

MINUTES
LEWIS COUNTY PLANNING BOARD
October 16, 2025

(1) **Call to Order:** Mr. Petersen called the regular meeting of the Lewis County Planning Board to order at 2:30 PM in the 3rd floor conference room at the Lewis County Courthouse, Lowville, New York. Mr. Petersen requested roll call.

(2) **Roll Call:**
Board Members Present: Timothy Petersen, John Lehman, Donald Cook, Eric Virkler, Tom Osborne, Sarah Metott, and Larry Dolhof.
Staff Present: Casandra Buell, Director of Planning and Community Development, and Megan Krokowski, Community Development Specialist.
Public Present: Brad Davis, Hydrostor, and a Hydrostor Legal Representative.

(3) **Reading and Approval of Minutes:** The draft minutes from the September 18, 2025 meeting were provided and reviewed in advance. Mr. Lehman made a motion to approve the minutes, and Mr. Cook seconded it. The motion carried unanimously.

(4) **Correspondence and Communication:**
Ms. Krokowski shared the following APA notification to the Board:

- **APA-P-2025-0175-** Permit- Final, PNF2-Final, PNF3-Final- Conditionally approved the construction of a single-family dwelling on Middle Branch Road in a Resource Management area (within a scenic river area) in the Town of Diana.

No comments were received.

(5) **Report of Special Committees:**

239-M Review

Ms. Krokowski read the first review:

TOWN OF CROGHAN TOWN BOARD

Proposed local law amending the Town of Croghan Zoning Law to include compressed air energy storage systems(CAESS).

Town of Croghan – Applicant

The applicant provided the following Project Documentation: 1) General Municipal Referral Form with Agricultural Data Statement; 2) Proposed Zoning Text Amendment, and 3) Full Environmental Assessment Form (Part 1).

The Croghan Town Board shall update all references to this proposed law to the correct Local Law Number (Local Law No. 5), as Local Law No. 1 is referenced within Sections 1 and 2, as the Department of State has filings for Local Laws 1-4 of 2025 already. The Town Board should consider renaming

the local law within Section 1. Title. to be " *Local Law 5 of 2025, Amending and Supplementing the Town of Croghan Zoning Law to Regulate Energy Storage and Generation Systems.*" for improved flow and interpretability."

Prior to adoption, the Town Board shall remove the text within the header " *Proposed Zoning Text Amendments for presentation at September 15, 2025, Town of Croghan Meeting*" and "V6 September 5, 2025", to the Town's respective adoption date.

The Town Board should consider including all SEQRA Type I actions in the new Section 280 to ensure consistency, reduce the appearance of singling out specific uses, and minimize potential misclassifications by the Town Board.

The Town Board shall revise the first line in Section 6. Definitions to acknowledge that some definitions were revised rather than added. "Article III, (Definitions), of the Town of Croghan Zoning Law is hereby amended by adding/ **revising** the following definitions in appropriate alphabetical order:"

It is recommended that the Town of Croghan update the definitions of Compressed Air Energy Storage Systems (CAESS) and Advanced CAESS to explicitly include hybrid or co-located systems, such as solar photovoltaic arrays and battery storage, and to broaden the Advanced CAESS definition to reflect additional technological enhancements beyond thermal recovery. The definitions should maintain flexibility regarding typical system components to accommodate innovation while providing clear expectations for applicants and the Town Board. These revisions will improve legal clarity and enforceability and ensure the Zoning Law encompasses emerging energy storage technologies. Potential revised definitions are as follows:

COMPRESSED AIR ENERGY STORAGE SYSTEMS (CAESS): *An electromechanical energy storage facility that stores energy by compressing air and containing it within a purpose-built storage location, which may include underground caverns (e.g., hard rock or salt domes) or large tanks. When energy is needed, the compressed air is expanded through a turbine to generate electricity on demand. CAESS typically comprises components including, but not limited to, air compressors, storage reservoirs, turbines, generators, heat exchangers, storage tanks, electrical switchyards or substations, electric generation tie-lines, and associated ancillary, control, and safety equipment. CAESS may operate independently or in combination with other energy generation or storage systems, including solar photovoltaic arrays and electrochemical battery storage. For the purposes of this law, CAESS shall include Advanced-Compressed Air Energy Storage Systems (A-CAESS).*

ADVANCED COMPRESSED AIR ENERGY STORAGE SYSTEMS (A-CAESS): *A type of Compressed Air Energy Storage System that incorporates integrated thermal management to capture and reuse the heat generated during air*

compression for use during air expansion, thereby significantly enhancing overall energy efficiency and minimizing or eliminating the need for supplemental fuel combustion during electricity generation. Advanced CAESS may also include co-located renewable energy sources, hybrid storage technologies, or other system enhancements designed to improve efficiency, reliability, or grid flexibility."

The best practice in drafting definitions is to avoid using the term within its own definition. The Town Board should consider revising the definition of Storage Reservoir as follows: 'A surface *impoundment* used to hold water that maintains hydrostatic pressure within a CAESS or for other operational needs.

The Town Board should consider whether the addition of a definition for 'Screening Vegetation' is warranted and whether it should clarify that 'Vegetation Screening' and 'Screening Vegetation' may be used interchangeably, as both terms appear throughout the proposed amendment and the existing Zoning Law. The following is a potential definition to use should it be determined necessary: "***Screening Vegetation:*** Plants, shrubs, trees, or other living vegetation used to visually obscure or soften the appearance of structures, equipment, or other land uses from public view, adjacent properties, or roadways. "Screening Vegetation" may be used interchangeably with "Vegetation Screening" throughout this Local Law."

The Town Board should consider adding a definition for **Dark-Sky Principles** to the zoning law, as the term is referenced within Section 820.C.12.e.i (Analysis of Facility Characteristics and Operational Effects). Defining this term will provide clarity and ensure consistent application. Additionally, the Board should consider referencing Dark-Sky Principles within Section 820.G (Lighting) to maintain consistency and reinforce design and operational standards that minimize light pollution.

The Town Board may wish to consider whether Section 820.C.3.d, which currently states: "*Proposed site access and on- and off-site parking and construction laydown areas,*" is sufficiently descriptive to ensure the Board receives all necessary information. A potential revision could be: "*Proposed **specific site access points**, on- and off-site parking, **internal traffic patterns**, and construction laydown areas.*" This revision provides more clarity regarding access, circulation, and staging, helping the Board better evaluate the proposed site plan.

The County Planning Board recommends that the Town update the language in the Geology and Hydrogeology Report section to provide more specificity regarding the content and timing of the analysis.

Suggested Revision:

- Replace “an outline of this analysis” with “a preliminary summary of the proposed analysis.”
- Clarify that this summary shall be submitted **prior to full application submission** to allow the Town Board to review and confirm that the scope meets Town requirements.
- Please make sure that the full analysis includes the listed information already detailed.

Updating the language provides clarity for applicants and ensures that the Town Board receives sufficient information to evaluate potential geological and hydrological impacts of proposed projects. Requiring a preliminary summary before a full application submission allows the Board to confirm the scope is adequate, reducing the likelihood of incomplete or insufficient reports and improving overall review efficiency.

The Town Board should consider replacing the symbol for section (§) with the word Section throughout the document for consistency with the existing Zoning Law.

It is advisable that the Town Board include a threshold or minimum level of effort for the developer to achieve compliance with Section 820.C.4.b.ii., as the developer could claim they attempted contact without demonstrating meaningful coverage, leaving the Town without clear assurances. The Town Board should consider establishing minimum contact and participation thresholds.

The Town Board should consider revising Section 820.C.6. *"Stormwater Pollution Prevention Plan (SWPPP): Prepared in accordance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-25-001), or its most current revision, shall be submitted and approved prior to the issuance of any site plan, special use permit, or building permit. Proof of coverage under the SPDES General Permit (i.e., an NOI acknowledgement from NYSDEC) shall be provided before the commencement of any land disturbance or construction activity."* This allows the Town to grant special use approval, conditioned that it cannot start until these permits are provided.

Section 820.C.7 states, *"The applicant shall demonstrate entry into a Road Use Agreement with the Town and/or County of Lewis, including, but not limited to, preconstruction road condition documentation."* The Town Board should consider whether adding "in good faith" after "demonstrate" would make the requirement more realistic and enforceable.

Section 820.C.8 states, *"Public Safety and Hazard Mitigation Plan: A comprehensive plan **confirming safety issues** during construction and operation phases. At a minimum, this plan must include procedures for:"* however

the Board should consider replacing "confirming safety issues" with "identifying and addressing potential safety hazards". This phrasing makes it clear that the plan must actively manage safety risks, not just acknowledge them. Additionally, the Town Board should consider adding the following to the end of this section: *"The Town Board must be notified promptly of any incidents, including but not limited to fires, explosions, hazardous material releases, or equipment failures, and a written report must be submitted within **INSERT TIMEFRAME**."*

The Town Board should consider revising Section 820.C.9 to *"The plan must be reviewed and certified for accuracy by a qualified third-party professional with experience in emergency planning and response. The Town may retain such a reviewer, and the cost of the review shall be paid by the applicant."* This ensures accountability and assures the Town that the plan is practical and implementable, rather than just a theoretical document.

The Town Board should add the following to Section 820.C.10.g.: *"The operational noise and vibration analysis shall reference baseline (pre-construction) conditions documented under Section 820.C.10.c to assess incremental impacts and compliance with established limits."* This addition provides a clear comparison to demonstrate compliance with the incremental increase limits and absolute limits in Section 820.C.10.d.

The Town Board should consider amending Section 820.C.10.i. to explicitly include species commonly hunted or fished within the study area, in addition to state or federally designated rare, threatened, or endangered species. The section could be revised as follows: *"Noise and vibration effects on wildlife. Based on relevant literature, the applicant shall provide a qualitative discussion of the potential effects of CAESS construction and operation on wildlife within the study area. This discussion shall include, but not be limited to, state or federally designated rare, threatened, or endangered species, as well as species commonly hunted or fished locally. The analysis should inform the Town's evaluation of the project's effects under SEQRA."* This change ensures the Town has a more comprehensive understanding of potential ecological impacts and supports a thorough SEQRA review.

The Town Board should consider whether Section 820.K.1.b. should be revised to set clear expectations, accountability, orderly decommissioning, and integrate public transparency, all of which reduce legal ambiguity and enhance enforceability. The following is an alternative language *"b. Notice of Operational Cessation. If the Town Board determines that a CAESS may be non-functional or abandoned, it may issue a Notice of Operational Cessation or Abandonment to the owner/operator. The owner/operator shall have thirty (30) calendar days from the date of the Notice to submit a written response, including:*

1. *A detailed explanation of the reasons for the operational cessation or abandonment; and*
2. *A comprehensive Active Restoration Plan, demonstrating a good-faith effort to return the CAESS to functional status, including a reasonable timeline for corrective action. Alternatively, the plan may propose commencement of decommissioning per the approved decommissioning plan. The Town Board shall consider the owner/operator's response, including any plans submitted, as part of the public hearing process."*

The Town Board should implement consistent capitalization, terminology, and formatting throughout the Zoning Law to improve clarity, professionalism, and enforceability. Specifically:

1. **Capitalization of Legal References:** References to *Local, County, State, and Federal Laws* should be capitalized to reflect their status as formal bodies of law.
2. **Zoning Law References:** The term *Zoning Law* should be capitalized whenever it refers to this specific adopted law.
3. **Official Titles:** Titles of official bodies and positions (e.g., *Town Board, Planning Board, Code Enforcement Officer*) should be consistently capitalized.
4. **Distance Formatting:** Distances should be formatted by spelling out the number in text with the numeral in parentheses (e.g., "one hundred and twenty (120) feet") to enhance clarity and readability.

Implementing these changes will ensure the document is professionally presented, legally clear, and internally consistent, reducing the risk of misinterpretation or challenge.

Additionally, in some instances, the proposed amendment refers to the "Town," where "Town Board" would be more accurate. Clarifying this usage will avoid ambiguity regarding which entity holds decision-making authority.

The Town Board should consider adding the term "*Voluntary*" prior to "*Host Community Agreements*" in Section 1190.A to remove potential legal ambiguity. While Host Community Agreements (HCAs) are common practice, they are not mandated under State law and cannot be imposed as a zoning requirement. Using the term "*Voluntary Host Community Agreements*" clarifies that such agreements are encouraged but not required, reducing the risk of misinterpretation or challenge.

The Town Board should consider whether Section 1190.C adequately addresses supply chain planning for agrivoltaics initiatives involving livestock. Specifically, the section should clarify how additional livestock volume will be managed, including processing and transportation to market in cases where local sourcing or on-site processing is not feasible. Addressing these operational considerations will help ensure that agrivoltaics practices are

practical, sustainable, and consistent with the Town's goals for supporting working landscapes. Potential revisions could include the following: "C. *Supply Chain Planning: The applicant shall submit a plan detailing the management, processing, and transport of livestock (e.g., sheep or beef) associated with the agrivoltaics system. The plan shall:*

- 1) *Identify proposed facilities, transport arrangements, and service providers;*
- 2) *Demonstrate efforts to utilize local or regional vendors and services wherever reasonably feasible; and*
- 3) *Provide justification for any aspects of the plan where local sourcing or processing is not feasible, including alternative arrangements to ensure timely and safe livestock management."*

The County Planning Board acknowledges that the Town of Croghan's respective Moratorium regarding CAESS operations expires on October 30, 2025; however, should the Town anticipate the proposed zoning text amendment adoption after this date, an additional moratorium should be pursued in the interim. The Town Board should be commended for creating this truly unique regulation, given the rarity of CAESS within the United States.

The County Planning Board notes that certain recommended conditions and non-binding notes may not have been incorporated into the proposed Local Law, potentially due to anticipated pushback from developers. While developer input is important, the Town Board should ensure that its decisions and adopted regulations reflect the Town's planning objectives, community values, and long-term interests, and should not be unduly altered or weakened solely in response to developer concerns.

Recommendation: APPROVE with Conditions

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

1. Before taking action, the Town of Croghan Town Board shall update all references to the proposed law to the correct Local Law Number, Local Law No. 5 of 2025, to ensure accurate legal filing and compliance with Department of State records. Furthermore, the Town of Croghan Town Board shall also remove draft headers referencing past presentations or versions and replace them with the Town's adoption date to avoid confusion and maintain an official, current document.
2. Before taking action, the Town of Croghan Board shall revise the introductory line in Section 6 (Definitions) to acknowledge that definitions have been added **and revised** (as an existing definition was altered) and ensure clarity regarding the scope of modifications.
3. The Town of Croghan Board shall review and revise the Compressed Air Energy Storage Systems (CAESS) definition to reflect whether on-site renewable energy sources, such as solar panels, are to be considered as

part of said system, eliminating potential misinterpretation of the currently broad language, “which may include but is not limited to.”

