

MINUTES

ST. LAWRENCE COUNTY PLANNING BOARD

7:00 p.m., Thursday, April 14, 2022
via Zoom

I. Call to Order

a. **Roll Call and Determination of a Quorum**

Chair O'Neil called the meeting to order 7:05 pm. Casserly did a roll call for attendance. A quorum was present (9/15).

	NAME	ABSENT	PRESENT		NAME	ABSENT	PRESENT
1.	Eric Alan (Vice-Chair)	X			Staff:		
2.	Ken Bellor		X		Dakota Casserly		X
3.	Kim Bisonette		X		Jason Pfothenauer		X
4.	Don Chambers		X				
5.	Priscilla Darling		X		Guest:		
6.	Daniel Fay		X				
7.	Andy Gilbert		X				
8.	Dan Huntley		X				
9.	Kitty O'Neil (Chair)		X				
10.	Julia Rose (Secretary)	X					
11.	Cherrie Shatraw		X				
12.	Vacant						
13.	Vacant						
14.	Vacant						
15.	Vacant						
			9/15				

b. **Adoption of the Agenda**

- i. The agenda was unanimously adopted (Shatraw/Gilbert).

c. **Approval of the March 10, 2022 Meeting Minutes**

- i. The minutes were unanimously adopted (Huntley/Gilbert).

II. Public Forum: None

III. Project Reviews

a. Referrals Returned Pursuant to MOU

Pfothenauer presented a list of fifteen projects.

- i. **Gouverneur (T)**: Diane Miller, special use permit, open and operate a diner, 1112 US HWY 11.
- ii. **Louisville (T)**: Glen and Jane Nichols, subdivision, subdivide one parcel into three parcels, 45 Kingsley Rd.
- iii. **Macomb (T)**: David Beutnagel, subdivision, subdivide one parcel into three parcels, 10 Sawmill Rd.
- iv. **Massena (T)**: Hannah Hayden and Samantha Hayden, site plan, operate a doggy daycare, 6100 State Highway 37.

- v. **Massena (V):** Esmerelda Arvide, site plan, operate a retail business, 26 Andrews St.
 - 1. Discussion
 - a. Huntley asked about signage restrictions for the hemp store in regards to children. Pfothenhauer replied that this store is not cannabis based but hemp projects and the Board does not have control over signage. The municipality has sign regulations and the State has cannabis specific land use regulations.
- vi. **Massena (V):** Citizen Advocates, site plan approval, open a professional office for mental health and substance abuse outpatient services, 292 N. Main St.
- vii. **Massena (V):** Northern Credit Union, area variance, construction of a building and pavement closer to the front lot lines of a corner lot, 88 Parker Ave.
- viii. **Morristown (T):** Marsha Gibbons, special use permit, open a satellite real estate office in residence, 3376 CR 6.
- ix. **Morristown (T):** Christopher Gratto, subdivision, subdivide one parcel to two parcels, 1 Partridgeberry Dr.
 - 1. Staff Comment: Staff would encourage the Town to ensure that all easements and rights-of-way that are currently associated with Partridgeberry Drive and allow passage to the riverfront lots are maintained when this new parcel is created.
- x. **Morristown (T):** Wayne Latham, subdivision, subdivide one parcel to two parcels, 9264 SH 58.
- xi. **Morristown (T):** Nancy Vredenberg, Patricia Manley, Jane Orcutt, subdivision, subdivide one parcel into five parcels, 8466 SH 58, Lote 3 & 6.
 - 1. Staff Comment: Staff offer the following comments on the Booth Island Subdivision. Parcel A appears to be an existing lot of record and does not appear to have any access via a right-of-way. Parcel B appears to have a designated Federal wetland contained within it that limits access and may limit room for adequate septic and well facilities. Parcel C has an existing right-of-way and appears to be able to accommodate septic and well facilities. Parcels D and E appear to be of adequate size to accommodate septic and well facilities for each structure and a right-of-way exists to each lot as well as the parent lot to the south. Staff encourage the Town to ensure that all lots have adequate square footage to accommodate individual septic and well facilities, are buildable and have adequate access through a right-of-way or easement. Safe ingress and egress off of State Highway 58 should also be ensured.
 - 2. Discussion
 - a. Gilbert asked about subdivisions and lots with no access. Pfothenhauer replied that existing, or new, easements will provide access to new lots.
 - b. Gilbert asked about information sharing about parcels that are covered with designated wetlands and if they are buildable or not. Pfothenhauer replied that “buyer beware” is applicable in most cases and subdivision regulations usually have “buildable lot” language conditions.
 - c. Shatraw asked if family members of the property owners have been notified about the subdivision. Pfothenhauer

responded that the owners of the new lots can do what they want with them. Also, comments were shared with the Town and from there, hopefully, with the property owners.

xii. **Norfolk (T):** Town of Norfolk, code amendment.

1. Staff Comment: Staff understand that this Special Use language is being adopted because of a proposed development on lands at the end of Remington Street. Zoning in general, and Special Use standards in particular, are put in place to protect citizens as well as to preserve community character and property values. Staff understand that residential uses will be in close proximity to this facility and suggest that the Town examine whether a 300 foot setback (6. Conditions, c.) is adequate. Staff would also suggest that any train cars containing fuel should be considered part of this facility and should meet the setback requirement. Other comments regarding the amendment document include: Section 5. b. reference to code officer as he should be changed to he/she. Section 6. a. Clarification on the paying of taxes, the applicant or property owner would still be required to pay taxes on the property if the equipment is no longer in place. Section 6. e. Any lighting should be 'downcast and dark sky compliant'. Section 7. b. the word 'renovations' should be replaced with the word 'revisions.'

xiii. **Potsdam (V):** Village of Potsdam, code amendment.

