

Town/Village of Lowville Planning Board
Regular Meeting
Wednesday, June 26, 2019
7:00 P.M.

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The meeting was called to order by Chairperson Dan O'Brien at 7:00 p.m.

BY:.....

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

Others present: Ben Fouse, Applicant Representative; Bill Mueller, Applicant; Ruth Larabee, Town Council; Bob Mullin, Town Council; Kathy Manning, Administrative Assistant/Town Zoning Officer

2. Reading and Approval of Minutes
May 22, 2019
A MOTION was made by Rebecca to approve the minutes as written. The motion was seconded by Suzanne. All members present in favor. Motion carried.

3. Communications and reports.
Draft "Rules of Conduct"
This item was tabled until new business was complete.

4. Unfinished Business
None

There was discussion regarding changing the schedule of the agenda for new business due to certain applicants attendance at the meeting. It was agreed that Mr. Muellers' application and Boulevard Properties would be adjusted to appear before the other applications.

5. New Business:
a. b. **Application SD2019-5**, submitted by **Kovach Land Surveying on behalf of William Mueller**, requesting minor subdivision approval in accordance with Town of Lowville, Chapter 240, Articles III, IV, V and VI, Minor Subdivision Approval in a R-30B Zone. The parcel is owned by William Mueller, located at 7765 Ridge Road, Town of Lowville, New York, tax parcel number 195.00-01-06.000.

The application and its contents were reviewed by the board. There was general discussion regarding the subdivision.

The SEQR short form was reviewed by the board. A MOTION was made by Rebecca to deem Application SD2019-5 an unlisted action in accordance with NYCRR Part 617 and issue a negative declaration for environmental significance. The motion was seconded by Jeff. All members in favor. Motion carried.

There was discussion if the application meets the criteria of Chapter 240, Article II, 240-11, Minor Subdivision Waiver for the public hearing requirement. All agreed it does.

A MOTION was made by Rebecca to deem Application SD2019-5 complete and waive the public hearing. The motion was seconded by Henry. All members in favor. Motion carried.

A MOTION was made by Rebecca to approved Resolution SD2019-5. The motion was seconded by Jeff. All members in favor. Motion carried. A copy of the resolution is included with these minutes and in the original record.

b. ~~d~~ **Application SP2019-3**, submitted by **Boulevard Properties, LLC**, requesting site plan review and special use permit approval to install an expansion to a solar array in accordance with Village of Lowville, Chapter 201, Article VI, Solar Energy Systems; Article IX, Site Plan Review and Article XI, Special Use Permit in an AC Zone. The parcel is owned by Boulevard Properties, LLC, located at 7383 Utica Boulevard, Village of Lowville, New York, tax parcel number 212.16-03-10.110.

The application and its contents were reviewed by the board. There was general discussion regarding the project. Items A-Y of the application were reviewed by the board.

The SEQR short form was reviewed by the board. A MOTION was made by Suzanne to deem Application SP2019-3 an unlisted action in accordance with NYCRR Part 617 and issue a negative declaration for environmental significance. The motion was seconded by Jeff. All members in favor. Motion carried.

The Site Plan Review form was completed through Item 18.

There was discussion if the public hearing could be waived for this application. It was determined that the requirement to refer the application to the County Planning Department wouldn't allow any additional time to the applicant.

A MOTION was made by Jeff to deem Application SP2019-3 complete, refer the application to the County Planning Department and schedule the public hearing for July 24, 2019. The motion was seconded by Suzanne. All members in favor. Motion carried.

c. ~~a~~ **Application SD2019-4**, submitted by **Kovach Land Surveying on behalf of Jeremy Steria**, requesting minor subdivision approval in accordance with Town of Lowville, Chapter 240, Articles III, IV, V and VI, Minor Subdivision Approval in R-30B and OC Zones. The parcel is owned by Jeremy and Andrea Steria, located at 5768 Waters Road, Town of Lowville, New York, tax parcel number 213.00-01-46.000.

The board reviewed the application and its contents. There was general discussion regarding the application location and lot lines.

The SEQR short form was reviewed by the board. A MOTION was made by Dan to deem Application SD2019-4 an unlisted action in accordance with NYCRR Part 617 and issue a negative declaration for environmental significance. The motion was seconded by Rebecca. All members in favor. Motion carried.