4. The Town of Croghan Board shall consider revising Section 820.C.6 Stormwater Management Plan that stipulates that construction is not permitted until applicable stormwater permits are approved and attained by the Town.
5. The Town of Croghan Board shall require Section 820.C.9 emergency plans to be reviewed and certified by a qualified third-party professional (designated by the Town), with the applicant bearing the costs, to ensure accuracy, feasibility, and accountability.
6. The Town of Croghan Board shall add language to Section 820.C.10.g requiring operational noise and vibration analysis to reference baseline conditions documented under Section 820.C.10.c to provide a clear comparison and ensure compliance with established limits.
7. The Town of Croghan Board should consult with the Town Attorney regarding a potential revision of Section 820.K.1.b to require a Notice of Operational Cessation or Abandonment, a 30-day written response, and an Active Restoration Plan or commencement of decommissioning, reviewed during the public hearing process, to ensure orderly decommissioning, accountability, and public transparency.
8. If the County Planning Board's recommendations are interpreted as significant changes to the proposed local law and the municipality incorporates any of these conditions or non-binding notes, a new public hearing and a restart of the Section 239-m review process may be required. However, the County Planning Board has determined that if a subsequent public hearing occurs and the 239-m process is reset, the revised proposed local law/referral qualifies as a Matter of Local Concern, removing the need for further review by the County Planning Board. All other General Municipal Law Section 239-m requirements, including reporting the municipality’s final action to the County Planning Board, remain applicable.

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 of Croghan Board could consider renaming the law in Section 1 to “Local Law 5 of 2025, Amending and Supplementing the Town of Croghan Zoning Law to Regulate Energy Storage and Generation Systems” to improve readability and interpretability.
2. The Town of Croghan Board should consistently use either the symbol “§” or the word “Section” throughout the document to maintain alignment with the existing Zoning Law format.
3. The Town of Croghan Board could include the most common SEQRA Type I actions in Section 280 to ensure consistency and reduce the potential for misclassification of uses.

4. The Town of Croghan Board could revise the definition of *Storage Reservoir* to avoid circular language and improve clarity for applicants and reviewers.
5. The Town of Croghan Board could consider adding a definition for *Screening Vegetation* and clarifying its interchangeability with *Vegetation Screening* to ensure consistent application throughout the Zoning Law.
6. The Town of Croghan Board could consider adding a definition for *Dark-Sky Principles* and referencing it in Section 820.G (Lighting) to clarify and reinforce design standards that minimize light pollution.
7. The Town of Croghan Board should revise Section 820.C.8 to require identification and addressing of potential safety hazards and prompt reporting (dictate a timeframe) of incidents to the Town Board to manage risks during construction and operation actively.
8. *The Town of Croghan Board could amend Section 820.C.10.i., to include species commonly hunted or fished, in addition to rare, threatened, or endangered species, in wildlife impact analyses to provide a more comprehensive understanding of ecological effects.*
9. The Town of Croghan Board could consistently capitalize Local, County, State, and Federal Laws, Zoning laws, and official titles, and format distances by spelling out numbers with numerals in parentheses to improve clarity, readability, and legal defensibility.
10. The Town of Croghan Board could clarify references to “Town” where “Town Board” is the accurate decision-making authority to prevent ambiguity in authority and responsibilities.
11. The Town of Croghan Board could ensure Section 1190.C includes a plan for managing, processing, and transporting livestock, demonstrating local or regional sourcing where feasible and providing justification and alternatives where local sourcing is impossible to ensure operational feasibility and alignment with community goals.
12. The Town of Croghan Board shall consider establishing minimum thresholds for developer contact and participation under Section 820.C.4.b.ii to ensure meaningful outreach and protect public notice requirements.
13. When filing the Final Local Law amendment with the Department of State (DOS), the Town of Watson should consider emailing a copy of all submitted materials to the Lewis County Planning Department. This practice helps address recent record inconsistencies and supports the Planning Department’s increasingly active role in tracking local law filings.

The Town of Croghan Board is commended for developing a unique regulatory framework for CAESS, recognizing the rarity of such systems nationally and the need for thoughtful regulation.

The Board made note that the Non-Binding Note #11 seemed to be disconnected from the subject matter of the proposed zoning text amendments. Planning Staff explained that it was an additional section, relative to solar energy siting, that was also included in the proposed text

amendment, which the Non-Binding Note referenced. The Board suggested that the subject Non-Binding Note 11 be prefaced to signal that it pertains to the agrivoltaics section to provide clarity.

Planning Staff identified that there was a typographical error in the 239-m technical review and that Non-Binding Note 13 should be updated from Watson to Croghan.

With no further discussion, Ms. Metott motioned to approve the proposed Local Law, including the stated conditions and non-binding notes. Mr. Cook seconded the motion, which was effectively carried by Mr. Virkler, Mr. Petersen, and Mr. Osborne. Mr. Lehman abstained because he believes the County Planning Board conditions are overregulating.

Ms. Buell proceeded with the next review:

TOWN OF WATSON TOWN BOARD

Proposed local law amending the Town of Watson Zoning Law to include Compressed Air Energy Storage Systems (CAESS).

Town of Watson – Applicant

The applicant provided the following Project Documentation: 1) General Municipal Referral Form with Agricultural Data Statement; 2) Proposed Zoning Text Amendment, and 3) Full Environmental Assessment Form (Part 1).

The Watson Town Board shall confirm that the law is appropriately numbered 6, as the DOS shows only **4** local laws filed for 2025.

The Town should consider including all or most SEQRA Type I actions in the new Section 355 to ensure consistency, reduce the appearance of singling out specific uses, and minimize potential misclassifications by the Town Board.

The Town Board should consider specifically adding the term “easement(s)” to Section 5, Article 4, Section 440. C.1.b which discusses the survey of the property.

The Town Board should correct the acronym PUD to PED as referenced in the last sentence on page 6.

Page 7, D.3.a. states “*Requested dimensional requirements that exceed 10% shall be referred to the Town Board for approval and if necessary, an amendment to the original PED approval.*” Consider rephrasing to “*Dimensional adjustments exceeding 10% require Town Board approval. An amendment to the original PED approval is necessary if the adjustment affects previously approved site plan elements, dimensional requirements, or any conditions imposed by the PED.*” This eliminates ambiguity and informs both staff and applicants precisely

when they must seek a formal amendment, thereby reducing the risk of misunderstandings.

The Town Board may consider whether Page 8 3.d, which currently states: "Proposed site access and on- and off-site parking and construction laydown areas," is sufficiently descriptive to ensure the Board receives all necessary information. A potential revision could be: "Proposed specific site access points, on- and off-site parking, internal traffic patterns, and construction laydown areas." This revision clarifies access, circulation, and staging, helping the Board better evaluate the proposed site plan.

Page 9, ii, Water Supply Well Survey: While the current language is technically sufficient, strengthening the outreach requirements, specifying minimum contact attempts, adding a timeline, standardized reporting, and guidance for participation agreements will significantly improve the likelihood of a high-quality, usable survey. Potential language could be *"A water supply well survey shall be conducted within the agreed-upon Well Survey Area to identify well owners and collect information on well location, elevation, depth, age, usage, construction, water level and yield, likely stratigraphic unit, perceived water quality, and other relevant details. The surveyor shall submit a written protocol for review and approval by the Planning Board prior to starting the survey, and any modifications to the approved protocol must also be approved. The surveyor shall make at least three documented attempts to contact each well owner through mailings, phone calls, site visits, or other reasonable methods, provide informational materials explaining the survey purpose and confidentiality, and request participation in monitoring and water quality sampling. Data shall be recorded on a standardized form approved by the Planning Board, and documentation of outreach and a final report, including maps of surveyed wells, shall be submitted to the Planning Board within a timeline established by the Board."*

Page 10, section c: The final sentence is unclear and incomplete, which diminishes the clarity and coherence of the passage. *"The Monitoring Wells and Storage Reservoir Plan shall include characterization of any surface reservoir sludge, solid waste, petroleum, hazardous substances, hazardous waste, and/or process waste to be stored, generated, transported, and/or disposed of during construction and operation phases, including manufactured."* Perhaps the following would be better suited: *"The plan shall also include characterization of any surface reservoir sludge, solid waste, petroleum, hazardous substances or waste, and process waste to be stored, generated, transported, or disposed of during construction and operation. Procedures for managing, handling, and disposing of such materials shall be clearly documented."*

Page 10, 5. Wastewater Management Plan: The Board should consider explicitly requiring Planning Board review and approval of this plan prior to approval or commencement; otherwise, there could be ambiguity about

whether the plan is merely informational or enforceable. A revised version that improves the enforceability could be *"The applicant shall prepare and submit to the Planning Board for review and approval a Wastewater Management Plan prior to approval of the project. The plan shall include specifics regarding the proposed conveyance, storage, distribution, generation, handling, use, and/or treatment of any sewage, process wastes, aqueous-carried wastes, petroleum, hazardous substances, hazardous waste, solid waste, or other process wastes. The plan shall include the estimated types and quantities of materials and the anticipated volume of wastewater to be generated. It shall identify the responsible parties, approved disposal facilities, handling procedures, and the timing of waste removal during both construction and operation. The plan shall also describe all pollution control measures and activities proposed to prevent on-site disposal and potential contamination of groundwater or surface water, including procedures for spill prevention and response.*

The Town Board should consider revising Page 10, 6. *"Stormwater Management Plan: A Stormwater Management Plan (SMP) and preliminary Stormwater Pollution Prevention Plan (SWPPP) shall be prepared in accordance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-25-001, or its most current revision) and submitted to the Planning Board for review. No land disturbance or construction activity shall commence until the SPDES permit has been obtained and a copy of the approved SWPPP has been provided to the Planning Board. This language legally protects the Town from premature disturbance of land without regulatory compliance and makes it clear that construction cannot start without the SPDES permit.*

Page 11-8 states "Public Safety and Hazard Mitigation Plan: A comprehensive plan confirming safety issues during construction and operation phases. At a minimum, this plan must include procedures for:."However, the Board should consider replacing "confirming safety issues" with "identifying and addressing potential safety hazards". This phrasing makes it clear that the plan must actively manage safety risks, not just acknowledge them, and changes the tone to more neutral language. Additionally, the Town Board should consider adding the following to the end of this section: "The Town Board and Planning Board must be notified promptly **[INSERT WHAT PROMPTLY IS TO WATSON]** of any incidents, including but not limited to fires, explosions, hazardous material releases, or equipment failures, and a written report must be submitted within **[INSERT TIMEFRAME]**."

The Town Board should consider Page 11, 9 Emergency Services Coordination Plan to add *"The plan must be reviewed and certified for accuracy by a qualified third-party professional with experience in emergency planning and response. The Town may retain such a reviewer, and the cost of the review shall be paid by the applicant."* This ensures accountability and assures the Town that the plan is practical and implementable, rather than just a theoretical document.

The Town Board should consider adding the following to Page 12.d.i.(1) Incremental Increase: "The operational noise and vibration analysis shall reference baseline (pre-construction) conditions documented in the section above Existing Conditions Data Collection (c) to assess incremental impacts and compliance with established limits."

Page 17. f.i. The Town Board shall consider replacing the very specific DEP-00-2 with "DEC" guidance...as it pertains to a detailed plan outlining specific measures designed to avoid, minimize, or mitigate identified adverse visual impacts to prevent reference change, creating an obsolete reference, and elsewhere throughout the document.

Page 17.12, the Town Board should establish a baseline for the Financial Assurance to remove the ambiguity. Revised language could be, with the percentages to be established, which generally range from 120-200%. "This plan must provide an estimated decommissioning cost certified by a NYS Licensed Professional Engineer. The applicant shall continuously maintain a Financial Assurance (e.g., bond or escrow account) in a form and amount approved by the Town Board and Town Attorney and shall be no less than **120% of the estimated decommissioning cost**. Decommissioning cost estimates shall be updated every five (5) years, and the Financial Assurance shall be adjusted to maintain the **120% level accordingly**."

Page 18 F. The Board should consider replacing "project site property line" with "tax parcel lines" (or tax parcel boundaries). This change simplifies legal and regulatory compliance, is much more transparent for reviewers and the public, and removes the ambiguity that could occur regarding which properties are covered by permits or obligations. Should the Town decide to change this, it should be updated throughout the zoning document.

The Town Board shall consider adding the following statement to the Fencing Regulations on page 19.5 "*No advertising, promotional, or other non-required signs shall be displayed on the fence. Any unauthorized signs may be removed by the Town at the operator's expense, and the operator shall be responsible for compliance with this requirement.*"

Page 19.9 Regarding Waste Management, the Town should consider revising the existing content to clarify responsibilities, standards and timing. Perhaps the following language would be a suitable replacement: "*All solid waste, hazardous waste, and construction debris generated by the project shall be removed from the site and managed in full compliance with all applicable local, state, and federal laws and regulations.*" Additional considerations for the Town is whether it would be appropriate to require an Annual Waste Management Report provided to the Planning Board, suggested language for such could be "*The applicant shall submit an annual Waste Management Report to the Planning Board summarizing the types and quantities of waste generated,*

disposal methods used, and any incidents, spills, or deviations from the approved plan, for the duration of the project's operation."

Page 19.10 the Town Board shall consider changing the first line of Housing Standards, which reads "If new housing units are required for construction **for** operational personnel," it appears that there is a typographical error with the word before operational personnel, where it appears as 'or' when it should be '**for**'.

Page 20 H. 1.a. Cessation of Operation and Abandonment contains long, complex sentences that may cause confusion and misinterpretation for Planning Boards, ZBAs, and Enforcement Officers. Consider the following more precise language that unburied the insolvent owner clause that had previously interrupted the flow:

*"A CAESS shall be deemed in a state of operational cessation if it remains non-functional or inoperative for a continuous period of two (2) consecutive years. For purposes of this Section, "non-functional or inoperative" means that the primary components of the CAESS are unable to operate as intended due to mechanical failure, disconnection from the grid, or other technical issues. Non-functionality does **not** include periods of planned maintenance, regulatory delays, market-based curtailment, economic conditions, or other circumstances beyond the reasonable control of the owner/operator. However, non-functionality due to the owner/operator being insolvent shall be considered in determining operational cessation. A CAESS shall not be considered non-functional if the owner/operator demonstrates that the facility is viable and is making documented, good faith efforts (e.g., documented repairs, financing attempts, or regulatory submissions) to return it to operation."*

The Town Board should consider specifying Town Law §268 on page 21, d. Violations, to strengthen the legal basis.

Page 21, The Town Board should recognize and correct the typographical error that has occurred on 2.e where the term 'involvement' should be 'insolvent'.

