, not to exceed 180 days unless extended by the Town Board upon demonstration of continued need.

Section 310(7) Temporary Use of Manufactured Homes

Temporary use of manufactured homes, not related to emergencies, shall be allowed for a period not to exceed 180 days in any 12-month period. The term “temporary” shall be consistent with the definition in the New York State Building Code, which generally limits such dwellings to 180 days or less. Any temporary use must comply with applicable zoning, health, and safety regulations. Extensions beyond 180 days may be granted only through a special permit approved by the Town Board based on demonstrated hardship or special circumstances.”

- Section 810(4) contains a prohibition on shared septic systems, which may conflict with New York State Department of Health regulations, which permit shared systems under certain conditions. The Town is advised to amend Section 810(4) to allow variances for Department-approved designs, improving regulatory compliance and flexibility. To achieve this recommendation, the Town should consider replacing the last sentence of Section 810(4) to read: *“Shared septic systems generally go against best management practices; however, such systems may be permitted if designed and approved in accordance with New York State Department of Health regulations. Otherwise, shared septic systems are prohibited within the Town of Croghan from the date of this amendment.”*

The Town should consider using a consistent legal hierarchy as there is a mixed use of numbers, letters, and bullet points. Additionally, some section headings are inconsistently bold or styled (some in all caps while others are not).

The following sections have clarity Issues & Typos and should be corrected before adoption:

1. Section 310(1): *“...cannot be relocated due to concerns regarding structural integrity. within the Town of Croghan...”* – period should be a comma or removed.

2. Section 730 heading: "*Manufactured Home Pad-HUD (DAPIA) Design Approval Primary Inspection Agency*" is grammatically unclear, perhaps "*Manufactured Home Pad Standards*" would be more appropriate.
3. Section 810(1): Typo: "*site of amanufactured home*" → "*a manufactured home*"
4. Section 1150 (Severability): The paragraph also includes variance language. Suggest separating Variance into its own section.
5. Section 1170 (Fees): Should have a more descriptive title, e.g., "Fee Schedule and Payment Method."

The following sections have substantive content and structural improvements needed before adoption:

Section 310(1) should be renamed from Generally to General Standards to remove ambiguity. This section also includes a blanket prohibition on the relocation or continued use of mobile homes; however, it lacks a clear appeal mechanism, which could be challenged as overly restrictive or arbitrary. Additionally, Section 310(1)b has imprecise language that doesn't specify whether the provision applies to all manufactured homes or rather pre-1976 homes or relocated manufactured homes. The Town could consider altering the language such as:

"Section 310. Manufactured Homes

The provisions of this Section are divided as follows:

- (a) General requirements applicable to any manufactured home proposed for siting or relocation within the Town after the effective date of this law; and*
- (b) Provisions specific to manufactured homes that were lawfully situated within the Town on or before the effective date of this law.*

1. General Standards:

- a. Manufactured homes constructed prior to June 15, 1976, shall not be relocated within the Town of Croghan unless the applicant submits documentation from a New York State licensed professional engineer certifying that the home meets current structural integrity and safety standards. Such certification shall be submitted along with a foundation design stamped by the same engineer, consistent with the requirements of Article VIII.*
- b. All manufactured homes, regardless of construction date, shall comply with:*
 - i. The development and siting standards set forth in Articles VII and VIII; and*
 - ii. The permit and approval requirements of Article IV.*
- c. Any person aggrieved by the denial of a permit under this Section, or who seeks relief from the requirements of Section 310(1), may apply to the Zoning Board of Appeals for an area variance or other appropriate relief in accordance with Town Law § 267-b. The Board may consider factors, including but not limited to structural integrity, fire safety, electrical systems, and compatibility with surrounding land uses when making its determination."*

Section 310(2) Pre-existing Nonconforming Uses language is very restrictive and could be problematic in rural, low-income areas. The Town should consider providing a clear path for hardships with a discretionary review rather than automatic denial and allow for incremental compliance where needed.

The following is an alternate regulatory language that could be used to replace the existing regulations:

- a. *"A manufactured home that was lawfully located within the Town on the effective date of this law may remain at its current site without being subject to the standards of Article VII and shall not require a new zoning permit, provided the home remains in its original location.*
- b. *A manufactured home that was lawfully located within the Town on the effective date of this law and is subsequently relocated to another site within the Town shall be exempt from the siting and dimensional requirements of Section 710 of Article VII. However, a zoning permit shall be required, and the relocated home shall comply with basic health and safety requirements, including safe electrical connections, adequate water and wastewater systems, and structural stability appropriate for its location.*
- c. *Recognizing the rural and economically diverse character of the Town, the Zoning Enforcement Officer may, in consultation with the Town Board or Zoning Board of Appeals, waive or modify certain safety, foundation, or utility connection standards for relocated manufactured homes upon a finding that:*
 1. *The home does not pose a demonstrable threat to public health or safety;*
 2. *The proposed site is suitable for residential use and does not create environmental or fire hazards; and*
 3. *Full compliance would cause an undue financial or practical hardship for the owner.*
- d. *Any waiver or modification granted under this section shall be documented in writing and may include reasonable conditions to ensure public safety over time, including timelines for future compliance or inspection requirements."*

Section 320(1) Travel Trailer: States: *"Generally. Except as hereafter provided, a travel trailer may not, in any calendar year, be situated or remain within the Town of Croghan on an overnight basis for more than three consecutive months nor more than six months in the aggregate. Travel trailers cannot serve as primary, permanent or semi-permanent (5+ days) living quarters on any site other than within an authorized site."*

The Town Board should consider the following refinements to improve the clarity and enforceability of Section 320(1) Travel Trailer, in addition to changing the title from Generally to General Standards:

1. Seasonal Registration and Occupancy Log- To aid enforcement and track compliance, the Town could require seasonal registration for any travel trailer sited for an extended period, and require property owners to maintain an occupancy log. This would add accountability and provide a verifiable record for the Code Enforcement Officer.

