

**Town/Village of Lowville Planning Board
Regular Meeting
Wednesday, January 23, 2019
7:00 P.M.**

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The meeting was called to order by Daniel O'Brien at 7:03 p.m.

1. The Town/Village of Lowville Planning Board met on this date and a roll call of attendance showed the following members present:
Jeff Sauter Suzanne Peters Daniel O'Brien Rebecca Kelly

Absent: Henry Avallone, Donald Cooke, Lisa Hetzner

Others present: Michael Hanno, Applicant Representative; Carla Hellinger, T/V ZBA Member; Ruth Laribee, Town of Lowville Board Member; Ned Merrell, Applicant Representative; Tom Kovach, Applicant Representative; Kevin Bamann, Applicant Representative; Kathy Manning, Zoning Officer

2. Reading and Approval of Minutes
December 19, 2018

A MOTION was made by Jeff to approve the minutes as written. The motion was seconded by Rebecca. All members present in favor. Motion carried.

3. Communications and reports.

- a. Per the e-mail provided to you on January 8, 2019, you were requested to review the Town of Lowville Policy Against Discrimination and Harassment. Enclosed please find the acknowledgement. Please complete and bring it with you to the meeting. If you have any questions, you may contact Randy Schell, Town Supervisor.

All members present supplied their acknowledgement form to Kathy.

- b. Kathy explained the Village of Lowville has an update to their zoning map and supplied the updated maps to the members present. Kathy also supplied copies of the Planning Board News to the members present.

4. Unfinished Business
None

5. New Business:

- a. **Application SD2019-1**, submitted by **Kovach Land Surveying on behalf of Darryl Roggie**, requesting minor subdivision approval in accordance with Town of Lowville Law Chapter 240, in an AG Zone. The parcel is owned by Darryl Roggie, located on State Route 26, Town of Lowville, New York, tax parcel number 143.00-02-08.000.

The applicant has requested a waiver in accordance with §240-11

The application and its contents were reviewed by the board. The SEQR short form Parts II and III were completed by the board.

A MOTION was made by Suzanne to deem Application SD2019-1 an unlisted action and issue a negative declaration for environmental significance in accordance with 6 NYCRR Part 617. The motion was seconded by Dan. All members present in favor. Motion carried.

A MOTION was made by Rebecca to deem Application SD2019-1 complete and waive the public hearing in accordance with §240-11. The motion was seconded by Jeff. All members present in favor. Motion carried.

A MOTION was made by Jeff to approve Resolution SD2019-1. The motion was seconded by Suzanne. All members present in favor. Motion carried. A copy of the motion is attached to these minutes.

b. **Application SD2019-2**, submitted by **Kovach Land Surveying on behalf of Earl Nolt**, requesting minor subdivision approval in accordance with Town of Lowville Law Chapter 240, in a CB-R Zone. The parcel is owned by Earl Nolt, located on State Route 812, Town of Lowville, New York, tax parcel number 195.00-03-04.000.

The applicant has requested a waiver in accordance with §240-11

Per DEC website:

**https://www.dec.ny.gov/permits/90206.html#archeologically_sensitive_areas
Archeologically Sensitive Areas**

The Archeological Sensitivity Maps for NYS show areas, in general where documented archeological sites have been discovered and where there is the potential for additional sites to be found. The exact locations are not displayed since they are protected from disclosure by Section 304 (16 USC 4702-3) of the National Historic Preservation Act of 1966 and Section 427.8 of the implementing regulations for the State Historic Preservation Act of 1980.

The Archeologically Sensitive Areas shown on the SHPO website reflect known sites protected by randomly placed buffer zones. These defined sites with their buffer zones are used by the SHPO to provide recommendations to state and federal agencies regarding the need for archeological surveys.

There was discussion regarding the DEC determination on the SEQR form Part I indicating the parcel is potentially in an Archeologically Sensitive Area and the criteria involved. There was discussion that the application is for a minor subdivision and will not be disrupting and soil. There may need to be more information obtained when the application for site plan review is submitted.

The application and its contents were reviewed by the board. The SEQR short form Parts II and III were completed by the board.

A MOTION was made by Rebecca to deem Application SD2019-2 an unlisted action and issue a negative declaration for environmental significance in accordance with 6 NYCRR Part 617. The motion was seconded by Jeff. All members present in favor. Motion carried.

A MOTION was made by Suzanne to deem Application SD2019-2 complete and waive the public hearing in accordance with §240-11. The motion was seconded by Rebecca. All members present in favor. Motion carried.

