

ST. LAWRENCE COUNTY PLANNING BOARD MINUTES

7:00 p.m., Thursday, June 13th 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 7:02 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 | Guests: | | | |
| 5. | Daniel Fay | | X | Jordan Thibault | | | X |
| 6. | Margaret Finen | X | | Javid Afzali | | | X |
| 7. | Laura Foster | X | | Bob Beckstead | | | X |
| 8. | Ed Fuhr | | X | Eric Gustafson | | | X |
| 9. | Andy Gilbert (Secretary) | | X | David Fogel | | | X |
| 10. | Dan Huntley | X | | Michael Coon | | | X |
| 11. | Margaret Mauch | | X | | | | |
| 12. | Robin McClellan | | X | | | | |
| 13. | Kitty O’Neil (Chair) | | X | | | | |
| 14. | Julia Rose (Vice-Chair) | | X | | | | |
| 15. | Cherrie Shatraw | | X | | | | |
| | | | 12/15 | | | | |

- b. **Adoption of the Agenda.** O’Neil asked if there were changes to the agenda. Pfothenhauer stated that he would like to discuss a potential project for next month’s meeting. The modified agenda was unanimously adopted (McClellan/Fuhr).

- c. **Adoption of the May 9th Meeting Minutes.**

The minutes were unanimously adopted (Shatraw/Chambers).

II. Public Forum

None.

III. Project Reviews

- a. **Referrals Returned Pursuant to MOU.** Pfothenhauer highlighted details for projects listed in the MOU list and the Addendum. There were no comments.
- b. **Full Reviews.**

i. Pierrepont (T) – Site Plan Review for a Dollar General: Santimaw presented the project review. Board members, staff, and guests discussed:

- Fuhr: Residents on the south side of State Highway 56 are older, need to ensure they're protected from visual nuisances.

- Bisonette: Is the Colton Dollar General close to this one? There could be a better location.

- Coon: The applicants want to maintain compliance with local regulations.

The Town requested a reduction to 25 parking spaces, Dollar General corporate requires 35 spaces but agreed to 30. The applicant will be going to the Town ZBA next week to seek an area variance.

There will be around three parking spaces for employees, and 27 for customers.

This site plan was created before the applicant did any fieldwork or topographic analysis.

A land survey of the property suggests they have less area for stormwater management on the west side of the property, instead, they will use stormwater storage under the parking lots; which will keep more vegetation on the property.

They can extend the sidewalk to Keener Road for pedestrian access.

They can add evergreen trees as a buffer between residences on Keener Road.

- Rose: How will delivery trucks maneuver on the parking lot?

- Coon: The applicant did not submit a traffic plan because the Town did not request it. The parking lot shape was dictated by how delivery trucks will move.

- Rose: Did the Town not want trucks on Keener Road?

- Coon: The applicant only analyzed delivery with one access point.

- Rose: Where will snow removal be located?

- Coon: Snow can be stored near the intersection of Keener Road and State Highway 56.

- McClellan: Where will the stormwater drain?

- Coon: Everything up to the 100-year storm will go into the ground away from the residences.

- McClellan: Did the applicant consider permeable pavement?

- Coon: Yes, but that type of pavement is not durable with the constant maneuvering of tractor-trailers.

The Board voted to approve the project with the suggested conditions and recommendation (Gilbert/Bellor).

ii. Massena (T) – Cryptocurrency Local Law: Pfothenauer presented the project review. Board members, staff, and guests discussed:

