

**ST. LAWRENCE COUNTY PLANNING BOARD**  
**DRAFT MEETING MINUTES**

February 14, 2019

Public Safety Complex, 2<sup>nd</sup> Floor Conference Room, 49 ½ Court Street, Canton, NY

**I. Call to Order**

- a. Roll Call and Determination of Quorum.** K. Bellor called the meeting to order at 7:00 pm.

**Members Present:** K. Bellor, J. Cameron, W. Davis, D. Duff, D. Fay, M. Gazin, R. Hotte, S. Maine, and K. O’Neil. **Members Absent:** K. Bisonette, D. Chambers, M. McCluskey, D. Mullaney and B. Murray. **Staff Present:** M. Larson and J. Pfothenhauer.

Bellor welcomed Maine to the Planning Board and asked all those present to please introduce themselves. Maine introduced herself and explained she runs a body care manufacturing company in Parishville, is a former Adirondack wilderness guide, and is the mother of four adult children.

- b. Adoption of the Agenda.** Pfothenhauer said a special use permit and site plan review for a topsoil mine in the Residential-Agricultural zone off the Van Kennen Road in the Town of Norfolk would be presented as a project to return for local action. Pfothenhauer also suggested modifying the order of MOU and full review projects. The modified agenda was unanimously adopted (Davis/Cameron).
- c. Approval of the Meeting Minutes.** The January 10<sup>th</sup> meeting minutes were unanimously adopted (Duff/O’Neil).

**II. Public Forum** None.

**III. Project Reviews**

- a. Projects Returned for Local Action.**
- i. Massena (T): Rezoning to allow recreational vehicle sales in the Neighborhood Commercial District. Pfothenhauer reviewed the project proposal and said Blevin’s recreational vehicle sales application in November triggered the proposed zoning revision. Pfothenhauer explained the site where Blevin’s auto sales currently occurs off the Grasse River; explained the zoning district’s intent; and the definition for recreational vehicles that would be added to the schedule of permitted uses.
  - ii. Stockholm (T): Special use permit for a dog grooming business as a home occupation, in a residential zoning district at 8605 US Highway 11. Pfothenhauer explained the

applicant, Bark Avenue, intends to relocate its business from Potsdam to Sanfordville. Pfothenhauer projected streetview imagery of the project location, and said the applicant's circular driveway with second entrance to Highway 11 would require New York State DOT approval. Pfothenhauer said the business would be located in a detached 24'x24' accessory building, and the floorplan indicates it would not be used as a kennel for overnight stays. A Board member inquired about line of sight along that stretch of the highway. A comment was made that even with the gradual hill on the highway, the line of sight from the property's driveway is ok with approximately 600' of visibility. *The Board concurred with staff recommendation to return the project for local action with non-binding comments.*

- iii. Stockholm (T): Text Amendment to add motor sports as a permitted use via Special Use Permit in the Rural District. Pfothenhauer projected video samples of mud-bogging, and explained the applicant's request to add it to the schedule of permitted uses in the Rural Zone. Pfothenhauer reviewed the Town's proposed special use permit standards for motor sports. Duff suggested the permit should be subject to renewal after the first year. Gazin asked whether the DEC would be involved due to site disturbance. Pfothenhauer said the mud pit itself would be less than 1 acre, but agreed to add language about consulting with the DEC. *The Board concurred with staff recommendation to return the project for local action with non-binding comments.*
- iv. Norfolk (T): Special Use Permit and Site Plan Review for a topsoil mining operation in the Residential-Agricultural District off the Van Kernen Road. Larson described the project proposal and location; reviewed the project's site plan, aerial imagery, and streetview imagery of neighboring uses. Larson noted the proposed site plan does not satisfy the Town's setback requirement for mining operations that are adjacent to residential lots, nor does it satisfy the Town's 200' setback from adjacent wetlands. O'Neil said the applicant should install silt dams along the southern property line to minimize soil erosion onto adjacent Plumb Brook, and said the site should be revegetated sooner. *The Board concurred with staff recommendation to return the project for local action with revised non-binding comments.*

**b. Full Reviews.**

- i. Norfolk (T): Use Variance for Used Auto Sales in the Residential-Hamlet (R-H) district at 1398 State Highway 420. Pfothenhauer described the project proposal, the vacant lot's location and noted the adjacent intersection with caution light is a known location for vehicle accidents. Pfothenhauer said the used auto sales lot requires a use variance as it is not a permitted use in the district. Pfothenhauer added that if the former dwelling still existed on the lot, the proposed use would have been allowed as a small rural business. Davis inquired whether a comment should be included that state the proposed use could be allowed as a small rural business. Both Maine and Duff said the comment should not be included because this is so close to an intersection that has a history of vehicle accidents. Pfothenhauer reviewed the four legal test that the request would need to pass in order to grant a use variance, and recommended the request be denied. The County

Planning Board unanimously voted to deny the use variance to allow used auto sales in the Residential-Hamlet District at 1398 SH 420 (Duff/Hotte).