2. Sunset Clause- To ensure flexibility and responsiveness, the Town should consider including a sunset clause for the registration and occupancy log requirements. This would mandate a formal Town Board review after a set time (e.g., three years) to evaluate the effectiveness, enforcement burden, and public feedback. The Town could then amend, repeal, or make the provisions permanent based on observed outcomes.
3. Clarify “Authorized Site”-The phrase “authorized site” is not currently defined and may lead to inconsistent interpretation. The Town is encouraged to clarify the term to ensure that travel trailers are only used as temporary living quarters in specific, permitted contexts.

The Town Board may find the following language suitable to keep with the intent of the law while improving clarity, enforceability, and public understanding:

“1. General Standards.

Except as hereafter provided, a travel trailer may not, in any calendar year, be situated or remain within the Town of Croghan on an overnight basis for more than three (3) consecutive months nor more than six (6) months in the aggregate. Travel trailers shall not be used as primary, permanent, or semi-permanent (defined as more than five (5) consecutive days) living quarters on any site other than an authorized location, which shall include:

- a. A New York State-licensed campground or RV park;*
- b. A site with a valid temporary use permit issued by the Town;*
- c. A location lawfully approved as part of an active construction project under a valid building permit; or*
- d. A designated travel trailer site located within a permitted travel trailer park that:*
 - 1. Conforms to the development and dimensional standards set forth in Article X;*
 - 2. Has been specifically identified and approved on a site plan as part of the travel trailer park’s permit application process; and*
 - 3. Is included in the official record and map of the permitted travel trailer park.*

For the purposes of this section, “authorized site” shall be limited to the above locations. It shall not include private properties or individual lots outside of a permitted travel trailer park unless explicitly authorized by this law.

A. Seasonal Registration Requirement.

Any person or property owner who intends to situate a travel trailer on any lot within the Town of Croghan for more than fourteen (14) consecutive days, or more than thirty (30) days total within a calendar year, shall register the travel trailer with the Town Clerk. Registration shall:

- 1. Be submitted on a form provided by the Town;*
- 2. Include the trailer owner’s name and contact information;*
- 3. Identify the address or tax parcel where the trailer will be located;*
- 4. Specify the intended dates of occupancy;*

5. Describe the method of water supply, wastewater disposal, and solid waste management; and
 6. Include a certification that the trailer will not be used as a primary or permanent dwelling.
 7. A nominal registration fee of \$25 may be charged to offset administrative costs.
- B. **Occupancy Log Requirement.**
The property owner shall maintain an occupancy log for any travel trailer registered under this section. The log shall:
1. Document all dates of arrival and departure;
 2. Identify the names of individuals staying overnight; and
 3. Be retained for at least two (2) years and made available to the Zoning Enforcement Officer upon request.
- C. **Exemptions.**
The seasonal registration and occupancy log requirements shall not apply to:
1. Travel trailers stored unoccupied in accordance with Section 320(4) (Storage Exception);
 2. Travel trailers located in NYS-licensed campgrounds or RV parks;
 3. Travel trailers used as temporary housing during active construction on the same parcel, pursuant to a valid building permit, provided such use does not exceed the duration of the project and does not violate any provisions of the NYS Uniform Fire Prevention and Building Code.
- D. **Sunset Clause.**
This subsection (Registration and Occupancy Log) shall be reviewed by the Town Board within three (3) years of its effective date to assess its effectiveness, public input, and enforcement challenges. Based on its findings, the Board may amend, repeal, or extend these provisions.
- E. **Enforcement.**
Failure to comply with the registration, occupancy, or location requirements of this section shall constitute a violation of this law and may result in fines, removal orders, or other remedies as provided in Article XIII (Administration and Enforcement)."

Section 930. Manufactured Home Site Size should be reformatted for clarity, interpretability and enforceability, consider breaking out the following way:

"Section 930. Manufactured Home Site Size

Each manufactured home site shall meet the following minimum requirements, unless modified pursuant to subsection (B) below:

A. Standard Site Dimensions Minimum Site Area: 10,000 square feet

1. Minimum Site Width: 75 feet
2. Minimum Site Depth: 100 feet

B. Alternative Standards for Innovative Park Design

For manufactured home parks containing ten (10) or more units, the Planning Board may authorize reduced site sizes where the overall layout reflects innovative design features that enhance community livability. Such features may include:

1. *Clustering of units to preserve open space;*
2. *Wider internal roadways;*
3. *Creation of accessible, usable recreational areas; or*
4. *Integrated landscaping or pedestrian circulation plans.*

In no case shall an individual manufactured home site be approved with an area less than 7,500 square feet, regardless of design."

