

DRAFT MINUTES
LEWIS COUNTY PLANNING BOARD
April 15, 2021

- (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 board room at the Lewis County Courthouse. Roll call was requested by Mr. Petersen.
- (2) **Roll Call:** Board Members Present: Tim Petersen, Michael Kaido, Eric Virkler, John Lehman, Tim Hunt, Donald Cook, and Jerry King. Staff Present: Casandra Buell, Director of Planning and Community Development; Kevin Brouillard, Community Development Specialist; Joan McNichol, County Attorney, and Conner Biolsi, IT Director. Public Present: Mike Dolhof, Maureen Sugrue, Walton Sugrue, Muriel Purcell, Anne Anthony, Michael Young, Ryan Piche, and Nick Altmire (LinkingLewisCounty.com).
- (3) **Reading and Approval of Minutes:** The draft March 18, 2021 meeting minutes were received. Mr. Lehman motioned to approve the minutes; Mr. Cook seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:** Ms. Buell gave the attendees and listeners a brief overview of what role the County Planning Board plays in GML-239m reviews. Per the Bylaws, the County Planning Board will allow one comment per person for up to 5 minutes. She made note that she received a copy of a list of Concerned Citizens of Brantingham, NY from Muriel Purcell. A call was also received from a Brantingham Lake resident who asked to remain anonymous voicing their concerns over the water consumption and potential invasive species. Ms. Buell then read the following comments submitted by Muriel Purcell:

Tom Rudar (taken from an email excerpt): As I mentioned in a previous email, the traffic congestion in/around Old Forge from campers is absolutely crazy on weekends. Fortunately, residents can get around by using South Shore Road. We only have Brantingham Road as our main artery. If this campground goes through we would have to seriously consider selling our property.

Joanne & John Lomber: We are writing you today, to express our opposition to the proposed "Campground". Any "Campground", public or private, would be fundamentally incompatible with the historically "single family" nature of the homes and camps at Brantingham. It is our hope that the Planning Board will reject any application for a "Campground".

Bob & Rosemary Bradt: We have major concerns on North Shore Road very close to the boat launch. One of our major concerns about this proposed new campground is the increased congestion that 32 new camp sites will bring to the boat launch area. Even now, on holidays, congestion is way out of control. As you are probably aware, there is no parking at the launch, and boats and trucks must be parked on the road or on private property in the area. They are either blocking traffic or trespassing. On several occasions I have been tempted to call the sheriff to come and issue tickets to these vehicles. I can only imagine what 32 new campsites will add to this congestion at the boat launch area, not only to neighbors, but for anyone who uses North Shore Road. This includes Fire and Rescue that need to use the road in an emergency. There seems to be many problems associated with allowing this campground, but I

am not aware of any benefits that it will bring to the Brantingham community. I hope you will not approve the application.

Maureen Sugrue: My name is Maureen Sugrue and my husband Walt and I are part of a group of concerned citizens objecting to the campgrounds that Mike Dolhof plans to build on Brantingham Road. This will create a great deal of extra traffic with trucks with campers, vehicles pulling boats and ATVs. Brantingham Lake is owned by NY State, consequently boat and Jet Ski traffic will increase on the lake which can be a hazard. Also, the risk of invasive species brought to the lake by the additional boats. There should be mandatory washing station implemented. Fire is a big concern with sparks from campfires as well as the smoke. Not only will it be difficult for campers to escape but fire trucks may have a difficult time getting to the fire. The fires could easily burn all the homes in the near by area. There will also be a dumping station, septic systems and possibly more wells drilled. This can all affect water to the homes in the area.

Don and Linda Higgins: (Comments included in Appendix)

NM Freeman: (Comments included in Appendix)

Graham Morrison: (Comments included in Appendix)

The following comments were received by Casandra Buell via email:

Tricia Harmon: (Comments included in Appendix)

Aimee Bills: (Comments included in Appendix)

Julie Tipple: (Comments included in Appendix)

Art Holmberg: (Comments included in Appendix)

Julie Holmberg: (Comments included in Appendix)

Corinne Kahler: (Comments included in Appendix)

Tracy Miller: (Comments included in Appendix)

Glenn Lesky: (Comments included in Appendix)

Andrea Jones: (Comments included in Appendix)

Jan Markham: (Comments included in Appendix)

Sue Lorenzini, Ann Bellanca, Thomas Lorenzini and Michael Lorenzini: (Comments included in Appendix)

Sandra Markham: (Comments included in Appendix)

Andy and Kelly Gates: (Comments included in Appendix)

L. James Jones Jr: (Comments included in Appendix)

Glenn and Mary Reaves: (Comments included in Appendix)

Wayne and Joanna Dailey: (Comments included in Appendix) As requested, Ms. Buell also shared pictures submitted by Mr. and Mrs. Bailey of their property in relation to the proposed project site.

