

ST. LAWRENCE COUNTY PLANNING BOARD MINUTES

7:00 p.m., Thursday, September 12th 2024
 In person, HSC 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 7:01 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 Pfothenauer		X
3.	Don Chambers		X		Preston Santimaw		X
4.	Priscilla Darling		X		Guests:		
5.	Daniel Fay		X		Elizabeth Jenison		X
6.	Margaret Finen		X		Thushyanthan Pathmalingam		X
7.	Laura Foster	X			Aaron Jarvis		X
8.	Ed Fuhr		X				
9.	Andy Gilbert (Secretary)		X				
10.	Dan Huntley		X				
11.	Margaret Mauch		X				
12.	Robin McClellan	X					
13.	Kitty O’Neil (Chair)		X				
14.	Julia Rose (Vice-Chair)		X				
15.	Cherie Shatraw	X					
	Total		12/15				

- b. **Adoption of the Agenda.** O’Neil asked if there were changes to the agenda. Pfothenauer stated that staff wanted to move the three full reviews before the training session due to the presence of the applicants. He also stated that staff wanted to move the referrals returned pursuant to MOU after the full reviews. The modified agenda was unanimously adopted (Rose/Chambers).

- c. **Adoption of the August 8th Meeting Minutes.**

The minutes were unanimously adopted (Fuhr/Bisonette).

II. Public Forum

None.

III. Project Reviews

- a. **Full Reviews.**

Canton (V) – Use Variance to use a property located on 23 Gouverneur Street as a two-family dwelling: Santimaw presented the full review. Board members, staff, and the applicant discussed:

- Rose: Can the applicant get the property reclassified?
- Santimaw: Property class is different from zoning. Class is for tax purposes, zoning regulates the land use.
- Pathmalingam: Are they not allowed to use it as a two-family dwelling?
- Santimaw: No, they need a use variance.
- Darling: Why were other residential parcels zoned as Corridor-Commercial?
- Santimaw: Possibly to prevent spot zoning.
- Chambers: Given the surrounding uses, there is a good argument for a zone change from Corridor-Commercial to Neighborhood Mixed-Use.

The board voted to disapprove the project with the Staff-suggested alternative recommendation (Gilbert/Huntley), Fay abstained.

Canton (T) – Use Variance to use a property located at 339 State Highway 310 as a medical office: Pfothenauer presented the full review. Board members, staff, and the applicant discussed:

- Huntley: A dentist office is on one side of the proposed use, and an apple orchard is on the other side. These are opposite uses; the medical office does not quite fit the character of the neighborhood.
- Rose: Is the applicant the landowner?
- Pfothenauer: No, however they can apply as a non-owner with the owner's approval.
- Bisonette: The Town could overturn the County Planning Board's decision if they were to deny it.
- Pfothenauer: The Town recently conducted a zone change so they may not want to approve a use variance.
- Pathmalingam: Talked with owners in the Mixed-Use zone where this use is permitted, they did not want to sell either their whole property or parts of it.
- Finen: Is a turning lane required due to the excess traffic this use will bring?
- Pfothenauer: That would be a decision by the State DOT; this project would most likely not meet the traffic requirements for a turn lane.
- O'Neil: Likes the staff recommendation, use variances are a very black and white decision. The applicant did not meet the legal tests, so the Board should deny the application.

The Board voted unanimously to disapprove the project with the staff recommendation (Huntley/Fay).

Dekalb (T) – Site Plan Review for a Dollar General located at 4269 US Route 11: Santimaw presented the full review. Board members, staff, and the applicant discussed:

- Chambers: Are there any wells on adjoining properties?
- Jarvis: Do not believe so, the adjacent Family Dollar is connected to public water.

- Rose: Should the Dollar General be responsible for filling the water trough?
- Pfothenhauer: The Family Dollar next door has a similar facility.
- Darling: Are there any issues with signage?
- Pfothenhauer: There are no sign laws in Dekalb.
- Chambers: The Board should add a condition for a DOT permit for access off US Route 11
- O'Neil: How will deliveries work?
- Jarvis: Delivery trucks will pull into the parking lot and back into the concrete delivery pad from there. They will not back in from the road.

The Board voted to approve the project with the staff recommendations and the additional suggested condition (Gilbert/Fay) Bisonette disapproves.

- b. **Referrals Returned Pursuant to MOU.** Pfothenhauer highlighted details for projects listed in the MOU list and the Addendum.

- O'Neil: Is the telecommunications tower in Massena (T) the same one that was discussed by this Board at the Executive Committee meeting?
- Pfothenhauer: Yes.