Section 950. Park Design Requirements - The Town Board should consider reorganizing the dense paragraphs into a clearer, hierarchical structure, grouped by topic headers, bullet points, and consistent indentation for ease of use and referencing. Consider the following alternative layout:

"Section 950. Park Design Requirements

1. Access to Manufactured Home Park

Each Manufactured Home Park shall have a safe, legal means of access from one or more public roads, subject to the following:

a. Access Road Requirements

1. *Shall intersect public roads at right angles and compatible grades;*
2. *Must comply with NYSDOT's Policy Standards for Entrances to State Highways (as revised);*
3. *Must provide safe line-of-sight distances in both directions;*
4. *Must be wide enough for turning movements of homes, delivery, and emergency vehicles.*

b. Entrance Location Standards

1. *Minimum of 200 feet from any public road intersection;*
2. *Minimum of 150 feet from any other park entrance;*
3. *At least one entrance required for parks with 9 or fewer units;*
4. *At least two independent entrances required for parks with 10 or more units*

c. Design and Construction

Access roads connecting to public roads shall comply with Town Road Standards.

2. Internal Roadways

All internal roads must be privately owned, maintained, and designed to ensure safe circulation.

a. Road Design Standards

1. *Must serve all manufactured home sites directly;*
2. *Minimum right-of-way width: 30 feet;*
3. *Minimum travel surface width: 20 feet (paved, crushed stone, or gravel);*
4. *Designed to support 15 MPH safe vehicle operation, including emergency vehicles;*
5. *Cul-de-sacs required at road dead ends with a minimum 90-foot outside turning radius.*

b. Layout Preferences

1. *Gridiron layouts should be avoided;*
2. *Use clustering, landscaping, and open space to enhance design and reduce monotony.*

3. *Parking*
 - a. *Residential Parking*
Minimum of 2 off-street spaces per manufactured home site.
 - b. *Visitor & Overflow Parking*
One additional space for every 3 homes to accommodate:
 - *Visitors, deliveries, trailer/boat storage.*
 - c. *Construction Standards*
 1. *Minimum dimensions: 9 ft x 20 ft per space;*
 2. *Must have at least:*
 - I. *8" crushed stone base; or*
 - II. *2" pavement over 4" stone base.*
4. *Recreational Areas & Open Space*
 1. *Minimum of 15% of the site (excluding setbacks and roadways) must be reserved for common open space;*
 2. *Areas should be accessible, usable, and maintained by the park owner;*
 3. *Space may include active recreation facilities.*
5. *Walkways*

A 4-foot-wide hard-surfaced walkway shall be installed:

 1. *Alongside access roads;*
 2. *At least 5 feet from the road edge;*
 3. *From the public road entrance to the first unit or other location deemed appropriate by the Town Board for pedestrian safety.*
6. *Utilities*
 - a. *Water Supply*
 1. *A continuous, safe, and adequate water supply is required;*
 2. *If public water is available, connection is mandatory unless waived by the Town Board;*
 3. *Private water systems must meet NYS Department of Health standards.*
 - b. *Sewage Disposal*
 1. *Approved systems must service all units and accessory buildings;*
 2. *Systems must comply with:*
 - I. *NYS Department of Health regulations;*
 - II. *Appendix 75-A;*
 - III. *Any applicable county, state, or federal standards.*
 - c. *Garbage & Refuse*
 1. *Park owner/manager is responsible for timely removal of all waste;*
 2. *Grounds must remain free of materials that pose fire, health, or safety risks.*
7. *Fuel Supply & Storage*
 - a. *General*
All systems must comply with applicable safety codes.
 - b. *Fuel Oil*
Tanks must be:
 1. *Placed to the rear of the home and at least 5 feet from exits;*
 2. *Enclosed if under 275 gallons (appearance consistent with home);*
 3. *Mounted on non-combustible supports.*

- c. *Natural Gas*
 - 1. *Piping systems shall follow accepted engineering practices;*
 - 2. *Each lot must have an approved shut-off valve and cap.*
 - d. *Liquefied Propane (LP) Gas*
 - Must include:*
 - 1. *Safety pressure relief devices;*
 - 2. *Shut-off valves outside each home;*
 - 3. *Protected piping;*
 - 4. *Minimum 100-lb tank located at rear and 5 feet from exits;*
 - 5. *Central underground LP systems are recommended.*
8. *Electrical Service*
- a. *Wiring Systems*
 - 1. *Must meet utility company specifications and be maintained to code;*
 - 2. *All components must have approval from the Town Board's designated authority.*
 - b. *Minimum Capacity*
 - Each site shall be served by a minimum 100-amp service.*
 - c. *Lighting*
 - Adequate lighting is required for:*
 - 1. *Roads, driveways, walkways;*
 - 2. *Minimum level of 0.03 foot candles.*
 - d. *Distribution*
 - All electrical lines must be installed underground.*
9. *Telephone Service*
 - If provided, all lines must be installed underground.*
10. *Storage Facilities*
- 1. *A minimum of 125 cubic feet of secure storage per unit;*
 - 2. *May be located:*
 - i. *On individual sites, or*
 - ii. *In a central structure accessible to all residents.*
11. *Service Buildings*
- a. *Building Standards*
 - Must comply with all applicable building, plumbing, electrical, and sanitation codes.*
 - b. *Maintenance*
 - Service buildings and common areas must be:*
 - 1. *Well-lit;*
 - 2. *Clean, tidy, and free of health hazards or nuisances.*
12. *Fire Protection & Control*
- a. *Fire Equipment*
 - Sufficient extinguishing equipment must be:*
 - 1. *Provided at all times;*
 - 2. *Located per the local fire district's requirements.*
 - b. *Fire Use Restrictions*
 - No open burning is permitted, except for food preparation grills."*

The Lewis County Planning Board commends the Town of Croghan for its proactive effort in updating this essential and long-standing local law.

