

**MINUTES**  
**LEWIS COUNTY PLANNING BOARD**  
**November 19, 2020**

- (1) **Call to Order:** Chairman Petersen called the regular meeting of the Lewis County Planning Board to order at 2:30 PM via Zoom. Roll call was requested by Mr. Petersen. Ms. Buell welcomed the Zoom participants and gave an overview of the County Planning Board review process and gave instructions to attendees if they would like to make a public comment during the Correspondence and Communication portion of the agenda.
- (2) **Roll Call:** Board Members Present: Tim Petersen, Gary Rosiczowski, Michael Kaido, Eric Virkler, John Lehman, and Jerry King. Staff Present: Casandra Buell, Director of Planning. Public Present: Zoom attendees
- (3) **Reading and Approval of Minutes:** The draft October 15, 2020 meeting minutes were received. Mr. Lehman motioned to approve the minutes; Mr. Virkler seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:**
  - Village of Castorland Water Storage Tank Project: Ms. Buell shared the location map that was provided by BCA along with the project narrative. No comments or concerns were provided by the Board.
  - Mr. Virkler reminded the Board of Warren Shaw's retirement and that this is his last official day of work. Mr. Tim Hunt will be replacing Mr. Shaw's position on the Board in the future, as the County Highway Superintendent is an Ex-Officio voting member of this board.
  - Ms. Buell read public comments submitted by the following Town of Greig residents that were sent to the Planning Department and Legislator Tom Osbourne prior to the County Planning Board Meeting:
    - Walter and Maureen Surgrue
    - Melissa Bailey
    - Wayne and Joanna Dailey
    - Mary Linda Mercer
    - Muriel Purcell
    - Petition (67)
  - Ms. Buell then welcomed the following Zoom attendees that expressed interest (via Zoom Chat) to make an official public comment:
    - Ryan Piche: Spoke of support for this project based on the County's recreational and public infrastructure investments in this area. The adjacent 84 acres are owned by Lewis County and the multi-use trail systems on this property will be better utilized with the proposed project.
    - Walter Paprock: Unfortunately, the participant could not be heard due to technical difficulties.
    - Tim Daggot: Has owned a property at 5688 North Shore Road since 1967. Concerned about the lack of public infrastructure. He voiced concerns over the traffic of those who are not landowners on the lake as Brantingham Lake is not a public lake; it is a private lake with public access. Would like to see the County mitigate traffic concerns by adding more roads.

- MaryAnne Nagy: Introduced herself as a year-round resident of Brantingham, has reviewed the project drawings and is generally supportive of the project. Believes it represents a great economic development project for the County and surrounding businesses. Thinks that this is a long-term investment by the applicant, and she believes that it is Mr. Dolhof's intention to work with the neighbors to address their concerns. Acknowledged the setback details and noted a general concern about septic/water consumption. Would like to require an impact analysis or fire mitigation plan.
- Walter Paprock: Tried to connect again. Unfortunately, the participant could not be heard.

Ms. Buell ended the public comment period.

(5) **Report of Officers:** None

(6) **Report of Special Committees:**

**239-M Review**

Ms. Buell read the following review:

**TOWN OF NEW BREMEN TOWN BOARD**

Site Plan Review to use an existing 4,000 sq. ft. storage garage as a commercial automotive repair facility located at 8699 State Route 812 in the Town of New Bremen.

Tax Map Parcel #163.00-02-45.000

*Skyler Farney / CNF Repair – Applicant*

The applicant provided the following Project Documentation: 1) SEQR Short Environmental Assessment Form; 2) Agricultural Data Statement; 3) Existing Building Site Details; and 4) Tax Map.

▪ *Compatibility with Adjacent Uses:*

The proposed project complies with the intent of Article III of the Town of New Bremen Site Plan Review Zoning applicability in that all new commercial and industrial uses shall require a site plan approval.

The proposed use will be located in an area with predominantly rural, commercial and agricultural. According to the submitted Agricultural Data Statement, the proposed use is on a property with boundaries within 250 feet of two (2) farm operation located within an Agricultural District.