Mr. Petersen requested Ms. Buell to open the floor for comments on those in attendance:

Maureen Sugrue: Expressed concern over the side yard setbacks, smoke from fires and water issues (mentioned his ability to frack). Noted that it was not an appropriate place for a campground. Another problem she noted is concern that the Town of Greig Planning Board has accepted the application. Mentioned that the DEC and Health Department have not signed off on it yet. Hoping in the long run the applicant cannot move forward with the campground – can put it somewhere else. Also traffic is of concern.

Walt Sugrue: Concerned about the underground spring that runs across the property onto his property and the homes along Brantingham Road. Concerned about pollution to his \$11,000 well and potentially polluting the wells along the road.

Muriel Purcell: Questioned whether or not the Board has an overall map showing the area in relation to the residential area so that they can see the many disturbances. Mentioned concern about well water quality after drawing a minimum of 10,000 gallons out of the ground within spitting distance of her well. There are very serious issues that need to be addressed. Mentioned correspondences from their attorneys.

Anne Anthony: Owns one of the oldest cottages on Cottage Road on Brantingham Lake. Concerned about the immediate neighbors to the campground losing the quiet enjoyment they currently have. Mentioned concern over fire hazards that their volunteer fire department would have to handle. As a long-term resident, she has seen gradual development and would like to preserve, protect and defend the quality of the lake for the community as a whole. Understands the financial benefit to the community and is sympathetic to that but is concerned about invasive species from boats that are not washed properly. Notes a long-term consequence to allow short time users who do not have a long-term stake in the lake. Water levels and leech fields were also noted as a concern. There is a lot of traffic on the lake and it is difficult to maintain a safe space for children because there are too many watercrafts to avoid. The potential expenses that could result from potential invasive species could be astronomical. Ms. Anthony mentioned that there is no public beach and that there would be no place to park the vehicles for lake access. Noted that it was a privately owned lake that they are tasked with preserving. There is a strong, large tax base and residents are concerned. Timing of the project review is unfortunate as many of the residents cannot attend the associated meetings.

Ryan Piche: On behalf of the largest adjacent landowner to the proposed project site, the County has expended large amounts of money to invest in the trail system. When these public investments are made, the hope is that there will be future private investment – that of which is what the proposed project is. Parcels like this will expand tax base and jobs. Many industries from long ago – logging and paper making – are likely not returning and the County's future lies in recreation and tourism. As an adjacent landowner, the County is in support of the project.

Michael Young: Noted that he is here representing the applicant, Mr. Mike Dolhof. First comment was that his client is also a Brantingham resident; he is not looking to destroy the community. Secondly, fear of the unknown is the greatest fear. This seems to be the message he has heard through the comments given by other Brantingham residents. The references to the attorney and experts from outside of the area suggesting that the local attorneys and engineers do not know what they are doing is offensive. A licensed engineer and resident of Lewis County is handling the proposed project. This project would be a year-round facility that is not limited to just the lake but also for snowmobilers and trails. To suggest that 32 families are all going to show up with boats is ridiculous. The project is not meant for that and that it is a significant distance from the lake. Mr. Dolhof is taking the proper steps and is willing to work with people. To suggest that the people who would be coming to the campground will destroy the area is offensive and discriminatory. His client has taken abuse for months and to suggest that he is going to drain the lake is not true. Mr. Young further stated his client has worked within the law and the zoning law which depicts his project as a permitted use.

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

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

239-M Review

Being that the County Planning Board reviewed this project in November 2020, Mr. Petersen asked if there were significant changes to the project and if there were changes to the recommendations. Ms. Buell noted that yes, there were several changes.

Ms. Buell read the following review:

TOWN OF GREIG PLANNING BOARD

Special Use Permit and Site Plan Review for a proposed campground with campsites and cabins 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) Revised SEQR Full Environmental Assessment Form (FEAF); 2) Design Details for the access road, water system, and wastewater disposal systems; 3) Revised Site Plan; 4) Communication from Young Law Office, PLLC; 5) Communication from Whiteman, Osterman & Hanna, LLP; 6) Communication from Plumley Engineering, P.C.; 7) Communication from TTS Professional Engineers, PLLC; and 8) Retention Pond Construction Plan.

The applicant submitted revised site plans that include the construction of eight (8) two-bedroom cabins, four (4) one-bedroom cabins, twenty (20) travel trailer sites with utilities for overnight and/or temporary rental, one (1) 24' x 24' building for laundry/office space, one (1) 40' x 60' timber pavilion, and one (1) on-site bath house.

▪ *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. Proposed setbacks are as listed:

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

Based on the submitted site plans, the proposed action is compliant with Article VI § 655.

