

MINUTES
LEWIS COUNTY PLANNING BOARD
December 18, 2025

- (1) **Call to Order:** Chairman Petersen called the regular meeting of the Lewis County Planning Board to order at 2:30 p.m. in the 3rd floor conference room at the Lewis County Courthouse, Lowville, NY. Mr. Petersen then requested a roll call.
- (2) **Roll Call:**
Board Members Present: Tim Petersen, Don Cook, Sarah Metott, John Reed.
Staff Present: Casandra Buell, Director of Planning and Community Development, Lauryn Tabolt, Community Development Specialist, and Megan Krokowski, Community Development Specialist. Additionally, Conner Biolsi and Jon Roes were in attendance.
Public Present: Two members of the public were present.
- (3) **Reading and Approval of Minutes:** The draft minutes from the November 20, 2025 meeting were provided and reviewed in advance. Mr. Cook made a motion to approve the minutes, Ms. Metott seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:**
None
- (5) **Report of Special Committees:**

239-m Review

Ms. Krokowski read the first review:

VILLAGE OF CROGHAN BOARD OF TRUSTEES

Proposed Zoning Law for the Village of Croghan
Village of Croghan – Applicant

The applicant provided the following 239-m referral documentation: 1) The proposed local law, 2) General Municipal Referral Form, and 3) the Full Environmental Assessment Form (FEAF) Part 1.

The Village of Croghan has submitted a proposed comprehensive Zoning Law for review under General Municipal Law §239-m. This is the Village's first land use law. The proposed law includes zoning districts, dimensional standards, use regulations, site plan and special use permit procedures, design standards, and enforcement provisions. The proposed law is consistent with the Village's Community Development Plan (Comprehensive Plan) and reflects best practices in rural land use regulation. The proposed Zoning Law is generally consistent with county-wide planning objectives and supports orderly development, environmental protection, and community character. It

includes strong erosion control, drainage, and decommissioning standards, clear definitions, and well-structured procedures for site plan and special use permit review. The law also references regional planning documents such as the Lewis County Agricultural Enhancement Plan and Downtown Design Guidelines.

The proposed laws clearly indicate that the Village is not an appropriate location for large-scale solar development. To further reinforce this prohibition, the Village Board may wish to consider adopting a Solar Energy Overlay District and incorporating language that references the Village of Croghan Community Development Plan (Comprehensive Plan). This connection could help strengthen the Village's legal position where the prohibited use may conflict with the goals of the NYS Climate Leadership and Community Protection Act (CLCPA).

If a Solar Energy Overlay Map is adopted as part of the Zoning Law, it would be appropriate to include it as an Appendix.

To provide clarity and flexibility for zoning enforcement, the Village Board should consider whether an additional exemption should be added within Article 3 with language similar to the following: *"Municipal-owned buildings and facilities constructed, remodeled, repaired, or replaced by or for the Village shall be exempt from site plan review and special use permit requirements, provided such use is consistent with the general intent of this law and does not conflict with the Village's Community Development Plan (Comprehensive Plan). This exemption applies only to municipal development within the Village's own jurisdiction and does not extend to other governmental entities unless a determination of immunity is made pursuant to the balancing of public interests test established in Matter of County of Monroe v. City of Rochester (1988)."*

The Village Board should consider adding language to Article 9, Nonconformities, regarding short-term rental nonconformities, in accordance with County Local Law No. 6 of 2019, which pertains to STRs effective November 5, 2019, and prior. Such language could be, *"**Nonconforming short-term rentals:** Lewis County Local Law No. 6 of 2019, regulating short-term rentals, was filed with the New York State Department of State on November 6, 2019. Accordingly, any short-term rental established after that date without compliance with said law shall be deemed a violation and shall not constitute a lawful nonconforming use under this Zoning Law."*

The proposed Zoning Law is comprehensive, well-structured, and supports the Village's long-term planning objectives. Subject to the above recommendations, the law appears to meet the requirements of §239-m and is recommended for approval with conditions and nonbinding notes.

Recommendation: APPROVE with Conditions

Conditions:

The acting municipal body must have a super-majority (majority plus one) vote to disregard the following conditions:

1. Prior to taking action, the Village Board should consider adopting a Solar Energy Overlay District. This district could be mapped using the Priority Agricultural Land data referenced in Section 315 B.1 of the Lewis County Agricultural Enhancement Plan.

Furthermore, strengthening the Village's legal position—particularly where prohibiting large-scale solar may conflict with the goals of the NYS Climate Leadership and Community Protection Act (CLCPA)—requires incorporating language that explicitly connects the prohibition to the goals of the Village of Croghan Community Development Plan (Comprehensive Plan).

