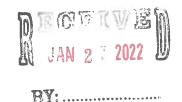
Town/Village of Lowville Planning Board Regular Meeting Wednesday, January 26, 2022 7:00 P.M.



The meeting was called to order by Vice Chair Suzanne Peters at 7:01 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

Rebecca Kelly

Suzanne Peters

Henry Avallone

Lisa Hetzner

Donald Cooke

Absent: Daniel O'Brien

Others present: Howard Lyndaker, Applicant Representative; Michael Young, Esq., Applicant Representative; Kathy Manning, Administrative Assistant/Town Zoning Officer

2. Reading and Approval of Minutes

October 27, 2021 – A MOTION was made by Jeff to approve the minutes as written. The motion was seconded by Rebecca. Henry abstained from voting as he was absent from the meeting. All other members present, in favor. Motion carried.

3. Communications and reports.

Jeff indicated he would like to speak regarding the comprehensive plan. He indicated at a recent training where he understood the planning board would have the opportunity to review and comment on the plan. Kathy indicated Jeff should contact Aimee Murphy and/or check the town website.

4. Old Business:

None

- 5. New Business:
 - a. Application SD2022-1, submitted by Kovach Land Surveying, PC on behalf of JD Realty of Lowville, LLC/ Simon JR Gingerich requesting minor subdivision approval to convey 4.89 +/- acres from 88 +/- acres for residential or non-residential purposes in accordance with Town of Lowville, Chapter 240, Minor Subdivision in an R-40 Zone. The parcel is owned by JD Realty of Lowville, LLC/ Simon JR Gingerich, located on West Martinsburg Road, Town of Lowville, New York, tax parcel number 212.00-01-47.100.

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. Kathy commented that the board had previously approved two (2) subdivisions for this parcel. There was discussion regarding the necessity for the property owner to maintain the required road frontage on another portion of the property as they were not maintaining it on the West Martinsburg Road section.

The SEQR short form was reviewed by the board. The board completed parts 2 and 3 of the short form.

A MOTION was made by Rebecca to deem Application SD2022-1 an unlisted action and issue a negative declaration for environmental significance. The motion was seconded by Lisa. All members present in favor. Motion carried.

There was discussion if the application met the criteria for a waiver of the public hearing in accordance with §240-11. All members present agreed the application met the criteria for a waiver.

A MOTION was made by Jeff to deem Application SD2022-1 complete and waive the public hearing. The motion was seconded by Henry. All members present in favor. Motion carried.

A MOTION was made by Lisa to approve Resolution SD2022-1. The motion was seconded by Jeff. All members present in favor. Motion carried. A copy of the Resolution is attached to these minutes.

b. Application SD2022-2, submitted by Kovach Land Surveying, PC on behalf of VS Virkler & Son, Inc., requesting minor subdivision approval to convey 2.97+/- acres from 6.5 +/- acres for non-residential purposes in accordance with Village of Lowville, Chapter 165, Minor Subdivision in an AC Zone. The parcel is owned by VS Virkler & Son, Inc, located at 7513 East State Street, Village of Lowville, New York, tax parcel number 212.16-02-09.151.

The applicant has requested a waiver of the public hearing in accordance with §165-5.

The application and its contents were reviewed by the board.

The SEQR short form was reviewed by the board. The board completed parts 2 and 3 of the short form. There was discussion regarding the hazardous waste question. Kathy indicated that she believes the cause for the answer being yes to this question is the village wastewater treatment plant which is within 2000 feet of the parcel.

A MOTION was made by Henry to deem Application SD2022-2 an unlisted action and issue a negative declaration for environmental significance. The motion was seconded by Rebecca. All members present in favor. Motion carried.

There was discussion if the application met the criteria for a waiver of the public hearing in accordance with §165-5. All members present agreed the application met the criteria for a waiver.

A MOTION was made by Rebecca to deem Application SD2022-2 complete and waive the public hearing. The motion was seconded by Lisa. All members present in favor. Motion carried.

A MOTION was made by Jeff to approve Resolution SD2022-2. The motion was seconded by Henry. All members present in favor. Motion carried. A copy of the Resolution is attached to these minutes.

c. Application SD2022-3, submitted by Kovach Land Surveying, PC on behalf of Nancy A. Brown, et. al., requesting minor subdivision approval to convey 0.69 +/- and 2.02 +/- acres from 66 +/- acres for residential purposes in accordance with Town of

Lowville, Chapter 240, Minor Subdivision in R-30B and OC Zones. The parcel is owned by Nancy A. Brown, et. al., located at 7813 Ridge Road, Town of Lowville, New York, tax parcel number 178.00-01-12.100.

