

DRAFT MINUTES
LEWIS COUNTY PLANNING BOARD
November 20, 2025

- (1) **Call to Order:** Vice Chairman Lehman called the regular meeting of the Lewis County Planning Board to order at 2:43 p.m. in the 3rd floor conference room at the Lewis County Courthouse, Lowville, NY. Mr. Lehman then requested a roll call.
- (2) **Roll Call:**
Board Members Present: John Lehman, Eric Virkler, Tom Osborne, John Reed, and Larry Dolhof.
Staff Present: Lauryn Tabolt, Community Development Specialist, and Megan Krokowski, Community Development Specialist.
Public Present: Dan Szalach, Chairman of T/Turing Planning Board
- (3) **Reading and Approval of Minutes:** The draft minutes from the October 16, 2025 meeting were provided and reviewed in advance. Mr. Virkler made a motion to approve the minutes, Mr. Osborne seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:**
None
- (5) **Report of Special Committees:**

239-m Review

Ms. Tabolt read the first review:

TOWN OF NEW BREMEN PLANNING BOARD

Site Plan Review to convert an existing car wash into a fitness studio/gym, and to construct additions for restroom and office space at 6957 Kirschnerville Road (CR 60), located in the Town of New Bremen.

Tax Map Parcel #130.03-01-02.300

Hollie Petrus – Applicant

The Town of New Bremen Planning Board provided the following Project Documentation: 1) General Municipal Referral Form; 2) Agricultural Data Statement; 3) Land Use Permit Application; 4) Short Environmental Assessment Form (SEAF); 5) Site Plan; 6) Survey Map; and 7) Aerial Image.

▪ *Compatibility with Adjacent Uses*

The proposed project is in the Town of New Bremen, which is designated as a single zoning district: Rural Residential. Surrounding land uses are primarily agricultural and residential. The applicant proposes converting an existing 30-foot by 42-foot car wash into a fitness studio and gym, as well as constructing two additions to the existing structure: one at the front of the

building of approximately 200 square feet and another at the rear, ranging from approximately 200 to 500 square feet, as shown on the submitted site plan. The proposed conversion appears compatible with surrounding land uses and the area's overall character.

- *Traffic Generation and Effect:*

According to the submitted SEAF, the proposed project will not substantially increase traffic above current levels. The existing paved and gravel driveway on Kirscherville Road (CR 60) will continue to be used for both ingress and egress, which is expected to have minimal impact on traffic flow along the road. The existing driveway also appears to comply with Article VI §610(B) of the Town of New Bremen Zoning Law.

- *Protection of Community Character:*

According to the submitted SEAF, the proposed project site is not located within a critical environmental area, a National or State Register of Historic Places, an archaeologically sensitive area, or a 100-year floodplain. This was confirmed using the NYS EAF Mapper and the Lewis County GIS Cloud.

The EAF Mapper results also indicate that the site of the proposed action, or an adjoining property, has been the subject of remediation (either ongoing or completed) for hazardous waste. However, no additional information could be found to confirm which specific parcel notation references. According to the EAF Mapper instructions, a 2,000-foot buffer is used to determine whether the project site or an adjoining property has been the subject of environmental remediation. While the Mapper indicates that the site and/or an adjoining property falls within this buffer, a review of the DEC Environmental Remediation database shows that the nearest documented remediation site is located at the intersection of Convent and Main Streets.

- *Signage:*

The submitted materials did not include specific details on signage; however, the site plan notes that the proposed sign will not exceed 4 feet by 8 feet and will be mounted to the front of the building, which would comply with § 610(F) of the Town of New Bremen Zoning Law. Since no additional details were provided, Planning Department staff confirmed via phone call on November 14, 2025 that the proposed sign complies with all remaining requirements set forth under Article VI §610(F).