As an advisory body dedicated to promoting sound planning principles, the County Planning Board encourages the Town to evaluate the potential benefits of integrating these regulations directly into the overarching Zoning Law. This approach could enhance clarity and efficiency, given that related definitions and land uses, as well as the administrative and enforcement framework, are already comprehensively addressed within the existing Zoning Law.

Should the Town pursue this integration, Planning Department staff are readily available to assist. Alternatively, if the Town chooses to maintain the separate Manufactured Home and Travel Trailer Law, our staff remains prepared to support the effective implementation of the proposed revisions.

Recommendation: APPROVE WITH CONDITIONS

Note: *This recommendation is offered in accordance with General Municipal Law §239-m to promote consistency, legal clarity, and enforceability of the proposed local law. To reduce redundancy, detailed language suggestions are included in the full 239-m review and are available upon request or within the July 2025 County Planning Board Meeting Minutes, accessible on the Lewis County Planning and Community Development website.*

1. The Town Board should consider citing New York State Town Law §130, which authorizes the enactment of stand-alone trailer regulations, within Section 110 (Enactment and Authorization). Additionally, it is recommended that the proposed local law include a specific repeal clause stating that the new law repeals and replaces any prior local laws or ordinances inconsistent with these updated regulations. This eliminates potential conflicts, ensures legal clarity, and provides a clean transition to the revised framework.
2. The following sections are recommended revisions to clarify legal standards, reduce enforcement risks, and improve interpretability:
 - a. Section 1125: This section requires revision to formally empower the Zoning Enforcement Officer with the capacity to investigate alleged violations and present recommendations for revocation to the Town Board. Critical to this revision is the establishment of comprehensive due process provisions, which must include public notification, the right to a formal hearing where legal representation is permitted, and a mandate for the Town Board to issue written findings to support its decisions. Finally, ensure that all discretionary actions or potential waivers outlined in this section are framed to explicitly incorporate and satisfy State Environmental Quality Review Act (SEQRA) compliance obligations.
 - b. Section 1150: Variance Process: Typically, the Zoning Board of Appeals process is comprehensively defined in municipal zoning codes; however,

since this is a separate law, additional clarities should be incorporated to reference that the standards set in the established Town of Croghan Zoning Law should be followed. This will ensure that the same process is used consistently, even though there are separate laws.

- c. Section 310(1) General Restrictions on Manufactured Homes: Includes a blanket prohibition on pre-1976 homes that lacks an appeal process and could be challenged as overly restrictive. Furthermore, subsection (b) is imprecise and should clarify whether it applies to all manufactured homes or only relocated/pre-1976 homes.
3. To enhance the document's precision and readability, the following sections should be reviewed for clarity and typographical errors before final adoption:
 - a. Section 310(1): "...cannot be relocated due to concerns regarding structural integrity. within the Town of Croghan..." – period should be a comma or removed.
 - b. Section 730 heading: "Manufactured Home Pad-HUD (DAPIA) Design Approval Primary Inspection Agency" is grammatically unclear consider relabeling Manufactured Home Pad Standards.
 - c. Section 810(1): Typo: "site of amanufactured home" → "a manufactured home"
 - d. Section 1150 (Severability): The paragraph also includes variance language. Consider separating variance into its own section.
4. To ensure the effectiveness and clarity of the document upon adoption, the following sections will require comprehensive improvements to their content and organizational structure:
 - a. Section 310(2): Pre-existing Nonconforming Uses language is very restrictive and could be problematic in rural, low-income areas. The Town should consider providing a clear path for hardships with a discretionary review rather than automatic denial and allow for incremental compliance where needed.
 - b. Section 320(1) Travel Trailer: 1. States: *"...Except as hereafter provided, a travel trailer may not, in any calendar year, be situated or remain within the Town of Croghan on an overnight basis for more than three consecutive months nor more than six months in the aggregate. Travel trailers cannot serve as primary, permanent or semi-permanent (5+ days) living quarters on any site other than within an authorized site."* The Town Board should consider several refinements to improve the clarity and enforceability of Section 320(1) (Travel Trailers). First, to aid enforcement and track compliance, the Town may wish to require seasonal registration for any travel trailer sited for an extended period, along with a requirement for property owners to maintain an occupancy log. These measures would enhance accountability and provide a verifiable record for the Code Enforcement Officer. Second, the Town is encouraged to include a sunset clause for the registration and occupancy log requirements. This would require a formal review by the Town Board after a defined period (e.g., three years) to evaluate

effectiveness, enforcement feasibility, and community response, allowing the Town to amend, repeal, or extend the provisions as needed. Finally, the term “authorized site” should be clearly defined to avoid inconsistent interpretation and ensure that travel trailers are only used as temporary living quarters in specifically permitted locations, such as licensed campgrounds, approved construction sites, or permitted trailer parks.

- c. Section 930. Manufactured Home Site Size should be reformatted for clarity, interpretability, and enforceability.
- d. Section 950. Park Design Requirements-Dense, unstructured paragraphs should be reorganized into hierarchical formatting with grouped topic headers, bullet points, and consistent indentation.