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. Kathy commented that one of the individuals contacted in accordance with Ag & Markets law contact her. The individual had no objections to the application.

The SEQR short form was reviewed by the board. The board completed parts 2 and 3 of the short form. There was discussion regarding the flood plain.

A MOTION was made by Lisa to deem Application SD2022-3 an unlisted action and issue a negative declaration for environmental significance. The motion was seconded by Jeff. All members present in favor. Motion carried.

There was discussion if the application met the criteria for a waiver of the public hearing in accordance with §240-11. All members present agreed the application met the criteria for a waiver.

A MOTION was made by Henry to deem Application SD2022-3 complete and waive the public hearing. The motion was seconded by Lisa. All members present in favor. Motion carried.

A MOTION was made by Rebecca to approve Resolution SD2022-3. The motion was seconded by Henry. All members present in favor. Motion carried. A copy of the Resolution is attached to these minutes.

d. Application SD2022-4, submitted by Young Law Office, PLLC on behalf of Terrence J. & Minette E. Thisse, requesting minor subdivision approval to convey 0.1367 +/- acres from 0.476 +/- acres and to be combined with existing parcels owned by each party (commonly tax parcel 212.16-02-12.113 owned by Thisse to retain 0.339 +/- acres; tax parcel 212.16-02-12.114 owned by Ross Farms, Inc. to receive 0.1367 +/- acres) in accordance with Village of Lowville, Chapter 165, Minor Subdivision in AC and R Zones. The parcel is owned by Terrence J. & Minette E. Thisse, located on State Route 12, Village of Lowville, New York, tax parcel number 213.17-01-01.000. The applicant has requested a waiver of the public hearing in accordance with §165-5.

The application and its contents were reviewed by the board.

There was discussion if the application met the criteria for a waiver of the public hearing in accordance with §165-5. All members present agreed the application met the criteria for a waiver.

The SEQR short form was reviewed by the board. The board completed parts 2 and 3 of the short form. There was discussion regarding the hazardous waste question. Kathy indicated that she believes the cause for the answer being yes to this question is again, the village wastewater treatment plant which is within 2000 feet of the parcel.

A MOTION was made by Jeff to deem application SD2022-4 an unlisted action and issue a negative declaration for environmental significance. The motion was seconded by Rebecca. All members present in favor. Motion carried.

There was discussion if the application met the criteria for a waiver of the public hearing in accordance with §165-5. All members present agreed the application met the criteria for a waiver.

A MOTION was made by Lisa to deem Application SD 2022-4 complete and waive the public hearing. The motion was seconded by Jeff. All members present in favor. Motion carried.

A MOTION was made by Henry to approve Resolution SD2022-4. The motion was seconded by Rebecca. All members present in favor. Motion carried. A copy of the Resolution is attached to these minutes.

Kathy indicated she would like to speak to the board regarding projects Lewis County is planning. There was discussion regarding the Department of Social Services, Lewis County Highway and Hospital projects. The information supplied to the office was incomplete for both December and January meetings and the engineering firm missed the deadline of 10 a.m. on both dates. Kathy commented she believes the county intends to claim governmental immunity from review by this board. She shared that the county had supplied a letter to the Town and Village indicating they would like lead agency status for SEQR however their request was not in accordance with SEQR procedures. She further indicated the primary concern the town and village have is the potential environmental ramifications similar to the runoff issues with the hospital parking lot. Lisa and Rebecca discussed if they should recuse themselves should the projects come before this board.

6. Adjournment

A MOTION was made by Rebecca to adjourn the meeting. The motion was seconded by Jeff. All members in favor. Motion carried. The meeting adjourned at 8:19 p.m.

Submitted by,

Katharine B. Manning

Katharine B.

January 27, 2022

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.