Page 22, Section 7 Definitions: It is recommended that the Town consider revising the definition of Compressed Air Energy Storage System (CAESS) to explicitly clarify whether on-site renewable energy sources or backup power generation are included within this definition. This clarification would provide guidance for the enforcement officer if solar or other renewable energy systems are proposed in conjunction with a CAESS project and eliminate the ambiguity created by the current phrasing, "*which may include but is not limited to.*"

The Town Board should consider adding a definition for Dark-Sky Principles to the zoning law, as the term is referenced on Page 16.e.i. Analysis of Facility

Characteristics and Operational Effects. Defining this term will provide clarity and ensure consistent application. Additionally, the Board should consider referencing Dark-Sky Principles on Page 19. 7 Lighting to maintain consistency and reinforce design and operational standards that minimize light pollution.

The Town Board should implement consistent capitalization, terminology, and formatting throughout the Zoning Law to improve clarity, professionalism, and enforceability. Specifically:

- 1) Capitalization of Legal References: References to *Local, County, State, and Federal Laws* should be capitalized to reflect their status as formal bodies of law.
- 2) Zoning Law References: The term *Zoning Law* should be capitalized whenever it refers to this specific adopted law.
- 3) Official Titles: Titles of official bodies and positions (e.g., *Town Board, Planning Board, Code Enforcement Officer*) should be consistently capitalized.

Implementing these changes will ensure the document is professionally presented, legally clear, and internally consistent, reducing the risk of misinterpretation or challenge.

Additionally, in some instances, the proposed amendment refers to the “Town,” where “Town Board” would be more accurate. Clarifying this usage will avoid ambiguity regarding which entity holds decision-making authority.

The Town Board should consider amending Section 440.E.10.i. to explicitly include species commonly hunted or fished within the study area, in addition to state or federally designated rare, threatened, or endangered species. The section could be revised as follows: *"Noise and vibration effects on wildlife. Based on relevant literature, the applicant shall provide a qualitative discussion of the potential effects of CAESS construction and operation on wildlife within the study area. This discussion shall include, but not be limited to, state or federally designated rare, threatened, or endangered species, as well as species commonly hunted or fished locally. The analysis should inform the Town's evaluation of the project's effects under SEQRA."* This change ensures the Town has a more comprehensive understanding of potential ecological impacts and supports a thorough SEQRA review.

Recommendation: APPROVE with Conditions

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

1. The Town Board shall confirm that this law is appropriately numbered six (6) as the Department of State online database currently shows that only four (4) local laws have been filed in 2025.

2. The Town Board should refine the language in Section 440.D.3.a regarding dimensional adjustments to clearly specify when an amendment to the original PED is required, as the current wording appears incomplete.
3. The Town Board should revise Section 440.E.3.d to provide additional details on construction laydown areas, including internal traffic patterns and specific access points, to ensure sufficient information for evaluating their safety, appropriateness, and functionality.
4. The Town Board should review and clarify the final sentence of the Monitoring Wells and Reservoir Plan in Section 440.E.4.c, using the potential revised language provided in the body of the 239-m review.
5. The Town Board should consider revising Section 440.E.6 to explicitly require that no land disturbance may occur until a SPDES permit and an approved SWPPP have been submitted to the Planning Board, in accordance with GP-0-25-0001 (or successor).
6. Within Section 440.E.9, Emergency Services Coordination Plan, the Town Board shall add a requirement that the plan be reviewed and certified by a qualified third-party professional experienced in emergency planning. The Town may retain this reviewer at the applicant's expense.
7. The Town Board should update the definition of CAESS to clarify whether on-site renewable energy sources, such as solar panels, are to be considered as part of said system, eliminating potential misinterpretation of the currently broad language, "which may include but is not limited to."
8. If the County Planning Board's recommendations are interpreted as significant changes to the proposed local law and the municipality incorporates any of these conditions or non-binding notes, a new public hearing and a restart of the Section 239-m review process may be required. However, the County Planning Board has determined that if a subsequent public hearing occurs and the 239-m process is reset, the revised proposed local law/referral qualifies as a Matter of Local Concern, removing the need for further review by the County Planning Board. All other General Municipal Law Section 239-m requirements, including reporting the municipality's final action to the County Planning Board, remain applicable.

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 could consider including all or most SEQRA Type I actions within the new Section 355 to ensure consistency, reduce the appearance of singling out specific uses, and minimize potential misclassifications.
- 2) The Town Board should recognize and correct the typographical error that has occurred in Section 440.H.2.e where the term 'involvement' should be 'insolvent'.
- 3) The Board could consider refining the language in Section 440.E.9.ii to strengthen outreach and reporting requirements, minimum contact

- attempts, standardized forms, and timeline for completion, to ensure reliable data quality and completeness.
- 4) The Town Board should consider clarifying Section 440.E.5 to specify that the Wastewater Management Plan must be reviewed and approved by the Planning Board prior to project approval or commencement to ensure enforceability.
 - 5) The Town Board could consider replacing the reference to DEP-00-2 with DEC to maintain consistency and avoid outdated citations, or alternatively, include a successor reference similar to the Stormwater Forms (GP-0-25-0001 or successor).
 - 6) The Town Board could consider reviewing whether the requirement for operation noise and vibration analysis to reference baseline conditions—rather than construction or post-construction conditions—should be updated to ensure accuracy and proper impact evaluation, as noted in Section 440.E.10.d.i(1).
 - 7) The Town Board could consider replacing “confirming safety issues” with “identifying and addressing potential safety hazards” on Section 440.E.8, and adding a requirement to promptly notify (within a specified timeframe) the appropriate authorities of incidents such as fires, explosions, or hazardous material releases.
 - 8) Section 440.H.1.d contains a generic reference to Town Law; the Town Board shall consider revising this to the specific paragraph (Town Law §268) reference to strengthen the legal enforcement authority.
 - 9) The Town Board should consider revising the Cessation and Abandonment paragraph in Section 440.H.1.a to simplify the long, complex sentences that could lead to confusion or misinterpretation by Planning Boards, ZBAs, and Enforcement Officers, and incorporate the suggested precise language that clarifies the previously buried insolvent owner clause within the 239-m review.
 - 10) The Town Board could consistently capitalize Local, County, State, and Federal Laws, Zoning laws, and official titles, and format distances by spelling out numbers with numerals in parentheses to improve clarity, readability, and legal defensibility. Furthermore, the Town Board should consider updating the numerous typographical and grammatical errors explicitly noted throughout the body of this 239-m review.
 - 11) The Town Board shall consider adding the following language to Section 440.E.5, Fencing: “No advertising, promotional, or other non-required signs shall be displayed on the fence. Any unauthorized signs may be removed by the Town at the operator’s expense.”
 - 12) The Town Board could clarify references to “Town” where “Town Board” is the accurate decision-making authority to prevent ambiguity in authority and responsibilities.
 - 13) Within Section 440.E.12, the Board should consider establishing clear baseline percentages for Financial Assurances (e.g., no less than 120% of estimated decommissioning cost) and could require five-year updates to ensure adequate financial security.

- 14) Within Section 440.F, the Town Board shall consider replacing “project site property line” with “tax parcel line (or boundaries)” for clarity and consistency with property assessment and permitting.
- 15) The Town Board could improve Section 440.F.9, Waste Management, to clarify standards for removal, disposal, and reporting, and require an annual waste management report summarizing waste quantities, methods, and any incidents.
- 16) The Town Board could consider adding a definition for “Dark-Sky Principles” (referenced on Section 440.E.11.e.i) and ensuring cross-reference in Section 440.F.7, Lighting, to maintain consistent design standards and reduce light pollution.
- 17) When filing the Final Local Law amendment with the Department of State (DOS), the Town of Watson should consider emailing a copy of all submitted materials to the Lewis County Planning and Community Development Department. This practice helps address recent record inconsistencies and supports the Planning and Community Development Department’s increasingly active role in tracking local law filings.

Being that Hydrostor, a likely future project applicant, was in attendance, the Board asked Mr. Davis whether there would be two developments, of which he indicated that there would be one.

Without further discussion, Mr. Petersen motioned to approve the proposed Local Law, with the stated conditions and non-binding notes. Mr. Virkler seconded the motion, which was carried unanimously.

Ms. Buell proceeded with the next review:

TOWN OF MARTINSBURG PLANNING BOARD

Special Use Permit for the adaptive reuse of the existing former Glenfield Elementary School into 29 new apartments and the new construction of a 34-unit double-loaded corridor building located at 5960 Main Street, Glenfield, in the Town of Martinsburg.

Tax Map Parcel #259.04-04-08.100

Rochester’s Cornerstone Group, Ltd. – Applicant

The applicant provided the following Project Documentation: 1) Town of Martinsburg Land Use Permit Application; 2) General Municipal Referral Form with Agricultural Data Statement; 3) SEAF Parts 1-3; 4) Site Plans; and 5) Example Tenant Selection Procedures.

▪ *Compatibility With Adjacent Uses:*

The proposed project is located within the Town of Martinsburg’s Hamlet Zoning District, an area that has developed, to some extent, and includes low- or medium-density residential uses with some commercial and industrial uses. The proposed project also borders a neighboring Town, the Town of Turin.

Adjacent and nearby uses include residential, commercial, religious, and recreational. The property is not located in Agricultural District #6; however, the parcel boundaries appear to be within 250 feet of several active farm operations that appear to be cropland within Agricultural District #6. These farms were identified on the submitted Agricultural Data Statement.

The applicant completed geothermal conductivity testing to a depth of 400 feet with excellent results; therefore, boreholes will not need to be drilled beyond 500 feet. The proposed geothermal system will utilize non-toxic propylene glycol and will be maintained on an annual basis. While the Town of Martinsburg does not appear to have local regulations regarding geothermal systems, the applicant should obtain and comply with all applicable state and federal permits and regulations.

The applicant is proposing the redevelopment of a 6.9-acre property with an existing 45,524 sq ft brick building, originally built in 1931, with improvements and expansions made in 1979 and 1995, into 29 new apartments along with a new 2-story 31,264 sq ft building that will result in 34 additional units. The project also calls for a geothermal system. Existing recreational courts and playgrounds will be retained for community and residential use, with additional perimeter fencing added. It is interpreted that this use would be considered a Multifamily Dwelling, which is an allowed use in the Hamlet District.

If approved, the proposed project is expected to begin in the Spring of 2026 with an 18-month construction period. Both buildings, the redevelopment and new structure, will be constructed concurrently. It is assumed that a construction laydown yard will be needed for a project of this size. It does not appear that there is a designated location for said construction laydown yard; however, according to the applicant, they expect shipping containers to be used for materials storage and a construction trailer to be located in the parking lot near the garage on Main Street. To minimize environmental impacts, to the greatest extent possible, any existing paved surface (asphalt or concrete) should be used for the construction laydown yard. The use of grass areas with gravel should be avoided and/or minimized.

The following dimensional criteria have been compared to the Town of Martinsburg Development Law requirements:

	Required	Proposed
Minimum Lot Area	20,000 sq. ft.	311,633 sq. ft.
Minimum Lot Frontage	100'	406'
Minimum Front Setback (Town/County Road)	60'	76'
Minimum Rear Yard Setback	20'	52'
Minimum Side Yard Setback	20'	25'
Maximum Building Height	40'	<35'

- *Traffic Generation and Effect:*

The Glenfield Hamlet has low-capacity two-lane roads, sharp curves, and limited shoulders. In 2024, Lewis County completed substantial drainage, roadway, and complete streets improvements, which further narrowed the corridor for traffic calming purposes. The submitted SEAF identifies that the proposed action will not substantially increase traffic above present levels, which is agreeable with the prior uses and traffic impacts as an Elementary School and Department of Social Services Office. Given the substantial investments made in the corridor by Lewis County, the applicant should discuss a Road Use Agreement during the construction phase of the project to ensure its infrastructure is not negatively impacted.

The submitted plans note/illustrate the removal of asphalt and stone on the northeastern corner of the northwest egress/ingress in the northern parking lot. This egress/ingress connects to an existing three-way intersection with known issues. Prior to construction, an engineer retained by the applicant should assess the proposed egress/ingress to ensure public safety.

- *Protection of Community Character:*

As part of this review, the EAF Mapper Summary Report was conducted, which stated that the proposed action site does not have contain, or is suitably contiguous to, a building, archeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historical places, which agrees with the claims submitted by the applicant on the SEAF. However, the EAF did identify that the project site, or any portion of it, is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office (SHPO) archeological site inventory. Upon request, Rochester's Cornerstone Group provided a consultation letter dated August 17, 2021, noting that, in the opinion of SHPO, no historical properties, including archaeological and/or historic resources, will be affected by the proposed project. A copy of this letter has been filed with the County Planning Board referral documents.

According to the IPAC report, the candidate species, the Monarch Butterfly, could be affected by activities in the proposed location. The applicant should be cognizant of land-clearing activities or other activities that could affect the aforementioned species.

As part of this review, the NYS Environmental Resource Mapper (ERM) was utilized to verify that the proposed project site does not contain wetlands or other waterbodies regulated by a federal, state, or local agency, as noted in the submitted SEAF. It should be noted that the proposed project parcel is near properties where there is an identified National Wetland Riverine; however, this riverine is not located on the subject parcel. However, it appears

that, on the southeastern corner of the property, there is a .23-acre portion, currently serving as a parking area and as egress/ingress on River Street, which is included in the 100-year floodplain. According to the submitted site plans, the same uses will continue in this area with the proposed action.

While the proposed architectural plans generally respect the character of the Glenfield Hamlet, the applicant should reference and adhere to the *Lewis County Downtown Design Guide* when finalizing designs for the school redevelopment and the new two-story residential facility to ensure the project fully reflects the community's historic charm.

The property connects to the Lewis County Recreational Trail System. Before construction, coordination with Lewis County Recreation, Forestry, and Parks is required to discuss the future use of any motorized or non-motorized trails.

- *Signage:*

The submitted application did not include plans for a new sign; however, after connecting with the applicant on 10-10-2025, it has been confirmed that the existing 'Glenfield Elementary Sign', perpendicular to Main Street, will be retained; however, the applicant will replace the plastic insert to identify the new use, General Martin Apartments. This planned reuse complies with §240-23 of the Town of Martinsburg Development Law.

It should also be noted that a variety of pre-existing signage within the facility will be removed as it is no longer applicable to the use.

- *Drainage & Erosion:*

According to the applicant, approximately 0.5 acres will be disturbed as a result of the proposed activity. Since the project plans to disturb less than 1 acre of land, a SPDES permit is not required.

As part of this review, a Web Soil Survey was obtained, which identified that 97.7% of the project site has a 0-3% slope and has Plainfield fine sandy loam soils, which are generally well-drained. The submitted SEAF notes that the project will create stormwater discharge, but will not discharge flow onto adjacent properties. Furthermore, the project will include two retention ponds and additional storm water infrastructure on site, all of which is detailed on CG-102 & CG-501. Furthermore, CG-500 includes a detailed Erosion and Sediment Control Plan, which is further detailed on CG-103 and CG-104.

