

**Town/Village of Lowville Planning Board  
Regular Meeting  
Wednesday, July 28, 2021  
7:00 P.M.**

**RECEIVED**  
JUL 29 2021

BY: .....

The meeting was called to order by Vice Chairperson Suzanne Peters 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                      Lisa Hetzner  
Absent: Daniel O'Brien, Rebecca Kelly, Henry Avallone, Donald Cooke

**Others present:** Laurie Kunert, Applicant Representative; Amber Astafan, Applicant; Steve Olmstead, Applicant Representative; Henry Avallone (attended Board of Assessment Review); Kathy Manning, Administrative Assistant/Town Zoning Officer

2. Reading and Approval of Minutes – June 23, 2021  
It was necessary to table this item due to the lack of a voting quorum.
3. Communications and reports.  
Kathy indicated Jeff should contact Aimee regarding the Workplace Violence training. Lisa commented that she will need to complete the Sexual Harassment training. She will contact Aimee.
4. Old Business:  
None
5. New Business:
  - a. **Application SD2021-4**, submitted by **Number Three Wind, LLC on behalf of Richard F. Weller** requesting minor subdivision approval to convey 2.066+/- acres and 3.333 +/- acres from 80.6 +/- acres for non-residential purposes in accordance with Town of Lowville, Chapter 240, Minor Subdivision in an AG Zone. The parcel is owned by Richard F. Weller, located on Number Three and Buell Roads, Town of Lowville, New York, tax parcel number 177.00-01-20.100.

There was discussion regarding the Article 10 process and the environmental review involved. Kathy commented she was impressed with the procedure.

The application and its contents were reviewed by the board. There was discussion regarding deferring to the Article 10 proceeding performed by the PSC for any environmental concerns. All members were present in favor of deferring to the PSC. There was discussion if the board felt the application met the criteria for a waiver of the public hearing in accordance with §240-11. All members present agreed the application meets the criteria and are in favor of waiving the public hearing.

A MOTION was made by Jeff to deem Application SD2021-4 complete, waiving the public hearing in accordance with 240-11. The motion was seconded by Lisa. All members present in favor. Motion carried.

A MOTION was made by Lisa to approve Resolution SD2021-4. The motion was seconded by Jeff. All members present in favor. Motion carried. A copy of the Resolution is included with these minutes.

b. **Application SD2021-5**, submitted by **Number Three Wind, LLC on behalf of Earl Mervin Nolt** requesting minor subdivision approval to convey 11.478 +/- acres from 160.9 +/- acres for non-residential purposes in accordance with Town of Lowville, Chapter 240, Minor Subdivision in an OC Zone. The parcel is owned by Earl Mervin Nolt, located at 7188 State Route 812, Town of Lowville, New York, tax parcel number 196.00-01-31.110.

The application and its contents were reviewed by the board. There was discussion regarding deferring to the Article 10 proceeding performed by the PSC for any environmental concerns. All members were present in favor of deferring to the PSC. There was discussion if the board felt the application met the criteria for a waiver of the public hearing in accordance with §240-11. All members present agreed the application meets the criteria and are in favor of waiving the public hearing.

A MOTION was made by Jeff to deem Application SD2021-5 complete, waiving the public hearing in accordance with 240-11. The motion was seconded by Lisa. All members present in favor. Motion carried.

A MOTION was made by Lisa to approve Resolution SD2021-5. The motion was seconded by Jeff. All members present in favor. Motion carried. A copy of the Resolution is included with these minutes.

c. SPA2020-2, Journey Physical Therapy/Amber Astafan/Steve Olmstead: Does not appear to comply with 250-46 A (9), 250-57, 250-85 or 250-86.

There was discussion regarding the letter and updated planting schedule provided. Mr. Olmstead indicated that the schedule indicates what plants are installed. There was discussion if the members present felt the landscaping meets the intent of the law. All members present agreed that the landscaping meets the intent of the law and approved the revised planting schedule/site plan.

6. Adjournment

A MOTION was made by Jeff to adjourn the meeting. The motion was seconded by Lisa. All members in favor. Motion carried. The meeting adjourned at 8:00 p.m.

Submitted by,



Katharine B. Manning  
July 29, 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.**

COPY

At a Regular Meeting on 7/28/21, 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 7/28/21 at \_\_\_\_\_ and closed at \_\_\_\_\_

A **MOTION** was made by Lisa to Approve/Disapprove/Approve with conditions Application SD2021-4.

**BE IT RESOLVED**, the Town/Village of Lowville Planning Approve/Disapprove/Approve with conditions Application **SD2021-4**, submitted by **Number Three Wind, LLC on behalf of Richard F. Weller** requesting minor subdivision approval to convey 2.066 +/- acres and 3.333 +/- acres from 80.6 +/- acres for non-residential purposes in accordance with Town of Lowville, Chapter 240, Minor Subdivision in an AG Zone. The parcel is owned by Richard F. Weller, located on Number Three and Buell Roads, Town of Lowville, New York, tax parcel number 177.00-01-20.100.

Conditions are as follows:

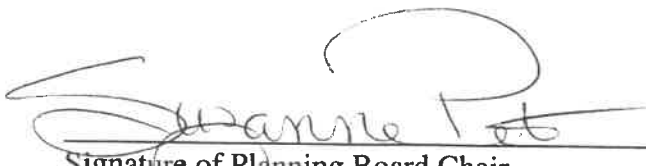
1. \_\_\_\_\_
2. \_\_\_\_\_

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 July 28, 2021 planning board meeting. A public hearing was held/waived on 7/28/2021, the application was deemed complete on July 28, 2021 in accordance with general municipal law.

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

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

Motion Carried.

  
Signature of Planning Board Chair

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



At a Regular Meeting on 7/28/21, 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 7/28/21 at \_\_\_\_\_ and closed at \_\_\_\_\_

A MOTION was made by Lisa to Approve/Disapprove/Approve with conditions Application SD2021-5.

**BE IT RESOLVED**, the Town/Village of Lowville Planning Approve/Disapprove/Approve with conditions Application SD2021-5, submitted by Number Three Wind, LLC on behalf of Earl Mervin Nolt requesting minor subdivision approval to convey 11.478 +/- acres from 160.9 +/- acres for non-residential purposes in accordance with Town of Lowville, Chapter 240, Minor Subdivision in an OC Zone. The parcel is owned by Earl Mervin Nolt, located at 7188 State Route 812, Town of Lowville, New York, tax parcel number 196.00-01-31.110.

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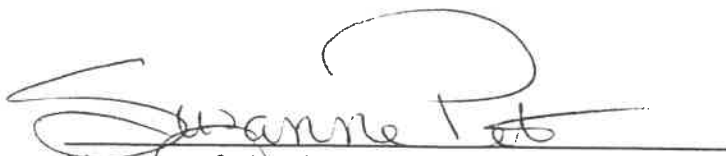
1. \_\_\_\_\_
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Further, the Town/Village of Lowville Planning Board has reviewed all items in accordance with zoning and general municipal requirements. These requirements are reflected in the minutes of the July 28, 2021 planning board meeting. A public hearing was held/waived on 7/28/21, the application was deemed complete on July 28, 2021 in accordance with general municipal law.

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

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

Motion Carried.

  
Signature of Planning Board Chair

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