	RESOLUTIO	N Number <u>SD202</u>	2-1	
At a <i>Regular Mee</i> a public hearing is Street, Lowville,	eting on January 26 n reference to the follow New York	the Tow wing application at the	n/Village of Lowville le e Town Offices, 5533	held/waived Bostwick
of the public hear	g was opened/waived of the board has doing in accordance with	etermined the applica §240-11.	tion meets the criteria f	for a waiver
A <u>MOTION</u> was with conditions A	made by Lisa happlication SD	tetzner 6	Approve/Disapprove/	'Approve
Approve/Disappre Land Surveying, requesting minor or non-residential Subdivision in an	ED, the Town/Village of ove/Approve with cond of PC on behalf of JD R subdivision approval to purposes in accordance R-40 Zone. The parce eated on West Martinsb 1-47.100.	itions Application Stealty of Lowville, Lowville, Lowville, Lowville, Edwidth Town of Lowville with Town of Lowville women by JD Rea	D2022-1 , submitted by LC/ Simon Gingerich , as from 88 +/- acres for fille, Chapter 240, Mindly of Lowville, LLC/S	, Jr. residential or Simon
Conditions are as 1	follows:			
2				
zoning and genera the <u>January 26</u> held waived on <u></u>	NVillage of Lowville Plan municipal requirement 5, 2022 plan 26 / 22 june 5, 2022 in accordance econded by	nts. These requireme nning board meeting , the appli	nts are reflected in the rank A public hearing was cation was deemed corbal law.	minutes of
following:			. Trion can vote	snowed the
Suzanne Peters (Y NRA	Daniel O'Brien	Y N R A)
Henry Avallone	Y N R A	Rebecca Kelly	Y NRA	
Jeffrey Sauter	Y N R A	Alt. Donald Cool	te Y NRA	
		Alt. Lisa Hetzner	Y NRA	
Motion Carried.				
Signature of Plann	Me Pete	<u>~</u>		
Y – Yea	N – Nay	R – Recusal	Absent - A	
	J			

1 716

RESOLUTION	Number <u>SD2022-2</u> (())
At a Regular Meeting on January 26, 2	the Town/Village of Lowville held/waived
Street, Lowville, New York	ng application at the Town Offices, 5533 Bostwick
The public hearing was opened waived on at The board has determined the public hearing in accordance with §1	San 26 22 at and closed ermined the application meets the criteria for a waiver 65.5.
A MOTION was made by Rebecco	to Approve/Disapprove/Approve
BE IT RESOLVED, the Town/Village of Approve/Disapprove/Approve with conditi	Lowville Planning Board ons Application SD2022-2, submitted by Kovach
Land Surveying, PC on behalf of VS Vir	kler & Son, Inc., requesting minor subdivision
	+/- acres for non-residential purposes in accordance
	nor Subdivision in an AC Zone. The parcel is owned East State Street, Village of Lowville, New York, tax
parcel number 212.16-02-09.151.	Last State Street, Village of Lowville, New York, tax
Conditions are as follows: 1	
1.	
2	
zoning and general municipal requirements the plant	the application was deemed complete on
The motion was seconded by	totanas
following:	. A roll call vote showed the
Suzanne Peters (Y) N R A	Daniel O'Brien Y N R A
Henry Avallone (Y) N R A	Rebecca Kelly Y N R A
Jeffrey Sauter Y N R A	Alt. Donald Cooke Y N R A
	Alt. Lisa Hetzner Y N R A
Motion Carried.	
Signature of Planning Board Chair	
Y – Yea N – Nay	R – Recusal Absent - A

40.

