

**Town/Village of Lowville Planning Board**  
**Regular Meeting**  
**Wednesday, August 23, 2023**  
**7:00 P.M.**

AUG 24 2023

The meeting was called to order by Chair, Daniel O'Brien at 7:03 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                      Suzanne Peters                      Daniel O'Brien  
Donald Cooke                      Selina Olmstead  
Absent: Lisa Hetzner

**Others present:** Daniel Myers, Applicant Representative; Howard Lyndaker, Applicant Representative; Megan Krokowski, Lewis County Planning Department and Applicant Representative; Megan Dolhof, Applicant; Bob Meekins, Applicant; Rick & Beth Damico, Applicant; Kathy Manning, Administrative Assistant/Town Zoning Officer

2. Reading and Approval of Minutes  
July 26, 2023 – A MOTION was made by Henry to approve the minutes as written. The motion was seconded by Dan. Suzanne recused herself from voting on this item as she was not in attendance at the meeting. All other members present in favor. Motion carried.
3. Communications and reports.  
Kathy commented that she received an email from Aimee Murphy regarding individuals in need of taking the mandatory Harassment and Discrimination training. Dan questioned if the school training he had obtained was acceptable. Kathy suggested Dan contact Aimee to determine if updated training is required.
4. Old Business:
  - a. The public hearing is for **Application SPA2023-2**, submitted by **Megan K. Dolhof**, requesting site plan approval to construct a personal services structure in accordance with Town of Lowville, Chapter 250, Article X in a CB Zone. The parcel is owned by Megan K. Dolhof, located at 7854 State Route 26, Town of Lowville, New York, tax parcel number 195.00-01-40.113.

In accordance with General Municipal Law 239-m and l, this application was referred to the County Planning Department as the parcel is located on a State Highway with their recommendations and comments supplied to the applicant and board members.

The public hearing was opened at 7:06 p.m.  
Kathy asked if anyone in the audience wished to comment regarding this application. No one commented. The board reviewed the recommendations from the County Planning Department that are included in the original record. Dan commented that he believed all items had been addressed by this board at the previous meeting including the New York State Department of Transportation entrance requirements, septic and parking comments. Kathy commented that a copy of the septic plans are included with the original record but had not been distributed to the County Planning Department. Kathy further commented that the parking was calculated using the areas to be occupied by the public but did not

include hallways or staff areas. Megan Krokowski commented the County Planning Department was unable to determine the "business area" as indicated by the Town Zoning Law and felt it included more of the area than was used by the board for the required parking.

The board finished completing the Site Plan Review list included with the original record. The public hearing was closed at 7:10 p.m.

A MOTION was made by Henry to approve Resolution SPA2023-2. The motion was seconded by Dan. All members present in favor. Motion carried. A copy of the Resolution is included with these minutes and included in the original record.

b. **Application SP2023-1**, submitted by **Double Play Sports Comm. Center**, requesting special use permit approval to convert a Retail Business to Indoor Recreation in accordance with Town of Lowville, Chapter 250, Articles X and XII in a CB Zone. The parcel is owned by Double Play Sports Comm Center, located at 6912 Bardo Road, Town of Lowville, New York, tax parcel number 212.00-01-55.212.

In accordance with General Municipal Law 239-m and l, this application was referred to the County Planning Department as the parcel is located on a State Highway with their recommendations and comments supplied to the applicant and board members.

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

Kathy asked if anyone in the audience wished to comment regarding this application. No one commented. The board reviewed the recommendations from the County Planning Department that are included in the original record. Dan commented that he believed all items had been addressed by this board at the July meeting including the parking, exterior lighting and the sign. Megan Krokowski commented that there were differing plans supplied to the County regarding the parking. Kathy commented that the parking meets the zoning requirements at 96 spaces. The applicant has not discussed any expansions to this board at this time however, this board will review the State Environmental Review criteria should plans be supplied in the future for any expansion.

The board finished completing the site plan review list as well as the special use permit form that is included with the original record.

The public hearing was closed at 7:19 p.m.

A MOTION was made by Dan to approve Resolution SP2023-1. The motion was seconded by Henry. All members present in favor. Motion carried. A copy of the Resolution is included with these minutes and included in the original record.

5. New Business:

a. **Application BL2023-1**, submitted by **Kovach Land Surveying, Inc. on behalf of Presbyterian Andover**, requesting lot line adjustment approval to convey 0.14 +/- acres from 0.47 +/- acres in accordance with Village of Lowville, Chapter 165, 165-31.1, Lot Line Adjustments in an R Zone. The parcel is owned by Presbyterian Andover, located at 7707 North State Street, Village of Lowville, New York, tax parcel number 212.07-02-09.100.

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.

Kathy provided information to the board regarding the location of the line adjustment where the church will be obtaining a portion of the parcel from the Presbyterian Andover including the parking area for the church.

