

**DRAFT MINUTES**  
**LEWIS COUNTY PLANNING BOARD**  
**April 16, 2026**

- (1) **Call to Order:** Chairman Petersen called the regular meeting of the Lewis County Planning Board to order at 2:30 PM in the 3<sup>rd</sup> floor conference room #322 at the Lewis County Courthouse, Lowville, New York. Roll call was requested by Mr. Petersen.
- (2) **Roll Call:**  
**Board Members Present:** Tim Petersen, John Lehman, Sarah Metott, Don Cook, Jessica Moser, John Reed, Eric Virkler, and Larry Dolhof.  
**Staff Present:** Casandra Buell, Planning & Community Development Director; Lauryn Tabolt, Community Development Specialist; Megan Krokowski, Community Development Specialist; Ben Manning, Code Enforcement Officer.  
**Public Present:** None
- (3) **Reading and Approval of Minutes:** The draft March 19, 2026 meeting minutes were received and reviewed before the meeting. Ms. Metott motioned to approve the minutes; Mr. Cook seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:**
- **APA Permit 2025-0084:** MLD Development, LLC; Harold Bingay, Emilia Bingay- 11 lot subdivision and construction of 11 single-family dwellings on Pleasant Valley Road, Town of Greig.
    - Final Determination and Public Notice of Determination
  - **APA Permit 2025-0127:** Michael Dolhof- 6 lot subdivision and construction of six single-family dwellings on Van Arnam Road, Town of Greig.
    - Final Determination, Public Notice of Complete Application, and Application Determined.
  - **APA Permit 2026-0008:** David Vandewater, two lot subdivision on Moose River Road in the Town of Lyonsdale
    - Public Notice of Application Completed
  - **APA Permit 2026-0065:** Lewis County, Resource Management and construction of a 25-foot-long by 10-foot-wide log stringer bridge across Fish Creek to serve a multi-use trail, involving wetlands.
    - Public Notice of Project Application and Variance Request Receipt
  - **GSS Inc-GSS Project #W26141-NY:** Telecommunication Tower proposed in the Town of Denmark (Merz Road).
    - The Site ID has changed from 16917512 to US-NY-5582, and the applicant's name has changed from Verizon Wireless to The Towers, LLC.

After Ms. Krokowski presented the above communications, the Board raised no comments or concerns.

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

**239-M Review**

Ms. Tabolt read the first review:

**TOWN/VILLAGE OF LOWVILLE JOINT PLANNING BOARD**

Site Plan Review and Special Use Permit application for the adaptive reuse of an existing Parish Hall into a thrift store located at 5411 Trinity Avenue in the Village of Lowville.

Tax Map Parcel #212.07-05-40.100

*Agape Shoppe, Rosetta Landis – Applicant*

The Town/Village Joint Planning Board Administrative Assistant provided the following proposal documentation: 1) General Municipal Referral Form; 2) Site Plan Review Checklist; 3) Application to the Planning Board; 4) Project Narrative; 5) Short Environmental Assessment Form (SEAF); 6) EAF Mapper Summary Report; 7) Correspondence from the Episcopal Diocese of Central New York regarding lease negotiations; 8) Site Maps; 9) Interior Layout Drawing; 10) Village Zoning Permit Application; 11) Site Plan Review Justification; and 12) Special Use Permit Application.

▪ *Compatibility with Adjacent Uses*

The proposed project is located within the Neighborhood Commercial 1 (NC-1) District, which is intended “to provide a pedestrian-oriented, mixed-use (residential and small-scale commercial) transition area between the Village center and surrounding residential areas.” The proposed adaptive reuse of the existing structure as a thrift store appears to be consistent with the intent of the zoning district and generally compatible with surrounding land uses, which include a mix of commercial and public facilities, such as the Lewis County Courthouse, the Lowville USPS, and other local businesses.

With respect to dimensional requirements, the structure is considered nonconforming, as Real Property records indicate it was constructed in 1860. Pursuant to §201-1230, a nonconforming structure may be used for any use permitted in the zoning district in which it is located. Because “retail sales and service, general” is an allowable use in the NC-1 District, the nonconforming status of the structure itself is not anticipated to create zoning concerns. However, the proposed project includes the construction of a wheelchair ramp, which constitutes an expansion or modification that must comply with applicable nonconforming lot provisions.

According to §201-1210, nonconforming lots may be developed for permitted uses provided that the lot maintains: (A) the required minimum front yard setback; (B) at least two-thirds of the required minimum side and rear yard setbacks; and (C) does not exceed maximum lot coverage. The applicable Schedule B requirements are summarized below:

<b>Schedule B</b>		
<b>Dimensional Standard</b>	<b>NC-1</b>	<b>Proposed</b>
Front yard, minimum	Lesser of the yards previously established on adjacent parcels	Existing; aligns with adjacent parcels
Side yard, minimum (2/3)	5.3 feet	Existing; 8 feet
Rear yard, minimum (2/3)	20 feet	12 feet*

\*The rear yard measurement reflects the existing 15-foot setback reduced by approximately 3 feet (36 inches) to accommodate the proposed wheelchair ramp.

Because the proposed rear yard setback does not meet the required two-thirds minimum, the applicant may be required to obtain an area variance from the Village Zoning Board of Appeals.

- **Traffic Generation and Effect:**

The proposed project is located on Trinity Avenue, which has an Annual Average Daily Traffic (AADT) volume of approximately 1,290 vehicles. According to the submitted SEAF, the proposed action is not expected to result in a substantial increase in traffic beyond existing levels. Based on this review, the project is not anticipated to result in significant traffic impacts.

- **Protection of Community Character:**

The applicant plans to enter into a lease agreement with the Episcopal Diocese of Central New York for the use of the Parish House of the former Trinity Episcopal Church to operate a thrift store. Proposed hours of operation are to be determined but may include Tuesday through Thursday from 4:00 p.m. to 8:00 p.m. and Saturdays from 9:00 a.m. to 4:00 p.m., with the potential for expanded hours in the future. According to correspondence from the Chair of the Diocesan Property Committee, lease negotiations are anticipated to be finalized within the next few months.

According to the submitted SEAF, the project site is not located within a Critical Environmental Area, an archaeologically sensitive area, a habitat for threatened or endangered species, or a 100-year floodplain. However, the SEAF indicates that the site is located within or adjacent to a property listed on the State or National Register of Historic Places. Review of the Cultural Resource Information System (CRIS) confirms that Trinity Episcopal Church is individually listed on the State Historic Preservation Office (SHPO) registry and is also located within the Lowville Historic District. As such, the applicant should coordinate with SHPO prior to undertaking any project activities.

The submitted SEAF also indicates that the project site is located on or adjacent to a property that has been subject to environmental remediation. According to the New York State Department of Environmental Conservation

(NYS DEC) Environmental Remediation Database, this refers to the AMF Trinity Avenue site, which was remediated through the NYS Superfund Program at 5502 Trinity Avenue. As no ground disturbance is proposed as part of this project, impacts related to this prior remediation are not anticipated.

