

MINUTES
LEWIS COUNTY PLANNING BOARD
September 21, 2023

- (1) **Call to Order:** Chairman Petersen called the regular meeting of the Lewis County Planning Board to order at 2:30 PM in the legislative chambers on the 2nd floor at the Lewis County Court House, Lowville, New York. Roll call was requested by Mr. Petersen.
- (2) **Roll Call:**
Board Members Present: Tim Petersen, Don Cook, Tim Hunt, Sarah Metott, Thomas Osborne, and Eric Virkler.
Staff Present: Casandra Buell, Planning & Communitive Development Director; Community Development Specialists, Lauryn Tabolt and Megan Krokowski.
Members of the Public: Don Furney & guest
- (3) **Reading and Approval of Minutes:** The draft August 17, 2023 meeting minutes were received and reviewed prior to the meeting. Mr. Virkler motioned to approve the minutes; Mr. Cook seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:**
- **APA Project No. 2023-0145: Project Determined to be Non-Jurisdictional**
Kyle Bush, Proposed replacement of pre-existing single-family dwelling with a new single-family dwelling – Burnham Road, Town of Greig
 - **Correspondence from HRP - Geiter Done**
Comments and recommendations on SEQR FEAF regarding Geiter Done located at 8023 Washington Street, Town of Diana.
 - o The Board requested that Planning & Community Development staff provide feedback regarding the 2nd bullet on page two, demonstrating that further clarification on the ‘separate registration’ referenced could be beneficial. Since these comments are not likely to result in anything that would impact the County Planning Board directly, the Board stated they didn’t want an excessive amount of staff time spent on this request.
- (5) **Report of Officers:** None
- (6) **Report of Special Committees:**

239-M Review

Ms. Tabolt read the following review:

TOWN/VILLAGE OF LOWVILLE JOINT PLANNING BOARD

Special Use Permit/Site Plan Review to convert vacant space into apartments located at 7623 North State Street (State Route 26) in the Village of Lowville.

Tax Map Parcel #212.11-01-08.000

Sherburne DG, LLC – Applicant

The applicant provided the following Project Documentation: 1) Site Plans; 2) SEQR Short Environmental Assessment Form (SEAF); 3) Tax Map; 4) Project Narrative; 5) Zoning Map; 6) Lighting Plan; and 7) Communication from Lewis County Building & Fire Codes.

- *Compatibility with Adjacent Uses*

The zoning for this area is defined as Village Center (VC). Currently, the property identified is composed of active retail space on the first floor and vacant residential dwelling units on the 2nd and 3rd floors. Land uses within 500 feet of the proposed action site include multi-use brick-and-mortar businesses and restaurants with residential units on the upper floors. The applicant is proposing to convert the existing 2nd and 3rd floors from six (6) vacant apartments to eight (8) one-bedroom apartments with the addition of a rear stairwell and elevator. The proposed use appears to be compatible with the adjacent uses.

- *Traffic Generation and Effect:*

The roadway is identified as North State Street/NYS Route 26. The roadway consists of three lanes of travel in a north-south direction. As identified in the submitted SEAF, the proposed action will not result in a substantial increase in traffic above present levels. According to the NYS Traffic Data View, this roadway maintains an Annual Average Daily Traffic (AADT) of 5,042. The proposed action should not result in concerning traffic impacts.

- *Protection of Community Character:*

The applicant is proposing to convert the estimated 7,000 square feet of six (6) vacant residential units into eight (8) one-bedroom residential units within the Village of Lowville's Village Center (VC) Zone. Based on the current Village of Lowville Zoning Law, the proposed project is defined as a multi-family dwelling, that of which is an allowed use, per Article IV § 201-420, in the VC Zone, pending a site plan review and special permit by the Planning Board prior to the issuance of a zoning permit.