A MOTION was made by Jeff to approve Resolution SD2019-2. The motion was seconded by Suzanne. All members present in favor. Motion carried. A copy of the motion is attached to these minutes.

c. **Application SD2019-3**, submitted by **Merrell and Merrell on behalf of David and Marcia Roes**, requesting minor subdivision approval in accordance with Town of Lowville Zoning Law Chapter 240, Article III in AG, CB-R, and R-40 with an I-3 Overlay Zone. The parcel is owned by David and Marcia Roes, located at 8602 State Route 26, Town of Lowville, New York, tax parcel number 160.00-02-04.000.

Please note this application was previously supplied and approved as application SD2018-2. The subdivision maps were not filed within the 62 day timeframe. Consequently, the applicant must reapply. I was unable to copy the map for you. Feel free to stop by the office to view the map. The applicant has requested a waiver in accordance with 240-11.

There was discussion with Mr. Merrell regarding the purpose of the resubmission.

The application and its contents were reviewed by the board. The SEQR short form Parts II and III were completed by the board.

A MOTION was made by Rebecca to deem Application SD2019-3 an unlisted action and issue a negative declaration for environmental significance in accordance with 6 NYCRR Part 617. The motion was seconded by Jeff. All members present in favor. Motion carried.

A MOTION was made by Suzanne to deem Application SD2019-3 complete and waive the public hearing in accordance with §240-11. The motion was seconded by Rebecca. All members present in favor. Motion carried.

A MOTION was made by Jeff to approve Resolution SD2019-3. The motion was seconded by Suzanne. All members present in favor. Motion carried. A copy of the motion is attached to these minutes.

d. **Application SP2019-1**, submitted by **Lowville Food Pantry, Inc**, requesting site plan review and special use permit approval for a change in use in accordance with Village of Lowville Law Chapter 201, Articles IX and XI, in an I Zone. The parcel is owned by Lowville Food Pantry, located at 5502 Trinity Avenue, Village of Lowville, New York, tax parcel number 212.08-08-03.000.

There was discussion on the purpose of the need for site plan review and a special use permit for a use which appears to be the same as in the past. Kathy commented that the referral came from the zoning officer and that Village law requires the Planning Board to review and approve this application.

The application and its contents were reviewed by the board. Items A-Y were reviewed by the board. The SEQR short form Parts II and III were completed by the board.

A MOTION was made by Suzanne to deem Application SP2019-1 an unlisted action and issue a negative declaration for environmental significance in accordance with 6 NYCRR Part 617. The motion was seconded by Dan. All members present in favor. Motion carried.

The Site Plan Review form was completed up to page 4, Item 16.

A MOTION was made by Jeff to deem Application SP2019-1 complete and schedule the public hearing for February 27, 2019. The motion was seconded by Rebecca. All members present in favor. Motion carried.

e. **Application SP2019-2**, submitted by **GYMO on behalf of the Village of Lowville**, requesting site plan review and special use permit approval to allow construction of a structure designated as Essential Facilities in accordance with Village of Lowville Law Chapter 201, Articles IX and XI, in an R Zone. The parcel is owned by Village of Lowville, located at 7519 East State Street, Village of Lowville, New York, tax parcel number 212.12-06-16.000.

Kevin Bamann provided the board with an overview of the proposed project including this building and potential future subdivision of the parcel. There was discussion regarding the potential for the building to be a brick structure. There was discussion regarding the noise levels the pumps would be delivering. The board indicated they would not be able to deem the application complete due to the plans not complying with the Village law. The Board reviewed items A-Y to determine if there was any other information lacking on the application and plans. The board indicated to the applicant they will need to supply the decibel levels of the pumps, landscaping and screening between the building and the house, if brick is a requirement and if the building will be brick or vinyl.

There was discussion regarding the submittal deadline. Kevin indicated he will supply the information to Kathy in advance of the deadline which will be February 14, 2019.

6. Adjournment

A MOTION was made by Jeff to adjourn the meeting. The motion was seconded by Rebecca. All members in favor. Motion carried. The meeting adjourned at 8:47 p.m.

Submitted by,



Katharine B. Manning
January 24, 2019

Note: These minutes have been transcribed from a recording. The minutes are not a verbatim or quoted version; they are rather a documentation of the meeting with motions and resolutions included.

COPY

At a Regular Meeting on January 23, 2019, the Town of Lowville HELD/WAIVED a public hearing in reference to the following application at the Town Offices, 5533 Bostwick Street, Lowville, New York

The public hearing was opened/waived on _____ at _____ and closed at _____

A **MOTION** was made by Jeffrey to Approve/Disapprove/Approve **with conditions** Application SD2019-1.