As part of this review, the information provided in the SEAF was confirmed.

- *Signage:*

The submission included the design, size, and proposed location for one sign. The sign is proposed to measure 8 feet by 6 feet, for a total area of 48 square feet, will not contain lighting, and is anticipated to be placed along the sidewalk leading to the courthouse, perpendicular to Trinity Avenue. According to a submitted aerial map, the sign would be located “approximately 10 feet from the sidewalk.”

Under §201-735 C(1), one sign is permitted per lot, with a maximum size of 80 square feet, a maximum height of 20 feet, and a minimum setback of 10 feet from any property boundary. Based on the submission materials, the proposed sign appears to meet all dimensional requirements; however, the exact height was not provided, nor was the precise placement. Since the side setback on the plot diagram shows the side setback being 8 feet, prior to taking action, the Planning Board should confirm that the sign will be located at least 10 feet from all property boundaries to ensure compliance with §201-735 C(1).

- *Drainage & Erosion:*

The submitted SEAF indicates that the proposed project will not result in additional stormwater discharge, and since the ground disturbance is insignificant, at approximately .0035 acres, this is not anticipated to be a concern.

- *Parking:*

According to §201-830 G, commercial and business uses require “one space per motor vehicle used directly in the business, plus one space per 350 square feet of business area.” Based on Lewis County GIS data, the structure is approximately 2,000 square feet, which equates to roughly six parking spaces.

Section §201-830 B allows off-street parking to be located off-site, provided it is within 500 feet of the use. As noted in the submitted materials, Veterans’ Memorial Park provides approximately two parking spaces within 500 feet of the proposed entrance. Additional parking is available on Trinity Avenue and North State Street (NY-12). Prior to taking action, the Planning Board should confirm whether this parking arrangement is consistent with Article VIII of the Village Zoning Law.

- **Community Facilities:**

According to the submitted SEAF, this criterion is not applicable, as the project involves an existing structure with existing connections to the Village's water and wastewater infrastructure.

- **Lighting:**

According to the project narrative, no changes to existing lighting are proposed at this time. Should lighting be added or replaced in the future, it should be downward-directed to prevent spillover onto adjacent properties and comply with §201-1030 of the Village Zoning Law.

- **Landscaping and Screening:**

According to the project narrative, no landscaping is proposed at this time. Should landscaping be undertaken in the future, it should comply with §201-1070 of the Village Zoning Law.

***Recommendation: Approve with Conditions***

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

1. The proposed rear yard setback does not meet the required two-thirds minimum; therefore, the applicant may need to obtain an area variance from the Joint Town/Village Zoning Board of Appeals.
2. Review of the Cultural Resource Information System (CRIS) confirms that Trinity Episcopal Church is individually listed on the State Historic Preservation Office (SHPO) registry and is also located within the Lowville Historic District. As such, the applicant should coordinate with SHPO prior to undertaking any project activities. The applicant should also follow the Lewis County Downtown Design Guidelines for any exterior work on the building as part of this project.
3. Since the side setback on the plot diagram shows the side setback being 8 feet, prior to taking action, the Planning Board should confirm that the sign will be located at least 10 feet from all property boundaries to ensure compliance with §201-735 C(1) of the Village Zoning Law.
4. Prior to acting, the Planning Board should confirm whether this parking arrangement is consistent with Article VIII of the Village Zoning Law.
5. Should lighting be added or replaced in the future, it should be downward-directed to prevent spillover onto adjacent properties and comply with §201-1030 of the Village Zoning Law.
6. Should landscaping be undertaken in the future, it should comply with §201-1070 of the Village Zoning Law.

There was a brief discussion regarding parking and the church portion of the property, including questions about its current use. The group noted that building reuse is one of the most effective tools for strengthening downtown areas. It was mentioned that the recently awarded NYS DOS Smart Growth Grant could address restricted uses within certain zoning districts when the zoning is updated. Additionally, any future project will require a handicap-

accessible ramp and bathroom to meet building code requirements. The Board requested that Condition 3 be revised to include the Village Zoning Law in the citation to ensure consistency.

With no further comments, Mr. Lehman motioned to approve with revised condition(s), seconded by Mr. Petersen, and carried unanimously.

Ms. Krokowski read the following review:

**TOWN/VILLAGE OF LOWVILLE JOINT PLANNING BOARD**

Site Plan Review/Special Use Permit for a vacant space in a duplex commercial building to be converted into a general retail sales and service (bookstore), including assembly areas for a youth center, at 7632 North State Street (SR 12) in the Village of Lowville.

Tax Map Parcel #212.07-06-35.000

*The Raven's Quill, Jeri Bailey – Applicant*

The Joint Town/Village Planning Board Administrative Assistant provided the following proposal documentation: 1) General Municipal Referral Form; 2) Application to the Planning Board with Land Use Application; 3) Zoning Map/Site Plan (rental flyer); 4) Narrative; 5) SEAF; and 6) Site Plan Review Justification.

▪ *Compatibility with Adjacent Uses*

The proposed project is located in the Village Center Zone, which is designated for a pedestrian-friendly mix of commercial, institutional, and residential uses in the Village's central business district. The proposed use of a bookstore/youth center appears to be compatible with the adjacent uses.

According to Schedule A, retail sales, general requires a special use permit and site plan review within the Village Center. Forthcoming amendments to the Village of Lowville Zoning law will change this back to a site plan review, as this designation was made in error.

This project was referred to the County Planning Board due to the parcel being within 250' of a NYS Highway and County Land, pursuant to GML §239m.

According to Schedule B, the Village Center Zone has no dimensional restrictions other than a minimum building height of 25 feet and a maximum building height of 60 feet, both of which this two-story building complies with.

▪ *Traffic Generation and Effect:*

The proposed project will be located on North State Street, also known as New York State Route 12, which consists of two lanes of travel in a North-South direction, with a center lane for turning. As identified in the submitted SEAF,

the proposed action will not result in a substantial increase in traffic above present levels, and based on this review, should not raise any traffic concerns. Therefore, there is no change in traffic patterns on the public roadways.

- *Protection of Community Character:*

The applicant proposes to occupy 2,145 square feet of vacant space in a building formerly used by Double Play, converting it into a community center with functions similar to a youth center and bookstore. The lease agreement guarantees the use of at least four of the ten parking spaces located behind the building.

According to the SEAF submitted, the proposed action does not encroach upon any critical environmental area or interfere with any designated habitats for threatened or endangered species. However, the United States Department of the Interior Fish and Wildlife Service Official Species List identified the Northern Long-Eared Bat and the candidate species, the Monarch Butterfly.

During this review, the NYS Environmental Resource Mapper was used to corroborate the information provided on the NYS EAF Mapper (used to generate the SEAF). Furthermore, CRIS Mapper indicated that there are archeologically sensitive areas near the site, and the proposed site is within the designated Lowville Historic District. Given that the structure was built in 1875, consider consulting SHPO when proposing exterior modifications and ensuring that any changes comply with the Lewis County Downtown Design Guidelines.