Non-Binding Notes:

- 1) The Town is encouraged to evaluate whether integrating the manufactured home and travel trailer regulations into the zoning code would better serve its goals by improving legal clarity, streamlining administration, and supporting comprehensive planning. While stand-alone regulations are permissible, the Lewis County Planning Board, as an advisory body, urges careful consideration of this approach given that related uses are already addressed in the Town of Croghan Zoning Law. Should the Town choose to pursue integration or require assistance implementing revisions, the Planning Department staff are available and ready to support these efforts.
- 2) The Town should consider adding page numbers, a consistent header (e.g., town name and law title), and a footer with document version or adoption date to match formatting standards used in other local laws.
- 3) The Town should use a consistent legal hierarchy throughout (numbers, letters, bullet points) and ensure consistent formatting of section headings (e.g., bold, capitalization) for clarity and ease of reference.
- 4) The Town is reminded that, should this local law be adopted, all references to the former “Mobile Home and Travel Trailer Law” within the Town of Croghan Zoning Code should be reviewed and updated accordingly. This will ensure consistency across the Town’s regulatory documents and avoid potential confusion or conflicts in interpretation or enforcement.
- 5) While the County Planning Board strives to ensure that its recommendations are consistent with sound planning principles and have a basis in legal precedent, the Board does not provide legal advice. Municipalities are encouraged to consult with their attorney or legal counsel to review and interpret the suggested revisions prior to adoption.

The above recommendations are intended to support the Town in adopting an enforceable, equitable, and up-to-date regulatory framework. Lewis County Planning Department staff are available to assist the Town in implementing the suggested revisions and formatting document improvements upon request.

The Board discussed the reasoning behind non-binding condition number 1 and whether the Town of Croghan had been previously provided the idea of integrating the manufactured home law within their zoning, of which it was confirmed that was not a previous suggestion.

With no further discussion, Mr. Virkler motioned to approve the zoning text amendment, including the stated conditions and non-binding notes. Ms. Metott seconded the motion, and it carried unanimously.

Ms. Krokowski proceeded to read the next review.

TOWN OF NEW BREMEN PLANNING BOARD

Site Plan Review to construct a 100' x 60' warehouse addition and a 16' x 20' office space addition to an existing business located at 8741 Cut Off Road (CR 9) in the Town of New Bremen.

Tax Map Parcel #163.00-01-05.210

Wade J. Mattis, Adirondack Steel Works – Applicant

The Town of New Bremen Planning Board provided the following Project Documentation: 1) Site Plans/Designs; 2) General Municipal Referral Form with Agricultural Data Statement; 3) Short Environmental Assessment Form (SEAF); and 4) the Town of New Bremen Site Plan Review Application.

- *Compatibility With Adjacent Uses:*

The proposed project is located within the Town of New Bremen, which is designated as one zone, Rural Residential, and the proposed action is an expansion of a previously permitted allowed use within said zone.

- *Traffic Generation and Effect:*

According to the submitted SEAF, the proposed action will not substantially increase traffic above present levels. Since the Cut Off Road is a county-maintained road (CR 9), the applicant shall coordinate with the Lewis County Highway Department to obtain any required approvals for access modifications, including review and authorization of any new or modified curb cuts or driveway entrances serving the site. In accordance with Section 610(B) of the Town of New Bremen Zoning Law, driveways must provide for safe, all-season access, be surfaced to control dust and debris, and meet spacing and sight-distance requirements. The driveway must also meet the minimum maintained width of 24 feet to allow for safe two-way travel and accommodate emergency vehicle access. Being that the proposed action will utilize an existing egress/ingress, based on 89' measurement from GIS, it appears that the driveway requirements will be met.

- *Protection of Community Character:*

As identified on the supplied EAF Mapper Summary Report, the proposed action is not near a state or national landmark, is not within a designated critical environmental area, and is not a designated river corridor. Furthermore, as part of this review, the CRIS website showed that the proposed action is not located near any buildings on the National Register of Historic Buildings or near any archaeologically sensitive areas.

The monarch butterfly, a federally listed candidate species, was identified through the U.S. Fish and Wildlife Service (USFWS) IPaC report as having potential habitat in the vicinity of the project site. While formal consultation with USFWS is not required for candidate species under the Endangered Species Act, the applicant is encouraged to implement voluntary Best Management Practices (BMPs) to avoid potential impacts to monarch habitat. These practices may include scheduling any land clearing or mowing activities outside of the monarch's peak breeding season (generally June through August), retaining native milkweed and nectar-producing wildflowers along the site perimeter where feasible, and avoiding the use of herbicides or pesticides near these areas. These low-cost measures help support pollinator habitat and reduce the potential for future conflicts should the species be listed in the future.

According to the New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper, the project site is located in proximity to mapped National Wetlands Inventory (NWI) features, including a Riverine and Freshwater Forested/Shrub Wetlands, as well as a NYSDEC-regulated freshwater wetland area. While no direct disturbance is indicated on the submitted site plan, the applicant should verify that the project does not encroach on any regulated wetlands or their 100-foot adjacent areas and consult with NYSDEC Region 6 if necessary to confirm whether a freshwater wetlands permit is required through the new jurisdictional determination process.

According to the Web Soil Survey (WSS), a minimal amount of the acreage on the proposed site is classified as "All areas are prime farmland." However, the site has not been recently used for agricultural production, and therefore, the project does not result in a significant loss of valuable agricultural soil utilization.