According to the FEMA Floodplain Map 360372B, the site appears to be located in Zone C, which is considered an area determined to be outside of the 500-year Floodplain.

- *Parking:*

According to Section 240-24 of the Town of Martinsburg Development Law, “No permit or approval shall be issued until the applicant has demonstrated that all uses are provided with adequate off-road parking for all vehicles parked during typical peak use periods. Parking should be designed to eliminate the need to back out onto the public road.” The submitted project drawings include 78- 18’x9’ parking spaces directly serving the residents of the apartment buildings, with three EV Charging Stations serving six designated EV Charging spaces, and an additional parking area which includes 19 more 18’x9’ spaces. Most parking spaces are also connected to concrete walking paths, which safely connect pedestrians to walking trails or buildings. There are also 10 Handicapped Spaces available, which exceeds the ADA requirement of 4 spaces. All parking facilities appear to meet the regulations set in the Town of Martinsburg Development Law.

- *Community Facilities:*

The submitted SEAF notes that the proposed project will connect to an existing water supply and sewer system. Accessibility to these systems was confirmed as part of this review (2021 Glenfield Elementary Reuse Plan). In 2020, the Town of Martinsburg completed a CDBG-funded Hamlet of Glenfield Water District Improvement project, which supports the project’s need for reliable utilities while also providing the district’s users with stabilized water rates, as unexpected and extended vacancies could result in increased rates for Hamlet users. Due to the possible changes in capacity needs, before taking action, the Town Planning Board shall consult with the Town of Martinsburg Department of Public Works to confirm that the Hamlet of Glenfield Water and Sewer Districts have adequate capacity to support the proposed adaptive reuse project.

According to the SEAF, the applicant has identified public transportation availability at the project site. The location currently functions as a designated stop on the Lewis County Public Transportation system and includes an existing bus shelter within the Main Street parking area. As part of the redevelopment, the applicant should secure a permanent easement with Lewis County to ensure the continued use of this bus stop and shelter as a key access point for the County’s transit system.

- *Lighting:*

The submitted application includes outdoor lighting in the form of poles and wall packs. As part of this review, the applicant was contacted and confirmed that, to the greatest extent possible, all outdoor lighting will be dark sky compliant.

- *Landscaping and Screening:*

The applicant provided civil plans, which note that all trees and wetlands to remain shall be protected by the contractor, and that construction activities

adjacent to the trees shall be conducted to minimize impact on the trees to the maximum extent possible.

The facility, recreational areas, and dumpster/recycling center appear to be adequately screened. Two of each species — Ivory Silk Lilac, Tatarian Maple, Double Flowering Plum, and Sargent Crabapple — will be planted along the property frontage facing River Street. While most of the proposed trees are not native to Northern New York, they are hardy enough to survive our winters. According to the submitted plans, the property owner will retain the existing chain-link fencing along River Street. Furthermore, along the Main Street property line, the applicant has proposed the planting of Norway Spruce (2), Colorado Blue Spruce (1), Northern Red Oak (1), and Red Maple (2) – all of which grow well in our climate and are appropriate for the Hamlet.

A gazebo will be added to the property, and a 4-foot-tall chain-link fence will enclose the existing playground, pickleball, and basketball courts. The dumpster/recycling area, located on the southern portion of the two-story residential facility's parking lot, will be fenced to prevent access by pests and wildlife.

Recommendation: APPROVE with Conditions

1. To minimize environmental impacts, to the greatest extent possible, any existing paved surface (asphalt or concrete) should be used for the construction laydown yard. The use of grass areas with gravel should be avoided and/or minimized.
2. According to the IPAC report, the candidate species, Monarch Butterfly, could be affected by activities in the proposed location. The applicant should be cognizant of land-clearing activities or other activities that could affect the aforementioned species.
3. Due to the possible changes in capacity needs in the Hamlet of Glenfield Water and Sewer Districts, before acting, the Town Planning Board shall consult with the Town of Martinsburg Department of Public Works to confirm that the Hamlet of Glenfield Water and Sewer Districts have adequate capacity to support the proposed adaptive reuse project.
4. As part of the redevelopment, the applicant should secure a permanent easement with Lewis County to ensure the continued use of this bus stop and shelter as a key access point for the County's transit system.
5. While the proposed architectural plans generally respect the character of the Glenfield Hamlet, the applicant should reference and adhere to the *Lewis County Downtown Design Guide* when finalizing designs for the school redevelopment and the new two-story residential facility to ensure the project fully reflects the community's historic charm.
6. Given the substantial investments made in the corridor by Lewis County, the applicant should discuss a Road Use Agreement during the construction phase of the project to ensure its infrastructure is not negatively impacted.

7. Prior to construction, an engineer retained by the applicant should assess the proposed egress/ingress to ensure public safety.
8. The property connects to the Lewis County Recreational Trail System. Prior to construction, coordination with Lewis County Recreation, Forestry, and Parks is required to discuss the future use of any motorized or non-motorized trails.
9. Compliance with all Local, State, and Federal regulatory requirements for this type of facility and the geothermal system used.

The Board questioned the type of housing proposed because it differed from the original proposal, and several inquiries from neighboring property owners have been raised. Ms. Buell noted that this was an affordable housing project that was originally designed for senior living; however, there is no longer an age restriction requirement attached to the project.

Without further discussion, Mr. Osborne motioned to approve the proposed Special Use Permit, including the stated conditions. Mr. Cook seconded the motion, which was carried unanimously.

Ms. Krokowski proceeded to read the following review, while prefacing it with: *“The review was conducted on a Joint Comprehensive Plan between three municipalities, which will need to separately refer the Comprehensive Plan for review and will need to separately take continued actions for adoption as the process moves forward. However, since it is a joint plan, the conditions and non-binding notes are identical for all municipalities.”*

TOWN OF DENMARK TOWN BOARD

Proposed joint Comprehensive Plan for the Town of Denmark and Villages of Castorland and Copenhagen.

Town of Denmark – Applicant

The applicant provided the following Project Documentation: 1) General Municipal Referral Form with Agricultural Data Statement; 2) Proposed Comprehensive Plan, and 3) Full Environmental Assessment Form.

The Board notes that capitalization should be proper and consistent when referring to towns, villages, counties, states, municipal officials, and boards.

The term ‘policy’ is used throughout the document and could be implied interchangeably with enforceability. It should be clarified that these are guiding policies, not regulations. Consider adding a short section early in the document that defines the role of policies in a comprehensive plan.

The Board should consider on Page 4, the addition of *“Part IV. Implementation and Action Plan – This section outlines the steps necessary to put the plan’s goals, strategies, and land use policies into practice. It identifies specific*

actions, responsible parties, timelines, and resources required to achieve the community's vision. Monitoring and review mechanisms are also included to ensure progress is tracked and the plan remains responsive to changing conditions. All implementation efforts should align with the policies established in Part III and be coordinated across town and village departments, boards, and committees to ensure consistency and effectiveness." Or similarly, a comprehensive plan without an implementation section remains a valuable vision document. Still, it falls short of best planning principles, emphasizing that goals and policies should be linked to clear, actionable steps. Implementation provides the roadmap for turning community objectives into concrete projects, ordinances, and programs, identifies responsible parties and timelines, and establishes benchmarks for measuring progress. Without this section, the plan may be less effective in guiding decision-making, prioritizing resources, and supporting defensible land use actions.

Page 6 Demographics: The section notes that all municipalities experienced population changes exceeding the county average; however, no analysis is provided regarding the potential causes of these changes. It would be helpful to consider whether factors such as industry closures, major employers relocating, or other economic or social events contributed to the outmigration or relocation of 400+ residents. Including such context would strengthen the plan's relevance and provide a more complete basis for future planning decisions.

Page 6/7 Demographics: The data shows consistently low populations in the 85+ age group across Copenhagen, Castorland, and Denmark. While one might be tempted to assume this reflects either limited longevity or a lack of suitable housing options for this demographic, the section does not explore or make any assumptions regarding these factors. Including such analysis—or at least noting potential considerations—would provide valuable context for understanding the community's population structure and future housing needs.

Similarly, Page 7 describes household size trends the Town should consider adding that *"The data suggests that the Town of Denmark may be experiencing household consolidation, while the villages may be experiencing growth or diversification in household composition. These trends could inform planning decisions around housing stock, zoning, and services, or any other inference that can be made from the data.*

Page 8 Income: Rather than regurgitating the results listed in Table 3, consider highlighting the trends over time (Copenhagen's median income increased significantly from \$68,125 to \$75,938 (≈11.5% increase) as well as make reasonable assumptions from the data (*Copenhagen's income growth may reflect new employment opportunities, higher-wage residents moving in, or housing development attracting wealthier households. Castorland 's income*

decline could reflect older residents on fixed incomes, job losses, or outmigration of higher-earning residents. *Denmark's stable but lower-than-state income* suggests a moderately middle-income community with limited high-income growth or influx).

The municipalities involved in the plan should review vacant structures to identify barriers to occupancy. This information could help inform planning priorities, policy development, and targeted initiatives.

Additionally, the Comprehensive Plan members should analyze the demographic tables to determine potential correlations or reasonable assumptions that can be drawn from the data, providing a stronger basis for planning decisions.

Page 13 Education: This section refers to Table 13, which is appropriately labeled Table 12. The paragraph reference should be modified to refer to Table 12 within the text.

The municipalities involved in the plan should consider whether a connection has been made between preserving agricultural land and limiting or discouraging the siting of solar energy systems within Part II, Open Space, Agriculture, and Rural Character, as outlined in the Ag Enhancement Plan, which serves as the foundation for the Solar Overlay District. This discourages the siting of large commercial solar energy systems on prime farmland.

While the extensive strategies list on Pages 22/23 is commendable, consider revising references to overly specific programs, meeting and trail plans, using advisory language, and keeping Amish community engagement as a broad policy rather than a prescriptive program. Revised language could be the following:

GOAL: *Promote sustainable agricultural practices, balance renewable energy development, enhance public access to open spaces, and support collaboration with the Amish and other local farming communities.*

Objectives/Strategies:

- 1. Encourage the preservation of farmland through conservation easements, zoning, and other land use tools to reduce rural sprawl and protect prime agricultural lands.*
- 2. Support sustainable farming practices and innovative agricultural approaches that enhance soil health, productivity, and environmental stewardship.*
- 3. Promote agricultural resilience and adaptation to climate change through municipal coordination, voluntary participation in available programs, and pursuit of relevant funding opportunities.*

4. Foster opportunities for agricultural education and tourism, including public access to farms and educational signage or programs that highlight local agriculture.
5. Engage with all local farming communities, including the Amish, to share information on voluntary conservation programs, land stewardship, and agricultural best practices.
6. Encourage the development of value-added agricultural businesses to strengthen the local agricultural economy, while maintaining alignment with community goals for land preservation and sustainability.

The Historic Resource Objectives and Strategies could be adjusted to create achievable outcomes by framing the actions such as explorations, outreach, or assistance rather than guarantees. Funding-dependent items should note that they are opportunities to pursue, not guaranteed outcomes, and large initiatives such as the National Register and property database should be broken into feasible starting steps. Sample language for the suggested changes can be found here:

Objectives & Strategies (Achievable Version):

1. Promote the cultural, historical, and economic benefits of historic preservation through workshops, online content, and educational materials for residents and property owners.
2. Organize walking tours that highlight local heritage and encourage participation from residents and visitors.
3. Develop sample itineraries and low-cost marketing materials to attract visitors interested in local history and preservation.
4. Assist property owners in identifying and applying for rehabilitation funding, such as the NYS Environmental Protection Fund and NYS Preservation League grants.
5. Identify and prioritize barns outside the villages for preservation and pursue funding opportunities as they become available.
6. Explore the feasibility of establishing a National Register historic district along Main Street in the Village of Copenhagen, including initial research and outreach.
7. Create and maintain a centralized, prioritized database of historic properties, focusing on documenting key buildings and sites of local significance.
8. Encourage the preservation and protection of historic cemeteries through guidance, outreach, and partnerships with local organizations.
9. Seek grant or community support for upkeep and maintenance of the Union Cemetery in the Village of Castorland.

The housing section below GOAL lists what we assume are 8 Objectives & Strategies, but are without a title (Page 29). Additionally, within Strategy 2, consider adding Snowbelt Housing Company as a housing partner.

Similarly, the Infrastructure Section on Page 31 is missing the Objective & Strategies title before the list. The list should be framed within this section as high-level guidance rather than operational directives. The content within this list should leave detailed projects, phasing, and operational implementation to future municipal planning or capital improvement efforts. Potential revised language could be:

GOAL: *Develop and maintain infrastructure to support sustainable housing growth, economic development, and community resilience.*

Objectives/Strategies:

- 1. Support expansion and improvement of water, sewer, and utility capacity to accommodate anticipated residential and business growth.*
- 2. Coordinate with County and State agencies to develop long-term infrastructure plans aligned with community growth and housing goals.*
- 3. Promote phased utility improvements for undeveloped parcels consistent with anticipated development.*
- 4. Address water quality and reliability concerns and develop contingency strategies to ensure uninterrupted service during emergencies and extreme weather events.*
- 5. Encourage the preservation and maintenance of natural drainage systems and stormwater infrastructure in coordination with county and state agencies.*
- 6. Promote public awareness of proper drainage and flood mitigation practices.*
- 7. Encourage collaborative design and implementing flood mitigation measures in vulnerable areas.*
- 8. Support shared services agreements between municipalities for water, sewer, and waste management to enhance efficiency and resilience.*

Overall, all goal/objectives sections of the comprehensive plan should be revised to reflect high-level guidance rather than municipal obligations. The Transportation Infrastructure Section was particularly susceptible to this operative language. Consider replacing “develop” with “promote”, “support”, or “encourage”, which shifts the emphasis from municipal obligation to policy guidance. Additionally, consider adding existing Complete Streets Plans for the Villages to pursue funding and improvements. A template for the Transportation Goal language can be found below:

GOAL: *Enhance transportation infrastructure and safety while ensuring long-term sustainability through strategic upgrades, community connectivity, and collaborative partnerships.*

Objectives/Strategies:

- 1. Promote pedestrian safety and active transportation by supporting the installation and maintenance of sidewalks, crosswalks, lighting, and wayfinding signage in the villages of Castorland and Copenhagen.*

2. *Promote pedestrian and bicycle connectivity between residential areas, commercial centers, and key community services.*
3. *Collaborate with county and state agencies to encourage traffic calming measures in high-traffic areas.*
4. *Support the preservation, maintenance, and, where appropriate, restoration of aging bridges and historically significant transportation structures, in coordination with relevant funding and preservation programs.*
5. *Encourage workforce capacity and coordination for transportation infrastructure planning, maintenance, and operations.*
6. *Collaborate with county agencies to support the expansion and improve accessibility of public transportation services across the town and villages.*
7. *Utilize existing Complete Streets plans as guidance for transportation improvements and to support applications for state and federal infrastructure and safety funding.*

