Village of Constableville

MINUTES OF A SPECIAL MEETING OF THE BOARD OF TRUSTEES

January 15, 2025

A SPECIAL meeting of the Board of Trustees of the Village of Constableville, a Municipality, was held on January 15, 2025, at 6:00 pm, at the Village Library on Main St., Constableville, NY to review the proposed Village of Constableville Zoning Law.

Trustees Present: Mark Sullivan, Stephen Ward, Sonia Wendt, Cody McDonald

Others present: Megan Krokowski, Lewis County Planning Dept.

Call to Order: Mayor Samantha Brown called the meeting to order at 5:10 pm. A quorum of trustees was present, and the meeting, having been duly convened, was ready to proceed.

Notes regarding suggestions/changes made by Megan (Lewis County Planning)

- She updated the document including the County's conditions and suggestions
- Set fence on property line instead of 11/2' back for maintenance purposes. This has been a problem in the Village of Lowville, so she highly recommends
- We don't need a certificate of compliance for site plan approval because there is no site plan approval in this law, we go from zoning permit to special use permit
- Zoning permit – zoning officer can review
- Site plan review – is reviewed by the board and planning board - we don't need as zoning takes care of it, it is just a way for the village to get more money.
- Special Use Permit – for commercial & Industrial
- The Village will now get money for zoning permits. Board needs to adopt a resolution establishing fees, she will send us a sample.
- We send applications to Codes
- Can't change the reason for the intended use of the property and they can't just do it and then ask for a special use permit. Examples – Harry's and the Post office
- Zoning Commission only established 1 zone; they didn't designate Main St. as a business district. Should be at least 2 zones, with Route 26 as the border because things on that side are different.
- Has to be a minimum of 30' off the road but can't be more than 40' (Chad Luther's is way more than that. The way the law is written, it does not specify residential or business, so it applies to all.
- Add another zone? Megan doesn't recommend it at this time, we can do an addendum at a later date.
- If we don't change it Joe's project would have to follow the minimum of 30' unless the lots are over an acre and a half. Sam said she believes his plan is 5 -3 acre lots. Sam said that expansion was in the WIIA Application, Megan said that BCA did not include it in the application.
- She updated our junk vehicle definition to match the county
- In the law it says that residents can only have one (1) junk vehicle and it has to be out of view, and we are giving them 6 months to put it under cover (page 38 #4)
- Mary said we asked the county (Casie) for input in this section. Current County Law is 2 vehicles, the county law is being rewritten (Our law will update automatically)
- Definition of junk vehicle – unused for more than 6 months
- The board decided that a property can have one (1) vehicle forever, anything more than 1 has to be in a garage or other structure.
    - Lieber's was used as an example with boat, car, camper, and vehicle blocking the sidewalk. Steve said it is a Universal State Law that a vehicle cannot block a driveway.
    - Miller's has an AG exemption but only for farm vehicles (the boat that went from Reggies to Miller's would be one (1) junk vehicle.

    - Markham's Auto can only have one (1) unlicensed vehicle for 6 months
- Section 30, page 7 – Farm Animals & Chickens – Megan read her suggestions
    - Sam asked if you could kill animals in your yard. There was an issue with Lieber's in the past.
    - Megan will add language that no animals shall be slaughtered on your property.
    - Megan added language to include "no crowing animals, such as roasters", she took verbiage from Village of Croghan Law.
- Our Dog Law still stands, as it is not included in the zoning law.
- The law states outdoor furnaces can only operate from Sept. 1st – March 31st Walsh's have an outdoor wood boiler (grandfathered?) Currently says replacement is prohibited – delete letter c or reword to enlargement of furnaces prohibited.
- She added language prohibiting Livestock Processing Facilities, Large Scale Solar Battery Storage, and Large-Scale Solar for the health and safety of the residents.
- Law prohibits Storage Vehicles such as Teal's trailers and Campers used for storage. Also prohibits Campgrounds within the village.
    - Sonia asked about Zehr's buses, it is unknown what they intend to do with them.
    - Cody commented that anyone with such trailers, campers, buses could take the wheels off to make them legal to have.
    - Megan said we should include a section explaining why the village doesn't want these things (storage vehicles, campgrounds)
    - If they already have them, they will have one year to comply (Megan will look at other municipalities for the language.
- Cody asked if there was anything included regarding Musical Festivals – private parties, loud decimals, a noise ordinance past a certain time. For example, before 9am and after 9pm. If there is a violator, we would just let them know there is a law, and we could access a fee for future violations.
- Megan added Burial of human remains prohibited on your property. Also added that the board can have a waiver for any listed requirement if deemed not applicable, we would need to put in the minute's justification for waiver.
- For Special Use Permit Projects, she changed from newspaper publication to any media platform (Linking Lewis, The Moose) and within 62 days "from close of public hearing" board shall act on Special Use Permit. Approval when all conditions are met for DOH, DEC, etc.
- Section 510 – changed name
- Driveways – Driveway permits needed? NO.
    - Minimum distance of 35' for the proposed & existing driveways.
- Megan replaced all "Mobile Homes" with Manufactured Homes
    - Require 2 parking spaces for each manufactured home site. Sam – are single wide grandfathered in? In ours they were. Any new manufactured home applications have specifications.
    - Manufactured Home Law is not incorporated into our zoning law as written, she will update it.
- Manufactured Home Park (2 or more) would be subject to the provisions and a special use permit.
- The board would hold a Public Hearing for public input, but the board decides, they could appeal.
- Section 755 – Access & Parking – Megan suggested this shouldn't be in there – highlighted deleted
- Section 765 – Telecommunication Towers – added specifications to Demolition Bond
    - Example, if Version put up a tower, they would have to have the money to take it down, can't just leave it.
    - Put in that towers should emulate the appearance of trees.
- Megan changing Solar energy systems shall be designed, erected and installed by someone registered in NY State to "should" instead of "shall" and taking out "all" in two spots.
    - Small battery energy storage - Megan added "shall be screened from public view"
- Non-conforming lot section – she will look at the Village of Lowville's section.
- Use Permits – changed to the Village of Lowville's language

    - Urbaniak's – home residential area with use permit for photography shop. Purchased to change to a smoke shop/convenience store, can't change intended use permit.
- Megan asked us to consider if substantial or significate was specific enough for book store's stock of Adult Books – change to 51% or more of it stock
- This law supersedes our Adult Entertainment Law – Megan will change language to prohibit it, to match our current law.
- Under Recreational Camping Vehicles – she recommends cut out section "d"
    - Except as hereafter provided – change prohibit overnight campers – to they can stay for 14 days in someone's driveway, if they are visiting a village resident.

- Megan also corrected many capitalization and grammar errors in the zoning law.
- County Planning would have/should have reviewed before it went to the County Planning Board.
- Tug Hill is not doing a good job writing zoning laws, using a poor template.

Mini Comp Plan – Megan said it should also be reviewed by the County Planning Board. She said the comp plan is our base zoning law, it establishes our foundation. It is a generalized statement of priorities and the direction we should go in. Email a copy to Megan. She will also continue to work on zoning law. Zoning Law will be adopted by resolution once completed.

There being no further business to come before the Board, the meeting was adjourned at 8:20 pm, on motion by Trustee McDonald and seconded by Trustee Sullivan and carried.

Respectfully submitted by:

Mary Failing

Mary Failing, Village Clerk