- *Signage:*

The referral did not include a specific plan for signage, and it is assumed that a compliant sign currently exists for this established operation. However, if the applicant intends to install new signage or modify existing signage, all proposed signage changes should be reviewed and verified with the New Bremen Planning Board to ensure conformance with the requirements set forth in Article VI, Section 610(F) of the Town Zoning Law.

- *Drainage:*

According to the submitted Short Environmental Assessment Form (SEAF) and USDA Web Soil Survey data, approximately 7.5% of the project site consists of well-drained soils, while the remaining 92.5% is classified as poorly drained, hydric soil.

The submitted SEAF notes that there will be no additional stormwater discharge created and that all stormwater will not discharge onto adjacent properties, nor will it be directed to established conveyance systems. Considering the predominance of poorly drained soil and the potential for surface runoff, it would typically be advised that the Town Planning Board require the establishment of a vegetated buffer strip along property boundaries and/or adjacent low-lying areas; however, the property is already surrounded by vegetation along its property boundaries. The Town Planning Board may wish to include, as a condition of approval, that the applicant retain and maintain the existing vegetative buffer for both drainage and aesthetic purposes.

- *Erosion:*

The Town Planning Board may wish to require temporary erosion controls—such as silt fencing and stabilized construction entrances—such measures should be installed before any site disturbance and maintained throughout construction. Final grading should promote infiltration and avoid channelized discharge near sensitive areas.

Although total ground disturbance is identified as 0.15 acres, well below the one-acre threshold, the applicant is reminded that compliance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) may be required if project scope changes.

- *Parking:*

The visual quality of the submitted plans presents challenges to a confident interpretation of the proposed site design. Specifically, while pages 2 and 3 of the Site Plan Review application reference parking, a legible or detailed parking layout is not readily discernible. A clear, scaled, and detailed parking plan is generally considered essential for confirming zoning compliance and ensuring safe and efficient traffic flow.

The applicant was contacted and indicated that the proposed addition is for warehouse use and is not expected to generate additional site traffic. Digital versions of the plans were requested to improve reviewability; however, they were not provided at the time of this writing.

Before taking action on the application, the Town of New Bremen Planning Board may wish to consider the most appropriate path forward regarding the parking plan. Options could include evaluating whether a waiver of the

parking plan requirement is warranted (and if so, formally documenting such waiver and its justification in the official record) or requesting the submission of a clear, scaled parking plan.

If a detailed parking plan were to be provided, it would ideally include the proposed internal traffic circulation pattern, ingress and egress points, parking space dimensions, total number of proposed parking spaces, designated ADA-compliant handicapped parking spaces, and the width and location of driveways in relation to the public roadway. This level of information would be beneficial for confirming compliance with Article VI, Section 610(B) of the Town Zoning Law, which addresses access, traffic, and site circulation standards.

- *Community Facilities:*

According to the submitted Short Environmental Assessment Form (SEAF), the proposed warehouse expansion will not connect to an existing public or private water supply or wastewater system. Given the nature of the project and its limited impact on daily occupancy, it is reasonable to assume that existing on-site systems will continue to be used with minimal additional demand.

However, for documentation clarity and consistency with SEAF instructions, the Planning Board should consider whether Part 1 of the SEAF requires revision. Specifically, if the project will utilize existing water and wastewater systems, the applicant should indicate "Yes" and identify the existing source(s), rather than selecting "No" without explanation. This would ensure that the SEAF accurately reflects how these essential services will be provided and complies with the form's guidance.

- *Lighting:*

It appears that outdoor lighting plans were not included in the materials submitted for review. Before taking action, the Town of New Bremen Planning Board should require the applicant to submit a clear and detailed outdoor lighting plan to ensure compliance with Article VI, Section 610(E) of the Town Zoning Law. As part of this review, it is recommended that any new or additional exterior lighting be fully downcast and shielded to prevent glare, light spillage, and off-site impacts, particularly on neighboring properties and roadways.

- *Landscaping and Screening:*

Landscaping plans were not submitted with the application materials; however, being that the proposed action will be completely screened with existing vegetation, no negative impacts are expected.

▪ *Other:*

As Adirondack Steel Works proceeds with site plan review for its proposed expansion, the Town may find it beneficial to ensure coordinated oversight and consistent application of Article VII, Sections 710 and 720 of the Zoning Law. Section 710 specifies that a certificate of occupancy for expanded space is typically contingent upon the completion of all site improvements identified in the approved plan or the establishment of a satisfactory performance guarantee for any outstanding work. Section 720 provides the Town Board with the authority to require such a guarantee—often in the form of a bond, letter of credit, or escrow account—to ensure the timely completion of required improvements.

To support consistent application and clear communication, the Planning Board, Town Board, and Zoning Enforcement Officer could collaborate to confirm that all required improvements—including parking, landscaping, lighting, drainage, and utilities—are clearly delineated on the final site plan. This collaboration could also facilitate arrangements for either completion prior to occupancy or appropriate financial security for any remaining items. If certain improvements are not yet finished, the establishment of a performance guarantee, acceptable to the Town Board, would typically be expected to ensure their timely completion.

Regular communication between the Planning Board and the Zoning Enforcement Officer may assist in tracking progress, ensuring timely inspections, and informing decisions regarding compliance. By fostering a coordinated approach, the Town can effectively facilitate business growth while maintaining transparency, safeguarding public interests, and promoting compliance with local zoning standards.