- *Drainage & Erosion:*

The submitted SEAF indicates that the proposed project will not result in additional stormwater discharge. Although the proposed project will disturb only 2,000 square feet (approximately 0.046 acres), the applicant is advised to review and comply with Article 24 of the NYS DEC Freshwater Wetlands Law. While a SPDES permit is not required, as the total disturbed area is less than one acre, should any future land disturbance equal to or greater than one

acre be proposed, the applicant must obtain the necessary NYS DEC permits or approvals before proceeding, as failure to do so may result in significant legal and environmental risks.

▪ *Parking:*

Although no detailed parking plan was submitted, the site plan indicates that at least two (2) parking spaces, each measuring 8 feet by 18 feet, will be located behind the building. According to the Town of New Bremen Zoning Law, Article VI §610(C), “Commercial/industrial uses shall have one (1) parking space per 1,000 square feet of gross floor area, or one (1) space per three (3) employees.” During a phone call with the applicant on November 14, 2025 it was confirmed that there will be two (2) employees, so based on the submitted total of approximately 2,000 square feet of commercial space, the two proposed parking spaces should be sufficient. After consulting with the Lewis County Building Codes department, they said one (1) ADA parking space would be required, and the applicant confirmed they would comply with this requirement on November 14, 2025.

▪ *Community Facilities:*

According to the submitted SEAF, the proposed project will continue to be served by the existing public water supply and wastewater utilities.

▪ *Lighting:*

No additional exterior lighting has been proposed for the change of use. Planning Department staff confirmed via phone call with the applicant on November 14, 2025 that any new lighting will comply with Article VI §610(E) of the Town of New Bremen Zoning Law. It was additionally recommended to the applicant that any new or additional exterior lighting be fully downcast and shielded to minimize glare, light spillage, and off-site impacts, particularly on neighboring properties and adjacent roadways.

▪ *Landscaping and Screening:*

No landscaping or screening plans were submitted; however, based on Google Maps Street View, there appears to be a fence along the side of the car wash that screens the existing building from the neighboring residence. This existing fence seems to comply with Article VI §610(D) of the Town of New Bremen Zoning Law. However, the Town Planning Board should consider whether to require the applicant to extend the fencing or provide additional landscaping to maintain the screening of the building footprint from the neighboring residence following the construction of the proposed additions.

Recommendation: Approve with Conditions

1. Although the proposed project will disturb only 2,000 square feet, it is advised that the Town Planning Board ensure the applicant reviews and complies with Article 24 of the NYS DEC Freshwater Wetlands Law should the disturbance exceed the 1-acre threshold.

2. The Town Planning Board should consider whether to require the applicant extend the existing fencing or another screening mechanism to maintain screening of the building footprint from the neighboring residence following the construction of the proposed additions.

With no further discussion, Mr. Osborne motioned to approve the proposed Site Plan Review, including the stated conditions. Mr. Reed seconded the motion, which was effectively carried unanimously.

Ms. Metott joined the meeting at 2:45 p.m., and Mr. Petersen arrived at 2:56 p.m., at which time Vice Chairman Lehman relinquished the Chairman's duties back to Mr. Petersen.

Ms. Krokowski proceeded with the next review:

TOWN OF TURIN TOWN BOARD

Proposed revision to the Town of Turin Rural Development Law to include language specific to minimum maintenance roads and refinement of the special use permit recertification process.

Town of Turin – Applicant

The proposed local law and the General Municipal Referral Form were submitted by Town of Turin Planning Board Chairman Daniel Szalach on behalf of Town of Turin Supervisor Jane Gillette. The Full Environmental Assessment Form (Parts 1, 2, and 3), the zoning text amendment, and the proposed special use recertification permit were also provided.

Zoning Text Amendment

The Town of Turin Board is proposing amended language to clarify that minimum maintenance roads apply to the underlying zoning districts rather than solely to District F. The revision also includes updated definitions to support this clarification.

The revisions within Section 415. Campgrounds, as written, lack clarity regarding the operator's duties and the Town's enforcement authority, making them somewhat legally vague. Consider the following revised language:

“Section 415. Campgrounds

Special Use Permit Required: Campgrounds may be established only upon approval of a special use permit. After three years, the operator must submit a Special Use Recertification Application to the Town Clerk for review and approval in accordance with the requirements outlined in Section 1170 of this law. The Town reserves the right to inspect the campground at reasonable times and to revoke or suspend the special use permit if the operator fails to comply with the conditions of approval or any applicable law.”