▪ *Traffic Generation and Effect:*

According to the submitted SEAF, the applicant has determined the proposed action will not result in a substantial increase in traffic above present levels. The existing driveway on NYS Route 812 will be used for egress/ingress.

▪ *Protection of Community Character:*

According to the submitted SEAF, the proposed change of use from a residential garage to a commercial garage is an action consistent with the predominant character of the existing built or natural landscape. As part of this review, an EAF Mapper Summary Report was

obtained for the proposed action site and, according to the results, the site is not in a critical environmental area, national or state register of historical places or state eligible sites, archeological site, remediation site and is not home to a threatened or endangered animal. The proposed action site is not within the 100-year flood plain.

- *Signage:*

It does not appear that signage is proposed by the applicant nor is it required by the Town of New Bremen; however, it is permitted. If the applicant does decide to put a sign on the proposed project area, compliance with Article V, Subsection 510(f) is necessary.

- *Drainage/Erosion:*

The proposed use change will not result in soil disturbance and, according to the submitted SEAF, the proposed action will not create storm water discharge.

The applicant did not address the drainage associated with the commercial use for automotive repair on the submitted SEAF; however, the Town of New Bremen Town Board clarified with the applicant on November 9, 2020 that there is no drainage system in the facility and that spills will be contained/cleaned up with the necessary tools such as oil absorbent spill mats.

- *Parking:*

According to aerial GIS images of the proposed action site, it appears as though there is adequate off-street parking and that the proposed action is compliant with Article V, Subsection 510(c); however, the Town Board may want to recommend that the applicant maintains a neat appearance and avoid an excessive amount of inoperable equipment or other junk material. Where possible, the parking on inoperable equipment should be located to the sides or rear of the building.

- *Community Facilities:*

It is assumed that the proposed project will use the existing electrical utility; however, there will be no public water or sewer systems used. According to the submitted SEAF, the applicant has noted that there is a private well on-site and a new septic system will be installed in the future.

- *Lighting:*

It does not appear that lighting is proposed; however, according to Article V, Subsection 510(e), adequate lighting should be provided. Prior to the final issuance of a zoning permit, the zoning enforcement office should verify that adequate lighting in conformance with Article V, Subsection 510(e) exists.

- *Landscaping and Screening:*

The proposed action does not include landscaping and/or screening; however, there is existing vegetation along the residential lot line and rear lot line. Article V, Subsection 510(d) notes that *along road frontage, a twenty (20) feet wide buffer of landscaping shall be provided where appropriate and designed so as not to obstruct sign distance at points of access; however, where existing topography and/or landscaping provides adequate screening, the Town Board may modify the planting and/or buffer area requirements.*

***Recommendation: TBD by the County Planning Board (see note below)***

**Note:** Due to the shared capacity of the Director of Planning as a Town of New Bremen Board member and referral review entity, to avoid ethical issues, a recommendation will be made solely by the County Planning Board based on the summary above.

Mr. Petersen suggested that the Board include a recommendation for compliance with all local, state and federal regulatory requirements for this type of facility and the products stored. He also wanted to include language requiring the applicant to maintain a neat appearance and avoid an excessive amount of inoperable equipment or other junk material and, where possible the parking of inoperable equipment should be located to the sides or rear of the building. Mr. Virkler agreed. Mr. Petersen also wanted to directly recommend that the applicant be required to ensure that spills are contained appropriately. Ms. Buell did note that she spoke with Buildings and Codes about the requirements of auto repair facilities and since the applicant does not have a drain, on-site materials will be used to dispose of hazardous waste. Mr. Petersen suggested to include this as a condition along with compliance with Article V, § 510(f) if the applicant decides to install a sign. Mr. Virkler referred to the Town's 20' wide landscape buffer for the road frontage and proposed to include this as a recommendation. Mr. King questioned the amount of time that inoperable vehicles are on-site. Mr. Petersen agreed with Mr. King's concerns. Mr. King suggested further screening for the inoperable vehicles that are used for parts because they could be sitting there for long periods of time. Ms. Buell suggested adding verbiage to require inoperable equipment to be screened. With no further questions or comments, Mr. Virkler made a motion to approve the application with the below recommendations; Mr. Kaido seconded the motion, which carried unanimously.

