

ST. LAWRENCE COUNTY PLANNING BOARD MINUTES

7:00 p.m., Thursday, July 13th, 2023

In person, Public Safety Complex Conference Room, Canton / on Zoom

I. Call to Order

- a. **Roll Call and Determination of a Quorum.** K. O’Neil called the meeting to order at 7:00 pm. A roll call was held; a quorum was established.

	NAME	ABSENT	PRESENT		NAME	ABSENT	PRESENT
1.	Ken Bellor	X			Staff:		
2.	Kim Bisonette		X		Jason Pfothenhauer		X
3.	Don Chambers		X		Preston Santimaw		X
4.	Priscilla Darling		X (On zoom)		Guests:		
5.	Daniel Fay		X		Cody Russel		X
6.	Laura Foster		X		Jeff Russell		X
7.	Ed Fuhr		X		Sean Frusco		X
8.	Andy Gilbert (Secretary)	X					
9.	Dan Huntley		X				
10.	Robin McClellan		X				
11.	Kitty O’Neil (Chair)		X				
12.	Julia Rose (Secretary)		X				
13.	Heather Sands	X					
14.	Cherrie Shatraw	X					
15.	Vacant						
			10/15				

- b. **Adoption of the Agenda.** O’Neil asked if there were changes to the agenda. Pfothenhauer responded that there was one additional review of a Subdivision in the Town of Brasher, and that he wanted to talk about a maple distribution project in the Town of Pierrepont. The modified agenda was unanimously approved (McClellan/Fay).
- c. **Adoption of the June 8th Meeting Minutes.** The minutes were approved (Chambers/Fuhr). McClellan abstained.

II. Public Forum

None.

III. Project Reviews

- a. **Referrals Returned Pursuant to MOU.** Pfothenhauer highlighted details for projects listed in the MOU Addendum. McClellan raised a question on a Use

Variance in the town of Norfolk; would the project be able to return back to a commercial zone? Pfothenauer said that it could.

b. Full Reviews.

i. Stockholm (T) - Special use permit for reclamation of a sand and gravel mine: Santimaw presented the project review. Board members, Staff, and the applicant discussed:

- O'Neil: Does the DEC consider setbacks from the stream that runs under the access road in their permitting process?
- Fuhr: Explained similarities and differences between mining quarries and sand and gravel mines.
- McClellan: What was the rationale for the gating recommendation; in what instances would this recommendation typically be applicable?
- Santimaw: To further limit public access for safety and liability reasons; typically this would be a recommendation at any industrial site.
- Huntley: How will dust be controlled that may go into the river on the south side of the property?
- Russell: There is a ditch that will catch and allow for dust to settle.
- Rose: Concerns from surrounding landowners?
- Russell: No comments or concerns have been made.
- Darling: How long will it take for the site to be fully mined out?
- Russell: About a 20 year life of mine.

The Board voted 8-1 with one abstention to approve the special use permit with the suggested recommendations (Bisonette/Huntley, McClellan abstained)

ii. Waddington (T) - Special use permit for 3.58 MW (AC) Solar Array: Santimaw presented the project review. Board members, Staff, and the applicant discussed:

- Rose: Is the site tile drained; will reorienting the site affect that?
- Frusco: Yes, a map is included in the civil plan; no because the tile drainage is all over the property.
- McClellan: How will there be continued agricultural use on the rest of the land?
- Frusco: There will be 950' from the road to the site, and the rest of the parcel is large enough for it to be practical. Also, how will the dual use on the site work?
- O'Neil: It requires design consideration on the applicant's part; to allow typically small ruminant grazing or beehives.
- Huntley: Typically this board recommends a maximum of 10% of the site be allowed to disturb prime and prime if drained soils.
- Rose: There is no proposed vegetative screening to the south and southwest

of the property because the adjacent lands are wooded. What happens in the future if the property owners decide to develop that land?

- Huntley: Should the second proposed condition stating that “at the end of the lease, all equipment above grade be removed from the site and that soils should be decompacted” take into account the tile drainage? Also, questions about the third proposed condition about if the array is sold.
- Chambers: Is there a bond included?
- Pfothauer: Bond information was not included in the application; the proposed condition regarding array ownership is so the town is aware of current ownership status.
- Fuhr: How long is the project expected to last?
- Frusco: The lifespan is for 25 years.
- Rose: Where will the interconnection to the grid be?
- Frusco: At the Brady Substation; the point of interconnection is at the beginning of the access road.
- Huntley: Concerns about underground buried cables.
- Bisonette: Concerns about tax dollars.
- Rose: What was the reasoning for placing the proposed site where it is instead of where it is suggested where it will avoid prime soils?
- Frusco: To ensure that setbacks were met and to preemptively avoid opposition from surrounding landowners.
- Huntley: Proposed condition stating the applicant should modify the site footprint should be changed to allow for up to 10% of prime soils to be used within the site.
- Frusco: Question about proposed condition for malware protection.
- Pfothauer: Comes from a former board member in order to protect the grid from cybersecurity threats.

