

Town/Village of Lowville Planning Board
Regular Meeting
Wednesday, September 28, 2022
7:00 P.M.



BY:

The meeting was called to order by Chair, Daniel O'Brien 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:

Henry Avallone Donald Cooke Daniel O'Brien

Absent: Lisa Hetzner, Suzanne Peters

Others present: Rick Allen, Applicant; Amy Marti, Applicant; Kathy Manning, Administrative Assistant/Town Zoning Officer

2. Reading and Approval of Minutes
August 24, 2022 – A MOTION was made by Henry to approve the minutes as written. The motion was seconded by Don. All members present in favor. Motion carried.
3. Communications and reports.
None
4. Old Business:
 - a. The public hearing is for **Application SP2022-1**, submitted by **Lewis County Head Start**, requesting a special use permit and site plan review to convert a residential building to child day care in accordance with Village of Lowville Zoning, Chapter 201, Articles IX and XI in an NC Zone. The parcel is owned by Rick S. Allen, located at 7671 North State Street, Village of Lowville, New York and is tax parcel number 212.07-08-11.000.

In accordance with General Municipal Law 239-m, this project was referred to the County Planning Board. A copy of the comments was emailed to Amy Marti, applicant as well as being supplied in hard copy to the property owner, applicant and the board members present at this meeting.

The public hearing was opened at 7:03 p.m.

The board asked if any members of the public had any comments. No one wished to speak at this time.

The board reviewed the comments supplied by the County Planning Board. It was decided that, as a condition for approval, the applicant would comply with the comments as supplied. There was discussion that the property owner has sundown to sunup lighting in place. The board determined this is an acceptable substitute for the suggested motion-sensing lighting as addressed in the comments by the county.

Kathy indicated she had spoken with Mrs. Marti regarding parking. Village of Lowville zoning law 201-84, B allows for parking within 500 feet of the parcel which would include the Veteran's Memorial Park parking lot. The law does not specify that the property owner is responsible for owning the property.

The board completed the Site Plan and Special Use Permit Review forms which are included with the original record.

The public hearing was closed at 7:11 p.m.

A MOTION was made by Dan to approve Resolution SP2022-1 with conditions. The condition is that the applicant and the property owner will comply with the conditions as set forth by the County Planning Department as stated in the Resolution. The motion was seconded by Don. All members present in favor. Motion carried. A copy of the Resolution is included with these minutes and the original record.

5. New Business:

a. **Application SD2022-10**, submitted by **Kovach Land Surveying on behalf of William H. Schaab**, requesting minor subdivision approval in accordance with Town of Lowville, Chapter 240, Minor Subdivision to convey 2.64 +/- acres from 10.97 +/- acres for residential purposes in an R-30A Zone. The parcel is owned by William H. Schaab, located at 7125 Rice Road, Town of Lowville, New York, tax parcel number 212.00-01-17.112.

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

The board reviewed the application and its contents. There was discussion regarding the location of the property.

The SEQR shortform was reviewed by the board. Parts II and III were completed. A MOTION was made by Henry to deem Application SD2022-10 an Unlisted Action issuing a Negative Declaration for environmental significance. The motion was seconded by Don. All members present in favor. Motion carried.

There was discussion regarding if the board feels the application meets the criteria for a waiver in accordance with Chapter 240-11. The members present determined it does meet the criteria.

A MOTION was made by Don to deem Application SD2022-10 complete waiving the public hearing. The motion was seconded by Dan. All members present in favor. Motion carried.

A MOTION was made by Dan to approve Resolution SD2022-10. The motion was seconded by Henry. All members present in favor. Motion carried.

6. Adjournment

A MOTION was made by Henry to adjourn the meeting. The motion was seconded by Don. All members in favor. Motion carried. The meeting adjourned at 7:30 p.m.

Submitted by,

A handwritten signature in blue ink that reads "Katharine B." followed by a stylized flourish.

Katharine B. Manning
September 29, 2022

Note: These minutes have been transcribed from a recording. The minutes are not verbatim or quoted versions; they are rather documentation of the meeting with motions and resolutions included.

COPY

At a Regular Meeting on September 28, 2022, 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 September 28, 2022 at 7:03 and closed at 7:11.

A **MOTION** was made by Don to Approve/Disapprove/Approve with conditions Resolution SP2022-1.