1. It does not appear that signage is proposed by the applicant nor is it required by the Town of New Bremen; however, it is permitted. If the applicant does decide to put a sign on the proposed project area, compliance with Article V, Subsection 510(f) is necessary.
2. The applicant did not address the drainage associated with the commercial use for automotive repair on the submitted SEAF; however, the Town of New Bremen Town Board clarified with the applicant on November 9, 2020 that there is no drainage system in the facility and that spills will be contained/cleaned up with the necessary tools such as oil absorbent spill mats. To ensure that hazardous waste is contained within the building, it shall be required that the applicant formally agree to have all the necessary materials needed to contain and clean up any spills on site as part of a Site Plan Approval.
3. The applicant is to maintain a neat appearance and avoid an excessive amount of inoperable equipment or other junk material. Where possible, the parking on inoperable equipment, especially that of which is being used for parts, should be located to the sides or rear of the building behind adequate screening.
4. While the residential and rear lot lines have appropriate screening, Article V § 510(d) also requires a twenty (20) feet wide buffer of landscaping along road frontage where appropriate and designed so as not to obstruct sight distance at points of access; however, where existing topography and/or landscaping provides adequate screening, the Town Board may modify the planting and/or buffer area requirements.
5. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Ms. Buell noted that Warren Shaw joined the meeting, in-person in the 2<sup>nd</sup> Floor Conference room, at 3:00 PM.

Ms. Buell then read the following review:

**TOWN OF GREIG PLANNING BOARD**

Special Use Permit for a campground/travel trailer park to be located at 7346 Brantingham Road (County Route 42) in the Town of Greig.

Tax Map Parcel: #276.00-01-19.000

*Mike Dolhof / Raven Acres– Applicant*

The applicant provided the following Project Documentation: 1) SEQR Long Environmental Assessment Form (FEAF); and 2) Preliminary Site Plan.

The applicant submitted site plans that include the construction of twelve (12) 1-2 bedroom cabins, twenty (20) R.V. and camper sites, one (1) 24' x 24' building for laundry/office space, one (1) 40' x 60' pavilion, and one (1) on-site bath house. A majority of the wooded areas will remain intact and there are four (4) proposed septic locations for the cabins.

▪ *Compatibility with Adjacent Uses:*

The zoning for the proposed property is identified as (H) Hamlet/(RR1) Rural Residential-1 and, by definition; this use is presumed to be considered a campground/travel trailer park. The proposed facility complies with the intent of Article IV, § 405 of the Town of Greig allowed uses. If approved, there will be three (3) phases of construction over the course of 5 years. Phase 1 is expected to include the construction of six (6) cabins and ten (10) R.V. and camper sites within one (1) year. The rest of the project will be built as needed. Proposed setbacks are as listed:

- Side Yard Setbacks: At least 75 feet (50 feet required)
- Front Yard Setback: At least 133 feet (150 feet required)
- Rear Yard Setback: At least 75 feet (30 feet required)

According to Article VI § 655(D), all buildings shall have a setback of one hundred fifty (150) feet from the road line of all public roads. The submitted site plan shows that the laundry building/office building is only 133' from the road line. To comply with the Town of Greig Zoning Law Article VI §655(D), the applicant should comply with the required 150' road line setback for all buildings.

The corridor has primarily rural and residential uses; however, there are several commercial and recreational land uses within a one-mile radius of the action site to include restaurants, bars, summer camps and a golf course.

▪ *Traffic Generation and Effect:*

The applicant has proposed two (2) 60' driveway entrances from County Route 42 roughly 135 feet apart. Prior to construction, a driveway permit should be obtained from the Lewis County Highway Department. Additionally, as noted in Article VI § 655(E), access to all sites shall be consistent with the standards set forth in "Policy and Standards for, Entrances to State Highways," as revised, published by the State of New York Department of Transportation.

Being that the proposed action is located on County Route 42, as part of this review, the Lewis County Highway Superintendent was consulted. The roadway is currently standard width with a 40 MPH speed limit change nearby this property. With the expected increase of traffic along this roadway, the County Highway Superintendent did not have concerns about the road's capacity to handle additional R.V. traffic. Prior to construction, further analysis of the roadway and the potential impact could be reviewed by the County Highway Superintendent to assess the need for wider shoulders or additional caution signage.