The Board voted 8-1 with one dissent to approve the special use permit with conditions (Fay/McClellan).

- iii. Norfolk (T) – Land Use Code Revision: Pfothauer presented the local law review. Board members and Staff discussed:

- Chambers: If the church property is leased, is there still a tax exemption?
- Bisonette: Once the property use changes, it is no longer exempt.
- O’Neil: Questions about the logistics of a Planned Development District.
- Pfothauer: It is defined as a district, but its boundaries are tied to a specific parcel.

The Board unanimously voted to approve the local law review with non-binding recommendations (Rose/McClellan).

- iv. Brasher (T) – 8 lot subdivision; Deer River Estates: Pfothauer presented the project review. Board members and staff discussed:

- Pfothauer: There was no evidence from the DEC submitted by the applicant for “ribboning” or permits
- Huntley: The soil map shows hydric soils to also be present on the property.
- McClellan: There are restrictions on septic systems being placed on hydric soils.
- Rose: The applicant built a house on the property, sold it, and there was no septic installed.
- Huntley: The road is not developed; questions about who owns it once it gets built. It will restrict water flow and a culvert could flood water onto someone’s property.
- Bisonette: An ice jam could cause a flood for a lack of drainage the other way.
- Huntley: Is there a storm water drainage plan?
- McClellan: Is there a flood map?
- Pfothauer: There is no specified flood plain.
- Huntley: There is a similar situation with a lawsuit in the Town of Pierrepont over lack of storm water management. A condition should be added addressing storm water management.
- Rose: Was there a SEQR in the application?
- Chambers: There should be turn around regulations for the end of the proposed road if emergency vehicles need to access the property.
- Pfothauer: There are cul-de-sac regulations in the Town of Brasher Subdivision Regulations.
- Rose: Why was approval recommended by staff?
- Chambers: The project could be denied based on an incomplete application.
- Pfothauer: Theoretically, if all permits are obtained, there should be no reason for denial; the county does not determine completeness, the town does.
- McClellan: Recommendation for the applicant to fill out a full EIS.
- Chambers: Adding storm water management would help to create drainage easements.
- McClellan: Add recommendation to meet all subdivision standards.

The Board voted 8-1 with one abstention to approve the subdivision application with conditions and one non-binding recommendation (Bisonette/Fay, Rose abstained)

- v. Pierrepont (T) – Maple Project: Pfothauer briefly went over the project to ensure the board was informed and did not have any significant concerns. The Board and Staff discussed:
- Chambers: Is the production of maple syrup agricultural?
 - Pfothauer: The applicant is not producing it, just selling it.
 - Bisonette: Is there a parking area on the property?

- Pfothenhauer: Yes, around 300' back.

No vote was held as this was not a full review.

IV. Reports

- Executive Committee.** O'Neil said the Executive Committee met on June 29th to set the meeting agenda and discussed the projects presented at tonight's meeting, apart from the one that was added.
- Board of Legislators.** Fay reported that a record was set for the shortest Board of Legislators meeting: 14 minutes!
- Highway Department.** Chambers reported:
 - The Furnace street bridge recently opened in Norfolk; other bridge and road projects are moving ahead on schedule as well;
 - Chambers offered thanks to the Planning office for assistance obtaining a grant for county highway funding.
- State of the County Roundtable.**
None.
- Staff Report.** Pfothenhauer reported:
 - There will be an Agriculture Tour Friday, August 18th from 10 a.m. – 2 p.m. Three farms will be visited in the Town of Lisbon.
 - A recap of the Planning staff road trip to a solar array in Arnprior, Ontario.
 - John Tenbusch will be retiring at the end of July after 25 years with the County.

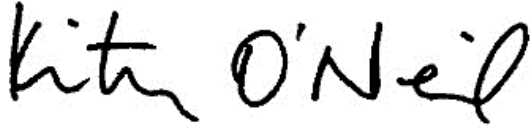
V. Other Items

- Correspondence.**
A Brasher sawmill was approved at the town level with conditions.
- Announcements.**
The Planning Board meeting may be moved next month due to construction on the Public Safety Complex.
- Next meeting dates.**
 - Executive Committee: Thursday, July 27th, 2023 at 4:00 pm.
 - Planning Board: Thursday, August 10th, 2023 at 7:00 pm in the 2nd floor conference room of the Public Safety Complex, located at 49 ½ Court Street in Canton. (Location subject to change)

VI. Adjourn

a. The meeting adjourned at 9:22 p.m. (McClellan/Fay)

Respectfully Submitted,

A handwritten signature in black ink that reads "Kitty O'Neil". The signature is written in a cursive, flowing style.

Kitty O'Neil, Chair

Minutes prepared by P. Santimaw

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