(1) **Call to Order:** Chairman Petersen called the regular meeting of the Lewis County Planning Board to order at 2:30 PM in the conference room on the 2nd floor at the Lewis County Court House, Lowville, New York. Roll call was requested by Mr. Petersen.

(2) **Roll Call:** Board Members Present: Tim Petersen, Michael Kaido, Eric Virkler, John Lehman, Jerry King, and Warren Shaw. Staff Present: Casandra Buell, Director of Planning. Public Present: Nick Altmire, LinkingLewisCounty.com

(3) **Reading and Approval of Minutes:** The draft June 18, 2020 meeting minutes were received. Mr. Lehman motioned to approve the minutes; Mr. Kaido seconded the motion, which carried unanimously.

(4) **Correspondence and Communication:** Ms. Buell reminded the Board that there will be online Sugar Maple Solar Project Information Sessions on July 27th and July 28th.

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

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

239-M Review

Ms. Buell read the following review to the Board:

**TOWN OF LEYDEN PLANNING BOARD**

Site Plan Review for the construction of a 1,296 sq. ft office building/showroom to be located at 2344 West Road (County Route 51) in the Town of Leyden.

Tax Map Parcel #380.00-01-28.120

*Fox Den Monuments LLC/Steven Fox – Applicant*

The applicant provided the following Project Documentation: 1) SEQR Short Environmental Assessment Form; 2) Site Plan; 3) Agricultural Data Statement; and 4) Site Plan Narrative and Description.

The Town of Leyden Planning Board identified this project as SPR1-20. According to the submitted narrative, the proposed project will be constructed in stages over the course of 3-5 years.

- **Compatibility with Adjacent Uses:**
  The proposed project complies with the intent of Article II of the Town of Leyden Zoning Law.

According to the submitted Agricultural Data Statement, the proposed use will be located within 250 feet of an Agricultural District containing two (2) active farm operations. It should be noted that according to the submitted narrative, both farm owners have been
informed of the applicant’s intent to develop a portion of his property and no concerns have been raised.

The proposed project is located along County Route 51. According to the submitted SEAF, this area contains mixed use including but not limited to commercial, rural (non-agricultural) and agricultural land uses. The submitted site plan shows an existing gravel driveway that does not meet the required 10’ side yard setback from the Croniser property to the east; however, all other setback requirements appear to comply with Article III. The Town of Leyden Zoning Law does not define whether a driveway is exempt from setback requirements; however, this should be addressed by the Town of Leyden Planning Board upon approval of this Site Plan Review (SPRI-20).

- **Traffic Generation and Effect:**  
  According to the submitted SEAF, the applicant has determined that the proposed action will not result in a substantial increase in traffic above present levels. Additionally, the site plan review application notes that there will be an estimated 1-2 additional visitors daily. The existing 30’ wide driveway will be used for egress/ingress; however, this may need to be narrowed if the Town of Leyden Planning Board requires the driveway to be at least 10’ from the Croniser property. If the driveway is narrowed by 10’, the driveway should still meet the 20’ width requirement set in Article V § 515.

- **Protection of Community Character:**  
  The low volume monument operation will easily blend into the community’s rural nature without creating any adverse conditions. According to the submitted SEAF, the proposed action site does not contain a structure that is listed on either the State or National Register of Historic Places, is not location in an archeological sensitive area, does not contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered, and does not have or adjoin a property that has been subject to remediation for hazardous waste. As part of this review, the information noted on the SEAF was confirmed via the EAF Mapper Report. There should be no adverse impacts as a result of this action. The Town of Leyden as the Lead Agency acknowledged the project will not have a significant adverse impact to the environment as indicated in Part 3 of the SEAF dated July 1, 2020.

- **Signage:**  
  The applicant has proposed erecting a 32 sq. ft. freestanding sign north of the driveway. The sign will have no lights but will have reflective lettering. To further comply with Article V § 535, the applicant should verify that the proposed sign will be no taller than the maximum of 20 feet from base elevation.