For future revisions of the Town's Zoning Law, the Town might consider refining Sections 710 and 720 to enhance clarity, administrative coordination, and overall enforceability. Clearer language regarding responsibilities for reviewing, approving, and monitoring site improvements and performance guarantees could potentially enhance consistency and reduce the possibility of miscommunication among the Planning Board, Town Board, and Code Enforcement Officer.

The Planning Board may find it helpful to utilize a detailed checklist or matrix of submitted and outstanding plan components (e.g., parking, lighting, drainage). This tool, in coordination with the applicant and Code Enforcement Officer, could aid in tracking progress and ensuring all conditions are satisfied before final approval or the issuance of a Certificate of Occupancy.

Recommendation: APPROVE WITH CONDITIONS

1. The applicant shall coordinate with the Lewis County Highway Department to obtain any required approvals for access modifications, including review

and authorization of any new or modified curb cuts or driveway entrances serving the site.

2. The applicant is encouraged to adopt voluntary Best Management Practices (BMPs) identified through the U.S. Fish and Wildlife Service IPaC tool to avoid potential impacts on the monarch butterfly, a federally designated candidate species under the Endangered Species Act. These practices include scheduling land clearing outside of peak breeding season (June–August), retaining native milkweed and nectar plants, and avoiding herbicide or pesticide use near pollinator habitat. While not mandatory, these measures align with the spirit of environmental stewardship encouraged under site plan review.
3. While the disturbance area (.15 acre) is below the one-acre threshold, if future expansion increases the disturbance area beyond one acre, compliance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) will be required.
4. Before taking action on the application, the Town of New Bremen Planning Board may wish to consider whether a waiver of the parking plan requirement would be appropriate. If the Planning Board determines a waiver is warranted, it could formally document such a waiver with detailed justification in the official record. Should the Planning Board not waive the parking plan requirement, the Planning Board could request the submission of a clear, scaled parking plan. A clear, scaled parking layout would ideally be submitted to the Planning Board, consistent with Section 610(B) of the Zoning Law. The plan should show internal circulation patterns, entry and exit points, space dimensions, total parking spaces, ADA-compliant spots, and driveway locations relative to the road, to ensure proper access and site circulation.
5. A lighting plan should be submitted to the Town Planning Board to ensure compliance with Section 610(E) of the Zoning Law. All proposed outdoor lighting should be fully downcast and shielded to prevent glare and off-site light spillage, particularly along Cut Off Road and adjacent properties.
6. While no direct disturbance is indicated on the submitted site plan, the applicant should verify that the project does not encroach on any regulated wetlands or their 100-foot adjacent areas and consult with NYSDEC Region 6 if necessary to confirm whether a freshwater wetlands permit is required through the new jurisdictional determination process.
7. Compliance with all Local, State, and Federal regulatory requirements for this type of facility and the products stored.

Non-Binding Notes:

- 1) If new or modified signage is proposed, a signage plan should be submitted for review under Section 610(F) of the Zoning Law. Signage must comply with all requirements related to size, height, location, and lighting.
- 2) The Planning Board may wish to require temporary erosion controls — such as silt fencing and stabilized construction entrances; such measures should be installed prior to any site disturbance and maintained throughout

- construction. Final grading should promote infiltration and avoid channelized discharge near sensitive areas.
- 3) The Town Planning Board may wish to include, as a condition of approval, that the applicant retain and maintain the existing vegetative buffer for both drainage and aesthetic purposes.
 - 4) To improve clarity, administrative efficiency, and enforceability, the Town of New Bremen is encouraged to further enhance its zoning law by revising Sections 710 and 720 to clearly define the roles, responsibilities, and procedures related to the completion of required site improvements and the issuance of Certificates of Occupancy. Should the Town wish to pursue amending the zoning code, Lewis County Planning Department staff are available to assist with draft language and formatting.
 - 5) Prior to final approval, the applicant shall revise Part 1 of the Short Environmental Assessment Form (SEAF) to accurately reflect the provision of potable water and wastewater services. If the project will utilize existing on-site systems, the applicant shall indicate "Yes" to the corresponding questions and provide a brief description of the existing systems, in accordance with SEAF instructions.
 - 6) The Planning Board is encouraged to keep a detailed checklist or matrix of submitted and outstanding plan components (e.g., parking, lighting, drainage) and coordinate with the applicant and Code Enforcement Officer to track progress and ensure all conditions are satisfied prior to final approval or issuance of a Certificate of Occupancy.
 - 7) The Town of New Bremen should update the definition of "Wetland" within Article II Section 220 to reflect the regulatory changes that took effect on January 1, 2025. Specifically, the clause "...and are mapped..." should be removed to comply with the revised New York State Freshwater Wetlands Act. As of the 2025 amendments, wetlands regulated under Section 24-0107(1) of the Act no longer require mapping to receive regulatory protection. Updating the definition will ensure consistency with state law and avoid potential confusion or misinterpretation regarding jurisdiction.

Highway Superintendent John Reed confirmed that Condition 1 could be removed, as his site evaluation determined that visibility and access at the location are sufficient. The Board also recommended that Condition 3 be reclassified as a Non-Binding Note, since its applicability would only arise in the event of significantly increased site disturbance. Additionally, it was suggested that Non-Binding Note 5 be revised to replace the term "*shall*" with "*should*", in order to provide the Town with greater flexibility.

No additional comments or questions were raised. Mr. Osborne motioned to approve the project with the revised conditions and non-binding notes, including the removal of Condition 1, the reclassification of Condition 3 as a Non-Binding Note, and the modification of Non-Binding Note 5. Mr. Reed seconded the motion, which carried unanimously.

