

Town/Village of Lowville Planning Board
Regular Meeting
Wednesday, May 26, 2021
7:00 P.M.

RECEIVED
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BY:

The meeting was called to order by Vice Chairperson Daniel O'Brien at 7:00 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 in person or via Zoom:
Suzanne Peters Jeff Sauter Rebecca Kelly Henry Avallone
Daniel O'Brien Donald Cooke, Alt. Lisa Hetzner, Alt. (arrived 7:15 p.m.)

Others present: S. Michael Steiger, Applicant Representative; Scott Gilbert, Applicant Representative; Howard Lyndaker, Applicant Representative; Chris & Jennifer Kain, Applicant; Mickey Deitrich, Tug Hill Commission; Kevin Brouillard, Lewis County Planning Office; Kathy Manning, Administrative Assistant/Town Zoning Officer

2. Reading and Approval of Minutes - April 28, 2021
A MOTION was made by Rebecca to approve the minutes as written. The motion was seconded by Jeff. Dan recused himself as he was absent from the meeting. All other members in favor. Motion carried.
3. Communications and reports.
None
4. Old Business:
Kathy commented that some of the comments and recommendations supplied by the County Planning Department for the next two (2) applications are items which had been reviewed and resolved by this board at the previous meeting. The County does not receive any documentation regarding the review by this board, they receive a copy of the application as supplied to this board.
 - a. The public hearing is for **Application SPA2021-1**, submitted by **SMSA Architectural Services on behalf of Elaine Nolt**, requesting site plan review approval to expand a retail business in accordance with Town of Lowville, Chapter 250, Article X in a CB-R Zone. The parcel is owned by Elaine Nolt, located at 7189 State Route 812, Town of Lowville New York, tax parcel number 195.00-03-03.000.

The public hearing was opened at 7:07 p.m.
There was discussion regarding the comments and recommendations supplied by the County Planning Department which were supplied to each member via e-mail prior to the meeting and hard copies at this meeting and are included with the original record. The board discussed the planting schedule as supplied by the applicant representative, Mr. Steiger. There was general discussion regarding the location of the proposed landscaping. The members of the public present were asked if there were any comments. There was no public comment on this application.
The public hearing was closed at 7:10 p.m.

A MOTION was made by Rebecca to deem Resolution SPA2021-1 complete. The motion was seconded by Henry. All members in favor. Motion carried. A copy of the Resolution is included with these minutes and included with the original record.

b. The public hearing is for **Application SP2021-1**, submitted by **Tug Hill Artisan Roasters on behalf of North Country Transitional Living**, requesting a special use permit which includes site plan review approval to convert a structure to mixed use development in accordance with Village of Lowville, Chapter 201 Articles XI and IX in a VC Zone. The parcel is owned by North Country Transitional Living, located at 7514 South State Street, Village of Lowville, New York, tax parcel number 212.11-07-29.100.

The public hearing was opened at 7:14 p.m.

There was discussion regarding the need for the board to complete the Special Use Permit checklist. There was discussion regarding the comments and recommendations from the County Planning Department which were supplied to the board members via e-mail prior to the meeting and hard copies supplied at this meeting and are included in the original record. There was discussion regarding the necessity for the applicant to contact the NYS DOT regarding potential permitting for access on the state highway. The other items receiving comments had been resolved by this board at the April meeting. The members of the public present were asked if there were any comments. There was no public comment on this application.

The public hearing was closed at 7:25 p.m.

A MOTION was made by Jeff to approved Resolution SP2021-1. The motion was seconded by Suzanne. All members in favor. Motion carried. A copy of the Resolution is included with these minutes and included with the original record.

5. New Business:

a. **Application SD2021-3**, submitted by **Kovach Land Surveying PC on behalf of Darryl W. Roggie**, requesting minor subdivision approval to allow conveyance of 1.49 +/- acres from 79.9 +/- acres in compliance with Town of Lowville, Chapter 240, Subdivision of Land in an AG Zone. The parcel is owned by Darryl W. Roggie, located at 8692 State Route 26 and Shack Road, Town of Lowville, New York, tax parcel number 160.00-01-10.000.

The applicant has requested a waiver of the public hearing in accordance with §240-11.

The application and its contents were reviewed by the board.

The SEQR short form was reviewed with Parts II and III completed by the board.

A MOTION was made by Suzanne to deem Application SD2021-3 an unlisted action issuing a negative declaration for environmental significance. The motion was seconded by Rebecca. All members in favor. Motion carried.

There was discussion regarding the request for the waiver of the public hearing and if the board felt the application meets the criteria for the waiver. It was decided the application does meet the criteria and the board will waive the public hearing in accordance with 240-11.

A MOTION was made by Rebecca to deem Application SD2021-3 complete waiving the public hearing in accordance with 240-11. The motion was seconded by Jeff. All member in favor. Motion carried.