- **Drainage/Erosion:**  
  There are no currently known drainage issues identified with this project. The applicant provided no pavement plan or indication of paving. As outlined in the SEQR, the applicant indicated there may be no or small impact regarding erosion. While the applicant has noted that no portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency, the NYS DEC’s Environmental Assessment Form & Environmental Resource Mapper Report does identify a riverine that runs through the property. It appears this riverine acts as a natural seasonal drainage channel. According to the submitted site plan, the proposed parking lot, driveway and building will be located approximately 100 feet from the identified riverine.
Parking:
The proposed action includes 4-5 parking spaces and an area for unloading next to the office building. The submitted site plan does not illustrate the exact parking space dimensions; however, it is estimated that the parking area will be roughly 90’ x 36’. Since the project is only required to have 1-2 parking spaces based on the proposed gross floor area and the unloading area is located approximately 150’ from the road on the side of the building, it appears that the proposed action is compliant with Article V § 520.

Community Facilities:
The proposed action will use water from an existing well and a new septic system will be installed to the east of the building. Electricity (200 amp) will be connected to the building through buried lines from the existing utility pole on County Route 51. According to the submitted site plan illustration, in order to use the existing well, the riverine will need to be crossed. To avoid any complications that this may cause, compliance with Article V § 510 is required and the applicant should consult with the U.S. Army Corp of Engineers before beginning work on the well extension.

Lighting:
According to the submitted narrative, an existing security light on the utility pole will be used for onsite security. The applicant notes that this is consistent with adjacent parcels. After further discussions with the applicant, Mr. Fox mentioned that there may be a small entry light at two entrances to the building and the sign would not have lighting. It appears that this proposed action is compliant with Article V § 530.

Landscaping and Screening:
The applicant is not proposing any additional landscaping for the subject action. Compliance with the landscaping requirements defined in Article V § 525 is necessary; however, according to Article V § 505, the Planning Board may waive and/or modify, subject to appropriate conditions, the provisions of any or all standards and/or requirements set for this article if in the special circumstances of a particular application such standards are not in the interest of the public health, safety, and general welfare or strict adherence to such standards and/or requirements would cause unnecessary hardship for the applicant without achieving public benefit objectives.

Recommendation: Approve with Conditions
1. The submitted site plan shows an existing gravel driveway that does not meet the required 10’ side yard setback from the Croniser property to the east; however, all other setback requirements appear to comply with Article III. The Town of Leyden Zoning Law does not define whether a driveway is exempt from setback requirements; however, this should be addressed by the Town of Leyden Planning Board upon approval of this Site Plan Review (SPR1-20).
2. To comply with Article V § 535, the applicant should verify that the proposed sign will be no taller than the maximum of 20 feet from base elevation.
3. Compliance with the landscaping requirements defined in Article V § 525 is necessary; however, according to Article V § 505, the Planning Board may waive and/or modify, subject to appropriate conditions, the provisions of any or all standards and/or requirements set for this article if in the special circumstances of a particular application such standards are not in the interest of the public health, safety, and general welfare or strict adherence to such standards and/or requirements would cause unnecessary hardship for the applicant without achieving public benefit objectives.
4. According to the submitted site plan illustration, in order to use the existing well, the riverine will need to be crossed. To avoid any complications that this may cause, compliance with Article V § 510 is required and the applicant should consult with the U.S. Army Corp of Engineers before beginning work on the well extension.

5. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Mr. Petersen suggested adding a note about the current width of the driveway being roughly 30’ wide and that it would still comply with Article V if the driveway were to be narrowed by 10’ to accommodate a possible side yard setback requirement. Mr. King also mentioned that the driveway should be designed to accommodate large truck deliveries. The board agreed with both additions to the above conditions. A motion was made by Mr. Petersen to approve with conditions as well as the suggestions made by himself and Mr. King relating to the driveway. Mr. King seconded the motion, which carried unanimously.

(7) **Report of County Planner:**
Ms. Buell read the following municipality response regarding previously submitted/reviewed project:
- Site Plan Review – Olmstead Consulting on behalf of Grumpet Estates, LLC – Town/Village of Lowville Planning Board – Approved w/conditions

(8) **Unfinished Business:** None.

(9) **New Business:** None

(10) **Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Virkler, seconded by Mr. Lehman, which carried unanimously. Mr. Petersen adjourned the meeting at 2:53 PM.

Respectfully submitted,

[Signature]
Casandra Buell
Director of Planning