Similar suggestions are relevant for community infrastructure. The objectives and strategies, revised to be in a high-level guidance format, could be:

GOAL: *Enhance community infrastructure and services to improve quality of life for residents while promoting economic growth, recreation, and community engagement.*

Objectives/Strategies:

1. *Encourage the adaptive reuse of vacant buildings to support community facilities, such as childcare, senior services, or other local needs.*
2. *Promote the use of existing municipal buildings to support community services, events, and engagement opportunities.*
3. *Support the establishment of a farmers' market or similar local food initiatives, fostering partnerships with the Amish community and other local vendors to provide fresh produce to residents and visitors.*
4. *Explore opportunities to expand recreational amenities, including parks, trails, and dog-friendly spaces, in coordination with village residents.*
5. *Promote enhancements to public recreational areas, including shelters, pavilions, and accessible facilities, to improve community gathering spaces and support events.*

While very detailed as written, the Section regarding Recreation obligates municipalities and stakeholders in a way that comprehensive plans are not designed or intended to do. Consider revising to retain focus on accessibility, connectivity, and year-round recreation, which is flexible enough to integrate with grant applications, future park designs, and local volunteer efforts, but remove site-specific projects and equipment. Sample language for this section could be:

GOAL: *Improve outdoor recreational opportunities and accessibility to promote an active, healthy lifestyle while fostering a connected community.*

Objectives/Strategies:

- 1. Promote year-round non-motorized recreational opportunities, including walking, hiking, biking, and cross-country skiing.*
- 2. Support the development and connectivity of regional trails for motorized recreation, such as snowmobiles and ATVs/UTVs.*
- 3. Encourage the creation and enhancement of parks and green spaces that are safe, accessible, and inclusive for all residents and visitors.*
- 4. Promote public access to natural resources through the development of natural parks, trails, and scenic areas.*
- 5. Support the establishment of community events and programs that highlight recreational spaces and encourage participation.*
- 6. Encourage the incorporation of ADA-compliant and accessible design principles in all recreational infrastructure.*
- 7. Promote a variety of recreational facilities, including courts, trails, and multi-use spaces, in coordination with village residents and local organizations.*

Consider removing the existing list of zones of the Town of Denmark (Page 44), as this could easily make the document outdated, and instead summarize that there are multiple zones established, i.e. “The Town of Denmark (excluding the villages) is divided into multiple zoning districts that accommodate a mix of agricultural, residential, commercial, industrial, and conservation uses. Certain areas permit mobile home parks by special permit, while riverfront conservation zones protect lands along the Black and Deer Rivers. The town also includes highway/mixed-use and industrial districts, providing flexibility for commercial and economic development.”

Page 45 should add a line space prior to the Village of Copenhagen for consistent formatting. The first paragraph, when discussing main street revitalization, reference should be made to the Lewis County Downtown Design Guidelines. Additionally, the last sentence of the second paragraph, which states “Although the village does not have a zoning law, development should comply with the 2022 Housing Needs and Market Analysis for Lewis County, and the 2024 Lewis County Downtown Design Guide. With the future potential for development, the village should consider adopting a robust zoning law.” It should be revised to “Although the Village does not currently have a traditional zoning law, future development should be guided by the 2024 Lewis County Downtown Design Guide and comply with the Village’s existing land use regulations, including the Site Plan Review Law and Subdivision Law (1985, amended 2003), Outdoor Wood Burning Furnace Law, Property Maintenance Law (2010, amended 2025), and Junkyard Law. The 2022 Housing Needs and Market Analysis for Lewis County provides useful background information on community conditions and housing trends but is not a regulatory document. To reduce redundancy and improve consistency in administration, the Village may wish to consider consolidating these individual laws into a single zoning document, which could also serve as a framework for the adoption of a more robust zoning law in the future.”

Page 45: Village of Castorland, the last sentence of the first paragraph should be replaced, as it is misleading and inaccurate. The Village has multiple Land Use Regulations, including a Site Plan Review Law, Subdivision Law, and Outdoor Wood Boiler Law.

The sections regarding the Hamlet of Denmark and Deer River should be relocated from below the blurb about the Village of Castorland to above the Village of Copenhagen, within the Town of Denmark blurb.

The Section on Policies should be refined to similarly be high-level guidance-oriented, comprehensive plan-appropriate language, thereby removing repetitive reference to building heights, setbacks, sidewalks, and street trees, while keeping the intent. Refined language could be:

Land Use and Development Guidance

The following guidance provides a rural, village, and hamlet development framework. These policies are intended to inform future planning, zoning, and development decisions and preserve the unique character of the Town and villages. They are advisory in nature and do not constitute regulations.

Rural Areas

- *Encourage development that preserves riverfront conservation zones, wetlands, flood-prone areas, and other sensitive ecological and scenic resources.*
- *Promote conservation easements and protection of agricultural and wooded lands, supporting the Lewis County Agricultural and Farmland Enhancement Plan.*
- *Encourage residential lots and subdivisions to maintain adequate space for safe onsite sewage disposal, groundwater protection, and driveway spacing, while retaining natural features, trees, and stone fences wherever possible.*
- *Promote rural aesthetics through context-sensitive site design, open space preservation, and retention of important plant and animal habitats.*
- *Minimize nonfarm intrusions into agricultural areas, while supporting small-scale commercial uses, agribusiness, agri-tourism, and Amish-owned farms.*
- *Encourage infrastructure, such as solar, wind, and cell towers, to be sited in ways that are compatible with rural character.*
- *Promote signage that is appropriately sized and located to minimize visual impacts.*

Village and Hamlet Centers

- *Support the adaptive reuse of underutilized buildings for mixed-use or commercial purposes.*
- *Promote mixed-use development in downtown areas, while maintaining the architectural character and scale of existing buildings.*
- *Encourage pedestrian-friendly design, including sidewalks, street trees, and streetscape enhancements guided by Complete Streets principles.*

- Support façade improvements, infill development, and attractive signage to foster business growth and community vitality.
- Encourage buildings that respect appropriate scale, setbacks, and orientation relative to the street and neighboring structures.

Village and Hamlet Residential Areas

- Promote residential infill and development patterns that efficiently use existing infrastructure, such as sewer, water, and sidewalks.
- Encourage lot sizes, building placement, and orientation that maintain the character and scale of villages and hamlets.
- Support a diversity of housing types, including single-family, multi-family, senior housing, and accessory dwelling units (ADUs), to enhance affordability and accommodate aging in place.
- Encourage residential streets to follow block patterns consistent with existing layouts, providing connectivity, sidewalks, and street trees.
- Promote design that is compatible with neighboring buildings in terms of scale, setbacks, and architectural character.

The plan addresses floodplains and wetlands but lacks climate adaptation strategies. Consider incorporating climate resilience language (green infrastructure, drought planning, etc.) and coordinating with NYSDEC and the Lewis County Hazard Mitigation Plan.

The County Planning Board strongly recommends that the Town of Denmark and the Villages of Castorland and Copenhagen include an Implementation Section in the final version of the Comprehensive Plan.

Such a section would not introduce new policies but would organize the plan’s existing goals and strategies into a clear, advisory framework for action. An implementation table or matrix should:

- 1) List each goal or strategy from the plan.
- 2) Identify the responsible municipal body (e.g., Town Board, Village Board, Planning Board, Code Enforcement, etc.);
- 3) Suggest potential partners (Lewis County, Tug Hill Commission, DANC, Naturally Lewis, State agencies);
- 4) Indicate a general time horizon (short, medium, long-term);
- 5) List potential funding sources (state and federal grant programs, county initiatives).

Sample version of this **Implementation Section** could be:

Goal / Recommendation	Action / Strategy	Responsible Party	Suggested Timeline	Notes / Advisory
Promote downtown revitalization	Develop façade improvement grants and streetscape enhancements	Town Boards / Local Business Association	1–3 years	County recommends coordinating with regional economic

Goal / Recommendation	Action / Strategy	Responsible Party	Suggested Timeline	Notes / Advisory
Improve pedestrian and bike connectivity	Construct sidewalks, bike lanes, and crosswalk improvements along key corridors	Town Highway Departments / NYSDOT	2-5 years	development programs to maximize funding Consider prioritizing routes near schools and commercial centers.
Enhance stormwater management	Implement green infrastructure, retention basins, and street tree plantings	Town DPW / County Planning / Environmental Consultants	3-5 years	Advisory: Develop a phased approach to reduce budget impact and encourage grant eligibility.
Preserve agricultural lands	Update zoning overlay districts to protect prime farmland	Town Planning Boards / Agricultural Advisory Committees	1-2 years	County suggests referencing NYS Department of Agriculture & Markets guidelines.
Expand broadband access	Partner with providers to identify service gaps and incentives for expansion	Town Boards / County IT / Private Providers	1-4 years	Advisory: Explore state and federal broadband grant programs to reduce local costs.
Increase affordable housing options	Encourage mixed-use developments and accessory dwelling units (ADUs)	Town Planning Boards / Developers	2-5 years	Advisory: Ensure compliance with NYS housing policy and Fair Housing Act requirements
Promote tourism and recreation	Develop trail systems, signage, and marketing campaigns	Town Parks & Recreation / Chamber of Commerce	1-3 years	County recommends coordination with regional

Goal / Recommendation	Action / Strategy	Responsible Party	Suggested Timeline	Notes / Advisory
Strengthen municipal coordination	Establish inter-municipal working groups for shared services	Town Boards / County Government	1–2 years	tourism initiatives Advisory: Focus on cost savings, shared grant applications, and coordinated planning

It is recommended that the Towns and Villages remove blank page 79 to improve document readability and ensure a professional, continuous flow throughout the Comprehensive Plan.

Recommendation: APPROVE with Conditions

- 1) Before taking action, the Plan shall be updated to include an IV. Implementation Section or similar, summarized on the Summary page (Page 4), that links all goals and strategies to responsible parties, suggested timelines, and advisory notes/funding sources. This ensures that readers can quickly locate the actionable roadmap and understand how the plan’s objectives will be implemented.
- 2) Before taking action, correct the table references on page 13 (change “Table 13” to “Table 12”), ensure consistent capitalization, and adjust the section order for clarity.
- 3) Before taking action, verify the accuracy of the village-level guidance and statements concerning existing land use regulations, noting that both villages have Site Plan Review Laws rather than Zoning Laws.
- 4) Before taking action, the Plan shall include context and analysis for population, income, and household trends, and provide insights into vacant structures to guide future planning.
- 5) Before taking action, the Plan should include a clear statement—or a dedicated section—addressing the community’s position on renewable energy development. This should consider the implications of the Climate Leadership and Community Protection Act (CLCPA), new building code standards requiring electric heat in areas prone to power outages, and the need to preserve agricultural lands that may be affected by solar, wind, and battery storage projects.
- 6) Before taking action, revise all goal and objective sections of the Plan to convey high-level guidance rather than municipal obligations, thereby reducing any perceived burden or liability. Additionally, ensure the heading “Objectives/Strategies” appears under each Goal, as it is missing beginning with the Housing section (page 29) and consistently absent through page 41.
- 7) Before taking action, the Policies section on page 46 should be revised to use high-level, guidance-oriented language appropriate for a

comprehensive plan. Repetitive references to specific zoning details—such as building heights, setbacks, sidewalks, and street trees—should be removed, while retaining the overall intent and avoiding duplication of municipal land use regulations.

Non-Binding Notes:

1. Before taking action, ensure that capitalization is proper and consistent when referencing towns, villages, counties, states, municipal officials, and boards.
2. To help ensure the Plan remains current, consider summarizing the Town of Denmark’s zoning districts instead of listing them in detail.
3. Include climate adaptation strategies, green infrastructure, and hazard mitigation coordination.
4. Encourage proactive housing solutions, including ADUs and mixed-use infill, and guide and support each municipality through the Pro-Housing Community Designation to unlock State funding.
5. Promote regional and inter-municipal collaboration for funding, grant applications, and program implementation.
6. Review implementation timelines to ensure realistic phasing, budgeting, and resource allocation.
7. Delete blank page 79 to enhance readability and maintain a professional, uninterrupted flow throughout the Comprehensive Plan.
8. While filing a comprehensive plan is not technically required to be filed with the Department of State (DOS), it is best practice to encourage development and transparency. When your municipality files the Final Version, consider emailing a copy of all submitted materials to the Lewis County Planning Department. This practice helps address recent record inconsistencies and supports the Planning Department’s increasingly active role in tracking local law filings.

Due to the extent of the potential revisions, the Lewis County Planning Department encourages the municipality to reach out for assistance as needed. Planning staff are available and ready to assist the Town of Denmark in implementing any or all of the recommended revisions, ensuring consistency, clarity, and legal defensibility throughout the final adoption process.

The Board discussed updating Condition #1, sentence 1, to refer to the section prior to the Roman Numerals and noted that a sample table regarding actionable items is provided in the body of the 239-m review.

Without further discussion, Mr. Cook motioned to approve with conditions (as revised) and non-binding notes for the Joint Municipal Comprehensive Plan (Denmark, Copenhagen, Castorland). The motion was seconded by Ms. Metott, which carried unanimously.

VILLAGE OF CASTORLAND BOARD OF TRUSTEES

Proposed joint Comprehensive Plan for the Town of Denmark and Villages of Castorland and Copenhagen.

Village of Castorland – Applicant

The applicant provided the following Project Documentation: 1) General Municipal Referral Form with Agricultural Data Statement; 2) Proposed Comprehensive Plan, and 3) Full Environmental Assessment Form.

The Board notes that capitalization should be proper and consistent when referring to towns, villages, counties, states, municipal officials, and boards.

The term ‘policy’ is used throughout the document and could be implied interchangeably with enforceability. It should be clarified that these are guiding policies, not regulations. Consider adding a short section early in the document that defines the role of policies in a comprehensive plan.

The Board should consider on Page 4, the addition of “***Part IV. Implementation and Action Plan*** – *This section outlines the steps necessary to put the plan’s goals, strategies, and land use policies into practice. It identifies specific actions, responsible parties, timelines, and resources required to achieve the community’s vision. Monitoring and review mechanisms are also included to ensure progress is tracked and the plan remains responsive to changing conditions. All implementation efforts should align with the policies established in Part III and be coordinated across town and village departments, boards, and committees to ensure consistency and effectiveness.*” Or similarly, a comprehensive plan without an implementation section remains a valuable vision document. Still, it falls short of best planning principles, emphasizing that goals and policies should be linked to clear, actionable steps. Implementation provides the roadmap for turning community objectives into concrete projects, ordinances, and programs, identifies responsible parties and timelines, and establishes benchmarks for measuring progress. Without this section, the plan may be less effective in guiding decision-making, prioritizing resources, and supporting defensible land use actions.

