

MINUTES
LEWIS COUNTY PLANNING BOARD
May 17, 2018

- (1) **Call to Order:** Chairman Kaido called the regular meeting of the Lewis County Planning Board to order at 2:30 PM in Room 327 on the 3rd floor at the Lewis County Court House, Lowville, New York. Roll call was requested by Chairman Kaido.
- (2) **Roll Call:** Board Members Present: Michael Kaido, Ronald Burns, Patricia O'Brien, Tim Petersen and David Becker. Staff Present: Frank Pace, Director of Planning and Casandra Buell, Senior Planner. Additional attendees: Charles Foster, Community Bank; Dennis Lambert, Community Bank and Nick Altmire, Linking Lewis County.
- (3) **Reading and Approval of Minutes:** The April 19, 2018 meeting minutes were received and there were no modifications made by the Board members present. Mr. Petersen motioned to approve the minutes; Mr. Becker seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:** None
- (5) **Report of Officers:** None
- (6) **Report of Special Committees:**

239-M Review

Mrs. Buell read the following review to the Board:

VILLAGE OF LOWVILLE PLANNING BOARD

Site Plan Review and Special Use Permit to open a commercial restaurant with the sale and service of alcohol and outdoor seating located at 7617 North State Street & 7613 North State Street (tax map parcels #212.11-01-09.000 & 212.11-01-10.200).

Chris Murphy, Tony Harper's Pizza and Clam Shack – Applicant

The applicant provided the following Project Documentation: 1) Site Plan; 2) Bargain and Sale Deed with Lien Covenant; and 3) SEQR Short Environmental Assessment Form.

- *Compatibility With Adjacent Uses:*
The zoning for this area is identified as VC (Village Center). Currently the property identified is commercial and is consistent with the North State Street corridor. Thus, the proposed use is consistent with the character of the neighborhood setting.
- *Traffic Generation and Effect:*
The roadway is identified as North State Street. This roadway consists of three lanes of travel in a north-south direction. The applicant is currently utilizing the existing driveway entrances. No changes to the existing entrance are proposed by the applicant and as noted on page 2 of the submitted SEAF, the proposed action will not result in a substantial increase in traffic above present levels.

- *Protection of Community Character:*

The applicant is proposing to convert the existing building into a restaurant/bar with outdoor seating.

Based on review of the current zoning criteria in the County file for the Village of Lowville, the proposed project is in compliance with the criteria under Article IV, Section 420, Schedule A and Section 430, Schedule B, including but not limited to Article VIII, Section 830, and Article IX.

Additionally, the applicant provided a completed SEQR Appendix B, Short Environmental Assessment Form for review. The Village of Lowville, as the Lead Agency, acknowledged the project as an “Unlisted Action” with a further determination of a Negative a Declaration on December 4, 2017 (see attached SEQR TYPE MOTION document).

- *Signage:*

The applicant has not proposed any new signage for the proposed project. If a sign were to be erected, it is recommended that the applicant comply with Article VII.

- *Drainage:*

Based on the information supplied by the applicant, the proposed use should not create any adverse environmental concerns for the area and it appears that all current drainage systems will be used. On page 2 of the submitted SEAF, the applicant advised that the proposed action will not create storm water discharge.

- *Erosion:*

According to the application, there will be 0 acres disturbed for the proposed project. The Village of Lowville Planning Board has also waived letter “U” of the necessary submission requirements as they have deemed it either not applicable or unnecessary to this particular site plan review; hence the project appears to be compliance with Article II, Section 915.

- *Parking:*

Within Exhibit A (Revocable License Agreement) of the submitted deed, it appears that in addition to nearby public street and lot parking, the proposed project has the approval to utilize the 20 parking spots on the adjacent lot owned by Community Bank National Association from 5:00 pm to 8:00 am. With that said, it appears that this project is compliant with Article VIII.

- *Community Facilities:*

Since no structural changes, other than the addition of a retractable awning, to the existing facility have been noted, it is assumed that all existing utilities will stay the same. In addition, according to page 2 of the submitted SEAF, the proposed project will connect to existing public/private water supply and wastewater utilities.

- *Lighting:*

Based on the applicant’s submission, there will be several “wal-pak light fixtures” added to the rear and southern side of the building. With this specified exterior lighting, the proposed project is compliant with Article X, Section 1020.

▪ *Landscaping and Screening:*

The applicant noted that a retractable awning will be fixed to the south side of the building over the proposed outdoor dining area. There will also be removable decorative concrete barriers surrounding the outdoor dining area. An 8' high decorative wooden fence will be erected near the rear south-side of the building to mask trash receptacles and utilities. The proposed project is in compliance with Article X, Section 1040.

Recommendation: Approve with the following conditions

1. If a sign were to be erected, it is recommended that the applicant comply with Article VII of the Village of Lowville Zoning Law.
2. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

After a brief discussion regarding the site plan and parking availability, Mr. Becker made a motion to approve the project with the recommendations listed above, seconded by Mr. Burns, which carried unanimously.

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

Mrs. Buell read the following response from a municipality regarding a previously submitted/reviewed project:

- Site Plan Review – Scott Moshier, Wolff’s Body Shop - Town of New Bremen Town Board – Approved w/conditions

(8) **Unfinished Business:** None

(9) **New Business:** Mrs. Buell notified the attendees of the recent County Planning Board vacancy.

(10) **Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Becker, seconded by Mr. Burns. Chairman Kaido adjourned the meeting at 2:46 PM.

Respectfully submitted,



Casandra Buell
Senior Planner