

MINUTES
LEWIS COUNTY PLANING BOARD
March 16, 2017

- (1) **Call to Order:** Chairman Kaido called the regular meeting of the Lewis County Planning Board to order at 2:34 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: Mike Kaido, Dave Becker, Bill Burke and Tim Petersen. Staff Present: Frank Pace, Director of Planning.
- (3) **Reading and Approval of Minutes:** The February 16, 2017 meeting minutes were received and there were no modifications made by the Board members present. Mr. Burke motioned to approve the minutes; Mr. Petersen seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:** None
- (5) **Report of Officers:** None
- (6) **Report of Special Committees:**

239-M Review

Mr. Pace read the following review to the Board:

VILLAGE OF LOWVILLE PLANNING BOARD

Site Plan and Special Permit (Village Application #SP2017-1) to store and sell pre-built storage buildings on Utica Blvd. (State Route 12); Parcel #212.16-02-12.113 in the Village of Lowville (Nearest cross road Ross Road to the south).

Terry Thisse, T/A Lowville Sport & Farm

The applicant provided the following Project Documentation: 1) Land Use Permit for sign; 2) Letter from John D. Ross dated March 2, 2017, Access Easement Agreement; 3) Plot Plan dated March 2, 2017 Sign Details; 4) Agricultural Statement; and 5) January 17, 2016 SEQR Short Form, Appendix B. The proposed project submission complies with the applicable Village criteria as indicated by the Village referral form dated March 3, 2017.

▪ *Compatibility With Adjacent Uses:*

The zoning for this area is identified as AC (Auto-Commercial). Currently the property use is vacant land. The proposed site modifications identified are consistent with the Route 12, Southern AC corridor. Thus, the proposed project is consistent with the character of the AC setting.

▪ *Traffic Generation and Effect:*

The roadway is identified as Utica Blvd. (State Route 12). This roadway consists of two lanes of travel in a north-south direction. The roadway system also contains a center turning lane. The applicant proposes to utilize the existing driveway entrance (curb cut) on the Ross property south of the Thisse property. The applicant provided an access agreement from John D. Ross T/A Ross Farms, Inc. for an undefined period (See Site Plan Access Easement). *It should be*

noted there is a curb cut immediately adjacent to the Thisse property; however, it is owned by the County of Lewis and Mr. Thisse does not have permission to use.

The applicant's site layout plan depicts one combined ingress and egress entrance with signage (driveway) onto Route 12. Applicant should comply with Article X, Section 1020 Road Access for any development proposal. It should be noted that no State of New York DOT driveway access permit was provided with the application.

There are no apparent sight obstructions that would impede egress and ingress to the property with the proposed use with existing entrance.

Based on the current zoning, area use and roadway design, it would appear that the roadway system will not be adversely impacted by the proposed use.

There is no reported traffic problems associated with this property. Applicant has indicated no changes to existing driveway entrance (Article X, Subsection 1020).

It should be noted the Village added the following restrictions to the above regarding their approval; 1) If the easement permission is revoked by Ross, the Zoning Permit is also revoked; 2) Signs stating which curb cut to use must be installed.

▪ *Protection of Community Character:*

The applicant is proposing no structures, only pre-built unoccupied storage units for sale. The proposed project is located within the AC zone in the Village of Lowville. There are numerous existing commercial facilities in this zone (area).

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 VII, Article VIII, Section 830-3, Article IX, and Article X.

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 February 6, 2017 (See attached SEQR document).

Special Note: The Village of Lowville restricted the placement of the pre-built storage units: No buildings shall be located over the Village waterline as depicted on the site plan.

▪ *Signage:*

The applicant has proposed signage in accordance with Article VII. It should be noted that sign details were provided with the Plot Plan.

▪ *Drainage:*

The site is currently zoned AC. There are no currently known drainage issues with the site. Applicant is not proposing any exterior modifications, based on application documents.

Based on the information supplied by the applicant, the proposed use will not create any adverse environmental concerns for the area.

▪ *Erosion:*

Article IX, Site Plan Review, Section 21 requires submission of an erosion and sediment control plan conforming to the standards and practices contained in the USDA Soil Conservation Service Engineering Field Manual (EFM) and New York Guidelines for Urban Erosion and Sediment Control, or other erosion and sediment control manual recognized by the Planning Board.

NYS DEC regulations require erosion control plans when the applicant disturbs 1 acre or more. The SEQR form, Page 1, item 3.a indicates a (0) acre area of disturbance for the project. If applicable, before commencing construction activity, the owner or operator of a construction project that will involve soil disturbance of one or more acre must obtain coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity. The owner must develop a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the General Permit for Stormwater Discharges from Construction activity. The owner must submit a Notice of Intent to the NYS DEC prior to start of construction (if applicable).

▪ *Parking:*

Based on the applicant's information and Article VIII, it would appear the applicant is not in compliance with Village parking criteria. Applicant should provide parking in accordance with Article VIII, Subsection 830-7 or request a waiver.

▪ *Community Facilities:*

The subject property is vacant land. There are no structures or connections to municipal utilities reported.

▪ *Lighting:*

Based on the applicant's submission, no exterior lighting is proposed (Article X, Subsection 1030).

▪ *Landscaping and Screening:*

Based on the applicant's submission, no landscaping is proposed, Article X, Subsection 1070.

Recommendation: Approve with the following conditions

1. Compliance with Article IX, Section 920, is recommended by the Village Planning Board. *"Waiver of Submission Requirements"* The planning board may waive any of the submission requirements listed in Section 915 above where it deems that the information is either not applicable or is unnecessary to a particular plan review. This information should be placed in the project file and a copy forward for the County file.
2. Applicant should provide parking in accordance with Article VIII, Subsection 830-7 or request a waiver.
3. Applicant should make application to NYSDOT for approval and use of proposed entrance/curb cuts. A copy of the determination/correspondence and or permit should be submitted to Lewis County for file.
4. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

General Comment Access Easement:

Normally access agreements are prepared with a metes and bounds description and filed with the subject property deed. With the Village of Lowville ruling/restriction one of the two entities (Ross or Thisse) should be required to report to the Village if agreement is revoked. If it is the Village's intention for the agreement to be self-governing, a yearly certification to the Board is recommended.

After brief discussion regarding the driveway entrances and traffic patterns, Mr. Becker made a motion to approve the project, seconded by Mr. Kaido, which carried unanimously.

- (7) **Report of County Planner:** None
- (8) **Unfinished Business:** None
- (9) **New Business:** Discussed reports to be sent out prior to CPB meetings. Members in attendance agreed that if a member wished to look at a draft report they could come into the Planning Office a few days prior to the meeting to review.
- (10) **Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Becker, seconded by Mr. Burke. Chairman Kaido adjourned the meeting at 3:00 PM.

Respectfully submitted,



Frank J. Pace
Director of Planning