Proposed revisions within Section 435.1, Telecommunication Towers, include, ***“Special Use Permit Required: Telecommunications towers shall be sited only upon approval of a special use permit. After a period of two years, a special use recertification application must be submitted to the town clerk, and approved under the conditions set forth by section 1170 of this law. Such permit may be issued or extended upon proof by the owner or operator that 1) the facility is in use as a transmission facility, and 2) that there is a necessity for the tower at the particular location for which application is made. Where such special use permit recertification application is not approved, the tower shall be removed from the premises within 60 days.”*** This language may be legally ambiguous and subject to varying interpretations, particularly concerning what qualifies as a “necessity” for a tower and the timing and process for recertification. It also lacks clear enforcement mechanisms and provisions for removal, which could weaken the Town’s ability to ensure and defend compliance.

Possible restructuring for this section, to improve interpretability and strengthen legal defensibility, could be:

“Special Use Permit Required: Telecommunications towers shall be sited only upon approval of a special use permit. Every two years following the initial approval, the owner or operator shall submit a Special Use Recertification Application to the Town Clerk for review and approval under the conditions outlined in Section 1170 of this law. Approval of the recertification shall require demonstration that:

- a. The facility is actively in use as a transmission facility; and***
- b. The tower is necessary to provide service coverage or network functionality at the approved location.***

If the recertification application is not approved, the tower shall be removed from the premises within sixty (60) days, or in accordance with a removal plan approved by the Town. The Town shall have the authority to enforce this provision.”

The Town should also consider whether 60 days is sufficient time, or whether a relief period and process should be provided as described above. Furthermore, both ‘Special Use Permit Required’ and ‘Temporary Special Use Permit Required’ are listed as Section 435.1. This should be corrected prior to adoption.

Likewise, the language of Wind Energy Facilities could be legally ambiguous for similar reasons, and sample language for Section 445. Wind Energy Facilities could be:

“Special Use Permit Required: Wind Energy Facilities shall be sited only upon approval of a special use permit. Every two years following initial approval, the owner or operator shall submit a Special Use Recertification Application to the

Town Clerk for review and approval under the conditions outlined in Section 1170 of this law. Approval of the recertification shall require demonstration that:

1. The facility is actively operating in compliance with all applicable standards and regulations; and
2. The continued operation of the facility at the approved location is necessary for energy production and consistent with the health, safety, and welfare of the community.

If the recertification application is not approved, the facility shall be decommissioned or brought into compliance as directed by the Town, and the Town shall have authority to enforce this provision.”

Similarly, sample language for Section 710. Manufactured Home Parks:

“Special Use Permit Required: Manufactured Home Parks shall be sited only upon approval of a special use permit. Every three years following the initial approval, the owner or operator shall submit a Special Use Recertification Application to the Town Clerk for review and approval under the conditions outlined in Section 1170 of this law. Approval of the recertification shall require demonstration that:

1. The park is operating in compliance with all applicable standards and regulations; and
2. The continued operation of the park at the approved location is consistent with the health, safety, and welfare of the community.

If the recertification application is not approved, the manufactured home park shall cease operation or take corrective action as directed by the Town, and the Town shall have authority to enforce this provision.”

Likewise, the following is sample language for Section 820.2 Large Scale Solar Energy Systems:

“Large-Scale Solar Energy Systems

All Large-Scale Solar Energy Systems shall obtain special use permit approval from the Planning Board prior to the issuance of a land use permit. Every two years following initial approval, the owner or operator shall submit a Special Use Recertification Application to the Town Clerk for review and approval under the conditions outlined in Section 1170 of this law. Approval of the recertification shall require demonstration that:

1. The facility is actively operating in compliance with all applicable standards and regulations; and
2. The continued operation of the facility at the approved location is consistent with the health, safety, and welfare of the community.