BE IT RESOLVED, the Town of Lowville Planning Board Approves/Disapproves/Approves **with the following conditions** Application SD2019-1, submitted by **Kovach Land Surveying on behalf of Darryl Roggie**, requesting minor subdivision approval in accordance with Town of Lowville Law Chapter 240, in an AG Zone. The parcel is owned by Darryl Roggie, located on State Route 26, Town of Lowville, New York, tax parcel number 143.00-02-08.000.

Conditions are as follows:

1. _____
2. _____

Further, the Town of Lowville Planning Board has reviewed all items in accordance with zoning and general municipal requirements. These requirements are reflected in the minutes of the January 23, 2019 planning board meeting. A public hearing was WAIVED held on _____, the application was deemed complete on January 23, 2019 in accordance with general municipal law.

The motion was seconded by Suzanne. A roll call vote showed the following:

<u>Suzanne Peters</u>	<u>(Y)</u>	<u>N</u>	<u>R</u>	<u>Daniel O'Brien</u>	<u>(Y)</u>	<u>N</u>	<u>R</u>
<u>Henry Avallone</u>	<u>Y</u>	<u>N</u>	<u>R</u>	<u>Rebecca Kelly</u>	<u>(Y)</u>	<u>N</u>	<u>R</u>
<u>Jeffrey Sauter</u>	<u>(Y)</u>	<u>N</u>	<u>R</u>	<u>Alt. Donald Cooke</u>	<u>Y</u>	<u>N</u>	<u>R</u>
				<u>Alt. Lisa Hetzner</u>	<u>Y</u>	<u>N</u>	<u>R</u>

Motion Carried.

[Signature]
Signature of Planning Board Chair

Y - Yea
N - Nay
R - Recusal

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The public hearing was opened/waived on _____ at _____ and closed at _____

A **MOTION** was made by Jeff to Approve/Disapprove/Approve **with conditions** Application SD2019-2.

BE IT RESOLVED, the Town of Lowville Planning Board Approves/Disapproves/Approves **with the following conditions** Application **SD2019-2**, submitted by **Kovach Land Surveying on behalf of Earl Nolt**, requesting minor subdivision approval in accordance with Town of Lowville Law Chapter 240, in a CB-R Zone. The parcel is owned by Earl Nolt, located on State Route 812, Town of Lowville, New York, tax parcel number 195.00-03-04.000.

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The motion was seconded by Suzanne. A roll call vote showed the following:

<u>Suzanne Peters</u>	<u>(Y)</u>	N	R	<u>Daniel O'Brien</u>	<u>(Y)</u>	N	R
<u>Henry Avallone</u>	Y	N	R	<u>Rebecca Kelly</u>	<u>(Y)</u>	N	R
<u>Jeffrey Sauter</u>	<u>(Y)</u>	N	R	<u>Alt. Donald Cooke</u>	Y	N	R
				<u>Alt. Lisa Hetzner</u>	Y	N	R

Motion Carried.

R. O. H.
Signature of Planning Board Chair

Y - Yea
N - Nay
R - Recusal

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The public hearing was opened/waived on _____ at _____ and closed at _____

A **MOTION** was made by Jeff to Approve/Disapprove/Approve **with conditions** Application SD2019-3.

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Conditions are as follows:

1. _____
2. _____

Further, the Town of Lowville Planning Board has reviewed all items in accordance with zoning and general municipal requirements. These requirements are reflected in the minutes of the January 23, 2019 planning board meeting. A public hearing was WAIVED/held on _____, the application was deemed complete on January 23, 2019 in accordance with general municipal law.

The motion was seconded by Daniel. A roll call vote showed the following:

<u>Suzanne Peters</u>	<u>Y</u>	<u>N</u>	<u>R</u>	<u>Daniel O'Brien</u>	<u>Y</u>	<u>N</u>	<u>R</u>
<u>Henry Avallone</u>	<u>Y</u>	<u>N</u>	<u>R</u>	<u>Rebecca Kelly</u>	<u>Y</u>	<u>N</u>	<u>R</u>
<u>Jeffrey Sauter</u>	<u>Y</u>	<u>N</u>	<u>R</u>	<u>Alt. Donald Cooke</u>	<u>Y</u>	<u>N</u>	<u>R</u>
				<u>Alt. Lisa Hetzner</u>	<u>Y</u>	<u>N</u>	<u>R</u>

Motion Carried.

D. O'Brien
Signature of Planning Board Chair

Y - Yea
N - Nay
R - Recusal