(6) Report of County Planner:

- No responses from municipalities regarding previously submitted referrals.
- One referral was reviewed by County Planning staff | deemed a Matter of Local Concern:
 - **Town of Greig Town Board | Zoning Text Amendments** - Upon thorough review, it has been determined that the proposed zoning text amendment shall be deemed a Matter of Local Concern. This determination is based on the fact that the text amendment primarily incorporates previously recommended County Planning Board conditions, along with minor administrative revisions that do not introduce new or significant county-wide or intermunicipal impacts.
- A last-minute referral was received by County Planning staff, which, after review, recommends it be deemed a Matter of Local Concern with the following letter response to the referring Planning Board, which justifies such a determination:

Town/Village of Lowville Joint Planning Board

5533 Bostwick Street
Lowville, NY 13367

RE: 239-m Review | Lowville Farmer's Cooperative Site Improvements

Location: 5814 Number Four Road, Lowville, NY 13367
Tax Parcel #213.00-01-39.160

Dear Joint Planning Board Members:

Thank you for submitting the proposed Lowville Farmer's Cooperative proposal for review under General Municipal Law, Section 239-m. The referral was received and reviewed by the Lewis County Planning and Community Development Department staff and discussed at its duly convened meeting on July 17, 2025. The Lewis County Planning Board reviewed the proposed site enhancements submitted by Lowville Farmer's Cooperative Inc. for property located at 5814 Number Four Road, Lowville, NY.

Following review of the application materials and supporting documentation, the County Planning Board has determined that the proposed action constitutes a **Matter of Local Concern** pursuant to General Municipal Law §239-m.

This determination is based on the following findings:

1. Consistency with Existing Land Use and Zoning:

The proposed retail addition and lumber storage barn represent an expansion of an existing commercial use within a compatible zoning district. The nature of the proposed activity aligns with the prior and existing use of the site (formerly Steele's Ace Hardware) and does not constitute a change in land use or zoning classification.

2. No Anticipated County-Wide or Intermunicipal Impacts:

The project site is located entirely within the Town of Lowville, with no components extending into neighboring jurisdictions. The proposed structures and site layout are not expected to impact county-owned infrastructure, regional transportation systems, or shared natural resources.

3. Infrastructure and Environmental Considerations:

Stormwater will be managed on-site through appropriate erosion control measures, including compost filter socks and an existing silt fence. Water usage is anticipated to remain minimal and will not require infrastructure upgrades. The static water pressure test confirms sufficient pressure for fire suppression needs.

4. Traffic and Access:

Access to the site will remain via Number Four Road. The proposed drive-through barn and parking facilities are designed to improve internal circulation and customer convenience without adversely affecting regional traffic conditions.

As part of the County's review, the Highway Superintendent visited the site and recommended raising the eastern entrance on County Road 26 to improve safety and prevent roadway damage. The applicant agreed to the adjustment, and any future concerns will be addressed in coordination with the County.

5. Local Oversight Is Sufficient:

The Town/Village of Lowville Joint Planning Board is fully capable of overseeing the detailed site plan, architectural compatibility, signage, and any additional environmental or design standards that may apply locally.

While the matter is returned for local determination, the Lewis County Planning Board encourages the Town/Village of Lowville Joint Planning Board to ensure the following considerations are addressed as part of final site plan approval:

- **Outdoor Lighting:** The Planning Board should confirm that all proposed exterior lighting remains compliant with the standards set forth in § 250-83 of the Town of Lowville Zoning Law, and that compliance is formally noted in the Board's decision or meeting minutes.
- **Signage:** Any new or modified signage associated with the project should be reviewed for conformance with Article VII of the Zoning Law to ensure that size, placement, color scheme, and illumination are consistent with local regulations.
- **Complete Documentation:** The Town/Village Joint Planning Board should ensure that all application materials, plans, and forms are fully completed and executed, including the presence of all required signatures from applicants, property owners, or authorized representatives, as applicable, before permit issuance. (Engineer (BCA) certification of compliance with erosion and sediment control measures.)

- **Driveway Design and Roadway Protection:** Confirm that entrance modifications, specifically raising the elevation of the eastern driveway as discussed with the Lewis County Highway Superintendent, are incorporated into the approved site plan and coordinated with County Highway staff as necessary to maintain safe and durable access along Number Four Road.

The Lewis County Planning Board hereby returns the referral to the Town/Village of Lowville Joint Planning Board with no modifications or conditions and classifies the project as a **Matter of Local Concern**.

Mr. Reed noted that the full impact of the new business on traffic will not be fully understood until it is operational. As such, provisions related to the driveway and road apron may need to be revisited in the future. The project sponsor, Leo Tabolt, formally agreed to cooperate with the Town of Lowville should such revisions become necessary.

The Board then discussed the project and unanimously concurred with the Matter of Local Concern determination. Mr. Osborne made a motion to approve the determination, which was seconded by Mr. Virkler. The motion carried unanimously.

- (7) **Unfinished Business:** None
- (8) **New Business:** The Planning Department has started to plan the annual fall land use training workshop with proposed dates of 9/29 or 9/30.
- (9) **Adjournment:** With no further business, Ms. Metott moved to adjourn the meeting. Mr. Osborne seconded the motion, which was carried unanimously. The meeting adjourned at 3:11 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.