Prior to permitting, the Zoning/Code Enforcement Official shall verify ADA compliance for the proposed use and confirm that the placement of bookshelves, furnishings, and storage areas does not impede required fire or emergency access.

- *Signage:*

The Planning Board and/or Zoning Officer shall ensure compliance with §201-715.B, which states: “*No portion of any sign shall encroach upon any public right-of-way, with the exception of projecting signs in the Village Center zone, which shall be no lower than eight feet off the ground.*” Based on the site visit, the sign is approximately 48 inches above the ground, with the supporting arm approximately 53 inches high. Because the sign does not extend into the public right-of-way, the eight-foot clearance requirement does not apply.

- *Drainage/Erosion:*

The submitted SEAF notes that this project will not disturb more than 1 acre or create stormwater discharge. Since the area of disturbance is not over 1 acre, a SPDES permit is not required.

The Planning Board classified the proposed use as adaptive reuse, allowing the project to bypass the requirements of §201-1080 Stormwater Prevention. As stated in the final sentence of §201-1080.A, *“This provision excludes adaptive reuse of existing buildings,”* therefore, a drainage plan approval from the Village DPW Superintendent is not required prior to Board approval.

Pursuant to §201-910, classification of this project as ‘adaptive reuse’ lies within the authority of the Zoning Official. Accordingly, the Planning Board will rely on the Zoning Official’s determination for applicability of §201-1080, and will proceed with site plan review based on that official classification.

- *Parking:*

According to the Office Space Lease provided, four (4) parking spaces are guaranteed at the rear of the building, with additional parking available at the church across the street. The church referred to is the Baptist Church located at 7627 North State Street.

According to §201-810, off-street parking is not required in the Village Center Zone. Since four (4) parking spaces are provided behind the building, site-visit measurements of 9 feet by 20 feet confirmed that these spaces exceed the standards set forth in §201-840.A, which requires spaces to be no smaller than 8.5 feet by 18 feet.

The Planning Board shall consider conditioning the permit to require the use of the rear entrance and rear parking area for deliveries to ensure compliance with §201-850. Off-Street Loading Facilities.

- *Community Facilities:*

According to the submitted SEAF, the proposed project will connect to existing water and wastewater systems. Given the size and scale of the operation, the Village should have no problem accommodating this use, but the Planning Board may wish to obtain written confirmation from the Village DPW prior to approval.

- *Lighting:*

No exterior lighting is proposed; however, if none is currently present, the Planning Board shall consider conditioning the permit to require downcast lighting confined to the property, with no glare to residential properties or public rights-of-way, to ensure compliance with Article X §201-1030. A and C. *“Architectural lighting shall be shielded and developed as necessary to adequately promote business operation and public safety.”*

- *Noise*

The proposed use should not have any adverse noise implications for the neighborhood.



▪ **Landscaping and Screening:**

The applicant indicated that no landscaping or screening was planned, and that none is required in the Village Center Zone.

Should there be exterior storage or collection areas, the Planning Board shall ensure that the applicant is aware of the screening requirements of §201-1040.

The Planning Board could consider conditioning the permit upon continued compliance with Chapter 140 Property Maintenance of the Lowville Code.

No significant countywide or intermunicipal impacts are anticipated.

***Recommendation: Approve with the following conditions***

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

1. The Planning Board shall consider conditioning the permit to require the use of the rear entrance and rear parking area for deliveries to ensure compliance with §201-850.
2. No additional exterior lighting is proposed. If lighting is not already installed on the site, to ensure safety, the Planning Board may consider conditioning approval to require fully shielded, downward-directed fixtures that are confined to the property and designed to prevent glare onto adjacent residential properties or public rights-of-way.
3. Compliance with all Local, State, and Federal regulatory requirements for this type of facility and the products stored.

**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. While there are no exterior modifications proposed, given that the structure was built in 1875, consider requiring the applicant to consult SHPO when conducting exterior modifications and ensuring that any future exterior changes comply with the Lewis County Downtown Design Guidelines.
2. Should there be exterior storage or collection areas, the Planning Board could ensure that the applicant is aware of the screening requirements of § 201-1040.
3. Given the scale and capacity of the proposed operation, the Village is likely able to accommodate this use. However, as a matter of due diligence, the Planning Board may wish to request written confirmation from the Village Department of Public Works (DPW) prior to approval to verify that adequate water supply and wastewater infrastructure are available to support the project without adverse impacts.
4. The Planning Board could consider conditioning the permit upon continued compliance with Chapter 140 Property Maintenance of the Lowville Code.
5. While the work is limited to the interior of the building, because the United States Department of the Interior Fish and Wildlife Service Official Species

List identified the Northern Long-Eared Bat as a species in the area, caution should be taken if interior renovations identify a possible roosting site. If roosting is found, the applicant should contact the NYS DEC and/or US Fish and Wildlife for assistance. (Only include for new construction).

The County Planning Board (CPB) briefly discussed no longer including recommendations or non-binding notes regarding water/wastewater infrastructure unless a proposed use is likely to have a clear impact. The Board also agreed that conditions related to threatened and endangered species will be included only for projects involving new construction.

With no further comments, a motion was made by Mr. Virkler to approve with amended condition(s) and non-binding note(s), seconded by Mr. Cook, and carried unanimously.

Ms. Krokowski read the following review:

**TOWN/VILLAGE OF LOWVILLE JOINT PLANNING BOARD**

Site Plan Review and Special Use Permit application for the construction of two residential apartments above an existing convenience store located at 7509 South State Street (State Route 12) within the Village Center zoning district in the Village of Lowville.

Tax Map Parcel #212.11-04-26.200

*Inderpaul Bhatti/Bhatti Holdings, LLC – Applicant*

The Joint Town/Village of Lowville Planning Board Administrative Assistant provided the following proposal documentation: 1) General Municipal Referral Form; 2) Application to the Planning Board with Land Use Application; 3) Zoning Map/Site Plan; 4) Narrative; 5) SEAF; and 6) Site Plan Review Justification.

▪ *Compatibility with Adjacent Uses*

The proposed project is in the Village Center Zone, which is designated for a pedestrian-friendly mix of commercial, institutional, and residential uses in the Village’s central business district. The proposed mixed-use development, consisting of a convenience store with two permanent dwelling units located above, appears to be consistent and compatible with adjacent land uses.