2. Before taking action, the Board should consider adding a municipal exemption to Article 3 for municipally-owned buildings and facilities. This exemption would streamline development processes for municipal projects while maintaining consistency with the law's intent and the Village's Community Development Plan (Comprehensive Plan). Suggested language:

“Municipal-owned buildings and facilities constructed, remodeled, repaired, or replaced by or for the Village shall be exempt from site plan review and special use permit requirements, provided such use is consistent with the general intent of this law and does not conflict with the Village's Community Development Plan (Comprehensive Plan). This exemption applies only to municipal development within the Village's own jurisdiction and does not extend to other governmental entities unless a determination of immunity is made pursuant to the balancing of public interests test established in Matter of County of Monroe v. City of Rochester (1988).”

This exemption could help streamline municipal infrastructure processes.

3. Prior to acting, the Board should consider adding language to Article 9, Nonconformities, to address short-term rental (STR) nonconformities in accordance with Lewis County Local Law No. 6 of 2019. Suggested language could include:

“Nonconforming short-term rentals: Lewis County Local Law No. 6 of 2019, regulating short-term rentals, was filed with the New York State Department of State on November 6, 2019. Accordingly, any short-term rental established after that date without compliance with said law shall be deemed a violation and shall not constitute a lawful nonconforming use under this Zoning Law.”

Non-Binding Notes:

These are used as suggestions and/or advice from the County Planning Board; the municipality is not required to take action, nor is a supermajority vote required.

1. To ensure consistency and proper record-keeping, the Village must take the following steps upon the adoption of the local law:

Immediate Notification (Operative Law): The adopted law is immediately considered operative, mandating that all Enforcement Officials utilize this current version of the code. The Village must promptly notify the Lewis County Planning & Community Development Department to update their Local Law webpage accordingly.

Standard Filing Practice: Once the adopted law and amendments have been filed with the Department of State, the Village Clerk should email a copy of all submitted materials to the Lewis County Planning & Community Development Department. This practice establishes a critical record-keeping standard, resolving recent inconsistencies and supporting the Planning Department's role in tracking local law filings.

2. Ensure the title page, table of contents, and watermark are updated before finalizing and adopting the local law.

Tim Petersen mentioned that the setback distances seemed a bit low. Ms. Buell explained that the Village, with the assistance of the Planning Department, did an analysis on the existing setbacks, as the Zoning Commission wanted them to be consistent with existing setbacks to preserve community character. Jon Roes also explained that this would ensure consistency, and with limited lots for new construction, it would limit the need for variation with shallow setbacks.

With no further discussion, Mr. Petersen approved the proposed conditions and non-binding notes. Mr. Cook seconded the motion, which was carried unanimously.

Ms. Krokowski proceeded with the next review:

TOWN OF GREIG TOWN BOARD

Proposed moratorium on commercial renewable energy systems.

Town of Greig – Applicant

The proposed local law and General Municipal Referral Form were submitted by Town of Greig Supervisor, Bob Johnson. Land use moratoria are classified as Type II actions; therefore, the Town of Greig is not required to undertake SEQR review for this action.

The Town of Greig proposes to establish a twelve (12)-month moratorium on commercial renewable energy systems, which includes solar, wind, battery energy storage, and compressed air storage facilities.

Unless otherwise filed, the County does not have a record of the Town of Greig's Comprehensive Plan or a similar document, which, according to NYSEDA, must be adopted by the local governing board to outline the goals and policies for the installation, operation, maintenance, and decommissioning of renewable energy systems. The Town has documented progress on both its Zoning Law and its Comprehensive Plan, with completion anticipated in spring 2026. To strengthen the legal standing, the Board should consider adding an anticipated adoption timeline for Spring 2026 to demonstrate progress. An example of the revised language could be as follows:

“WHEREAS, as directed by Section 5 of NYSEDA’s Battery Energy Storage System Model Law, the Town Board finds that time is necessary to await, develop, review, amend, and update multiple sections of the Town Code to ensure consistency with the Town’s Comprehensive Plan, currently under development, with anticipated adoption in spring of 2026; and...”

Upon completion of the Comprehensive Plan, the entire Zoning Law must be reviewed to ensure regulatory alignment with the Plan’s goals and enforceability. Given the scale of this task, the Town may employ moratoriums on specific issues during the revision process.

Housing regulations should be prioritized next, reflecting the need for diverse housing types identified in the County Housing Needs Assessment. Separately, the Town of Greig Zoning Law is currently unclear on Short-Term Rentals (STRs) following recent State and County legislation. Although Section 405 expressly prohibits STRs, the lack of clarity may lead to them being misconstrued as a standard Commercial Use.

For this reason, the Town of Greig may wish to add Short-Term Rentals to the proposed moratorium to clarify how the use should be handled for enforcement purposes and to ensure the regulation aligns with the to-be-adopted Comprehensive Plan.