- Chambers: Is there anything in the law that deals with upgrading materials or review of power needs/impacts?
- Pfothenhauer: No
- Gustafson: Serves as general counsel to Massena Electric, concerns that are not addressed in this local law are addressed by Massena Electric tariff provisions.
- Rose: Will developers know about that before they submit an application?
- Gustafson: Securing power comes before submitting an application.
- Fogel: These regulations came to be because residents complained about unregulated roadside operations. That is what this local law is meant to regulate.
- McClellan: Have you considered not letting these uses overuse power like what happened in Plattsburgh?
- Gustafson: The Town of Massena researched what happened in Plattsburgh extensively, and included safety valves. They wanted to create a model law.
- Rose: Would it help to differentiate between major and minor crypto like what solar regulations do?
- Gustafson: No, section 8 of the local law covers that; this local law best reflects the Town's concerns.
- McClellan: What is the intent of this local law?
- Afzali: There are two large categories of cryptocurrency, with subcategories of operations in buildings and not in buildings. This local law will not allow cryptocurrency unless it is in an industrial district. Every existing use in the Town will be grandfathered in and can expand except for the few uses in residential zones. Those are subject to special use permits.
- Gustafson: The Town wanted to make sure shipping containers were not allowed anywhere but in the industrial zone.
- Gilbert: Why not clarify that by stating what can be in which zone?
- Rose: This law needs more clarity to protect the Town in the future so they will understand the intent.
- Gustafson: Section 2 states that every use needs to be in an industrial zone.
- Afzali: This law makes uniform regulations for cryptocurrency operations.
- Rose: Why not make a matrix to clarify the wording?
- Afzali: This law does not apply to only a few uses.
- McClellan: Why not just say permanent structure instead of shipping container?
- Afzali: It does not matter what it is called, so long as it is a permanent building.
- McClellan: Can local laws regulate what happens inside the building?
- Pfothenhauer: Land use regulations govern the use of the land; regulating the inside of the building is not the purview of this board.
- O'Neil: Are existing uses in the industrial zone fully exempt from these regulations?
- Gustafson: Yes, as long as they are in a permanent building.

- Afzali: They will still be subject to other land use regulations, just not this local law.
- Fogel: These regulations are designed for smaller operations.
- McClellan: The problem with this local law is that it feels like it was created to benefit a certain operation. This law seems to look at current uses and is not as forward-thinking as it should be.
- O'Neil: This law should read the same way anytime in the future, so it needs better clarity.
- Fay: This board should say what it does not want and let the Town figure out the rest.
- Bisonette: The Town could also reword the law in the future.
- McClellan: Instead of grandfathering in large operations, The Town should write regulations to fit large operations.
- Chambers: This board could make all staff-suggested conditions non-binding recommendations and let the Town decide what they want to do.

The Board voted to approve the project with the staff-suggested conditions and an additional non-binding recommendation. (Gilbert/Fay). Darling opposed, Bellor abstained.

iii. Louisville (T) – Use Variance for a wedding venue: Board members and staff discussed:

- Bisonette: Can the Town accommodate this use in other zones?
- Pfothauer: Yes
- McClellan: The board should modify the first condition to say that the evidence submitted was not satisfactory for passing the legal tests.
- Rose: Is it quicker to do a planned development district or to change the zoning?
- Pfothauer: Changing the zoning is quicker, but the Town recently changed their zoning and will most likely not want to do it again immediately.

The Board voted unanimously to disapprove the project with the modified condition (Gilbert/Fay).

At this time, Staff discussed with the board a potential full review for next month's meeting for a telecommunications tower located on the same property as the wedding venue in Louisville. The board decided to discuss it at the next Executive Committee meeting so long as time permits.

IV. 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:
 - Spoke about Deer River in the Town of Brasher.
 - The BOL can now vote on iPads in meetings.
 - There is an upcoming tax-delinquent property sale.
 - Fay voted for a tax raise for cell phone users to fund EMS.
- c. **Highway Department.** Chambers reported:
 - Projects are now underway and are on or ahead of schedule.
- d. **State of the County Roundtable.**
None.
- e. **Staff Report.** Pfothenhauer reported:
 - Staff went out to Deer River on Monday and is currently working with the DEC through the EMC on identifying potential river contaminants.
 - Staff work on comprehensive plans for Hammond and Heuvelton is ongoing.

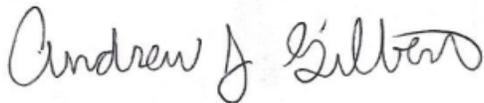
V. Other Items

- a. **Correspondence.**
None.
- b. **Announcements.**
None.
- c. **Next meeting dates.**
 - i. Executive Committee: Thursday, June 27th, 2024 at 4:00 pm.
 - ii. Planning Board: Thursday, July 11th 2024 at 7:00 pm in the Second Floor Conference Room located in the HSC building, 80 State Highway 310, Canton NY.

VI. Adjourn

- a. The meeting adjourned at 9:52 pm (Shatraw/Fay).

Respectfully Submitted,



Andy Gilbert, Secretary