According to page 3 of the FEAF, the proposed action will consist of 3 phases. The applicant would anticipate beginning phase 1 in May 2021 constructing four (4) cabins, ten (10) travel trailer sites, one (1) office, water and laundry building, one (1) bathhouse and the recreational area by October 2022. The second phase is anticipated to begin in November 2022 and would consist of constructing six (6) cabins and ten (10) travel trailer sites during a 12-month period. Phase 3 would follow with the construction of two (2) final cabins, the pavilion and pond. All phases would be completed by October 2024.

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 160 feet apart. While the FEAF does note an anticipated driveway permit application date of April 1, 2021; prior to construction, evidence of a Lewis County Highway Department Driveway Permit should be provided to the Town of Greig Planning Board and Zoning Enforcement Officer. 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. County Route 42 is a functional 20' wide Class 9 low-volume local road with an AADT traffic count of 1,209 cars per day. After conducting a site visit and line of site analysis, the Lewis County Highway Superintendent concluded that the proposed driveway details are acceptable and that there are no concerns as to the impact of the road with this proposed use. It is suggested that the western driveway is designated as the entry and the eastern driveway is designated as the exit to the facility. Additionally, it is suggested that there is one-way flow for the cabin portion of the project area.

It should be noted that the County does not have authority to reduce speed limits but, if the proposed action is approved and built, the Highway Superintendent can recommend the area for a speed reduction. This will need to be handled and approved by NYS DOT and a specific formula is used to warrant said change.

- *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.

- *Signage:*

The revised site plan does not include a sign rendering or location. According to the submitted referral, a sign plan will be applied for at a later date. 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 10 acres of ground disturbance and since any land disturbances over 1 acre in size requires compliance with NYS DEC regulations (State Pollutant Discharge Elimination System), the FEAF notes a projected application date of April 1, 2021 for said permit.

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 cabin sites meet the 8% maximum slope regulation set in Article VI §655(B); however, camper sites F, G, H, N, & M exceed the 8% slope threshold. According to the communication provided by TTS Professional Engineers, PLLC, the actual location of the individual camper sites will be graded to a level or near level condition. Additionally, all sites are on extremely well-drained soils and free of flood hazard. It was also noted that runoff from the sites will be directed alongside the road to the retention pond.

According to the submitted FEAF, there will be 0.5 acres of impervious surfaces added to the property via camping unit roofs and the stormwater will be directed to an on-site retention pond. While the FEAF does note an anticipated NYS DEC SWPPP application date of April 1, 2021; prior to construction, a copy of the permit should be sent to the Town of Greig Planning Board and Zoning Enforcement Officer.

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. The submission notes that this pond will be 60' in diameter and approximately 5' deep with landscaping added around the perimeter. To comply with NYS DOH regulations, the applicant intends to add "No Swimming" signs. Well water will be used to fill the pond and a submersible pump will be added to aerate the water by use of a fountain-like feature.

- *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 FEAF notes that the proposed action will use or create a new demand for roughly 4,450 gallons of water per day. Public water/wastewater facilities will not be used and, according to the submitted site plan, there will be three 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 Departments 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).

Aside from the overhead connection to the National Grid pole on County Route 42, all electrical lines will be underground. It is assumed that these on-site electric lines will not only provide for on-site lighting, but for travel trailer connection to avoid the noise pollution from generators. This assumption should be confirmed with the applicant before approval.

▪ *Lighting:*

Outdoor lighting details were noted on page 8 of the submitted FEAF and within the communication from TTS Professional Engineers, PLLC. Each cabin will have an exterior motion sensor light installed above the entryway and each camper site will have a pedestal light installed. All lighting will be low intensity, directional lights to avoid effects on adjacent properties. Additionally, there will be low intensity entrance lights installed on each side of the driveways.

▪ *Landscaping and Screening:*

A majority of the wooded areas will remain intact and according to the submission, there will be an estimated 92 conifer trees and 6 deciduous trees removed for the construction of the roadway, camper sites and cabin sites. Approximately 33 trees will be planted in the neighboring home's line of site for additional screening.

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. 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. Since there do not appear to be plans for additional road-front screening, the Town of Greig Planning Board should review the existing screening to verify whether the action would be "adequately screened".
2. While the FEAF does note an anticipated driveway permit application date of April 1, 2021; prior to construction, evidence of a Lewis County Highway Department Driveway Permit should be provided to the Town of Greig Planning Board and Zoning Enforcement Officer.
3. It is suggested that the western driveway is designated as the entry and the eastern driveway is designated as the exit to the facility. Additionally, it is suggested that there is one-way flow for the cabin portion of the project area.
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 10 acres of ground disturbance and since any land disturbances over 1 acre in size requires compliance with NYS DEC regulations (State

Pollutant Discharge Elimination System), the FEAF notes a projected application date of April 1, 2021 for said permit.

