

**Town/Village of Lowville Planning Board
Regular Meeting
Wednesday, March 23, 2022
7:00 P.M.**

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The meeting was called to order by Vice Chair 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:

Jeff Sauter Rebecca Kelly Suzanne Peters
Lisa Hetzner Donald Cooke
Absent: Daniel O'Brien, Henry Avallone

Others present: Dr. James Coffman, Esq., Applicant; JD Ross, Town Board Member, Kathy Manning, Administrative Assistant/Town Zoning Officer

2. Reading and Approval of Minutes
January 26, 2022 – A MOTION was made by Rebecca to approve the minutes as written. The motion was seconded by Jeff. All members present, in favor. Motion carried.
3. Communications and reports.
Kathy indicated that she had received revised maps from Young Law Office, PLLC regarding the Thisse subdivision (SD2022-4) which was approved at the January 26, 2022 board meeting. Michael Young, Esq. indicated to Kathy it was necessary to revise the maps, however it does not change the content the board approved. Kathy requested the board provide approval for Suzanne to sign the maps without the applicant having to resubmit to the board.
There was general discussion and the board agreed to allow Suzanne to sign the new maps.
4. Old Business:
None
5. New Business:
Kathy commented that Howard Lyndaker would not be attending the meeting as the representative for applications SD2022-5 and SD2022-6. Kathy suggested that the board consider moving the Maple Run Homes application ahead on the agenda to accommodate Dr. Coffman.
The board agreed and moved Application SD2022-7 ahead of the other applications.
a. ~~e. and d.~~ **Application SD2022-7**, submitted by **Maple Run Homes, Inc.**, requesting minor subdivision approval to convey 0.69 +/- acres from 1.3 +/- acres for residential purposes in accordance with Town of Lowville, Chapter 240, Minor Subdivision in an R-30A Zone. The parcel is owned by Maple Run Homes, Inc., located on the corner of Ebbly Road and Emi Lane, Town of Lowville, New York, tax parcel 195.00-02-15.119.
The applicant has requested a waiver of the public hearing in accordance with §240-11.

There was discussion with the applicant and Kathy regarding her letter and the green space indicated on the approved subdivision from 2006. There was discussion regarding Article XV, 240-83 being very vague as to what is required for green space

when using cluster development. There was discussion regarding the drainage "channel" as indicated on the plat.

Dr. Coffman indicated it would be necessary to relocate the channel on Lot B to merge with the channel on Lot A. There was discussion that a right-of-way should be included with the deed for access to the drainage channel and basin. It was decided with the applicant that a 20 foot right-of-way would be required for access and maintenance for the drainage channel and basin on the 25,075 square foot parcel known on the plat as Lot A.

Ultimately it was decided there is an acceptable amount of green space remaining and the board could move forward with the subdivision application.

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.

A MOTION was made by Lisa to deem Application SD2022-7 an unlisted action and issue a negative declaration for environmental significance. The motion was seconded by Don. All members present in favor. Motion carried.

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 met the criteria for a waiver.

A MOTION was made by Rebecca to deem Application SD2022-7 complete and waive the public hearing. The motion was seconded by Jeff. All members present in favor. Motion carried.

A MOTION was made by Jeff to approve Resolution SD2022-7 with conditions. Conditional approval is contingent on a right-of-way to be included in the deed description for access and maintenance to the drainage channel and basin. The applicant is to provide a copy of the deed to the zoning office to be included with the approved subdivision map. The motion was seconded by Lisa. All members present in favor. Motion carried. A copy of the Resolution is attached to these minutes.

b. a- Application SD2022-5, submitted by Kovach Land Surveying, PC on behalf of 7557 South State Properties, LLC requesting minor subdivision approval to convey 0.07 +/- acres from 0.33 +/- acres for residential purposes in accordance with Village of Lowville, Chapter 165, Minor Subdivision in an R Zone. The parcel is owned by 7557 South State Properties, LLC, located on Rural Avenue Extension, Village of Lowville, New York, tax parcel number 212.11-04-13.100. 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.

A MOTION was made by Lisa to deem Application SD2022-5 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 board felt 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 Jeff to deem Application SD2022-6 complete and waive the public hearing. The motion was seconded by Don. All members present in favor. Motion carried.

A MOTION was made by Rebecca to approve Resolution SD2022-6. The motion was seconded by Jeff. All members present in favor. Motion carried. A copy of the Resolution is attached to these minutes.

c. b. **Application SD2022-6**, submitted by **Kovach Land Surveying, PC on behalf of Bradford J. Lyndaker**, requesting minor subdivision approval to convey 0.43 +/- acres from 0.92 +/- acres for residential purposes in accordance with Village of Lowville, Chapter 165, Minor Subdivision in an R Zone. The parcel is owned by Bradford J. Lyndaker, located on 7696 Park Avenue and onto Forest Avenue, Village of Lowville, New York, tax parcel number 212.07-04-27.000. 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 board felt 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.

A MOTION was made by Lisa to deem application SD2022-6 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 board felt 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 SD2022-6 complete and waive the public hearing. The motion was seconded by Jeff. All members present in favor. Motion carried.