1. Staff Comment: The County Planning Office is aware of the impetus for this proposed zoning code change. The County Planning Board reviewed and conditionally approved the proposed Stewart's development on Market Street in December 2021. The County Planning Office sees two elements to this zoning revision; first, to remove eight uses that are currently allowed in the B-1 zone by special use and allow for these eight uses as standard uses; second, to eliminate dimensional requirements for two special use categories: restaurants and bars; and gasoline stations, motor vehicle sales and convenience stores where gasoline is sold (Section 180-31, 6 (a), and 7 (a).).
2. Moving the eight uses out of the special use category in the B-1 zone would reduce the amount of oversight that the Village would have over such development in this zone and would be inconsistent with the scrutiny that such uses would get in other zones. For example, Multi-Family Dwellings would be exempt from special use standards in the B-1 zone, but would be required to adhere to those standards in the Multi-Family Dwelling (R-3) zone. Another example; Restaurants and Bars are proposed to be allowed as a standard use in the B-1 zone, but are still subject to special use standards in the Central Business District (CBD), an area where such a use should be encouraged.
3. Eliminating the special use dimensional standards in Section 180-31, 6 (a) and 7 (a) would address the concerns that have been raised for specific proposed development in the B-1 zone. However, moving all eight uses to a standard use in the B-1 zone may have unintended consequences, which should be identified by the Village before taking final action.

xiv. **Stockholm (T):** Luke Thompson, site plan and special use permit, build a farm store and parking lot, 2410 County Route 47.

1. Staff Comment: County Planning Staff recommend that the applicant seek approvals from the County Highway Department for the proposed curb cut, parking lot, and sign, to avoid County Route 47 right-of-way (ROW) impacts.
- xv. **Waddington (V):** Royal Forgues, area variance, change 35 foot restriction on a portion of the property, 9 St. Lawrence Ave.

b. Full Reviews: None.

Pfotenhauer talked about a 20 MW solar array in the Town of Clifton that the Board should see as a full review in the near future. Also, he informed the Board that the denial for the Acer Solar, LLC project in Madrid was supported by the County's Ag Farmland Protection Board for its displacement of prime farmland with a letter to NYS Ag and Markets. The Town of Madrid Planning Board did overrule the Board and ultimately approved the project. Huntley shared that there may be more discussion on this project because of potential conflicts. Fay added that the full Board of Legislators are in support of denying projects that displace prime farmland.

IV. Reports

a. **Executive Committee**

- i. O'Neil talked about RFLA projects, setting the agenda, and training.

b. **Board of Legislators**

- i. Fay talked about spending ARPA funds: economic dev/tourism, emergency communication 911 call infrastructure to accommodate County towns, broadband, water and sewer infrastructure (Village of Canton water line from Waterman Hill), former jail rehabilitation, and ash tree removal and reforestation. Also, he talked about supporting the raise to the County Administrator's salary and not supporting a request for County workers to receive ARPA funds.

c. **Highway Department**

- i. Chambers talked about the Jones Road Bridge reuse of historic bridges, planning for recycling station at the Lisbon/Ogdensburg waste facility, projects (road, bridge, and culverts), Potsdam outpost earthwork, Russell outpost is operational, and the Lisbon outpost is nearing completion.

d. **State of the County Roundtable**

- i. Pfotenhauer talked about the North Side Energy Center, in the purview of the DEC and PSB, not meeting wetland designations for the proposed site. The seven member siting board will make the final decision (June/July) and the DEC is advising that wetland agreements need to be met beforehand. He continued with the Rich Road Solar Project transferring to the 94-C siting process. Other large-scale projects are rumored in the County, however there are no new applications.

e. **Staff Report**

- i. Pfotenhauer talked about housing grant funding, an audit, hazard mitigation, and the County Ag District 2 review that occurs every 8 years. Matilda Larson is in charge of the review and 30,000 acres are recommended for addition to the ag district. Huntley asked if forest lands will be added to the ag district. Pfotenhauer replied if it is used for maple,

then, yes. Casserly talked about EMC projects: Black Lake invasive species plan, DEC TMDL (Total Maximum Daily Load) study on Black Lake, a pollinator garden in Canton, and DEC Deer Management Program and food banks. Also, Casserly talked about a land use regulations revisions project with the Town of Rossie. Pfothenauer added Heidi Ames' work on the County's broadband committee.

The Board took a 5 minute break.

V. **Training**

- a. "Regulating Short-term Rentals" by Charles Malcomb and Alicia Legland, of Hodgson Russ, LLP. (Tug Hill Commission Recording).

[YouTube Video](#) || [Slide Deck Handout](#) || [Take a Quiz to Receive a Certificate of Attendance](#)

This training provided an overview of the global, national, and New York State short-term rental (STR) regulation landscape. Some notable highlights from the training were: defining characteristics of STRs, industry growth, the good and the bad, regulatory examples, zoning (municipal authority) considerations, zoning code interpretations, case law, and enforcement. Ultimately, municipalities (with community input) will need to develop comprehensive regulations to property accommodate the use.

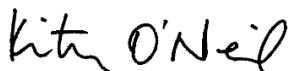
VI. **Other Items**

- a. Correspondence
 - i. Letter from Ag and Markets
- b. Next meeting dates:
 - i. Executive Committee: Thursday, April 28th at 4:15 pm
 - ii. Planning Board: Thursday, May 12th at 7:00 pm

VII. **Adjourn**

The meeting adjourned at 9:18 (Shatraw/Bisonette).

Respectfully Submitted,



Kitty O'Neil, Chair

Minutes prepared by Dakota Casserly