CUPY

RESOLUTION Number SD2022-3

	At a <u>Regular Meeting</u> on January 26, 2022, 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	<u>and 26 22 at</u> and closed				
	rmined the application meets the criteria for a waiver				
of the public hearing in accordance with §2	40-11.				
A MOTION was made by KeDecco	to Approve/Disapprove/Approve				
with conditions Application SD20	to Approve/Disapprove/Approve				
BE IT RESOLVED, the Town/Village of					
	ons Application SD2022-3, submitted by Kovach				
	Brown, et. al., requesting minor subdivision				
	res from 66 +/- acres for residential purposes in				
	er 240, Minor Subdivision in R-30B and OC Zones.				
	t. al., located at 7813 Ridge Road, Town of Lowville,				
New York, tax parcel number 178.00-01-12	2.100.				
Conditions are as follows:					
1					
1.					
2					
	ning Board has reviewed all items in accordance with				
zoning and general municipal requirements	. These requirements are reflected in the minutes of				
the January 26, 2022 plann	ing board meeting. A public hearing was				
held/waived on, the application was deemed complete on					
	, the application was deemed complete on				
January 26, 2022 in accordance w	, the application was deemed complete on ith general municipal law.				
January 26, 2022 in accordance w	ith general municipal law.				
The motion was seconded by	ith general municipal law.				
January 26, 2022 in accordance w	the application was deemed complete on ith general municipal law. A roll call vote showed the				
The motion was seconded by following:	ith general municipal law. A roll call vote showed the				
The motion was seconded by	ith general municipal law. A roll call vote showed the				
The motion was seconded by following:	ith general municipal law. A roll call vote showed the				
The motion was seconded by following: Suzanne Peters Y N R A Henry Avallone Y N R A	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A				
The motion was seconded by following: Suzanne Peters Y N R A	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A				
The motion was seconded by following: Suzanne Peters Y N R A Henry Avallone Y N R A	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A Rebecca Kelly Y N R A Alt. Donald Cooke Y N R A				
The motion was seconded by following: Suzanne Peters Y N R A Henry Avallone Y N R A	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A Rebecca Kelly Y N R A Alt. Donald Cooke Y N R A				
The motion was seconded by following: Suzanne Peters Y N R A Henry Avallone Y N R A	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A Rebecca Kelly Y N R A Alt. Donald Cooke Y N R A				
The motion was seconded by following: Suzanne Peters Y N R A Henry Avallone Y N R A Jeffrey Sauter Y N R A	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A Rebecca Kelly Y N R A Alt. Donald Cooke Y N R A				
The motion was seconded by following: Suzanne Peters Y N R A Henry Avallone Y N R A Jeffrey Sauter Y N R A	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A Rebecca Kelly Y N R A Alt. Donald Cooke Y N R A				
The motion was seconded by following: Suzanne Peters Y N R A Henry Avallone Y N R A Jeffrey Sauter Y N R A Motion Carried.	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A Rebecca Kelly Y N R A Alt. Donald Cooke Y N R A				
The motion was seconded by following: Suzanne Peters Y N R A Henry Avallone Y N R A Jeffrey Sauter Y N R A Motion Carried.	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A Rebecca Kelly Y N R A Alt. Donald Cooke Y N R A				
The motion was seconded by following: Suzanne Peters Y N R A Henry Avallone Y N R A Jeffrey Sauter Y N R A Motion Carried.	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A Rebecca Kelly Y N R A Alt. Donald Cooke Y N R A				
The motion was seconded by following: Suzanne Peters Y N R A Henry Avallone Y N R A Jeffrey Sauter Y N R A Motion Carried.	ith general municipal law. A roll call vote showed the Daniel O'Brien Y N R A Rebecca Kelly Y N R A Alt. Donald Cooke Y N R A				

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At a <u>Regular Meeting</u> on January 26, 2 a public hearing in reference to the following Street, Lowville, New York	the Town/Village of Lowville held/waived ag application at the Town Offices, 5533 Bostwick
The public hearing was opened/waived on at The board has deter of the public hearing in accordance with §1	rmined the application meets the criteria for a waiver
A MOTION was made by with conditions Application SD202	to <u>Approve/Disapprove/Approve</u>
Law Office, PLLC on behalf of Terrence subdivision approval to convey 0.1367 +/- a existing parcels owned by each party (commod to retain 0.339 +/- acres; tax parcel 212.16-0.1367 +/- acres) in accordance with Village	J. & Minette E. Thisse, requesting minor acres from 0.476 +/- acres and to be combined with monly tax parcel 212.16-02-12.113 owned by Thisse 02-12.114 owned by Ross Farms, Inc. to receive the of Lowville, Chapter 165, Minor Subdivision in AC nace J. & Minette E. Thisse, located on State Route
Conditions are as follows: 1 2	
zoning and general municipal requirements. the January 26, 2022 plannihe d/waived on January 26, 2022 in accordance wi	
The motion was seconded by	Ca Kelly. A roll call vote showed the
Suzanne Peters Y N R A	Daniel O'Brien Y N R A
Henry Avallone Y N R A	Rebecca Kelly Y N R A
Jeffrey Sauter Y N R A	Alt. Donald Cooke Y N R A
Motion Carried.	Alt. Lisa Hetzner Y N R A
Signature of Planning Board Chair	

Y – Yea N – Nay

R – Recusal

Absent - A

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