BE IT RESOLVED, the Town/Village of Lowville Planning Board Approve/Disapprove/Approve with conditions Resolution **SP2022-1**, submitted by **Lewis County Head Start**, requesting a special use permit and site plan review to convert a residential building to child day care in accordance with Village of Lowville Zoning, Chapter 201, Articles IX and XI in an NC Zone. The parcel is owned by Rick S. Allen, located at 7671 North State Street, Village of Lowville, New York and is tax parcel number 212.07-08-11.000.

Conditions are as follows:

- Comply with conditions as set forth by the
County Planning Dept (supplied to the applicant and property owner)

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 August 24, 2022 planning board meeting. A public hearing was held on September 28, 2022, the application was deemed complete on August 24, 2022 in accordance with general municipal law. In addition, in accordance with general municipal law 239-m and L, referral was made to the County Planning Board, as this parcel is located within 500' of a state highway, with comments from the board attached to the original record.

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

Suzanne Peters	Y	N	R	(A)	At Donald Cooke	(Y)	N	R	A
Henry Avallone	(Y)	N	R	A	At Lisa Hetzner	Y	N	R	(A)
Daniel O'Brien	(Y)	N	R	A					

Motion Carried.

R. O. S.
Signature of Planning Board Chair

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

September 15, 2022

MUNICIPAL BOARD: JOINT TOWN/VILLAGE OF LOWVILLE PLANNING BOARD
239 L & M REFERRAL RE: Special Use Permit to allow the change in use of a residential structure to a childcare facility located at 7671 North State Street (State Route 26) in the Village of Lowville.
Tax Map Parcel #212.07-08-11.000
Lewis County Head Start – Applicant

The above referenced referral was reviewed by the Lewis County Planning Board at its regular meeting held on Thursday, September 15, 2022, pursuant to General Municipal Law, Article 12-B, Section 239-M.

The following action was taken on the proposal:

Approve w/ Conditions

CONDITIONS:

Please see next page →

If you have any questions regarding this action, please do not hesitate to contact this office.

Sincerely,



Director of Planning and
Community Development

NOTE: Pursuant to General Municipal Law, Article 12-B, Section 239-M, within thirty (30) days after taking final action, you are required to file a report of your final action with the County Planning Board. **FAILURE TO DO SO COULD INVALIDATE YOUR ACTION.**

CONDITIONS:

1. While the submitted SEAF notes that the existing Head Start driveway will be used for this action, Article X § 201-1020 states that access to all sites shall be consistent with the standards set forth by NYS DOT's Policy and Standards for Entrances to State Highways, as revised. Therefore, due to the change in use from a residence to a childcare facility, the applicant should obtain the proper approvals from NYS DOT prior to approval for the existing egress/ingress location.
2. The applicant has not proposed any updates to their current signage. If changes to the current signage are needed, compliance with Article VII is required.
3. While the application did not include plans for lighting in the proposed action, motion activated exterior lighting should be added for safety and security purposes. Furthermore, to ensure compliance with Article X § 201-1030, the Planning Board should review and ensure that the current lighting is adequate before approval is issued.
4. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

NOTE:

- A) According to § 201-820, all uses with nonconforming parking or loading situations shall comply with the requirements of Article VIII if the use changes; therefore, the Village should review Article VIII § 201-840, to ensure parking requirements are being adequately met with the existing parking area.
- B) The applicant did not submit plans for landscaping as no exterior changes are proposed of the site; however, the Planning Board should review Article X §201-1070 to ensure compliance with the general landscaping and screening requirements.

COPY

At a Regular Meeting on September 28, 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 _____ at _____ and closed at _____

A **MOTION** was made by Dan to Approve/Disapprove/Approve with conditions Application SD2022-10.

BE IT RESOLVED, the Town/Village of Lowville Planning Approve/Disapprove/Approve with conditions Application **SD2022-10**, submitted by **Kovach Land Surveying on behalf of William H. Schaab**, requesting minor subdivision approval in accordance with Town of Lowville, Chapter 240, Minor Subdivision to convey 2.64 +/- acres from 10.97 +/- acres for residential purposes in an R-30A Zone. The parcel is owned by William H. Schaab, located at 7125 Rice Road, Town of Lowville, New York, tax parcel number 212.00-01-17.112.

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 September 28, 2022 planning board meeting. A public hearing was held/waived on September 28, 2022, the application was deemed complete on September 28, 2022 in accordance with general municipal law.

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

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

Motion Carried.

R. O. [Signature]
Signature of Planning Board Chair

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