While the activity could be classified as an apartment building, the presence of dwelling units located above an active convenience store more appropriately defines the use as a mixed-use development, which is consistent with the classification made by the Enforcement Official. According to § 201-230, Mixed-Use Development is defined as:

*“A lot or structure with a variety of complementary and integrated uses such as, but not limited to, residential,*

*office, light industrial, retail sales and service, general, restaurant/bar/hotel/motel, antique shop, and artisan shop.”*

The subject site is most appropriately classified as a Retail Gasoline Outlet pursuant to §201-230, given the presence of fuel pumps and associated retail activity; however, this use is currently not permitted within the Village Center zoning district. Notably, a similar use exists approximately one-half block away, indicating a potential inconsistency in the application or structure of the current zoning framework. The Village may wish to address this discrepancy and consider formally defining and regulating “Convenience Store” uses under §201-570, particularly if such uses are being applied or interpreted informally. At present, the Village Code does not establish specific performance or design standards for convenience stores. As the existing use is considered a legal nonconforming use, the scope of this review is limited to the proposed residential addition.

Mixed-use development within the Village Center zoning district is subject to Special Use Permit approval and Site Plan Review. Additionally, referral to the County Planning Board is required pursuant to General Municipal Law §239-m, as the subject parcel is located within 250 feet of a New York State highway (State Route 12).

The Village Center zoning district specifies a minimum building height of 25 feet and a maximum of 60 feet. The existing structure, constructed in 1994, has a building height of approximately 18 feet. The proposed project would increase the height of the front façade to 26 feet, while the rear elevation would remain at its existing lower height. Pursuant to §201-230, building height is measured from the average finished grade at the front of the building to the highest point of the roof. Based on this definition, the proposed building height of 26 feet is compliant with the minimum height requirement.

Based on the project description and supporting narrative, the applicant intends to pursue grant funding to support the proposed development. As such, the final design should demonstrate consistency with the Lewis County Downtown Design Guide, the Joint Town/Village of Lowville Comprehensive Plan, and the priorities and evaluation criteria of the applicable funding programs. The finalized design materials should be submitted to the Planning Board for review, filing, and approval as part of the overall application.

▪ *Traffic Generation and Effect:*

The subject site is located along South State Street (New York State Route 12), a two-lane roadway oriented in a north–south direction, with a center turning lane. As indicated in the submitted Short Environmental Assessment Form (SEAF), the proposed action is not anticipated to result in a substantial increase in traffic volumes above existing conditions. Based on this

assessment, the project is not expected to generate significant traffic impacts or alter existing traffic patterns on adjacent public roadways.

Should the Planning Board elect to condition the installation of a Permanent Tenant Parking Sign pursuant to §201-730.E, a sign permit is not required. However, such signage must be located outside of the public right-of-way, which appears feasible given the existing site configuration.

▪ *Protection of Community Character:*

The applicant proposes constructing an approximately 1,500-square-foot second-story addition above the existing convenience store to accommodate two (2) dwelling units, each with two bedrooms, intended for long-term occupancy.

If approved, the Planning Board may wish to condition the mixed-use development to a retail gas outlet with dwelling units, consistent with the representations made in the application. Any use of the dwelling units for short-term rental purposes or other non-conforming occupancy would be subject to enforcement under §201-1365, Violations and Penalties.

According to the SEAF submitted, the proposed action does not encroach upon any critical environmental area or interfere with any designated habitats for threatened or endangered species. However, the United States Department of the Interior Fish and Wildlife Service Official Species List identified the Northern Long-Eared Bat and the candidate species, the Monarch Butterfly. While conducting activities, all should be mindful not to disturb protected species, habitats, or populations. If the applicant finds a protected bat species within the building, ensure that any extraction is coordinated with NYSDEC or the U.S. Fish & Wildlife Service.

During this review, the NYS Environmental Resource Mapper was used to corroborate the information provided on the NYS EAF Mapper (used to generate the SEAF). An informational wetland, in addition to Mill Creek, which is listed on the National Wetland Inventory, is between 30 and 80 feet from the back of the development. Given the proximity to wetlands and Mill Creek, the proposed project shall comply with Article 24 and Article 15 DEC standards, as applicable.

The CRIS database indicates the presence of archaeologically sensitive areas in the vicinity of the project site. In addition, given the applicant's intent to pursue grant funding, consultation with the New York State Historic Preservation Office (SHPO) is required to evaluate potential impacts to cultural resources. The applicant initiated a consultation with SHPO on March 24, 2026.

As such, any approval issued by the Planning Board should be conditioned upon receipt of SHPO correspondence confirming a finding of no adverse impact. If SHPO identifies potential or adverse impacts, further consultation and review shall be required, and the proposed action shall be subject to additional Planning Board consideration and approval prior to proceeding.

- *Signage:*

The Front Elevation plan references “possible signage”; however, no details regarding size, design, or placement have been provided. In the absence of this information, the Planning Board would typically require submission of a complete signage plan for review and approval in accordance with Article VII. Based on the preliminary depiction, §201-735.C(2) may be applicable, which requires a permit for a permanent on-premises business wall sign.

Following discussion with the Planning Board Secretary and the applicant, the reference to “possible signage” has been removed from the site plan to avoid confusion, as no signage is proposed at this time.

The Village of Lowville Board of Trustees may wish to consider amending §201-735.C(2) to establish clearer dimensional standards for wall signage, thereby preventing the installation of excessively large signs. A defined size range — such as approximately 30 to 50 square feet — may be appropriate to maintain visual compatibility within the Village Center.

Additionally, the Planning Board may consider requiring the installation of Tenant Parking signage at designated residential parking areas to support effective parking management and maintain safe and orderly traffic circulation on the site.

- *Drainage/Erosion:*

The submitted Short Environmental Assessment Form (SEAF) initially indicated no land disturbance; however, the site plan depicts a proposed structure measuring approximately 10 feet by 56 feet, consisting of a stairwell and exterior hallway, which would result in ground disturbance. Accordingly, the SEAF should reflect this disturbance. Based on the project scale, coverage under a SPDES General Permit is not required, as the total disturbance is less than one acre. Following coordination with the Planning Board Secretary, the SEAF has been updated to accurately reflect the anticipated ground disturbance.

Additionally, on April 7, 2026 the Village of Lowville Department of Public Works Superintendent, Paul Denise, provided written confirmation that the proposed action is not expected to adversely impact stormwater runoff, consistent with the requirements of §201-1080.

- *Parking:*

Off-street parking is not required within the Village Center zoning district pursuant to §201-810. However, where parking is provided, individual spaces must meet minimum dimensional standards of 8.5 feet by 18 feet in accordance with §201-840.A. The seven (7) proposed rear parking spaces exceed these requirements, measuring approximately 10 feet by 20 feet.

The site plan does not clearly depict front-of-store parking spaces; however, it is understood that these spaces serve the existing commercial use. As described in the project narrative, parking is proposed to be shared between the convenience store and the dwelling units, which is consistent with typical mixed-use development patterns and parking practices.

- *Community Facilities:*

According to the submitted SEAF, the proposed project will connect to existing water and wastewater systems. Given the size and scale of the operation, the Village should experience no capacity issues.