There was discussion if the application meets the criteria of Chapter 240, Article II, 240-11, Minor Subdivision Waiver for the public hearing requirement. All agreed it does.

A MOTION was made by Jeff to deem Application SD2019-4 complete and waive the public hearing. The motion was seconded by Suzanne. All members in favor. Motion carried.

A MOTION was made by Suzanne to approved Resolution SD2019-4. The motion was seconded by Henry. All members in favor. Motion carried. A copy of the resolution is included with these minutes and in the original record.

d. e. **Application SD2019-6**, submitted by **Kovach Land Surveying on behalf of John Zubrzycki, et al**, requesting minor subdivision approval in accordance with Town of Lowville, Chapter 240, Articles III, IV, V and VI, Minor Subdivision Approval in an AG Zone. The parcel is owned by John Zubrzycki, et al, located at 7799 State Route 12, Town of Lowville, New York, tax parcel number 194.00-01-07.200.

The board reviewed the application and its contents. There was general discussion regarding the application.

The SEQR short form was reviewed by the board. A MOTION was made by Dan to deem Application SD2019-6 an unlisted action in accordance with NYCRR Part 617 and issue a negative declaration for environmental significance. The motion was seconded by Henry. All members in favor. Motion carried.

There was discussion if the application meets the criteria of Chapter 240, Article II, 240-11, Minor Subdivision Waiver for the public hearing requirement. All agreed it does.

A MOTION was made by Suzanne to deem Application SD2019-6 complete and waive the public hearing. The motion was seconded by Rebecca. All members in favor. Motion carried.

A MOTION was made by Jeff to approved Resolution SD2019-6. The motion was seconded by Henry. All members in favor. Motion carried. A copy of the resolution is included with these minutes and in the original record.

Draft "Rules of Conduct": There was discussion regarding the necessity to have the Rules of Conduct, once complete, posted for applicants to review. Suzanne indicated that item 15 doesn't flow verbally. Kathy indicated she would correct it and supply the corrected version for the July meeting. This item was tabled for correction.

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 8:16 p.m.

Submitted by,

A handwritten signature in blue ink that reads "Katharine B. Manning". The signature is written in a cursive style with a large, stylized initial "K".

Katharine B. Manning
June 27, 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 June 26, 2019/July 24, 2019, the Town/Village of Lowville held 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 June 26, 2019/July 24, 2019 at _____ and closed at _____

A MOTION was made by Rebecca Kelly to Approve/Disapprove/Approve with conditions Application SD2019-5.

BE IT RESOLVED, the Town/Village of Lowville Planning Board Approves/Disapproves/Approves with the following conditions Application SD2019-5, submitted by **Kovach Land Surveying on behalf of William Mueller**, requesting minor subdivision approval in accordance with Town of Lowville, Chapter 240, Articles III, IV, V and VI, Minor Subdivision Approval in a R-30B Zone. The parcel is owned by William Mueller, located at 7765 Ridge Road, Town of Lowville, New York, tax parcel number 195.00-01-06.000.

Conditions are as follows:

1. _____
2. _____

Further, the Town/Village 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 June 26, 2019 planning board meeting. A public hearing was held waived on June 26, 2019/July 24, 2019, the application was deemed complete on June 26, 2019 in accordance with general municipal law.

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

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

Motion Carried.

[Signature]
Signature of Planning Board Chair

Y – Yea N – Nay R – Recusal Absent - A

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The public hearing was opened/waived on June 26, 2019/July 24, 2019 at _____ and closed at _____

A **MOTION** was made by Suzanne Peters to Approve/Disapprove/Approve with conditions Application SD2019-4.

BE IT RESOLVED, the Town/Village of Lowville Planning Board Approves/Disapproves/Approves with the following conditions Application **SD2019-4**, submitted by **Kovach Land Surveying on behalf of Jeremy Steria**, requesting minor subdivision approval in accordance with Town of Lowville, Chapter 240, Articles III, IV, V and VI, Minor Subdivision Approval in R-30B and OC Zones. The parcel is owned by Jeremy and Andrea Steria, located at 5768 Waters Road, Town of Lowville, New York, tax parcel number 213.00-01-46.000.

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

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

Motion Carried.

[Signature]
Signature of Planning Board Chair

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

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

Motion Carried.

Ri Ori
Signature of Planning Board Chair

Y – Yea N – Nay R – Recusal Absent - A