Page 6 Demographics: The section notes that all municipalities experienced population changes exceeding the county average; however, no analysis is provided regarding the potential causes of these changes. It would be helpful to consider whether factors such as industry closures, major employers relocating, or other economic or social events contributed to the outmigration or relocation of 400+ residents. Including such context would strengthen the plan’s relevance and provide a more complete basis for future planning decisions.

Page 6/7 Demographics: The data shows consistently low populations in the 85+ age group across Copenhagen, Castorland, and Denmark. While one

might be tempted to assume this reflects either limited longevity or a lack of suitable housing options for this demographic, the section does not explore or make any assumptions regarding these factors. Including such analysis—or at least noting potential considerations—would provide valuable context for understanding the community’s population structure and future housing needs.

Similarly, Page 7 describes household size trends the Town should consider adding that *“The data suggests that the Town of Denmark may be experiencing household consolidation, while the villages may be experiencing growth or diversification in household composition. These trends could inform planning decisions around housing stock, zoning, and services, or any other inference that can be made from the data.*

Page 8 Income: Rather than regurgitating the results listed in Table 3, consider highlighting the trends over time (Copenhagen’s median income increased significantly from \$68,125 to \$75,938 (≈11.5% increase) as well as make reasonable assumptions from the data (*Copenhagen’s income growth may reflect new employment opportunities, higher-wage residents moving in, or housing development attracting wealthier households. Castorland ‘s income decline could reflect older residents on fixed incomes, job losses, or outmigration of higher-earning residents. Denmark’s stable but lower-than-state income suggests a moderately middle-income community with limited high-income growth or influx).*

The municipalities involved in the plan should review vacant structures to identify barriers to occupancy. This information could help inform planning priorities, policy development, and targeted initiatives.

Additionally, the Comprehensive Plan members should analyze the demographic tables to determine potential correlations or reasonable assumptions that can be drawn from the data, providing a stronger basis for planning decisions.

Page 13 Education: This section refers to Table 13, which is appropriately labeled Table 12. The paragraph reference should be modified to refer to Table 12 within the text.

The municipalities involved in the plan should consider whether a connection has been made between preserving agricultural land and limiting or discouraging the siting of solar energy systems within Part II, Open Space, Agriculture, and Rural Character, as outlined in the Ag Enhancement Plan, which serves as the foundation for the Solar Overlay District. This discourages the siting of large commercial solar energy systems on prime farmland.

While the extensive strategies list on Pages 22/23 is commendable, consider revising references to overly specific programs, meeting and trail plans, using advisory language, and keeping Amish community engagement as a broad policy rather than a prescriptive program. Revised language could be the following:

GOAL: *Promote sustainable agricultural practices, balance renewable energy development, enhance public access to open spaces, and support collaboration with the Amish and other local farming communities.*

Objectives/Strategies:

- 1) *Encourage the preservation of farmland through conservation easements, zoning, and other land use tools to reduce rural sprawl and protect prime agricultural lands.*
- 2) *Support sustainable farming practices and innovative agricultural approaches that enhance soil health, productivity, and environmental stewardship.*
- 3) *Promote agricultural resilience and adaptation to climate change through municipal coordination, voluntary participation in available programs, and pursuit of relevant funding opportunities.*
- 4) *Foster opportunities for agricultural education and tourism, including public access to farms and educational signage or programs that highlight local agriculture.*
- 5) *Engage with all local farming communities, including the Amish, to share information on voluntary conservation programs, land stewardship, and agricultural best practices.*
- 6) *Encourage the development of value-added agricultural businesses to strengthen the local agricultural economy, while maintaining alignment with community goals for land preservation and sustainability.*

The Historic Resource Objectives and Strategies could be adjusted to create achievable outcomes by framing the actions such as explorations, outreach, or assistance rather than guarantees. Funding-dependent items should note that they are opportunities to pursue, not guaranteed outcomes, and large initiatives such as the National Register and property database should be broken into feasible starting steps. Sample language for the suggested changes can be found here:

Objectives & Strategies (Achievable Version):

- 1) *Promote the cultural, historical, and economic benefits of historic preservation through workshops, online content, and educational materials for residents and property owners.*
- 2) *Organize walking tours that highlight local heritage and encourage participation from residents and visitors.*
- 3) *Develop sample itineraries and low-cost marketing materials to attract visitors interested in local history and preservation.*

- 4) Assist property owners in identifying and applying for rehabilitation funding, such as the NYS Environmental Protection Fund and NYS Preservation League grants.
- 5) Identify and prioritize barns outside the villages for preservation and pursue funding opportunities as they become available.
- 6) Explore the feasibility of establishing a National Register historic district along Main Street in the Village of Copenhagen, including initial research and outreach.
- 7) Create and maintain a centralized, prioritized database of historic properties, focusing on documenting key buildings and sites of local significance.
- 8) Encourage the preservation and protection of historic cemeteries through guidance, outreach, and partnerships with local organizations.
- 9) Seek grant or community support for upkeep and maintenance of the Union Cemetery in the Village of Castorland.

The housing section below GOAL lists what we assume are 8 Objectives & Strategies, but are without a title (Page 29). Additionally, within Strategy 2, consider adding Snowbelt Housing Company as a housing partner.

Similarly, the Infrastructure Section on Page 31 is missing the Objective & Strategies title before the list. The list should be framed within this section as high-level guidance rather than operational directives. The content within this list should leave detailed projects, phasing, and operational implementation to future municipal planning or capital improvement efforts. Potential revised language could be:

GOAL: Develop and maintain infrastructure to support sustainable housing growth, economic development, and community resilience.

Objectives/Strategies:

- 1) Support expansion and improvement of water, sewer, and utility capacity to accommodate anticipated residential and business growth.
- 2) Coordinate with County and State agencies to develop long-term infrastructure plans aligned with community growth and housing goals.
- 3) Promote phased utility improvements for undeveloped parcels consistent with anticipated development.
- 4) Address water quality and reliability concerns and develop contingency strategies to ensure uninterrupted service during emergencies and extreme weather events.
- 5) Encourage the preservation and maintenance of natural drainage systems and stormwater infrastructure in coordination with county and state agencies.
- 6) Promote public awareness of proper drainage and flood mitigation practices.
- 7) Encourage collaborative design and implementing flood mitigation measures in vulnerable areas.

- 8) *Support shared services agreements between municipalities for water, sewer, and waste management to enhance efficiency and resilience.*

Overall, all goal/objectives sections of the comprehensive plan should be revised to reflect high-level guidance rather than municipal obligations. The Transportation Infrastructure Section was particularly susceptible to this operative language. Consider replacing “develop” with “promote”, “support”, or “encourage”, which shifts the emphasis from municipal obligation to policy guidance. Additionally, consider adding existing Complete Streets Plans for the Villages to pursue funding and improvements. A template for the Transportation Goal language can be found below:

GOAL: *Enhance transportation infrastructure and safety while ensuring long-term sustainability through strategic upgrades, community connectivity, and collaborative partnerships.*

Objectives/Strategies:

- 1) *Promote pedestrian safety and active transportation by supporting the installation and maintenance of sidewalks, crosswalks, lighting, and wayfinding signage in the villages of Castorland and Copenhagen.*
- 2) *Promote pedestrian and bicycle connectivity between residential areas, commercial centers, and key community services.*
- 3) *Collaborate with county and state agencies to encourage traffic calming measures in high-traffic areas.*
- 4) *Support the preservation, maintenance, and, where appropriate, restoration of aging bridges and historically significant transportation structures, in coordination with relevant funding and preservation programs.*
- 5) *Encourage workforce capacity and coordination for transportation infrastructure planning, maintenance, and operations.*
- 6) *Collaborate with county agencies to support the expansion and improve accessibility of public transportation services across the town and villages.*
- 7) *Utilize existing Complete Streets plans as guidance for transportation improvements and to support applications for state and federal infrastructure and safety funding.*

Similar suggestions are relevant for community infrastructure. The objectives and strategies, revised to be in a high-level guidance format, could be:

GOAL: *Enhance community infrastructure and services to improve quality of life for residents while promoting economic growth, recreation, and community engagement.*

Objectives/Strategies:

- 1) *Encourage the adaptive reuse of vacant buildings to support community facilities, such as childcare, senior services, or other local needs.*

- 2) *Promote the use of existing municipal buildings to support community services, events, and engagement opportunities.*
- 3) *Support the establishment of a farmers' market or similar local food initiatives, fostering partnerships with the Amish community and other local vendors to provide fresh produce to residents and visitors.*
- 4) *Explore opportunities to expand recreational amenities, including parks, trails, and dog-friendly spaces, in coordination with village residents.*
- 5) *Promote enhancements to public recreational areas, including shelters, pavilions, and accessible facilities, to improve community gathering spaces and support events.*

While very detailed as written, the Section regarding Recreation obligates municipalities and stakeholders in a way that comprehensive plans are not designed or intended to do. Consider revising to retain focus on accessibility, connectivity, and year-round recreation, which is flexible enough to integrate with grant applications, future park designs, and local volunteer efforts, but remove site-specific projects and equipment. Sample language for this section could be:

GOAL: *Improve outdoor recreational opportunities and accessibility to promote an active, healthy lifestyle while fostering a connected community.*

Objectives/Strategies:

- 1) *Promote year-round non-motorized recreational opportunities, including walking, hiking, biking, and cross-country skiing.*
- 2) *Support the development and connectivity of regional trails for motorized recreation, such as snowmobiles and ATVs/UTVs.*
- 3) *Encourage the creation and enhancement of parks and green spaces that are safe, accessible, and inclusive for all residents and visitors.*
- 4) *Promote public access to natural resources through the development of natural parks, trails, and scenic areas.*
- 5) *Support the establishment of community events and programs that highlight recreational spaces and encourage participation.*
- 6) *Encourage the incorporation of ADA-compliant and accessible design principles in all recreational infrastructure.*
- 7) *Promote a variety of recreational facilities, including courts, trails, and multi-use spaces, in coordination with village residents and local organizations.*

Consider removing the existing list of zones of the Town of Denmark (Page 44), as this could easily make the document outdated, and instead summarize that there are multiple zones established, i.e. *“The Town of Denmark (excluding the villages) is divided into multiple zoning districts that accommodate a mix of agricultural, residential, commercial, industrial, and conservation uses. Certain areas permit mobile home parks by special permit, while riverfront conservation zones protect lands along the Black and Deer Rivers. The town also includes*

highway/mixed-use and industrial districts, providing flexibility for commercial and economic development.”

Page 45 should add a line space prior to the Village of Copenhagen for consistent formatting. The first paragraph, when discussing main street revitalization, reference should be made to the Lewis County Downtown Design Guidelines. Additionally, the last sentence of the second paragraph, which states *“Although the village does not have a zoning law, development should comply with the 2022 Housing Needs and Market Analysis for Lewis County, and the 2024 Lewis County Downtown Design Guide. With the future potential for development, the village should consider adopting a robust zoning law.”* It should be revised to *“Although the Village does not currently have a traditional zoning law, future development should be guided by the 2024 Lewis County Downtown Design Guide and comply with the Village’s existing land use regulations, including the Site Plan Review Law and Subdivision Law (1985, amended 2003), Outdoor Wood Burning Furnace Law, Property Maintenance Law (2010, amended 2025), and Junkyard Law. The 2022 Housing Needs and Market Analysis for Lewis County provides useful background information on community conditions and housing trends but is not a regulatory document. To reduce redundancy and improve consistency in administration, the Village may wish to consider consolidating these individual laws into a single zoning document, which could also serve as a framework for the adoption of a more robust zoning law in the future.”*

Page 45: Village of Castorland, the last sentence of the first paragraph should be replaced, as it is misleading and inaccurate. The Village has multiple Land Use Regulations, including a Site Plan Review Law, Subdivision Law, and Outdoor Wood Boiler Law.

The sections regarding the Hamlet of Denmark and Deer River should be relocated from below the blurb about the Village of Castorland to above the Village of Copenhagen, within the Town of Denmark blurb.

The Section on Policies should be refined to similarly be high-level guidance - oriented, comprehensive plan-appropriate language, thus removing repetitive reference to building heights, setbacks, sidewalks, and street trees, while keeping the intent. Refined language could be:

Land Use and Development Guidance

The following guidance provides a rural, village, and hamlet development framework. These policies are intended to inform future planning, zoning, and development decisions and preserve the unique character of the Town and villages. They are advisory in nature and do not constitute regulations.

Rural Areas

- Encourage development that preserves riverfront conservation zones, wetlands, flood-prone areas, and other sensitive ecological and scenic resources.
- Promote conservation easements and protection of agricultural and wooded lands, supporting the Lewis County Agricultural and Farmland Enhancement Plan.
- Encourage residential lots and subdivisions to maintain adequate space for safe onsite sewage disposal, groundwater protection, and driveway spacing, while retaining natural features, trees, and stone fences wherever possible.
- Promote rural aesthetics through context-sensitive site design, open space preservation, and retention of important plant and animal habitats.
- Minimize nonfarm intrusions into agricultural areas, while supporting small-scale commercial uses, agribusiness, agri-tourism, and Amish-owned farms.
- Encourage infrastructure, such as solar, wind, and cell towers, to be sited in ways that are compatible with rural character.
- Promote signage that is appropriately sized and located to minimize visual impacts.

Village and Hamlet Centers

- Support the adaptive reuse of underutilized buildings for mixed-use or commercial purposes.
- Promote mixed-use development in downtown areas, while maintaining the architectural character and scale of existing buildings.
- Encourage pedestrian-friendly design, including sidewalks, street trees, and streetscape enhancements guided by Complete Streets principles.
- Support façade improvements, infill development, and attractive signage to foster business growth and community vitality.
- Encourage buildings that respect appropriate scale, setbacks, and orientation relative to the street and neighboring structures.

Village and Hamlet Residential Areas

- Promote residential infill and development patterns that efficiently use existing infrastructure, such as sewer, water, and sidewalks.
- Encourage lot sizes, building placement, and orientation that maintain the character and scale of villages and hamlets.
- Support a diversity of housing types, including single-family, multi-family, senior housing, and accessory dwelling units (ADUs), to enhance affordability and accommodate aging in place.
- Encourage residential streets to follow block patterns consistent with existing layouts, providing connectivity, sidewalks, and street trees.
- Promote design that is compatible with neighboring buildings in terms of scale, setbacks, and architectural character.

The plan addresses floodplains and wetlands but lacks climate adaptation strategies. Consider incorporating climate resilience language (green

infrastructure, drought planning, etc.) and coordinating with NYSDEC and the Lewis County Hazard Mitigation Plan.

The County Planning Board strongly recommends that the Town of Denmark and the Villages of Castorland and Copenhagen include an Implementation Section in the final version of the Comprehensive Plan.