- *Protection of Community Character:*

As noted on page 12, Part 1 of the submitted FEAF, the applicant has identified that the proposed action is not located in nor does it adjoin a state listed Critical Environmental Area and while the project site is currently used for hunting, the proposed action will not affect that use.

According to the submitted FEAF, the applicant identified that the proposed project site is not located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological inventory.

The proposed action site abuts 84 acres of Lewis County-owned land that hosts a variety of multi-use trails to include walking, biking, ATV and snowmobile trails. This action would support the Lewis County Comprehensive Plan, specifically Policy Area 1: Tourism & Recreation.

As part of this review, the Adirondack Park Agency (APA) was consulted as the proposed action is just outside the blue line. Unofficially, there were not any concerns from the APA.

- *Signage:*

According to the submitted FEAF, one (1) lighted sign is proposed; however, neither a rendering nor location was provided. Prior to the installation of the referenced sign, compliancy with Article V § 540 is required.

- *Drainage/Erosion:*

According to the submitted FEAF, the proposed action is not located within the 100-year flood plain, does not contain wetlands or other waterbodies, and has a 0-10% slope with well drained soils. The applicant has noted that there will be 14.4 acres of ground disturbance. Any land disturbances over 1 acre in size requires compliance with NYS DEC regulations (State Pollutant Discharge Elimination System).

Each camper site is 88'x75' with an approximate camper location dimension of 10'x50'. The exact location of the campers will be finalized upon further review of existing trees/topography limitations. It appears that all proposed camper sites meet the 8% maximum slope regulation set in Article VI §655(B); however, verification of compliance should be verified for Camper Sites F, G, H, N, & M.

According to the submitted FEAF, there will be 2 acres of impervious surfaces added to the property and the stormwater will be directed to percolate into the ground. It is expected that NYSDEC will review the Stormwater Prevention Pollution Plan prior to issuing a permit for this project; however, compliance with Article VIII §820 is required.

The proposed action will result in the impoundment of a liquid, such as the creation of a water supply, reservoir, pond, lake, waste lagoon or other storage. The purpose of said impoundment is noted for water treatment and a decorative pond feature located near the recreational pavilion.

▪ *Parking:*

Each cabin and camper site is located along the 20' private driveway. The cabins are fitted with individual 20' x 30' parking areas and the camper site driveway is equipped with a 120' x 20' hammerhead turnaround area. The proposed action is compliant with Article VI § 655(A).

▪ *Community Facilities:*

The applicant noted that the proposed action will use or create a new demand for roughly 2,500 gallons of water per day. Public water/wastewater facilities will not be used and, according to the submitted site plan, there will be four septic systems added to the project site and it appears that two (2) existing wells could be utilized. As noted in Article VI § 655(F), all water supplied and sewage dispersal systems shall comply with the applicable standards of this law, Town Sanitary Code and the State of New York Dept. of Health and Environmental Conservation requirements before any permit is issued for occupancy.

While there is a bathhouse proposed for the project, the applicant should confirm that this facility will provide at least one (1) toilet, lavatory and shower for each sex in order to comply with Article VI § 655(F).

▪ *Lighting:*

Outdoor lighting details were noted on page 8 of the submitted FEAF. The proposed action will include lighted pathways, exterior sconce lights on all buildings and a lighted sign 150' from the neighbor.

▪ *Landscaping and Screening:*

The applicant has proposed to remove roughly 10 acres of forested area on the 18.8 acre parcel. According to the submitted site plan, wherever possible, the wooded areas will remain to serve as buffers and conserve the natural landscape. There does appear to be a lack of adequate vegetation along the northeastern lot line. Additionally, while the submitted site plan identifies that the woods will remain between the road line and camp setbacks, according to Article VI §655, adequate landscaping should be provided along all public roads. The Town of Greig Planning Board should review and define their expectations and requirements of said screening requirements and the applicant should comply with Article VI §655 and Article VIII §815.