The board reviewed the SEQR short form completing parts II and III.

A MOTION was made by Suzanne to deem Application BL2023-1 an unlisted action with a negative declaration for environmental significance. The motion was seconded by Dan. All members present in favor. Motion carried.

There was discussion if the board felt this application meets the criteria for a waiver in accordance with Village of Lowville, Chapter 165-5. All members present agreed it does meet the criteria.

A MOTION was made by Henry to deem Application BL2023-1 complete waiving the public hearing. The motion was seconded by Suzanne. All members present in favor. Motion carried.

A MOTION was made by Dan to approve Resolution BL2023-1. The motion was seconded by Henry. All members present in favor. Motion carried.

**b. Application SD2023-6, submitted by Kovach Land Surveying on behalf of Robert Meekins, requesting minor subdivision approval to convey 0.44 +/- acres from 1.05 +/- acres in accordance with Village of Lowville, Chapter 165, Subdivision of Land in an NC-2 Zone. The parcel is owned by Robert Meekins, located at 5507 Water Street, Village of Lowville, New York, tax parcel number 212.12-01-35.100.**

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

There was discussion that Kathy contacted the County Codes office that implements and enforces the zoning for the village. Kathy had a couple of concerns to address and attempt to obtain clarification from that office. Kathy supplied this board with the comment that was made to her that the County Codes office felt that if the board approved this application the board would be creating a non-conforming lot. There was discussion regarding a non-conforming lot versus non-conforming structures as well as zoning creating non-conformities. The proposed subdivision meets the criteria as set forth in Village Zoning Law, Chapter 201, Schedule B including the minimum requirements for road frontage, lot depth and area. Non-conforming lots are created when the lot does not meet these criteria thus these lots will not be non-conforming lots. The structures have been in place prior to zoning laws being enacted thus they are pre-existing non-conforming structures.

The board reviewed the contents of the application.

The board reviewed the SEQR short form completing parts II and III.

A MOTION was made by Henry to deem Application SD2023-6 an unlisted action with a negative declaration for environmental significance. The motion was seconded by Dan. All members present in favor. Motion carried.

There was discussion if the board felt this application meets the criteria for a waiver in accordance with Village of Lowville, Chapter 165-5. All members present agreed it does meet the criteria.

A MOTION was made by Suzanne to deem Application SD2023-6 complete waiving the public hearing. The motion was seconded by Henry. All members present in favor. Motion carried.

A MOTION was made by Dan to approve Resolution SD2023-6. The motion was seconded by Suzanne. All members present in favor. Motion carried. A copy of the resolution is included with these minutes and the original record.

c. **Application SP2023-2**, submitted by **Sherburne DG LLC**, requesting site plan review and special use permit to allow construction of multi-family housing in an existing building in accordance with Village of Lowville, Chapter 201, Articles IX and XI in the VC Zone. The parcel is owned by Sherburne DG LLC, located at 7623 North State Street, Village of Lowville, New York, tax parcel number 212.11-01-08.000.

In accordance with General Municipal Law, 239-m & L, this project is located within 500 feet of a state highway which requires referral to the County Planning Board.

Kathy commented that it appears, in accordance with Village Zoning laws, the only item to be reviewed by this board is the exterior lighting.

Mr. Damico spoke regarding the project. Megan Krokowski allowed the board to view photos of the structure in her possession.

The board reviewed the application and its contents. The board completed the site plan review form up to and including part of page 4.

The board completed the SEQR short form including parts II and III. A MOTION was made by Suzanne to deem application SP2023-2 an unlisted action with a negative declaration for environmental significance. All members present in favor. Motion carried.

A motion was made by Dan to deem Application SP2023-2 complete referring the application to the County Planning Department in accordance with General Municipal law 239-m and l and scheduling the public hearing for September 27, 2023. The motion was seconded by Henry. All members present in favor. Motion carried.

6. **Adjournment**

A MOTION was made by Dan to adjourn the meeting. The motion was seconded by Henry. All members present, in favor. Motion carried. The meeting adjourned at 8:12 p.m.

Submitted by,

A handwritten signature in blue ink that reads "Katharine B. Manning". The signature is written in a cursive style with a large, stylized initial "K".

Katharine B. Manning  
August 24, 2023

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



RESOLUTION Number SPA2023-2

At a Regular Meeting on August 23, 2023, the Town/Village of Lowville Planning Board 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 August 23, 2023 at 7:06pm and closed at 7:10pm

A **MOTION** was made by Henry Avallone to Approve/Disapprove/Approve **with conditions** Application SPA2023-2.