7. 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).
8. 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 Departments of Health and Environmental Conservation requirements before any permit is issued for occupancy.
9. While the FEAF does note an anticipated NYS DEC SWPPP application date of April 1, 2021; prior to construction, a copy of the permit should be sent to the Town of Greig Planning Board and Zoning Enforcement Officer. Permit should be provided to the Town of Greig Planning Board and Zoning Enforcement Officer.
10. Town of Greig Planning Board should confirm and/or request that the on-site electrical utility will also include power boxes for the camper sites. This will mitigate any potential noise concerns that could be caused by the use of generators.
11. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Lewis County Highway Superintendent, Tim Hunt, verified that he did perform a line-of-sight analysis, he concluded that he had no concerns. Mr. Virkler asked specifically what was recommended in November vs. April. Ms. Buell reviewed the changes and consistencies. Ms. Buell asked if there was any other conditions that they would like to include that have not been discussed. Mr. Virkler asked what the status of the project was with the Town of Greig Planning Board. Ms. Buell noted that, as of now, they have accepted the application as complete and have sent it to us. When the recommendations from the County Planning Board are submitted to the Town of Greig Planning Board, they will decide how to proceed. Ms. Buell added that from conversations with NYS DOH, NYS DEC and the APA in November, their permitting process would avoid many of the issues brought to the board's attention. Mr. Petersen suggest that recommendation number 8 would essentially cover those concerns as well.

Ms. Buell also mentioned that she reached out, the Lewis County Director of Emergency Management, Robert Mackenzie, for any of his concerns. Mr. Mackenzie noted that he reviewed the site plans with the 3-G fire chief and, informally, he had no concerns. From a Fire Coordinator standpoint, Mr. Mackenzie highly recommended provisions for campfire rings at each site. From an Emergency Management perspective, Mr. Mackenzie noted that as long as it is not developed into an outdoor "venue" for concerts, rallies, etc., mass gatherings should not be an issue. Mr. Mackenzie also noted that as long as all health codes for the campgrounds are followed, his office is good with the plans.

Ms. Buell presented an aerial map of the project with the proposed site plan drawn over the existing vegetation. The map, provided by TTS Professional Engineers, PLLC, illustrated the 33 trees that would be added to the residential lot line to add to the existing screening.

With no further questions or comments, Mr. Lehman made a motion to approve with the above conditions and to add campfire rings to each site. Mr. King seconded the motion, which carried unanimously. Final recommendations are as follows:

Recommendation: Approve with the following conditions

1. 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. Since there do not appear to be plans for additional road-front screening, the Town of Greig Planning Board should review the existing screening to verify whether the action would be “adequately screened”.
2. While the FEAF does note an anticipated driveway permit application date of April 1, 2021; prior to construction, evidence of a Lewis County Highway Department Driveway Permit should be provided to the Town of Greig Planning Board and Zoning Enforcement Officer.
3. It is suggested that the western driveway is designated as the entry and the eastern driveway is designated as the exit to the facility. Additionally, it is suggested that there is one-way flow for the cabin portion of the project area.
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 10 acres of ground disturbance and since any land disturbances over 1 acre in size requires compliance with NYS DEC regulations (State Pollutant Discharge Elimination System), the FEAF notes a projected application date of April 1, 2021 for said permit. Permit should be provided to the Town of Greig Planning Board and Zoning Enforcement Officer.
7. 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).
8. 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 Departments of Health and Environmental Conservation requirements before any permit is issued for occupancy.
9. While the FEAF does note an anticipated NYS DEC SWPPP application date of April 1, 2021; prior to construction, a copy of the permit should be sent to the Town of Greig Planning Board and Zoning Enforcement Officer.
10. Town of Greig Planning Board should confirm and/or request that the on-site electrical utility will also include power boxes for the camper sites. This will mitigate any potential noise concerns that could be caused by the use of generators.
11. Per the recommendation of the Lewis County Director of Fire and Emergency Management, campfire rings should be installed at each site.
12. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Mr. Virkler exited the meeting at 3:51 PM.

(7) Report of County Planner:

- Response from municipalities regarding previously submitted/reviewed projects:
 - None

(8) Unfinished Business: None

- (9) **New Business:** Mrs. Buell noted that there has already been a referral received for next month; The Town of Watson has submitted a proposed Comprehensive Plan.
- (10) **Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Cook, seconded by Mr. Petersen, which carried unanimously. Mr. Petersen adjourned the meeting at 3:53 PM.

Respectfully submitted,



Casandra Buell

Director of Planning and Community Development

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APPENDIX

DRAFT