At this time, staff reviewed a Site Plan in the Town of Lisbon. The Board offered the following comments:

- Online mapping imagery suggests the proposed structure may encroach upon federally designated wetlands. Staff recommends the applicant contact the U.S. Army Corps of Engineers or the NYS DEC to ensure this project will not affect any wetlands. If it will, staff suggest the applicant obtain the necessary permits for construction on a federal wetland;
- If the applicant has not already, obtain a State DOT permit for access off State Route 37;
- Ensure the septic system can accommodate heavy usage at one time;
- Online mapping imagery suggests the proposed structure will be located approximately 400' from the St. Lawrence River. The applicant should take measures for flood mitigation.

The Board agreed to return the project for local action with the above comments. No formal vote was held as this was not a full review.

IV. **Planning Board Training Session**

Santimaw presented proposed recommendations to the NYS Fire Code for Battery Energy Storage Systems (BESS). Board members offered the following comments for submission along with the staff suggested comments:

1. BESS sites should have road condition specifications; They should be built to accommodate emergency vehicles and snow plows;
2. The State should mandate a post-construction review process for BESS at random intervals to ensure they are operating properly;

3. Sites should consider access in the winter months. This includes snow storage areas and regular vehicle access.

Staff will submit the comments to the NYS Department of State by 9/24/2024.

V. Reports

- a. **Executive Committee.** O'Neil reported that the executive committee met to discuss the full reviews and MOU List.
- b. **Board of Legislators.** Fay reported:
 - The BOL met for only 45 minutes at its last meeting; one of the shortest in history!
 - The BOL passed a resolution for three towns to receive County Highway assistance in the wake of the recent flooding.
 - Children aged 12 and 13 can now be licensed to hunt deer with firearms and crossbows with the supervision of a licensed adult.
- c. **Highway Department.** Chambers reported:
 - The Highway Department received funding for emergency repairs to County roads and bridges in the wake of the recent flooding.
 - Over 100 areas of damage to County infrastructure was recorded.
 - The Highway Department has had good partnership with the Towns.
 - The Highway Department is moving forward with paving projects that include 84 miles of road and five bridges.
 - County Route 49 in Hopkinton will remain closed until next year.

The County Planning Board and Planning Staff extend their gratitude to the County Highway Department for their continued efforts in emergency flood repairs.

- d. **State of the County Roundtable.**

Bisonette asked for a moment of silence for David Duff. David was a long time member of the County Planning Board, and passed away on Friday, August 9th. After the moment of silence, Pfothenhauer stated that a service will be held for David at 3 pm on Sunday, September 22nd at the Gouverneur Community Center. Board Members and Staff offered condolences to David's family during this difficult time.

Pfothenhauer also stated that staff met with representatives from Boralex to discuss the County Planning Board's and the County Board of Legislators' position on solar impacts on agricultural land.

- e. **Staff Report.** Pfothenhauer reported:
 - The SUNY Potsdam Local Government Conference will be Tuesday, October 15th in Kellas Hall and is back to a full-day format.

- Staff have been working on a micro transit grant to augment the County transit system with vans.
- Staff have continued work on a Comprehensive Plan for the Village of Heuvelton and a Comprehensive Plan revision for the Town and Village of Hammond.
- The Planning Office has recently seen a large call volume from individuals looking for storm damage assistance from Tropical Storm Debby. There is a link on the St. Lawrence County website for assistance.
- Pfothenauer asked that Board members help look for individuals interested in joining the County Planning Board in light of a recent vacancy.

VI. Other Items

a. **Correspondence.**

None.

b. **Announcements.**

Mauch mentioned that a training would be held for a County Animal Response Team on Saturday, September 21st in the HSC second-floor conference room. She also gave an update on No Dogs Left Behind.

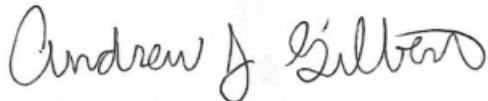
c. **Next meeting dates.**

- i. Executive Committee: Thursday, September 26th, 2024 at 4:00 pm.
- ii. Planning Board: Thursday, October 10th 2024 at 7:00 pm in the Second Floor Conference Room located in the HSC building, 80 State Highway 310, Canton NY.

VII. Adjourn

- a. The meeting adjourned at 8:56 pm (Huntley/Gilbert).

Respectfully Submitted,



Andy Gilbert, Secretary

Minutes prepared by P. Santimaw