**BE IT RESOLVED**, the Town/Village of Lowville Planning Board Approve/Disapprove/Approve with conditions Application **SPA2023-2**, submitted by **Megan K. Dolhof**, requesting site plan approval to construct a personal services structure in accordance with Town of Lowville, Chapter 250, Article X in a CB Zone. The parcel is owned by Megan K. Dolhof, located at 7854 State Route 26, Town of Lowville, New York, tax parcel number 195.00-01-40.113.

Conditions are as follows:

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

Further, the Board has reviewed all items in accordance with zoning and general municipal requirements. These requirements are reflected in the minutes of the July 26, 2023 and August 23, 2023 planning board meetings. A public hearing was held on August 23, 2023, the application was deemed complete on July 26, 2023 in accordance with general municipal law. The application was referred to Lewis County Planning Department in accordance with General Municipal Laws 239 m and L with their recommendation(s) included in the original file.

The motion was seconded by Dan O'Brien. 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	Alt. Donald Cooke	Y	N	R	A
Lisa Hetzner	Y	N	R	<u>(A)</u>	Alt. Selina Olmstead	Y	N	R	A

Motion Carried.

[Signature]  
Signature of Planning Board Chair

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





RESOLUTION Number SP2023-1

At a Regular Meeting on August 23, 2023, the Town/Village of Lowville Planning Board 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 August 23, 2023 at 7:14 PM and closed at 7:19 PM

A **MOTION** was made by Dan O'Brien to Approve/Disapprove/Approve **with conditions** Application SP2023-1.

**BE IT RESOLVED**, the Town/Village of Lowville Planning Board Approve/Disapprove/Approve with conditions Application **SP2023-1**, submitted by **Double Play Sports Comm. Center**, requesting special use permit approval to convert a Retail Business to Indoor Recreation in accordance with Town of Lowville, Chapter 250, Articles X and XII in a CB Zone. The parcel is owned by Double Play Sports Comm Center, located at 6912 Bardo Road, Town of Lowville, New York, tax parcel number 212.00-01-55.212.

Conditions are as follows:

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Further, the Board has reviewed all items in accordance with zoning and general municipal requirements. These requirements are reflected in the minutes of the July 26, 2023 and August 23, 2023 planning board meetings. A public hearing was held on August 23, 2023, the application was deemed complete on July 26, 2023 in accordance with general municipal law. The application was referred to Lewis County Planning Department in accordance with General Municipal Laws 239 m and L with their recommendation(s) included in the original file.

The motion was seconded by Henry Avallone. 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	Alt. Donald Cooke	Y	N	R	A
Lisa Hetzner	Y	N	R	<u>A</u>	Alt. Selina Olmstead	Y	N	R	A

Motion Carried.

  
Signature of Planning Board Chair

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



COPY

At a Regular Meeting on August 23, 2023, the Town/Village of Lowville Planning Board 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 August 23, 2023 at \_\_\_\_\_ and closed at \_\_\_\_\_

A **MOTION** was made by Dan O'Brien to Approve/Disapprove/Approve with conditions Application BL2023-1.

**BE IT RESOLVED**, the Town/Village of Lowville Planning Board Approve/Disapprove/Approve with conditions Application **BL2023-1**, submitted by **Kovach Land Surveying, Inc. on behalf of Presbyterian Andover**, requesting lot line adjustment approval to convey 0.14 +/- acres from 0.47 +/- acres in accordance with Village of Lowville, Chapter 165, 165-31.1, Lot Line Adjustments in an R Zone. The parcel is owned by Presbyterian Andover, located at 7707 North State Street, Village of Lowville, New York, tax parcel number 212.07-02-09.100.

Conditions are as follows:

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The motion was seconded by Henry Avallone. 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	Alt. Donald Cooke	Y	N	R	A
Lisa Hetzner	Y	N	R	<u>A</u>	Alt. Selina Olmstead	Y	N	R	A

Motion Carried.

  
Signature of Planning Board Chair

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



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The public hearing was opened/waived on August 23, 2023 at \_\_\_\_\_ and closed at \_\_\_\_\_

A **MOTION** was made by Dan O'Brien to Approve/Disapprove/Approve with conditions Application SD2023-6.

**BE IT RESOLVED**, the Town/Village of Lowville Planning Board Approve/Disapprove/Approve with conditions Application **SD2023-6**, submitted by **Kovach Land Surveying on behalf of Robert Meekins**, requesting minor subdivision approval to convey 0.44 +/- acres from 1.05 +/- acres in accordance with Village of Lowville, Chapter 165, Subdivision of Land in an NC-2 Zone. The parcel is owned by Robert Meekins, located at 5507 Water Street, Village of Lowville, New York, tax parcel number 212.12-01-35.100.

Conditions are as follows:

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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	Alt. Donald Cooke	Y	N	R	A
Lisa Hetzner	Y	N	R	<u>A</u>	Alt. Selina Olmstead	Y	N	R	A

Motion Carried.

[Signature]  
Signature of Planning Board Chair