According to the SEAF submitted, the proposed action does not encroach upon any critical environmental area nor does it interfere with any designated habitats for threatened or endangered species. However, the proposed action does fall within the purview of national or state registers of historical places, or state-eligible sites, and archaeological sites. Consequently, it is imperative that forthcoming actions adhere to the guidelines set forth by the State Historic Preservation Office (SHPO). During this review, an NYS EAF mapper was developed to corroborate the provided information, which was found to be accurate. The proposed action appears to be consistent with the community's character.

The applicant additionally submitted a letter from the Lewis County Building & Fire Codes that notes that the proposed project will mandate an asbestos survey and abatement. The submitted project narrative indicates there was a recent hazardous materials survey conducted which confirmed there is asbestos that will need to be abated as well as pigeon waste. The Lewis

County Building & Fire Codes letter also underscores the importance of adhering to various existing NYS Codes and mandates that an NYS-licensed Design Professional approves submitted documents to demonstrate compliance with these Codes.

- *Signage:*
There is no signage proposed for this project.
- *Drainage:*
The submitted SEAF notes that this project will not result in stormwater discharge beyond what is existing. Furthermore, the proposed action site does not contain, nor does it adjoin to property that contains wetlands or other waterbodies regulated by federal, state, or local agencies.
- *Erosion:*
The SEAF states there will be .01 acres physically disturbed, which falls below the threshold of 1 acre that would require the applicant to obtain a SPDES permit.
- *Parking:*
There was no proposed parking submitted for this action; however, there does not appear to be parking requirements for use changes in the VC Zone.
- *Community Facilities:*
According to the submitted SEAF, the proposed project would connect to the existing public/private water supply as well as the wastewater treatment system.
- *Lighting:*
Per the site plans, it appears that one (1) exterior light will be installed on the rear side of the building facing the parking lot, near the proposed entry/exit. Further details on the type of light were included and appear to be in compliance with Article X § 201-1020.
- *Landscaping and Screening:*
The applicant did not provide plans for landscaping; however, given the proximity to NYS Route 26 and pervious surfaces surrounding the building, buffers and standard landscaping plans should not apply to this project.

Recommendation: Approve with the following conditions

1. Compliance with SHPO will be necessary since the proposed action does fall within the purview of national or state registers of historical places, state-eligible sites, and archaeological sites.
2. Prior to renovations, the hazardous material abatement should be completed by a certified contractor.

The Board had a brief discussion as to why this action required review and suggested adding a note for the Village to adapt its zoning law to encourage infill

development in the VC zone without SUP/SPR in the Village Center zone. Ms. Buell confirmed that she would add that as a non-binding note.

There was also a brief discussion about parking requirements in the Village Center Zone and accommodating 8 additional vehicles for this development when public parking is already insufficient. It was noted that bringing back a thriving downtown hinges on bringing back residents to the Downtown corridor.

With no further comments or questions, Mr. Cook made a motion to approve with the above conditions. Mr. Hunt seconded the motion, which was carried unanimously.

(7) **Report of County Planner:**

- Responses from municipalities regarding previously submitted/reviewed projects:

Project Description	Final Action	Project Description	Final Action
T/Diana – Geiter Done of WNY Solid Waste Facility	Approved w/Conditions	T/Lowville – Double Play Sports Community Center	Approved
T/Lowville – Megan Dolhof-Open Sky	Approved	T/Martinsburg – Mark McDonald Storage Bldgs.	Approved w/Conditions

(8) **Unfinished Business:** None

(9) **New Business:** Annual Land Use Training Workshop is next week on September 27th which provides a convenient way to obtain all 4 hours of required mandatory annual training.

Mr. Hunt brought up a potential issue with his infrastructure on East Road in the Town of Leyden where a property owner is building a large pond that could impact the County's road infrastructure. The group discussed how DEC should be notified at a minimum.

(10) **Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Virkler and seconded by Mr. Petersen which carried unanimously. Mr. Petersen adjourned the meeting at 3:04 PM.

Respectfully submitted,

Megan Krokowski
Community Development Specialist

Note: These minutes have been transcribed from a recording but are not verbatim or quoted version, they are rather a documentation of the meeting events.