Such a section would not introduce new policies but would organize the plan’s existing goals and strategies into a clear, advisory framework for action. An implementation table or matrix should:

- 1) List each goal or strategy from the plan.
- 2) Identify the responsible municipal body (e.g., Town Board, Village Board, Planning Board, Code Enforcement, etc.);
- 3) Suggest potential partners (Lewis County, Tug Hill Commission, DANC, Naturally Lewis, State agencies);
- 4) Indicate a general time horizon (short, medium, long-term).
- 5) List potential funding sources (state and federal grant programs, county initiatives);

Sample version of this **Implementation Section** could be:

Goal / Recommendation	Action / Strategy	Responsible Party	Suggested Timeline	Notes / Advisory
Promote downtown revitalization	Develop façade improvement grants and streetscape enhancements	Town Boards / Local Business Association	1–3 years	County recommends coordinating with regional economic development programs to maximize funding
Improve pedestrian and bike connectivity	Construct sidewalks, bike lanes, and crosswalk improvements along key corridors	Town Highway Departments / NYSDOT	2–5 years	Consider prioritizing routes near schools and commercial centers.
Enhance stormwater management	Implement green infrastructure, retention basins, and street tree plantings	Town DPW / County Planning / Environmental Consultants	3–5 years	Advisory: Develop a phased approach to reduce budget impact and encourage grant eligibility.
Preserve agricultural lands	Update zoning overlay districts	Town Planning Boards /	1–2 years	County suggests

Goal / Recommendation	Action / Strategy	Responsible Party	Suggested Timeline	Notes / Advisory
	to protect prime farmland	Agricultural Advisory Committees		referencing NYS Department of Agriculture & Markets guidelines.
Expand broadband access	Partner with providers to identify service gaps and incentives for expansion	Town Boards / County IT / Private Providers	1-4 years	Advisory: Explore state and federal broadband grant programs to reduce local costs.
Increase affordable housing options	Encourage mixed-use developments and accessory dwelling units (ADUs)	Town Planning Boards / Developers	2-5 years	Advisory: Ensure compliance with NYS housing policy and Fair Housing Act requirements
Promote tourism and recreation	Develop trail systems, signage, and marketing campaigns	Town Parks & Recreation / Chamber of Commerce	1-3 years	County recommends coordination with regional tourism initiatives
Strengthen municipal coordination	Establish inter-municipal working groups for shared services	Town Boards / County Government	1-2 years	Advisory: Focus on cost savings, shared grant applications, and coordinated planning

It is recommended that the Town and Villages remove blank page 79 to improve document readability and ensure a professional, continuous flow throughout the Comprehensive Plan.

Recommendation: APPROVE with Conditions

1. Before taking action, the Plan shall be updated to include an IV. Implementation Section or similar, summarized on the Summary page (Page 4), that links all goals and strategies to responsible parties, suggested timelines, and advisory notes/funding sources. This ensures that readers can quickly locate the actionable roadmap and understand how the plan's objectives will be implemented.

2. Before taking action, correct the table references on page 13 (change “Table 13” to “Table 12”), ensure consistent capitalization, and adjust the section order for clarity.
3. Before taking action, verify the accuracy of the village-level guidance and statements concerning existing land use regulations, noting that both villages have Site Plan Review Laws rather than Zoning Laws.
4. Before taking action, the Plan shall include context and analysis for population, income, and household trends, and provide insights into vacant structures to guide future planning.
5. Before taking action, the Plan should include a clear statement—or a dedicated section—addressing the community’s position on renewable energy development. This should consider the implications of the Climate Leadership and Community Protection Act (CLCPA), new building code standards requiring electric heat in areas prone to power outages, and the need to preserve agricultural lands that may be affected by solar, wind, and battery storage projects.
6. Before taking action, revise all goal and objective sections of the Plan to convey high-level guidance rather than municipal obligations, thereby reducing any perceived burden or liability. Additionally, ensure the heading “Objectives/Strategies” appears under each Goal, as it is missing beginning with the Housing section (page 29) and consistently absent through page 41.
7. Before taking action, the Policies section on page 46 should be revised to use high-level, guidance-oriented language appropriate for a comprehensive plan. Repetitive references to specific zoning details—such as building heights, setbacks, sidewalks, and street trees—should be removed, while retaining the overall intent and avoiding duplication of municipal land use regulations.

Non-Binding Notes:

- 1) Before taking action, ensure that capitalization is proper and consistent when referencing towns, villages, counties, states, municipal officials, and boards.
- 2) To help ensure the Plan remains current, consider summarizing the Town of Denmark’s zoning districts instead of listing them in detail.
- 3) Include climate adaptation strategies, green infrastructure, and hazard mitigation coordination.
- 4) Encourage proactive housing solutions, including ADUs and mixed-use infill, and guide and support each municipality through the Pro-Housing Community Designation to unlock State funding.
- 5) Promote regional and inter-municipal collaboration for funding, grant applications, and program implementation.
- 6) Review implementation timelines to ensure realistic phasing, budgeting, and resource allocation.
- 7) Delete blank page 79 to enhance readability and maintain a professional, uninterrupted flow throughout the Comprehensive Plan.

- 8) While filing a comprehensive plan is not technically required to be filed with the Department of State (DOS), it is best practice to encourage development and transparency. When your municipality files the Final Version, consider emailing a copy of all submitted materials to the Lewis County Planning Department. This practice helps address recent record inconsistencies and supports the Planning Department's increasingly active role in tracking local law filings.

Due to the extent of the potential revisions, the Lewis County Planning Department encourages the municipality to reach out for assistance as needed. Planning staff are available and ready to assist the Village of Castorland in implementing any or all of the recommended revisions, ensuring consistency, clarity, and legal defensibility throughout the final adoption process.

The Board discussed updating Condition 1, sentence 1, to refer to the section prior to the Roman Numerals and noted that a sample table regarding actionable items is provided in the body of the 239-m review.

Without further discussion, Mr. Cook motioned to approve with conditions (as revised) and non-binding notes for the Joint Municipal Comprehensive Plan (Denmark, Copenhagen, Castorland). The motion was seconded by Mr. Petersen, which carried unanimously.

VILLAGE OF COPENHAGEN BOARD OF TRUSTEES

Proposed joint Comprehensive Plan for the Town of Denmark and Villages of Castorland and Copenhagen.

Village of Copenhagen – Applicant

The applicant provided the following Project Documentation: 1) General Municipal Referral Form with Agricultural Data Statement; 2) Proposed Comprehensive Plan, and 3) Full Environmental Assessment Form.

The Board notes that capitalization should be proper and consistent when referring to towns, villages, counties, states, municipal officials, and boards.

The term 'policy' is used throughout the document and could be implied interchangeably with enforceability. It should be clarified that these are guiding policies, not regulations. Consider adding a short section early in the document that defines the role of policies in a comprehensive plan.

The Board should consider on Page 4, the addition of "***Part IV. Implementation and Action Plan*** – *This section outlines the steps necessary to put the plan's goals, strategies, and land use policies into practice. It identifies specific actions, responsible parties, timelines, and resources required to achieve the community's vision. Monitoring and review mechanisms are also included to*

ensure progress is tracked and the plan remains responsive to changing conditions. All implementation efforts should align with the policies established in Part III and be coordinated across town and village departments, boards, and committees to ensure consistency and effectiveness.” Or similarly, a comprehensive plan without an implementation section remains a valuable vision document. Still, it falls short of best planning principles, emphasizing that goals and policies should be linked to clear, actionable steps. Implementation provides the roadmap for turning community objectives into concrete projects, ordinances, and programs, identifies responsible parties and timelines, and establishes benchmarks for measuring progress. Without this section, the plan may be less effective in guiding decision-making, prioritizing resources, and supporting defensible land use actions.

Page 6 Demographics: The section notes that all municipalities experienced population changes exceeding the county average; however, no analysis is provided regarding the potential causes of these changes. It would be helpful to consider whether factors such as industry closures, major employers relocating, or other economic or social events contributed to the outmigration or relocation of 400+ residents. Including such context would strengthen the plan’s relevance and provide a more complete basis for future planning decisions.

Page 6/7 Demographics: The data shows consistently low populations in the 85+ age group across Copenhagen, Castorland, and Denmark. While one might be tempted to assume this reflects either limited longevity or a lack of suitable housing options for this demographic, the section does not explore or make any assumptions regarding these factors. Including such analysis—or at least noting potential considerations—would provide valuable context for understanding the community’s population structure and future housing needs.

Similarly, Page 7 describes household size trends the Town should consider adding that *“The data suggests that the Town of Denmark may be experiencing household consolidation, while the villages may be experiencing growth or diversification in household composition. These trends could inform planning decisions around housing stock, zoning, and services, or any other inference that can be made from the data.*

Page 8 Income: Rather than regurgitating the results listed in Table 3, consider highlighting the trends over time (Copenhagen’s median income increased significantly from \$68,125 to \$75,938 (~11.5% increase) as well as make reasonable assumptions from the data (*Copenhagen’s income growth* may reflect new employment opportunities, higher-wage residents moving in, or housing development attracting wealthier households. *Castorland’s income decline* could reflect older residents on fixed incomes, job losses, or outmigration of higher-earning residents. *Denmark’s stable but lower-than-*

state income suggests a moderately middle-income community with limited high-income growth or influx).

The municipalities involved in the plan should review vacant structures to identify barriers to occupancy. This information could help inform planning priorities, policy development, and targeted initiatives.

Additionally, the Comprehensive Plan members should analyze the demographic tables to determine potential correlations or reasonable assumptions that can be drawn from the data, providing a stronger basis for planning decisions.

Page 13 Education: This section refers to Table 13, which is appropriately labeled Table 12. The paragraph reference should be modified to refer to Table 12 within the text.

The municipalities involved in the plan should consider whether a connection has been made between preserving agricultural land and limiting or discouraging the siting of solar energy systems within Part II, Open Space, Agriculture, and Rural Character, as outlined in the Ag Enhancement Plan, which serves as the foundation for the Solar Overlay District. This discourages the siting of large commercial solar energy systems on prime farmland.

While the extensive strategies list on Pages 22/23 is commendable, consider revising references to overly specific programs, meeting and trail plans, using advisory language, and keeping Amish community engagement as a broad policy rather than a prescriptive program. Revised language could be the following:

GOAL: *Promote sustainable agricultural practices, balance renewable energy development, enhance public access to open spaces, and support collaboration with the Amish and other local farming communities.*

Objectives/Strategies:

- 1) *Encourage the preservation of farmland through conservation easements, zoning, and other land use tools to reduce rural sprawl and protect prime agricultural lands.*
- 2) *Support sustainable farming practices and innovative agricultural approaches that enhance soil health, productivity, and environmental stewardship.*
- 3) *Promote agricultural resilience and adaptation to climate change through municipal coordination, voluntary participation in available programs, and pursuit of relevant funding opportunities.*
- 4) *Foster opportunities for agricultural education and tourism, including public access to farms and educational signage or programs that highlight local agriculture.*

- 5) *Engage with all local farming communities, including the Amish, to share information on voluntary conservation programs, land stewardship, and agricultural best practices.*
- 6) *Encourage the development of value-added agricultural businesses to strengthen the local agricultural economy, while maintaining alignment with community goals for land preservation and sustainability.*

The Historic Resource Objectives and Strategies could be adjusted to create achievable outcomes by framing the actions such as explorations, outreach, or assistance rather than guarantees. Funding-dependent items should note that they are opportunities to pursue, not guaranteed outcomes, and large initiatives such as the National Register and property database should be broken into feasible starting steps. Sample language for the suggested changes can be found here:

Objectives & Strategies (Achievable Version):

- 1) *Promote the cultural, historical, and economic benefits of historic preservation through workshops, online content, and educational materials for residents and property owners.*
- 2) *Organize walking tours that highlight local heritage and encourage participation from residents and visitors.*
- 3) *Develop sample itineraries and low-cost marketing materials to attract visitors interested in local history and preservation.*
- 4) *Assist property owners in identifying and applying for rehabilitation funding, such as the NYS Environmental Protection Fund and NYS Preservation League grants.*
- 5) *Identify and prioritize barns outside the villages for preservation and pursue funding opportunities as they become available.*
- 6) *Explore the feasibility of establishing a National Register historic district along Main Street in the Village of Copenhagen, including initial research and outreach.*
- 7) *Create and maintain a centralized, prioritized database of historic properties, focusing on documenting key buildings and sites of local significance.*
- 8) *Encourage the preservation and protection of historic cemeteries through guidance, outreach, and partnerships with local organizations.*
- 9) *Seek grant or community support for upkeep and maintenance of the Union Cemetery in the Village of Castorland.*

The housing section below GOAL lists what we assume are 8 Objectives & Strategies, but are without a title (Page 29). Additionally, within Strategy 2, consider adding Snowbelt Housing Company as a housing partner.

Similarly, the Infrastructure Section on Page 31 is missing the Objective & Strategies title before the list. The list should be framed within this section as high-level guidance rather than operational directives. The content within this list should leave detailed projects, phasing, and operational implementation to

future municipal planning or capital improvement efforts. Potential revised language could be:

GOAL: *Develop and maintain infrastructure to support sustainable housing growth, economic development, and community resilience.*

Objectives/Strategies:

- 1) *Support expansion and improvement of water, sewer, and utility capacity to accommodate anticipated residential and business growth.*
- 2) *Coordinate with County and State agencies to develop long-term infrastructure plans aligned with community growth and housing goals.*
- 3) *Promote phased utility improvements for undeveloped parcels consistent with anticipated development.*
- 4) *Address water quality and reliability concerns and develop contingency strategies to ensure uninterrupted service during emergencies and extreme weather events.*
- 5) *Encourage the preservation and maintenance of natural drainage systems and stormwater infrastructure in coordination with county and state agencies.*
- 6) *Promote public awareness of proper drainage and flood mitigation practices.*
- 7) *Encourage collaborative design and implementing flood mitigation measures in vulnerable areas.*
- 8) *Support shared services agreements between municipalities for water, sewer, and waste management to enhance efficiency and resilience.*

Overall, all goal/objectives sections of the comprehensive plan should be revised to reflect high-level guidance rather than municipal obligations. The Transportation Infrastructure Section was particularly susceptible to this operative language. Consider replacing “develop” with “promote”, “support”, or “encourage”, which shifts the emphasis from municipal obligation to policy guidance. Additionally, consider adding existing Complete Streets Plans for the Villages to pursue funding and improvements. A template for the Transportation Goal language can be found below:

GOAL: *Enhance transportation infrastructure and safety while ensuring long-term sustainability through strategic upgrades, community connectivity, and collaborative partnerships.*

Objectives/Strategies:

- 1) *Promote pedestrian safety and active transportation by supporting the installation and maintenance of sidewalks, crosswalks, lighting, and wayfinding signage in the villages of Castorland and Copenhagen.*
- 2) *Promote pedestrian and bicycle connectivity between residential areas, commercial centers, and key community services.*
- 3) *Collaborate with county and state agencies to encourage traffic calming measures in high-traffic areas.*

- 4) Support the preservation, maintenance, and, where appropriate, restoration of aging bridges and historically significant transportation structures, in coordination with relevant funding and preservation programs.
- 5) Encourage workforce capacity and coordination for transportation infrastructure planning, maintenance, and operations.
- 6) Collaborate with county agencies to support the expansion and improve accessibility of public transportation services across the town and villages.
- 7) Utilize existing Complete Streets plans as guidance for transportation improvements and to support applications for state and federal infrastructure and safety funding.