While one would typically express caution regarding the narrow scope of renewable energy systems covered by the moratorium — a concern amplified by the rapid pace of technological evolution — the Town of Greig has a crucial safeguard in place. The Town previously amended its law with a 'prohibited-unless-expressly-permitted' safety clause. This provides significant protection should unconventional proposals, such as a compressed-air energy dome, a data center, or a cryptocurrency mine, be brought forward.

The Town of Greig submitted a revised Zoning Law to the County Planning Board in November, which corrected Section 405, where BESS was omitted in error, but, in doing so, left the decision on zone placement open to interpretation, even though this development should be limited to the intended areas. The County Planning Board issued a decision on a Matter of Local Concern, which the Town adopted on December 10, 2025. The adoption is presumed to be intended to rectify the nuanced existing regulation, should an application be received in the interim or the moratorium be overruled, to provide the Town with some degree of protection.

Recommendation: APPROVE with Conditions

Conditions:

The acting municipal body must have a super-majority (majority plus one) vote to disregard the following conditions:

1. The Town of Greig should add the anticipated spring 2026 adoption date of the Comprehensive Plan under development to document progress, as well as the inclusion of a reference to paragraph three (3) of the proposed moratorium, citing Section 5 of NYSEDA's Battery Energy Storage System Model Law. An example of the revised language is as follows:

"WHEREAS, as directed by Section 5 of NYSEDA's Battery Energy Storage System Model Law, the Town Board finds that time is necessary to await, develop, review, amend, and update multiple sections of the Town Code to ensure consistency with the Town's Comprehensive Plan, currently under development with anticipated adoption in spring of 2026; and..."

Non-Binding Notes:

These are used as suggestions and/or advice from the County Planning Board; the municipality is not required to take action, nor is a supermajority vote required.

1. If and when the Board follows the proposed moratorium, and the documents are filed with the Department of State, please ask the Clerk to email a copy of all submitted materials to the Lewis County Planning & Community Development Department as a standard practice. This practice helps address recent inconsistencies in the records and supports the Planning Department's increasingly active role in tracking local law filings.
2. If and when the moratorium is adopted, the Municipality should email the Lewis County Planning & Community Development Department to update its Local Law webpage. Once adopted, the law becomes 'operative', meaning Enforcement Officials shall use that version of the code moving forward.

3. The Town of Greig should consider adopting a separate moratorium regarding short-term rentals to ensure regulation compliance with the Comprehensive Plan and clear enforceability, given the current nuances.
4. The Board should review the recent amendment to the law and the scope of the moratorium to ensure that loopholes that allow unwanted development are closed prior to adoption. (Potentially with legal counsel).
5. The Board should be forward-thinking regarding implementing the Comprehensive Plan and ensuring the existing Zoning Law complies with its intent, and consider a strategy for moving forward, prioritizing content areas and alignment.

Mr. Petersen inquired whether these BESS facilities had any safety standards that they had to abide by, which was explained that these facilities are currently regulated at the local level, and many times zoning acts to add the safety standards.

Without further discussion, Mr. Cook moved to approve the proposed moratorium, subject to the stated conditions and non-binding notes. Mr. Petersen seconded the motion, which was carried unanimously.

(6) Report of County Planner:

- The following municipal responses were received:
 - T/Turin - Minimum Maintenance Roads ZTA - Approved w/Most Conditions
- The following referrals were reviewed by County Planning staff | deemed as Matter of Local Concern:
 - None

(7) Unfinished Business:

Conner Biolsi, Director of Information Technology, provided a OneDrive tutorial. He explained the difference between sending a file via email and storing it in a shared library for group access and demonstrated how the County Planning Board's files will expand as the process progresses.

Ms. Buell clarified that while none of the materials are confidential, the "Confidential" watermark was added at the request of the County Attorney and previous Planning Director when reviews are distributed before meetings. This measure ensures that materials are only shared with board members before official action is taken.

(8) New Business:

- Required 4 hours of annual land use training by 12/31/2025:
 - Don Cook – 4 Hours
 - John Reed – 4 Hours

- Ms. Buell reported that the County plans to host a Renewable Energy Info Session (case law, siting, training, etc.) for municipal officials and the public, tentatively on March 30, 2026 from 5:00 p.m. to 7:00 p.m. The session will be conducted with the assistance of Bridget O'Toole, one of three attorneys in New York state, known for her expertise on renewable energy, storage, and transmission projects.
- Mr. Reed added that his National Grid contact indicated that the Lowville section of the new power lines will be energized by 2028.

(9) **Adjournment:** With no further business, Ms. Metott motioned to adjourn the meeting. Mr. Cook seconded the motion, which carried unanimously. The meeting adjourned at 3:37 p.m.

Respectfully submitted,



Megan Krokowski
Community Development Specialist

Note: These minutes were transcribed from a recording. They are not verbatim, but reflect a summary of meeting events.