- *Lighting:*

The project includes existing parking lot lighting; however, the Planning Board should evaluate whether the current fixtures provide adequate illumination to support the proposed mixed-use configuration. Given that the new dwelling units will require safe and reliable nighttime access, particularly at the rear of the building, the existing lighting may be insufficient to serve this expanded use.

The Planning Board may consider conditioning approval on the installation of additional lighting fixtures, such as motion-activated, fully shielded (downcast) lighting, designed to remain confined to the property and prevent glare onto adjacent residential properties or public rights-of-way. All proposed lighting should be consistent with the standards set forth in Article X, §201-1030(A) and (C). Such improvements would enhance tenant safety, particularly for use of the rear stairway during evening hours and in winter conditions when daylight is limited. The absence of Village street lighting in the rear of the property further supports the need for dedicated on-site illumination.

- *Noise*

No significant noise impacts are anticipated beyond normal construction activity. Construction should occur during reasonable daytime hours to minimize disturbance.

- *Landscaping and Screening:*

The applicant indicated that no landscaping or screening was planned, and that none is required in the Village Center Zone.

Should exterior storage or refuse areas be proposed in the future, such facilities will be required to comply with the screening standards set forth in §201-1040. Additionally, ongoing compliance with Chapter 140, Property Maintenance, should be maintained to ensure the site remains in good condition and consistent with applicable local regulations.

▪ *Miscellaneous:*

Before a building permit is issued, the applicant must verify that the revised roof structure can support the required snow loads. The engineered drawings currently lack detail on snow-load analysis, roof-span method, frost-protected footings, accessibility, fire-safety compliance, and a final engineer's stamp. These must be provided prior to permit issuance.

Final engineered designs must be provided to the Planning Board for filing with the Special Use Permit.

No significant countywide or intermunicipal impacts are anticipated. The applicant's effort to expand housing availability is commendable, given the current county housing needs.

***Recommendation: Approve with the following conditions***

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

1. The Joint Planning Board may consider conditioning approval of the proposed permit to require installation of at least two (2) "Tenant Parking" signs designating reserved spaces, consistent with § 201-730.E. A separate zoning permit for such signage should not be required; however, all signs shall be located outside of any public right-of-way.
2. Any approval issued by the Joint Planning Board should be conditioned upon receipt of SHPO correspondence confirming a finding of no adverse impact. In the event that SHPO identifies potential or adverse impacts, further consultation and review shall be required, and the proposed action shall be subject to additional Joint Planning Board consideration and approval prior to proceeding.
3. Given the proximity to wetlands and Mill Creek, the proposed project shall comply with Article 24 and Article 15 DEC standards, as applicable.
4. If approved, the Planning Board may wish to condition the mixed-use development to a retail gas outlet with dwelling units, consistent with the representations made in the application. Any use of the dwelling units for short-term rental purposes or other non-conforming occupancy would be subject to enforcement under §201-1365, Violations and Penalties.
5. While conducting construction activities, the applicant and site owner shall be mindful not to disturb protected species, habitats, or populations. If the applicant/contractor finds a protected bat species within the building, ensure that any extraction is coordinated with NYSDEC or the U.S. Fish & Wildlife Service.

6. The Joint Planning Board may find it appropriate to condition approval on the installation of motion-activated, fully shielded, downward-directed lighting that is confined to the property, produces no glare onto adjacent residences or public rights-of-way, and complies with the standards of Article X, § 201-1030(A) and (C). Such lighting would support safe tenant access to the rear stairway, particularly during winter months when daylight is limited. Given that existing Village streetlighting does not illuminate the rear portion of the property, the provision of dedicated fixtures is warranted.
7. Final building/sign designs or plans shall be provided to the Planning Board for filing with the special use request.
8. Compliance with all Local, State, and Federal regulatory requirements for this type of facility and the products stored.

**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 Planning Board may wish to condition the permit with construction timeframes to reduce the impact on residential properties surrounding the property.
2. Prior to a building permit being issued, the applicant/contractor should verify that the revised roof structure can support the required snow load, particularly given the reduced roof pitch and the increased distance snow will need to travel across the surface. The engineered drawings appear to lack sufficient detail regarding snow load justification, the method for achieving the proposed roof span, footing design to ensure proper frost protection, interior fire safety, accessibility, building code compliance, and the final engineer's stamp. These elements should be provided prior to approval to ensure compliance with applicable structural and life-safety standards. Potential roof snow-shedding areas shall also be addressed in the final plans, including their effects on the parking area's traffic flow and the placement of snowbanks.
3. The Planning Board should ensure that the applicant is aware of the screening requirements of § 201-1040, and continued compliance with Chapter 140, Property Maintenance, may also be appropriate.
4. The Village of Lowville Board of Trustees may wish to consider amending §201-735.C.(2) to incorporate additional dimensional standards, rather than relying solely on a proportional limit of one square foot per linear foot of building frontage. Establishing a reasonable maximum cap—such as within the range of 30 to 50 square feet—would help prevent the installation of excessively large or visually intrusive signage.
5. To promote cohesive streetscape character and support the long-term preservation of the Village's historic downtown, the Village of Lowville may incorporate the Lewis County Downtown Design Guide as an advisory reference for evaluating exterior building improvements, façade alterations, storefront modifications, and related site features within the Village Center and adjacent commercial zones.



The CPB discussed Condition 5 and clarified their intent to remove all conditions related to threatened and endangered species from future reviews, regardless of existing versus new construction, as these matters seem out of scope for 239-m and are sufficiently covered under the standard requirement for compliance with all applicable federal, state, and local laws.

Given the recent repeal of DEC Articles 24 and 15, the Board agreed that Recommendation 3 should be revised to state: 'The proposed project shall comply with DEC Freshwater Wetland standards, as applicable.'

It was also noted that a second means of egress will be required to meet building code, which may necessitate changes to the submitted design and could trigger a subsequent review.

With no further comments, Ms. Moser moved to approve the project with the amended conditions and non-binding notes, seconded by Mr. Reed, and the motion carried unanimously.

Ms. Krokowski read the following review:

**TOWN OF NEW BREMEN PLANNING BOARD**

Site Plan Review to construct a multi-use timber frame structure that replicates the spirit of a 1874 Barn that stood on this site, approximately 26' x 52', with two wings, 11' x 17' and 10' x 29', located at 8778 Erie Canal Road (CR 10) in the Town of New Bremen.

Tax Map Parcel #131.00-02-14.000

*Adirondack Mennonite Heritage Association – Applicant*

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

▪ *Compatibility With Adjacent Uses:*

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

▪ *Traffic Generation and Effect:*

According to the submitted SEAF, the proposed action will not substantially increase traffic above present levels. Since the Erie Canal Road is a County-maintained road (CR 10), the applicant shall coordinate with the Lewis County Highway Department to obtain any required approvals for access modifications, including review and authorization of any new or modified curb cuts, and to verify sight distance and access spacing prior to construction.