If the recertification application is not approved, the facility shall be decommissioned or brought into compliance as directed by the Town, and the Town shall have authority to enforce this provision.”

The Town Board should consider adding language to Section 1015.5, *Special Use Approval Procedures*, related to recertification to mirror the two-part criteria recommended above for operational compliance and consistency with health, safety, and welfare, for legal defensibility. Sample revision language could be:

“Section 1015. Special Use Approval Procedures

5. For uses that require it, a Special Use Recertification Application shall be submitted to the Town Clerk and approved under the conditions outlined in Section 1170 of this law. Approval of the recertification shall require demonstration that:

- a. The use or structure complies with all applicable standards and conditions of prior approvals; and***
- b. The continued operation of the use at the approved location is consistent with the health, safety, and welfare of the community.***

If the recertification application is not approved, the use or structure shall be discontinued and removed from the site, and the Town shall have authority to enforce this provision.”

The Town Board should review Section 1170, *Recertification Procedures*, to ensure that the procedural framework accurately reflects and supports the recertification standards referenced throughout the law. Additionally, the entire section should be reviewed to confirm that bolded text is used correctly, and the following improvements to Section 1170.4 could include:

- Adding or replacing the word ‘mailed’ with ‘provided or emailed’ to save the Town postage costs.
- Replacing the term ‘approval’ with ‘reconsideration’, given that the Section refers to an application that has been disapproved and resubmitted.

A potential revision to Section 1170, *Recertification Procedures*, could read as follows:

“Section 1170. Recertification of Special Use Permit

- 1. Application for Recertification.*** Special Use Permits requiring periodic recertification shall submit a Special Use Recertification Application to the Town Clerk prior to the expiration date of the current Special Use Permit. The application shall include a completed Environmental Assessment Form (EAF) Part 1, and, when applicable, a Draft Environmental Impact Statement (DEIS) pursuant to 6 NYCRR Part 617.
- 2. Review of Application.*** The Planning Board shall review the application within thirty (30) days of receipt. The Board may request that the Enforcement Officer review the application and conduct a site inspection to verify compliance with the terms and conditions of the existing permit.
- 3. Planning Board Action.*** The Planning Board shall take action to approve, approve with conditions, or disapprove of the Recertification Application within sixty-two (62) days of receipt. The decision of the Planning Board shall

- be filed in the Office of the Town Clerk within five (5) days of the decision, and a copy shall be provided to the applicant.
4. **Disapproval and Remediation.** If the application is disapproved, the Planning Board shall issue a written statement specifying the reasons for disapproval. The applicant shall, within thirty (30) days, submit a remediation plan acceptable to the Enforcement Officer and the Planning Board. Upon completion of the remediation plan in accordance with its approved timeline, the Planning Board shall resume review pursuant to Section 1170(2) of this Law.
 5. **Non-Recertification or Cessation of Use.** Where a Recertification Application is not approved, or the use has been discontinued or abandoned, the owner or operator shall implement the approved decommissioning plan or otherwise remove the use from the site in accordance with the provisions of this Law.
 6. **Enforcement.** Failure to comply with this section shall constitute a violation and shall be subject to enforcement action as provided in Section 1210 of this Law.”

Given that the process for establishing minimum maintenance roads is time-consuming and extensive, once the initial list of such roads is created for the Town of Turin, the Board should consider developing a **Minimum Maintenance Road Map**. This map would serve as a tool for Code and Zoning Enforcement Officials to ensure that permanent residential and commercial structures are not permitted along these road frontages and to preserve the intent of the amendment.

Relative to the provided ‘Town of Turin SUP Recertification Application’, the Town of Turin should consider revising the Special Use Recertification Self-Certification Form to maintain consistent first-person, self-certification language throughout. The last sentence, regarding reporting changes to contact information, is written in a third-person or directive style rather than in the same first-person certification voice as the rest of the form. Consistent language will improve clarity, legal defensibility, and the form’s enforceability. Suggested clarifying language could be:

"I certify that any changes to my contact information will be reported to the Town Clerk within 30 days."