***Recommendation: Approve with the following conditions***

1. The submitted site plan shows that the laundry building/office building is only 133' from the road line. To comply with the Town of Greig Zoning Law Article VI §655(D), the applicant should comply with the required 150' road line setback for all buildings.
2. While the submitted site plan identifies that the woods will remain between the road line and camp setbacks, according to Article VI §655, adequate landscaping should be provided along all public roads. The Town of Greig Planning Board should review the proposed screening to verify whether or not the action would be "adequately screened" and the applicant should comply with Article VI §655 and Article VIII §815 as directed by the Board.

3. Prior to construction, a driveway permit should be obtained from the Lewis County Highway Department. Further review of the CR-42 shoulders and caution signs should be completed by the County Highway Superintendent prior to construction to ensure safety.
4. As noted in Article VI § 655(E), access to all sites shall be consistent with the standards set forth in "Policy and Standards for, Entrances to State Highways," as revised, published by the State of New York Department of Transportation.
5. Prior to the installation of the referenced sign, compliance with Article V § 540 is required.
6. The applicant has noted that there will be 14.4 acres of ground disturbance. Any land disturbances over 1 acre in size requires compliance with NYS DEC regulations.
7. It appears that all proposed camper sites meet the 8% maximum slope regulation set in Article VI §655(B); however, verification of compliance should be verified for Camper Sites F, G, H, N, & M.
8. While there is a bathhouse proposed for the project, the applicant should confirm that this facility will provide at least one (1) toilet, lavatory and shower for each sex in order to comply with Article VI § 655(F).
9. As noted in Article VI § 655(F), all water supplied and sewage dispersal systems shall comply with the applicable standards of this law, Town Sanitary Code and the State of New York Dept. of Health and Environmental Conservation requirements before any permit is issued for occupancy.
10. It is expected that NYSDEC will review the Stormwater Prevention Pollution Plan prior to issuing a permit for this project; however, compliance with Article VIII §820 is required.
11. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Mr. Petersen apologized but needed to sign off from the meeting at 3:30 PM. Before his departure, he made mention that, based on the public comment, his concerns were related to fire hazards, sewage/wastewater, traffic and property protection in relation to safety/noise. Ms. Buell did review the definition of Special Use Permit and the conditions that can be included per the statutes. She let the Board know that the applicant was available via Zoom if they were to have further questions on the proposed action. To follow up on Mr. Petersen's concerns, Ms. Buell made mention that she reached out to Robert Mackenzie, Lewis County Emergency Services, to see if he had any concerns; however, as of this meeting, she had not received any comments noting there were concerns regarding emergency services for this project. Regarding sewer/wastewater concerns, Ms. Buell noted that she spoke with DEC and DOH officials from the Watertown offices. DEC did not have water withdrawal concerns and DOH wanted Ms. Buell to assure the residents that the water supply/wastewater will be coordinated through their permitting processes so they should not be concerned as a project would not move forward without their approval. Ms. Buell reminded the Board that she did consult with Lewis County Highway Superintendent, Warren Shaw, and he did not have any concerns with County Route 42. Since Mr. Shaw was in attendance, Ms. Buell asked if he had anything to add; he did not. Mr. Lehman noted that he did not believe that the County Planning Board should be attaching the long list of recommendations to the approval as it is hindering economic development. After reviewing the complete list of drafted recommendations, Mr. Virkler suggested to revise the second recommendation to include that woods/trees will remain in the setback/buffer areas and that the applicant shall not minimize the natural buffers and should increase screening/buffer as needed.

Mr. Virkler made a motion to approve the conditions above with the addition of verbiage to condition #2, Mr. Lehman seconded the motion, which carrier unanimously.

- (7) **Report of County Planner:** None
- (8) **Unfinished Business:** None.
- (9) **New Business:**
- 4 Hour Annual Training Requirement  
Ms. Buell reminded the Board members of their 4 hour training requirement
- (10) **Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Shaw, seconded by Mr. Kaido, which carried unanimously. Ms. Buell adjourned the meeting at 3:47 PM.

Respectfully submitted,



Casandra Buell  
Director of Planning