In accordance with Section 610(B) of the Town of New Bremen Zoning Law, driveways must provide for safe, all-season access, be surfaced to control dust and debris, and meet spacing and sight-distance requirements. The driveway must also meet the minimum maintained width of 24 feet to allow for safe two-way travel and accommodate emergency vehicle access. The current driveway may already have a variance, since it is roughly 20 feet rather than the required 24 feet. Thomas Kovach, Planning Board Chairman, indicated on 4/8/2026 that the driveway will be widened to 24 feet.

▪ *Protection of Community Character:*

As identified on the generated EAF Mapper Summary Report, the proposed action is not near a state or national landmark, it is not within a designated critical environmental area, and it is not a designated river corridor. Furthermore, as part of this review, the CRIS website indicated that the proposed action is located on a parcel listed on the National Register of Historic Buildings; however, no archaeologically sensitive areas are present. SHPO should be consulted regarding the proposed project, given the status of the project parcel through the SEQRA process.

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

According to the New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper, there are potential freshwater wetlands/NWI features. Since NYS DEC's 2025 regulatory changes decoupled jurisdiction from the old DEC maps, the Planning Board should rely on a DEC Jurisdictional Determination (JD) to confirm Article 24 coverage (including adjacent areas) before site disturbance. The Planning Board shall await a jurisdictional wetland determination to ensure compliance with Articles 15 & 24 of the NYSDEC law prior to project commencement. On April 8, 2026 the New Bremen Planning Board Chairman initiated the wetland Jurisdictional Determination request.

According to the Web Soil Survey (WSS), the entire acreage on the proposed site is classified as "All areas are prime farmland." However, the homestead

site has not been used for agricultural production recently, and therefore, the project does not result in a significant loss of valuable agricultural soil.

- *Signage:*

The referral did not include a specific plan for signage, and it is assumed that a compliant sign currently exists for this established operation. The Barn rendering includes “1874” in the roof gable. However, if the applicant intends to install new signage or modify existing signage, all proposed signage changes should be reviewed and verified with the New Bremen Planning Board to ensure conformance with the requirements set forth in Article VI, Section 610(F) of the Town Zoning Law.

- *Drainage:*

According to Web Soil Survey data, the 5 soil types present in the project site area all contain minor components characteristic of hydric soil units. All soil groups are classified as Prime Farmland.

The submitted SEAF notes that there will be no additional stormwater discharge created and that all stormwaters will not be discharged onto adjacent properties, nor will they be directed to established conveyance systems.

- *Erosion:*

Although total ground disturbance is identified as 0.25 acres, well below the one-acre threshold, the applicant is reminded that compliance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) may be required if project scope changes.

The Web Soil Survey Report indicated that the land slope varies from 0-12%. The Planning Board may wish to require temporary erosion controls – such as silt fencing and stabilized construction entrances; such measures should be installed prior to any site disturbance and maintained throughout construction. Final grading should promote infiltration and avoid channelized discharge near sensitive areas.

- *Parking:*

Earlier site materials did not include a formal parking plan; however, the stamped drawings provided by the Code Official indicate a designated parking area located south of the existing farm building infrastructure. This area is accessed by a driveway approximately 20 feet wide and includes a rectangular parking surface of roughly 24,000 square feet according to GIS calculations.

Historically, the site has also utilized the U-shaped driveway loop (approximately 380 linear feet) for parking and circulation, with two access points onto Erie Canal Road.

If a detailed parking plan has not yet been finalized, the Planning Board may request one that ensures compliance with Article VI, Section 610(B). Under Article VI, Section 610(C)(2), a minimum of three (3) parking spaces is required for the 3,100+ sq. ft. commercial structure, based on the engineered drawings provided by SMSA. Because the law is silent on rounding conventions, providing four (4) spaces may best ensure compliance.

- *Community Facilities:*

According to the submitted Short Environmental Assessment Form (SEAF), the proposed project will not connect to an existing public or private water supply or wastewater system. Bottled water will be provided with a private water supply for non-potable water use.

The site plan indicates that a septic tank of unspecified size and material will be installed east of the proposed Barn, to be pumped rather than a leach field. In the future, engineered plans will be required to meet NYS Sanitary Code. The Planning Board should condition this permit to ensure the final proposed plan complies with Section 610. A, which defers to the NYS Sanitary Code. Conditioning permits help to ensure the requirements have a tracking mechanism and are achieved, as the Building and Codes Department now has a system to do so.

- *Lighting:*

It appears that outdoor lighting plans were not included in the materials submitted for review. Before taking action, the Town of New Bremen Planning Board should require the applicant to submit a clear and detailed outdoor lighting plan to ensure compliance with Article VI, Section 610(E) of the Town Zoning Law.

As part of this review, it is recommended that any new or additional exterior lighting for a commercial structure be fully downcast and shielded to prevent glare, light spillage, and off-site impacts, particularly on neighboring properties and roadways, while also promoting safety and security.

- *Landscaping and Screening:*

Landscaping plans were not submitted with the application materials; however, the property is bordered by evergreen buffers on all sides except the roadside, and no landscaping should be required. Existing vegetation is planned to be maintained.

- *Other:*

During this review, it appears the Zoning Law's assignment of responsibilities may not fully reflect the Town's intended administrative structure, including the authority to grant waivers under Section 855. To ensure the Town's intent of the Planning Board's role, updates to the Zoning Law to clarify such administrative responsibilities post-establishment would be beneficial.

***Recommendation: Approve with the following conditions***

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

1. Prior to the Planning Board taking action, the applicant shall coordinate with the Lewis County Highway Department to obtain any required approvals for access modifications, including review and authorization of any new or modified curb cuts, verify sight distance and access spacing compliance before construction.
2. The applicant shall widen the driveway according to Section 610(B), which requires a width of 24 feet for safe two-way travel, prior to the final **certificate** of occupancies being issued.
3. According to the CRIS website, the project site is listed on the National Register of Historic Buildings; SHPO should be consulted regarding the proposed project, given the status of the project parcel through the SEQRA process.
4. The applicant is encouraged to adopt voluntary Best Management Practices (BMPs) identified through the U.S. Fish and Wildlife Service IPaC tool to avoid potential impacts on the monarch butterfly, a federally designated candidate species under the Endangered Species Act. These practices include scheduling land clearing outside of peak breeding season (June–August), retaining native milkweed and nectar plants, and avoiding herbicide or pesticide use near pollinator habitat. While not mandatory, these measures align with the spirit of environmental stewardship encouraged under site plan review.
5. Prior to commencement, the Planning Board/Town Board shall ensure wetland jurisdictional determination compliance NYSDEC Freshwater Wetlands law. (Confirm this is correct verbiage – due to law being overturned).
6. Compliance with all Local, State, and Federal regulatory requirements for this type of facility and the products stored.