The Town Board should also consider adding a line below the approval date for the new recertification date, leaving space to document the reason(s) behind the action. Should the decision be challenged, this would further protect the Town with a legal defense.

The Town Board may also wish to include space on the form for specifying permit conditions, as campgrounds and manufactured home parks will likely require additional considerations. Including this feature would provide the Town with a flexible tool to address issues that arise after approval—

particularly those unforeseen during the initial special use permit review – and to make adjustments as the use evolves, ensuring consistency with the Comprehensive Plan and the Town of Turin’s long-term vision.

Overall, this amendment appears well-aligned with the Town of Turin’s intent; however, minor revisions to the law and proposed form could further improve clarity, consistency, and legal defensibility.

Recommendation: Approve with Conditions

1. Prior to acting, the Town Board should improve Section 415, *Campgrounds*, to clarify operator responsibilities, inspection authority, and enforcement provisions for greater legal clarity. Suggested language has been included in the project’s 239-m technical review and will be provided, under separate cover, to the Town.
2. Before acting, the Town Board should revise Sections 435.1, 445, 710, 820.2, and 1015.5 to reduce legal ambiguity and establish clear standards for recertification, enforcement mechanisms, decommissioning, and criteria for continued operation. Suggested language has been included in the project’s 239-m technical review and will be provided, under separate cover, to the Town.
3. Prior to acting, the Town Board should evaluate whether the referenced 60-day removal timeframe for telecommunications towers in Section 435.1 is sufficient or whether a relief process should be provided to allow flexibility when warranted. Suggested language has been included in the project’s 239-m technical review and will be provided, under separate cover, to the Town.
4. Before taking action, the Town Board should consider adding the recommended language to Section 1015.5, *Special Use Approval Procedures*, to define the purpose and standards for recertification, including compliance with prior approvals and consistency with community health, safety, and welfare. Suggested language has been included in the project’s 239-m technical review and will be provided, under separate cover, to the Town.
5. Prior to acting, the Town Board should review Section 1170, *Recertification Procedures*, to confirm that the procedural framework accurately reflects and supports the recertification standards referenced throughout the law, while also using proper bolded text throughout the Section. Suggested language has been included in the project’s 239-m technical review and will be provided, under separate cover, to the Town.
6. Before acting, the Town Board should verify that recertification intervals and references to enforcement authority are consistent throughout the proposed law to ensure internal uniformity and avoid interpretive conflicts.
7. Prior to taking action, the Town Board should consider including a short statement of legislative intent explaining that the recertification process is designed to ensure continued compliance and alignment with the Town’s Comprehensive Plan and community standards.

Non-Binding Notes:

1. The Town of Turin should ensure that Page 6 is updated with the appropriate local law number and date for the definition of Minimum Maintenance Road before adoption and filing with the Department of State.
2. The Town Board should confirm that SEQRA documentation, referral materials, and procedural steps such as public hearing notices are complete and correspond accurately with the final adopted text.
3. If the amendments to this code are adopted, the Town of Turin should update the title page to show the date of adoption. It can be beneficial to list each prior amendment date in a table format, along with a brief description of what the amendment pertained to.
4. Should the amendments to this code be adopted, the Town should email the Lewis County Planning & Community Development Department to update its Local Law webpage. Once adopted, the law becomes 'operative', meaning Enforcement Officials shall use that version of the code moving forward.
5. The Town Board should consider removing the excess space between Section 325 and Section 330, and between Section 365 and Section 370 to maintain consistent formatting throughout the document.
6. Both 'Special Use Permit Required' and 'Temporary Special Use Permit Required' are listed as Section 435.1. This should be corrected prior to adoption.
7. The Town Board should consider using proper and consistent capitalization of terms such as Town Clerk (or when referencing other officials) and when referencing specific "Sections" and similar usages throughout the document.
8. The Town Board should consider a revision to the Special Use Recertification Application form to maintain consistent first-person certification language and update the final sentence to read, "*I certify that any changes to my contact information will be reported to the Town Clerk within 30 days.*"
9. The Town Board should consider adding space to the Special Use Recertification Application form to note the new recertification date, the approving official's signature, and the reason for approval, denial, or conditional renewal to strengthen the Town's recordkeeping and legal defense.
10. The Town Board should consider adding an area on the permit form to include supplemental conditions, particularly for use such as campgrounds and manufactured home parks, to allow flexibility in addressing evolving site-specific matters.
11. The Board should consider reformatting Section 445. Wind Energy Facilities, paragraphs 13 and 14, to use the same font for consistency throughout the document and Section 450. Small Battery Energy Storage Systems.