- ii. Stockholm (T): Rezone land north of SH 11C to the Town of Brasher town line from Community Center to Commercial. Pfothenhauer explained the applicant is proposing the creation of a convenience store with gas pumps that would be located in two jurisdictions, and said the Town would need to rezone the land to Commercial and add convenience stores with gas stations as a permitted use in the zoning schedule in order to accommodate the business. *The Board concurred with staff recommendation to return the rezoning for local action.*
- iii. Stockholm/Brasher (T): Special Use Permit and Site Plan Review to allow a convenience store with gas pumps in Stockholm's Community Center (CC) and Brasher's Hamlet (H) zoning districts at 743 SH 11C. Pfothenhauer described the property's location and explained the convenience store would be located in the Town of Stockholm, and the associated gas pumps would be located in the Town of Brasher. Pfothenhauer reviewed the development standards the project would need to satisfy for both towns, and said the project would require the Stockholm ZBA to grant an area variance for the lot having 88' of road frontage when 100' is required, and for the Brasher ZBA to grant area variances for reduced lot size, reduced road frontage, and reduced separation distances from adjacent residences.

Pfothenhauer also recommended the installation of a solid fence along the lot line that is adjacent to an existing residence. Maine suggested using vegetative screening as it is more appealing. A comment was made that the vegetation may not survive due the amount of impervious surface material in the surrounding area. Pfothenhauer also reviewed suggested conditions regarding exterior lighting, snow storage and whether a stormwater management plan is required. The Board agreed to add language about adding a vegetative buffer in addition to the installation of fencing. Gazin asked if the site is contaminated; the answer was unknown. The Board unanimously agreed to approve the proposed convenience store with gas pumps with revised conditions (Maine/Hotte).

#### **IV. Reports**

- a. **State of the County.** Maine said Ulster County recently passed a ban on the use of plastic bags and inquired whether the County Board of Legislators would consider instituting a similar ban. Duff said the Price Chopper has instituted a no plastic bag initiative in Saranac Lake. A comment was also made that a similar ban is in place in New Zealand. Pfothenhauer said environmental issues are typically addressed through the County's Environmental Management Council, and suggested the issue could be discussed at a possible joint meeting between the County Planning Board and EMC. Maine offered to do more research on the initiative and would report back to the Planning Board. Gazin wondered what the economic impact would be to require consumers to pay for the use of plastic bags at grocery and retail stores.

- b. **Executive Committee.** Bellor said the Executive Committee met on January 31<sup>st</sup> to set tonight's agenda and discussed some of tonight's full review projects.
- c. **Board of Legislators.** Fay said the Planning Office is bringing money into the county, and Zimmerman and Pfothenhauer recently delivered a presentation about the Office services to the Board of Legislators.
- d. **Highway Department.** None.
- e. **Staff Report.** Larson said the County's Shoreline Resiliency study is being prepared to identify preventative measures the southern shoreline communities can institute against rising water levels. Pfothenhauer said the Office's work to prepare the Town of Morristown's Comprehensive Plan is ramping up.

V. **Other Items**

- a. **Correspondence.** Pfothenhauer summarized the Office's recent memo to the Village of Canton Planning Board about the Christian Fellowship Center's request for a Special Use Permit to allow a church in the C-1 zoning district. Pfothenhauer said the Office determined the applicant's SUP request to the Village Planning Board was moot in light of the Village Zoning Board of Appeals' recent interpretation that churches are not a permissible use in the C-1 district.
- b. **Next Meeting Dates.** The Executive Committee will meet on Thursday, February 28<sup>th</sup> at 4:15 pm in the Planning Office. The Planning Board will meet on March 14<sup>th</sup> at 7:00 p.m. in the 2<sup>nd</sup> floor conference room of the County Public Safety Complex, located at 49 ½ Court Street in Canton.

VI. **Adjourn**

The meeting adjourned by consensus.

Respectfully Submitted,



Renee Hotte, Secretary