**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. It appears the Zoning Law's assignment of responsibilities may not fully reflect the Town's intended administrative structure, including the authority to grant waivers under Section 855. To ensure the Town's intent of the Planning Board's role, updates to the Zoning Law to clarify such administrative responsibilities post-establishment would be beneficial.
2. If new or modified signage is proposed, a signage plan should be submitted for review under Section 610(F) of the Zoning Law. Signage must comply with all requirements related to size, height, location, and lighting.
3. The Planning Board may wish to require temporary erosion controls – such as silt fencing and stabilized construction entrances; such measures should be installed prior to any site disturbance and maintained throughout construction. Final grading should promote infiltration and avoid channelized discharge near sensitive areas.

4. The Planning Board may wish to include, as a condition of approval, that the applicant retain and maintain the existing vegetative buffer for both drainage and aesthetic purposes.
5. Before taking action, the New Bremen Planning Board may wish to require the applicant to submit a clear and detailed outdoor lighting plan to ensure compliance with Article VI, Section 610(E) of the Town Zoning Law.
6. Article VI, Section 610(C)(2) could be clarified further within the Zoning Law by specifying how parking space calculations should be rounded. Adding this detail would help ensure consistency in future reviews and avoid uncertainty when interpreting the required number of spaces.

The CPB discussed removing Condition 4 regarding threatened and endangered species and agreed to eliminate it. The Board also revised the language in Condition 5 to reflect the annulment of DEC Articles 24 and 15 concerning freshwater wetland provisions. In addition, the terminology in Condition 2 was corrected to reference a Certificate of Occupancy rather than a code of occupancy.

With no further comments, Mr. Petersen moved to approve the project with the amended conditions, seconded by Mr. Lehman, and the motion carried unanimously.

### **VILLAGE OF LOWVILLE BOARD OF TRUSTEES**

Proposed amendments to various sections of the Village of Lowville Zoning Law.

*Village of Lowville – Applicant*

The General Municipal Referral Form and Part 1 of the Full Environmental Assessment Form (FEAF) were submitted by Village Trustee Timothy Widrick.

In reviewing the proposed amendment, the Village Board appears to be introducing a range of updates, including new definitions, revisions, and regulatory provisions addressing geothermal energy systems and short-term rental units.

Proposed changes to § 201-230 include the addition of definitions related to geothermal energy systems, short-term rentals, and renewable energy systems such as Battery Energy Storage Systems (BESS) and Compressed Air Energy Storage Systems (CAESS). Existing definitions—specifically nonconformity, nonresidential use, residential use, and land disturbance—have also been revised for clarity.

To remove potential loopholes within the Accessory Dwelling Units (ADU) regulations (§ 201-535), the following statement was added to clarify that STRs are not allowed in the ADU and the primary structure: “To protect

long-term housing stock, no dwelling unit on a parcel containing an ADU may be used or offered as a short-term rental. This prohibition applies to both the ADU and the principal dwelling.” Previously, the section specified only that the ADU could not be used for short-term rentals, which provided clearer direction for enforcement.

Within Article V, § 201-541 was added to regulate short-term rentals within the Village of Lowville. The Village Board should consider adding language to Section 541.B(6) to clarify that when permit holders fail to renew permits and property changes hands, and an STR permit is pursued, the applicant moves to the end of the waitlist. Possible language could be: “a) Applicants whose permits expire due to non-renewal or change in ownership shall be placed at the end of the waitlist if they reapply. Previous permit status does not provide priority or preferential placement on the waitlist.”

The Village Board should consider revising the language in § 201-541.D(2) to provide greater specificity regarding “regular garbage removal,” such as requiring collection on a defined schedule (e.g., weekly) rather than using the more ambiguous term “regularly.”

The Village should consider adding standard language regarding all conditions that will be applied to all permits, such as the following:

***Standard Conditions Applicable to All Short-Term Rental (STR) Permits***

- 1) ***Permit Holder Acknowledgment.*** As a condition of permit issuance, the property owner has acknowledged that they have read, understood, and agreed to comply with all STR regulations contained in Section 201-541, all applicable provisions of the Village of Lowville Zoning Law, and any conditions imposed by the Planning Board. The permit holder further acknowledges that non-compliance may result in fines, suspension, or revocation of the STR Permit.
- 2) ***Responsibility for Guests.*** The permit holder understands they are responsible for ensuring that all renters, occupants, and visitors comply with the operational standards, occupancy limits, parking requirements, and noise provisions set forth in this law. Violations committed by guests or occupants shall be treated as violations committed by the permit holder.
- 3) ***Duty to Maintain Compliance.*** STR properties must comply at all times with the NYS Uniform Fire Prevention and Building Code, NYS Property Maintenance Code, NYS Department of Health wastewater requirements (Appendix 75 A), and all applicable Village codes. Failure to maintain compliance shall constitute grounds for enforcement action.
- 4) ***Implied Inspections.*** By accepting an STR Permit, the property owner authorizes reasonable inspections by the Zoning Enforcement Officer (ZEO) or Code Enforcement Officer (CEO) to verify compliance with this section and all permit conditions.

- 5) ***Accuracy of Information.*** The permit holder shall ensure that all documentation and information submitted to the Village remains accurate. Any material change – including ownership, emergency contact information, insurance coverage, floor plans, or bedroom configuration – must be reported to the ZEO within 14 calendar days. Submission of false or misleading information is grounds for immediate permit revocation.
- 6) ***Non-Transferability.*** All STR Permits are issued to the property owner for the specific parcel identified on the permit. Permits may not be sold, assigned, or transferred. A change in ownership automatically terminates the STR Permit, and any new owner must apply as a new applicant, subject to the numerical cap and waitlist procedures.
- 7) ***Acceptance of Penalties.*** By accepting a STR Permit, the property owner understands, acknowledges, and agrees to the penalty schedule and enforcement procedures detailed in §201-1365, including the Village’s right to impose fines, suspend operations, revoke the permit, or pursue remedies available under law.
- 8) ***Permit Display.*** A copy of the valid STR Permit and the emergency contact information must be posted prominently within the STR in a location visible to guests.
- 9) ***Severability of Conditions.*** Failure to comply with any single permit condition shall constitute a violation independent of all other provisions and may result in enforcement action.
- 10) ***Nonconforming STRs.*** All nonconforming Short-Term Rentals shall comply with the requirements and operational standards of § 201-541 and are subject to the same enforcement, inspection, and permit conditions as conforming STRs upon permit renewal.

The Board of Trustees shall ensure that the application fees for processing STR Permit Applications are set by Board resolution. This fee shall be set at a level sufficient to cover the Planning Board's meeting costs.

The Village has reduced the setback requirement for Smoke Shops in § 201-596 from 2,500 feet to 2,000 feet. The Village may wish to consider establishing an overlay district to more clearly identify appropriate locations for such uses and evaluate this approach as part of the upcoming Smart Growth zoning rewrite.