A MOTION was made by Jeff to approve Resolution SD2022-6. The motion was seconded by Lisa. All members present in favor. Motion carried. A copy of the Resolution is attached to these minutes.

d. Don asked to speak regarding the proposed county projects discussed at the January meeting and the potential environmental impacts that may be caused by further construction where the parcels are located due to the grading of the parcels.

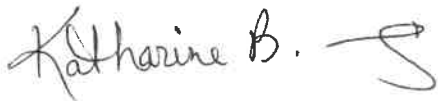
Don indicated he believes the town should ensure that as hydrologic study is performed prior to any construction at the hospital and county DOT buildings in an attempt to ensure the municipalities (Town and Village of Lowville) will not be liable for costs incurred should there be issues with the municipal infrastructure. It was requested that JD share the concerns of the planning board with the town board.

There was discussion regarding the comprehensive plan. Kathy indicated she believes a revised edition may be available on the Town website. There was discussion that the Planning Board should have the opportunity to review the 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 8:34 p.m.

Submitted by,

A handwritten signature in cursive script that reads "Katharine B." followed by a stylized flourish.

Katharine B. Manning
March 24, 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.

COPY

RESOLUTION Number SD2022-5

At a Regular Meeting on March 23, 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 3-23-22 at _____ and closed at _____. The board has determined the application meets the criteria for a waiver of the public hearing in accordance with §165-5.

A **MOTION** was made by Rebecca Kelly to ~~Approve/Disapprove/Approve~~ with conditions Application SD2022-5.

BE IT RESOLVED, the Town/Village of Lowville Planning Board ~~Approve/Disapprove/Approve with conditions~~ Application **SD2022-5**, submitted by **Kovach Land Surveying, PC on behalf of 7557 South State Properties, LLC** requesting minor subdivision approval to convey 0.07 +/- acres from 0.33 +/- acres for residential purposes in accordance with Village of Lowville, Chapter 165, Minor Subdivision in an R Zone. The parcel is owned by 7557 South State Properties, LLC, located on Rural Avenue Extension, Village of Lowville, New York, tax parcel number 212.11-04-13.100.

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 March 23, 2022 planning board meeting. A public hearing was held/waived on 3-23-23, the application was deemed complete on March 23, 2022 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	A
Henry Avallone	Y	N	R	A	Rebecca Kelly	<u>Y</u>	N	R	A
Jeffrey Sauter	<u>Y</u>	N	R	A	Alt. Donald Cooke	<u>Y</u>	N	R	A
					Alt. Lisa Hetzner	<u>Y</u>	N	R	A

Motion Carried.

Suzanne Peters
Signature of Planning Board Chair

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

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The public hearing was opened/waived on 3-23-22 at _____ and closed at _____. The board has determined the application meets the criteria for a waiver of the public hearing in accordance with §165-5.

A MOTION was made by Jeff Sauter to ~~Approve/Disapprove/Approve~~ with conditions Application SD2022-6.

BE IT RESOLVED, the Town/Village of Lowville Planning Board ~~Approve/Disapprove/Approve with conditions~~ Application **SD2022-6**, submitted by **Kovach Land Surveying, PC on behalf of Bradford J. Lyndaker**, requesting minor subdivision approval to convey 0.43 +/- acres from 0.92 +/- acres for residential purposes in accordance with Village of Lowville, Chapter 165, Minor Subdivision in an R Zone. The parcel is owned by Bradford J. Lyndaker, located on 7696 Park Avenue and onto Forest Avenue, Village of Lowville, New York, tax parcel number 212.07-04-27.000.

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 March 23, 2022 planning board meeting. A public hearing was held/waived on 3-23-22, the application was deemed complete on March 23, 2022 in accordance with general municipal law.

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

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

Motion Carried.

Suzanne Peters
Signature of Planning Board Chair

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At a Regular Meeting on March 23, 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 3-23-22 at ~~4:30~~ 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 Jeff Sauter to ~~Approve/Disapprove/Approve~~ Approve **with conditions** Application SD2022-7.

BE IT RESOLVED, the Town/Village of Lowville Planning Board ~~Approve/Disapprove/Approve with conditions~~ **Approve with conditions** Application **SD2022-7**, submitted by **Maple Run Homes, Inc.**, requesting minor subdivision approval to convey 0.69 +/- acres from 1.3 +/- acres for residential purposes in accordance with Town of Lowville, Chapter 240, Minor Subdivision in an R-30A Zone. The parcel is owned by Maple Run Homes, Inc., located on the corner of Ebbly Road and Emi Lane, Town of Lowville, New York, tax parcel 195.00-02-15.119.

Conditions are as follows:

1. a 20' easement is required for access and maintenance
2. for the drainage channel and basin on the 257075 (Lot A); Applicant to provide a copy of the deed to the zoning office - maintenance

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 March 23, 2022 planning board meeting. A public hearing was held/waived on 3-23-22, the application was deemed complete on March 23, 2022 in accordance with general municipal law.

The motion was seconded by Lisa Hetzner. 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	<u>(Y)</u>	N	R	A
Jeffrey Sauter	<u>(Y)</u>	N	R	A	Alt. Donald Cooke	<u>(Y)</u>	N	R	A
					Alt. Lisa Hetzner	<u>(Y)</u>	N	R	A

Motion Carried.

Suzanne Peters
Signature of Planning Board Chair