12. The Board could consider developing a Minimum Maintenance Road Map to help guide Code Officials and ensure the amendment's intent is implemented and fully enforced, if possible.
13. If the Town of Turin adopts the law, when the amendments are filed with the Department of State, consider instructing the Town Clerk to email a copy of all submitted materials to the Lewis County Planning & Community Development Department as a standard practice step. This practice helps address recent record inconsistencies and supports the Planning Department's increasingly active role in tracking local law filings.

Mr. Szalach indicated that the Town of Turin will not be creating a map, as that would require updating data in two places. The Board felt that this provision may be important enough to be included as a condition rather than a non-binding note.

Ms. Krokowski clarified that this topic had previously been discussed with Mr. Szalach, indicating that the Town would not be willing to implement a map; hence, it was reflected in the non-binding notes rather than the conditions. This way, the County has done its due diligence in notifying the municipality in writing of the suggestion and reasoning while leaving the choice at the local level. Again, it was brought up whether this was important enough to be a condition, and Mr. Lehman was very vocal that doing so would just create a poor working relationship with the municipality, which overall the Board agreed with.

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

(6) Report of County Planner:

- The following municipal responses were received:
 - T/West Turin - BESS ZTA - Approved
 - T/Croghan - Manufactured Home ZTA - Approved w/Conditions
 - T/Martinsburg PB SUP - General Martin Apartments - Approved w/Conditions
 - V/Turin - ZTA Solar MLC (secondary review) - Approved
- The following referrals were reviewed by County Planning staff | deemed as Matter of Local Concern:
 - Town of Denmark - Renewable Energy Moratorium (12 mos.)
 - Town of Greig - ZTA Battery Energy Storage
 - Town of Martinsburg - Renewable Energy Moratorium Extension
 - Village of Turin - ZTA Implementing Significant CPB Conditions

There was a brief discussion regarding the duration of the Town of Denmark's Moratorium; however, the Board agreed that Planning Staff should move forward with deeming the Town of Denmark's Moratorium a Matter of Local Concern.

Mr. Reed exited the meeting at 3:14 p.m.

(7) **Unfinished Business:**

Ms. Krokowski discussed the findings of the inquiry into Miller's Meat Market expansion. Following initial confusion and discussion, the matter was determined to be an enforcement issue. In response, County Staff is creating "help sheets" to define Local Board roles and responsibilities, including implementing a "see something, say something" initiative.

Mr. Lehman was disappointed by the inconsistency in the rules being applied, and, overall, the Board wasn't satisfied with the responses, as they didn't address the questions regarding the referral from the Town of Watson Planning Board.

Mr. Szalach asked about the availability of a tool that allows town and village Planning Board members to check active permits in their municipalities. He expressed that he currently assumes compliance once a building begins construction after a referral to Codes. Ms. Krokowski will investigate whether the Building Codes version of Cloud Permit has this feature.

Mr. Dolhof left the meeting at 3:24 p.m.

(8) **New Business:** Mr. Lehman indicated that the delivery method of meeting materials to CPB members needs to be improved or returned to the previous method of attaching the documents directly to the email due to difficulties accessing.

(9) **Adjournment:** With no further business, Mr. Osborne motioned to adjourn the meeting. Mr. Lehman seconded the motion, which carried unanimously. The meeting adjourned at 3:32 p.m.

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.