Similar suggestions are relevant for community infrastructure. The objectives and strategies, revised to be in a high-level guidance format, could be:

GOAL: Enhance community infrastructure and services to improve quality of life for residents while promoting economic growth, recreation, and community engagement.

Objectives/Strategies:

- 1) Encourage the adaptive reuse of vacant buildings to support community facilities, such as childcare, senior services, or other local needs.
- 2) Promote the use of existing municipal buildings to support community services, events, and engagement opportunities.
- 3) Support the establishment of a farmers' market or similar local food initiatives, fostering partnerships with the Amish community and other local vendors to provide fresh produce to residents and visitors.
- 4) Explore opportunities to expand recreational amenities, including parks, trails, and dog-friendly spaces, in coordination with village residents.
- 5) Promote enhancements to public recreational areas, including shelters, pavilions, and accessible facilities, to improve community gathering spaces and support events.

While very detailed as written, the Section regarding Recreation obligates municipalities and stakeholders in a way that comprehensive plans are not designed or intended to do. Consider revising to retain focus on accessibility, connectivity, and year-round recreation, which is flexible enough to integrate with grant applications, future park designs, and local volunteer efforts, but remove site-specific projects and equipment. Sample language for this section could be:

GOAL: Improve outdoor recreational opportunities and accessibility to promote an active, healthy lifestyle while fostering a connected community.

Objectives/Strategies:

- 1) Promote year-round non-motorized recreational opportunities, including walking, hiking, biking, and cross-country skiing.

- 2) *Support the development and connectivity of regional trails for motorized recreation, such as snowmobiles and ATVs/UTVs.*
- 3) *Encourage the creation and enhancement of parks and green spaces that are safe, accessible, and inclusive for all residents and visitors.*
- 4) *Promote public access to natural resources through the development of natural parks, trails, and scenic areas.*
- 5) *Support the establishment of community events and programs that highlight recreational spaces and encourage participation.*
- 6) *Encourage the incorporation of ADA-compliant and accessible design principles in all recreational infrastructure.*
- 7) *Promote a variety of recreational facilities, including courts, trails, and multi-use spaces, in coordination with village residents and local organizations.*

Consider removing the existing list of zones of the Town of Denmark (Page 44), as this could easily make the document outdated, and instead summarize that there are multiple zones established, i.e. “The Town of Denmark (excluding the villages) is divided into multiple zoning districts that accommodate a mix of agricultural, residential, commercial, industrial, and conservation uses. Certain areas permit mobile home parks by special permit, while riverfront conservation zones protect lands along the Black and Deer Rivers. The town also includes highway/mixed-use and industrial districts, providing flexibility for commercial and economic development.”

Page 45 should add a line space prior to the Village of Copenhagen for consistent formatting. The first paragraph, when discussing main street revitalization, reference should be made to the Lewis County Downtown Design Guidelines. Additionally, the last sentence of the second paragraph, which states “Although the village does not have a zoning law, development should comply with the 2022 Housing Needs and Market Analysis for Lewis County, and the 2024 Lewis County Downtown Design Guide. With the future potential for development, the village should consider adopting a robust zoning law.” It should be revised to “Although the Village does not currently have a traditional zoning law, future development should be guided by the 2024 Lewis County Downtown Design Guide and comply with the Village’s existing land use regulations, including the Site Plan Review Law and Subdivision Law (1985, amended 2003), Outdoor Wood Burning Furnace Law, Property Maintenance Law (2010, amended 2025), and Junkyard Law. The 2022 Housing Needs and Market Analysis for Lewis County provides useful background information on community conditions and housing trends but is not a regulatory document. To reduce redundancy and improve consistency in administration, the Village may wish to consider consolidating these individual laws into a single zoning document, which could also serve as a framework for the adoption of a more robust zoning law in the future.”

Page 45: Village of Castorland, the last sentence of the first paragraph should be replaced, as it is misleading and inaccurate. The Village has multiple Land

Use Regulations, including a Site Plan Review Law, Subdivision Law, and Outdoor Wood Boiler Law.

The sections regarding the Hamlet of Denmark and Deer River should be relocated from below the blurb about the Village of Castorland to above the Village of Copenhagen, within the Town of Denmark blurb.

The Section on Policies should be refined to similarly be high-level guidance-oriented, comprehensive plan-appropriate language, thus removing repetitive reference to building heights, setbacks, sidewalks, and street trees, while keeping the intent. Refined language could be:

Land Use and Development Guidance

The following guidance provides a rural, village, and hamlet development framework. These policies are intended to inform future planning, zoning, and development decisions and preserve the unique character of the Town and villages. They are advisory in nature and do not constitute regulations.

Rural Areas

- *Encourage development that preserves riverfront conservation zones, wetlands, flood-prone areas, and other sensitive ecological and scenic resources.*
- *Promote conservation easements and protection of agricultural and wooded lands, supporting the Lewis County Agricultural and Farmland Enhancement Plan.*
- *Encourage residential lots and subdivisions to maintain adequate space for safe onsite sewage disposal, groundwater protection, and driveway spacing, while retaining natural features, trees, and stone fences wherever possible.*
- *Promote rural aesthetics through context-sensitive site design, open space preservation, and retention of important plant and animal habitats.*
- *Minimize nonfarm intrusions into agricultural areas, while supporting small-scale commercial uses, agribusiness, agri-tourism, and Amish-owned farms.*
- *Encourage infrastructure, such as solar, wind, and cell towers, to be sited in ways that are compatible with rural character.*
- *Promote signage that is appropriately sized and located to minimize visual impacts.*

Village and Hamlet Centers

- *Support the adaptive reuse of underutilized buildings for mixed-use or commercial purposes.*
- *Promote mixed-use development in downtown areas, while maintaining the architectural character and scale of existing buildings.*
- *Encourage pedestrian-friendly design, including sidewalks, street trees, and streetscape enhancements guided by Complete Streets principles.*
- *Support façade improvements, infill development, and attractive signage to foster business growth and community vitality.*

- Encourage buildings that respect appropriate scale, setbacks, and orientation relative to the street and neighboring structures.

Village and Hamlet Residential Areas

- Promote residential infill and development patterns that efficiently use existing infrastructure, such as sewer, water, and sidewalks.
- Encourage lot sizes, building placement, and orientation that maintain the character and scale of villages and hamlets.
- Support a diversity of housing types, including single-family, multi-family, senior housing, and accessory dwelling units (ADUs), to enhance affordability and accommodate aging in place.
- Encourage residential streets to follow block patterns consistent with existing layouts, providing connectivity, sidewalks, and street trees.
- Promote design that is compatible with neighboring buildings in terms of scale, setbacks, and architectural character.

The plan addresses floodplains and wetlands but lacks climate adaptation strategies. Consider incorporating climate resilience language (green infrastructure, drought planning, etc.) and coordinating with NYSDEC and the Lewis County Hazard Mitigation Plan.

The County Planning Board strongly recommends that the Town of Denmark and the Villages of Castorland and Copenhagen include an Implementation Section in the final version of the Comprehensive Plan.

Such a section would not introduce new policies but would organize the plan’s existing goals and strategies into a clear, advisory framework for action. An implementation table or matrix should:

- 1) List each goal or strategy from the plan.
- 2) Identify the responsible municipal body (e.g., Town Board, Village Board, Planning Board, Code Enforcement, etc.);
- 3) Suggest potential partners (Lewis County, Tug Hill Commission, DANC, Naturally Lewis, State agencies);
- 4) Indicate a general time horizon (short, medium, long-term).
- 5) List potential funding sources (state and federal grant programs, county initiatives);

Sample version of this **Implementation Section** could be:

Goal / Recommendation	Action / Strategy	Responsible Party	Suggested Timeline	Notes / Advisory
Promote downtown revitalization	Develop façade improvement grants and streetscape enhancements	Town Boards / Local Business Association	1–3 years	County recommends coordinating with regional economic development

Goal / Recommendation	Action / Strategy	Responsible Party	Suggested Timeline	Notes / Advisory
Improve pedestrian and bike connectivity	Construct sidewalks, bike lanes, and crosswalk improvements along key corridors	Town Highway Departments / NYSDOT	2–5 years	<p>programs to maximize funding</p> <p>Consider prioritizing routes near schools and commercial centers.</p>
Enhance stormwater management	Implement green infrastructure, retention basins, and street tree plantings	Town DPW / County Planning / Environmental Consultants	3–5 years	<p>Advisory: Develop a phased approach to reduce budget impact and encourage grant eligibility.</p>
Preserve agricultural lands	Update zoning overlay districts to protect prime farmland	Town Planning Boards / Agricultural Advisory Committees	1–2 years	<p>County suggests referencing NYS Department of Agriculture & Markets guidelines.</p>
Expand broadband access	Partner with providers to identify service gaps and incentives for expansion	Town Boards / County IT / Private Providers	1–4 years	<p>Advisory: Explore state and federal broadband grant programs to reduce local costs.</p>
Increase affordable housing options	Encourage mixed-use developments and accessory dwelling units (ADUs)	Town Planning Boards / Developers	2–5 years	<p>Advisory: Ensure compliance with NYS housing policy and Fair Housing Act requirements</p>
Promote tourism and recreation	Develop trail systems, signage, and marketing campaigns	Town Parks & Recreation / Chamber of Commerce	1–3 years	<p>County recommends coordination with regional tourism initiatives</p>

Goal / Recommendation	Action / Strategy	Responsible Party	Suggested Timeline	Notes / Advisory
Strengthen municipal coordination	Establish inter-municipal working groups for shared services	Town Boards / County Government	1–2 years	Advisory: Focus on cost savings, shared grant applications, and coordinated planning

It is recommended that the Town and Villages remove blank page 79 to improve document readability and ensure a professional, continuous flow throughout the Comprehensive Plan.

Recommendation: APPROVE with Conditions

1. Before taking action, the Plan shall be updated to include an IV. Implementation Section or similar, summarized on the Summary page (Page 4), that links all goals and strategies to responsible parties, suggested timelines, and advisory notes/funding sources. This ensures that readers can quickly locate the actionable roadmap and understand how the plan’s objectives will be implemented.
2. Before taking action, correct the table references on page 13 (change “Table 13” to “Table 12”), ensure consistent capitalization, and adjust the section order for clarity.
3. Before taking action, verify the accuracy of the village-level guidance and statements concerning existing land use regulations, noting that both villages have Site Plan Review Laws rather than Zoning Laws.
4. Before taking action, the Plan shall include context and analysis for population, income, and household trends, and provide insights into vacant structures to guide future planning.
5. Before taking action, the Plan should include a clear statement—or a dedicated section—addressing the community’s position on renewable energy development. This should consider the implications of the Climate Leadership and Community Protection Act (CLCPA), new building code standards requiring electric heat in areas prone to power outages, and the need to preserve agricultural lands that may be affected by solar, wind, and battery storage projects.
6. Before taking action, revise all goal and objective sections of the Plan to convey high-level guidance rather than municipal obligations, thereby reducing any perceived burden or liability. Additionally, ensure the heading “Objectives/Strategies” appears under each Goal, as it is missing beginning with the Housing section (page 29) and consistently absent through page 41.
7. Before taking action, the Policies section on page 46 should be revised to use high-level, guidance-oriented language appropriate for a comprehensive plan. Repetitive references to specific zoning details—such as building heights, setbacks, sidewalks, and street trees—should be

removed, while retaining the overall intent and avoiding duplication of municipal land use regulations.

Non-Binding Notes:

- 1) Before taking action, ensure that capitalization is proper and consistent when referencing towns, villages, counties, states, municipal officials, and boards.
- 2) To help ensure the Plan remains current, consider summarizing the Town of Denmark's zoning districts instead of listing them in detail.
- 3) Include climate adaptation strategies, green infrastructure, and hazard mitigation coordination.
- 4) Encourage proactive housing solutions, including ADUs and mixed-use infill, and guide and support each municipality through the Pro-Housing Community Designation to unlock State funding.
- 5) Promote regional and inter-municipal collaboration for funding, grant applications, and program implementation.
- 6) Review implementation timelines to ensure realistic phasing, budgeting, and resource allocation.
- 7) Delete blank page 79 to enhance readability and maintain a professional, uninterrupted flow throughout the Comprehensive Plan.
- 8) While filing a comprehensive plan is not technically required to be filed with the Department of State (DOS), it is best practice to encourage development and transparency. When your municipality files the Final Version, consider emailing a copy of all submitted materials to the Lewis County Planning Department. This practice helps address recent record inconsistencies and supports the Planning Department's increasingly active role in tracking local law filings.

Due to the extent of the potential revisions, the Lewis County Planning Department encourages the Village of Copenhagen to reach out for assistance as needed. Planning staff are available and ready to assist the Village in implementing any or all of the recommended revisions, ensuring consistency, clarity, and legal defensibility throughout the final adoption process.

The Board discussed updating Condition 1, sentence 1, to refer to the section prior to the Roman Numerals and noted that a sample table regarding actionable items is provided in the body of the 239-m review.

Without further discussion, Mr. Virkler motioned to approve with conditions (as revised) and non-binding notes for the Joint Municipal Comprehensive Plan (Denmark, Copenhagen, Castorland). The motion was seconded by Mr. Lehman, which carried unanimously.

(6) **Report of County Planner:**

- No municipal responses received
- Zero referrals were reviewed by County Planning staff | deemed a Matter of Local Concern.

(7) **Unfinished Business:**

Mr. Lehman brought up the Miller Meat Market expansion and how it bypassed the County Planning Board. He requested that the Planning Staff send correspondence inquiring about the reasoning for such disregard of 239-m. Discussion ensued regarding the concerns about roadway egress/ingress. Ms. Buell reminded the Board that the County Planning Board has an advisory role rather than an enforcement role, but will investigate this matter.

Ms. Krokowski provided an update on the Redemption Hub in the Town of Diana. The Codes Department has not heard anything in months, but there is a banner at the residential location that appears to be open.

(8) **New Business:** None

(9) **Adjournment:** With no further business, Mr. Virkler motioned to adjourn the meeting. Mr. Lehman seconded the motion, which was carried unanimously. The meeting adjourned at 3:29 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.