A MOTION was made by Suzanne to approve Resolution SD2021-3. The motion was seconded by Henry. All members in favor. Motion carried. A copy of the Resolution is included with these minutes and included in the original record.

b. **Application SPA2021-2**, submitted by **Christopher and Jennifer Kain d/b/a Foothills Market, LLC**, requesting site plan review approval to convert a motel to a retail business in accordance with Town of Lowville, Chapter 250, Article X, Site Plan Review in a CB-R Zone. The parcel is owned by Foothills Market, LLC, located at 7713 State Route 12, Town of Lowville, New York, tax parcel number 194.00-02-26.111.

There was discussion regarding the application and its contents. Items A-Y were reviewed by the board. There were questions regarding the landscaping, buffering and screening. There was discussion regarding the NYS DOT and the location of the sign which will not be located in the right-of-way per a discussion with NYS DOT. There was discussion regarding the necessity for the application to be forwarded to the County Planning Department in accordance with General Municipal Law 239-m and l. The board completed the Site Plan Review Checklist.

The SEQR short form was reviewed with Parts II and III completed by the board.

A MOTION was made by Rebecca to deem Application SPA2021-2 an unlisted action issuing a negative declaration for environmental significance. The motion was seconded by Jeff. All members in favor. Motion carried.

A MOTION was made by Suzanne to deem Application SPA2021-2 complete, referring the application to the County Planning Department and scheduling the public hearing for June 23, 2021. The motion was seconded by Rebecca. All members in favor. Motion carried.

6. Adjournment

A MOTION was made by Jeff to adjourn the meeting. The motion was seconded by Suzanne. All members in favor. Motion carried. The meeting adjourned at 8:04 p.m.

Submitted by,



Katharine B. Manning
May 27, 2021

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.

At a Regular Meeting on May 26, 2021, 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 on May 26, 2021 at 7:07 and closed at 7:10

A **MOTION** was made by Rebecca Kelly to Approve/Disapprove/Approve with conditions Application SPA2021-1.

BE IT RESOLVED, the Town/Village of Lowville Planning Board Approves/Disapproves/Approves with conditions Application **SPA2021-1**, submitted by **SMSA Architectural Services on behalf of Elaine Nolt**, requesting site plan review approval to expand a retail business in accordance with Town of Lowville, Chapter 250, Article X in a CB-R Zone. The parcel is owned by Elaine Nolt, located at 7189 State Route 812, Town of Lowville New York, tax parcel number 195.00-03-03.000.

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 April 28, 2021 planning board meeting. A public hearing was held on May 26, 2021, the application was deemed complete on April 28, 2021 in accordance with general municipal law. Further, in accordance with General Municipal Law, 239-m because the project is situated within 500 feet of a state highway, the application was referred to the County Planning Department for their recommendation which has been reviewed by this board and is included with the original record.

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

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

Motion Carried.

[Signature]
Signature of Planning Board Chair

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At a Regular Meeting on May 26, 2021, 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 on May 26, 2021 at 7:14 and closed at 7:25

A **MOTION** was made by Jeff Sauter to Approve/Disapprove/Approve with conditions Application SP2021-1.

BE IT RESOLVED, the Town/Village of Lowville Planning Board Approves/Disapproves/Approves with conditions Application SPA2021-1, submitted by **Tug Hill Artisan Roasters on behalf of North Country Transitional Living**, requesting a special use permit which includes site plan review approval to convert a structure to mixed use development in accordance with Village of Lowville, Chapter 201 Articles XI and IX in a VC Zone. The parcel is owned by North Country Transitional Living, located at 7514 South State Street, Village of Lowville, New York, tax parcel number 212.11-07-29.100

Conditions are as follows:

1. _____
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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 April 28, 2021 planning board meeting. A public hearing was held on May 26, 2021, the application was deemed complete on April 28, 2021 in accordance with general municipal law. Further, in accordance with General Municipal Law, 239-m because the project is situated within 500 feet of a state highway, the application was referred to the County Planning Department for their recommendation which has been reviewed by this board and is included with the original record.

The motion was seconded by Suzanne Peters. 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

COPY

At a Regular Meeting on May 26, 2021, the Town/Village 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 May 26th 2021 at _____ and closed at _____. The board has determined the application meets the criteria for a waiver of the public hearing in accordance with §240-11.

A MOTION was made by Suzanne Peters to Approve/Disapprove/Approve with conditions Application SD2021-3.

BE IT RESOLVED, the Town/Village of Lowville Planning Approve/Disapprove/Approve with conditions Application SD2021-3, submitted by Kovach Land Surveying PC on behalf of Darryl W. Roggie, requesting minor subdivision approval to allow conveyance of 1.49 +/- acres from 79.9 +/- acres in compliance with Town of Lowville, Chapter 240, Subdivision of Land in an AG Zone. The parcel is owned by Darryl W. Roggie, located at 8692 State Route 26 and Shack Road, Town of Lowville, New York, tax parcel number 160.00-01-10.000.

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 May 26, 2021 planning board meeting. A public hearing was held/waived on May 26, 2021, the application was deemed complete on May 26, 2021 in accordance with general municipal law.

The motion was seconded by Henry. 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