Article VI has been retitled from “Solar Energy Systems” to “Renewable Energy Systems” to reflect the inclusion of additional technologies. Notably, regulations for geothermal energy systems have been added under § 201-615. Additionally, § 201-620 establishes that Battery Energy Storage Systems (BESS) and Compressed Air Energy Storage Systems (CAESS) are prohibited within the Village. This prohibition is supported by a stated rationale citing health and safety concerns associated with lot and population density.



As part of the upcoming comprehensive zoning update, the Village may wish to consider incorporating definitions and regulatory provisions addressing cryptocurrency mining facilities, data processing centers, and the concept of substantial equivalency. Doing so would position the Village to proactively address and anticipate emerging land use considerations.

Article XII § 201-1270 was added to address nonconforming short-term rentals, which, under the regulations, shall conform to the regulations of Section 541 before renewal in 24 months.

Schedule A was updated to address the few additional land uses, including geothermal energy systems, short-term rentals, battery energy storage systems, and compressed air energy storage systems.

The entire zoning law was not reviewed; rather, the review was limited to the revised sections and the sections affected by them.

Overall, the proposed zoning text amendments should provide the anticipated clarification and additional regulation sought by the Village Board regarding short-term rentals, geothermal energy systems, renewable energy systems, and other sections, as well as the minor corrections.

***Recommendation: APPROVE with Conditions***

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

- 1) Prior to adoption, the Village Board of Trustees shall consider implementing the clarifications detailed below and provided through a supplemental document accompanying this review.
  - a. Clarifying § 201 541.B(6) to explicitly state that applicants whose permits expire or whose properties transfer ownership shall be placed at the end of the waitlist.
  - b. Define what “regularly” means in § 201-541.D(2) as applied to garbage removal, such as requiring collection on a defined schedule (e.g., weekly) rather than using the more ambiguous term “regularly.”
  - c. Provide a subsection within § 201-541 with pre-made conditions that will be applied to all STR permits.
  - d. Add language to § 201-915 to require the applicant to provide a DEC jurisdictional determination with each application to prevent potential delays.

**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. If and when the Village Board adopts the proposed zoning text amendment and files the documents with the Department of State, the Clerk should email a complete copy of all submitted materials to the Lewis County Planning & Community Development Department as standard practice.

This will help address recent inconsistencies in recordkeeping, support the Department's active role in tracking local law filings, and ensure the County's Local Law webpage is updated accordingly. Once adopted, the law becomes operative, and Enforcement Officials should apply the updated code moving forward.

2. The Board of Trustees should establish STR application fees by resolution at a level sufficient to cover the costs associated with Planning Board review and meetings.
3. The Board of Trustees may consider, during the Smart Growth zoning rewrite:
  - a. Creating an Overlay District for Smoke Shops with locations that the Village prefers this type of operation to be cited, to alleviate loopholes and high setbacks, with the potential for misinterpretation due to the varied interpretations.
  - b. Incorporating definitions and regulatory provisions addressing cryptocurrency mining facilities, data processing centers, and the concept of substantial equivalency.

The Board discussed revising Recommendation 1(d) due to the recent annulment of DEC Articles 24 and 15 regarding freshwater wetland provisions, and agreed to modify the language to require compliance with applicable DEC Freshwater Wetland standards.

With no further comments, Mr. Lehman motioned to approve the revised non-binding note, seconded by Ms. Metott, and the motion carried unanimously.

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

Responses from municipalities regarding previously submitted/reviewed projects:

- Town of Harrisburg Planning Board – Kennell - Approved w/Conditions
- Town of Harrisburg Planning Board – Widrick - Approved w/Conditions
- Joint Town/Village of Lowville Planning Board - Northern Federal Credit Union - Approved with Conditions.
- Ms. Krokowski reported that we issued a determination of local concern to the Town of Watson regarding its 12-month BESS Moratorium.

**(7) Unfinished Business:**

- a. Training | NYS THC Local Government Conference – April 21, 2026
- b. Renewable Energy Training for Municipal Officials – April 27, 2026 | 5-7 PM at Croghan Fire Hall.
- c. The By Laws currently state, “*A Planning Board member may be removed for cause by the Board of Legislators. Failure to attend three meetings within a year shall be deemed sufficient cause.*”
  - i. Keep the provision as-is (most common & legally safe).
    1. This does not obligate the Board of Legislators to remove the member — it simply defines what counts as *cause*.

- ii. Modify the wording to give the Board of Legislators more discretion.
  - 1. “Failure to attend three meetings within a year may constitute cause for removal.” Or
  - 2. “A pattern of repeated absences may constitute cause for removal at the discretion of the Board of Legislators.”
- iii. Add an “excused vs. unexcused absence” provision.
  - 1. “Absences documented as illness, emergency, highway-related, or previously excused by the Chair shall not count toward the three-meeting threshold.”

The Board agreed to add an excused vs. unexcused absence provision and to modify the wording to give the Board of Legislators discretion regarding removal for cause.

### **Step-by-step process to amend the bylaws**

#### **1. Give advance notice of intent to amend**

A notice stating the intention to present a bylaw amendment **must be given at least five (5) calendar days in advance** of the meeting at which the motion is made. The notice must be **in writing** and **mailed/emailed or delivered to all Planning Board members**.

#### **2. Convene a regular or special meeting with a quorum**

The Board may act on the amendment **at any meeting (regular or special)**, provided a **quorum** (majority of voting members) is present.

#### **3. Adopt the amendment by resolution**

Bylaws “may be amended **by resolution**, duly adopted” at the meeting. Under the Board's voting rule, actions are adopted by a **majority of the voting members** (not just those present) – so plan for a majority of all voting seats, not merely a majority of attendees.

#### **4. Forward the paperwork to the County**

After adoption, **forward a copy of the resolution and the amended bylaws to the Clerk of the Board of Legislators** for the County’s records. (The bylaws require transmittal; they do not state that County approval is needed.)

The Board directed staff to begin preparing the amendment notice and draft language for consideration at a future meeting. The amendment to the bylaws shall be listed on the next month’s meeting agenda to satisfy the advance notice of intent.

Mr. Lehman mentioned that he spoke with the IT Department and was dissatisfied with the answer regarding his tablet/laptop request. Ms. Buell indicated that she provided an update in last month's minutes regarding the matter and that, based on feedback from the IT Director, it is not feasible for the County to provide Board members with equipment. She offered to mail

paper copies of the draft technical reviews versus digital copies, should there still be concerns. The Board acknowledged the update, and no further action is required.

- (8) **New Business:** Mr. Virkler indicated that today was his last County Planning Board meeting, and everyone thanked him for his service.
- (9) **Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Virkler and seconded by Ms. Metott, which carried unanimously. Mr. Petersen adjourned the meeting at 3:34 PM.

Respectfully submitted,



Megan Krokowski  
Community Development Specialist

*Note: These minutes have been transcribed from a recording but are not a verbatim or quoted version; they are rather a documentation of the meeting events.*

\* A clerical error was identified regarding a citation on Non-binding Note 6 within the Town of New Bremen review and has been corrected | Section 640 → 610 (C)(2).