

**TOWN OF PLATTSBURGH
TOWN BOARD SEMI-MONTHLY MEETING
October 17, 2024**

Resolution No. 024-231

**Receiving Planning Board Report and
Recommendations from Town Planning Board for
ARKW LLC Planned Development District Application**

WHEREAS, at its regularly scheduled meeting on August 15th, 2024, the Town of Plattsburgh Town Board, received a Planned Development District (PDD) application from ARKW LLC for parcel # 205.-3-2.1; and

WHEREAS, pursuant to Article IX of the Town of Plattsburgh Zoning Ordinance, all Planned Development District applications shall be referred to the Town of Plattsburgh Planning Board for a report and recommendation thereon; and

WHEREAS, on August 15th, 2024 the Town Board referred said PDD application to the Town of Plattsburgh Planning Board for a report and recommendation in accordance with Article IX of the Town of Plattsburgh Zoning Ordinance; and,

WHEREAS, on August 20th, 2024, the Planning Board by resolution #24-50 did receive the referred PDD application; and

WHEREAS, after review and consideration of the application, the draft report prepared by Staff, and the public comments received at the public hearing held on September 17th, 2024, the Planning Board resolved to transmit the report and meeting minutes to the Town Board; and

WHEREAS, the Town Board is now in receipt of the Planning Board Report and Resolution No. 24-57 adopted at a meeting held on September 17th, 2024 and recommending the Town Board consider the following:

- i. The Planning Board recommends that the Town Board consider affirming that the existing allowed uses under the current R2 zoning will continue to be allowed uses within the proposed PDD.
- ii. The Planning Board recommends that the Town Board consider increased setback requirements for the proposed commercial recreation, retail, and entertainment components of the PDD.
- iii. The Planning Board recommends that the Town Board consider an increased buffer requirement for any boundaries between the PDD and Residential neighbors.
- iv. The Planning Board recommends that the Town Board consider start and end of season dates for the outdoor commercial recreation and entertainment components of the PDD.

- v. The Planning Board recommends that the Town Board consider limitations on the hours and days of operation for the commercial recreation, restaurant, and indoor/outdoor entertainment components of the PDD.
- vi. The Planning Board recommends that the Town Board clearly identify the uses that will not be allowed for the PDD, including the uses that the applicant has opted out of in their application.
- vii. The Planning Board recommends that the Town Board consider regulating the storage of materials, equipment, goods, or maintenance machinery through the provision of screening or only allowing such activities in the side or rear yards of the property.
- viii. The Planning Board recommends that the Town Board consider regulating the placement of uses outlined in the PDD on the subject property to minimize impacts to neighbors.
- ix. The Planning Board recommends that the Town Board consider the public comments received by the Planning Board at the Public Hearing on September 17th, 2024, in regards to this PDD application, as outlined in Resolution #24-57 adopting this report of the Planning Board; and

WHEREAS, NYS General Municipal Law Section 239m is applicable and this project shall be referred to the Clinton County Planning Board for review and consideration; and

WHEREAS, Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act" (SEQRA), provides for the review of any "ACTION" to determine the effect of the action on the environment, along with any related administrative procedures for the implementation, authorization or approval of the action;

WHEREAS, determination of the effect of said action on the environment will be necessary to determine whether a Draft Environmental Impact Statement (DEIS) is required; and

WHEREAS, the Town of Plattsburgh Town Board is identified as an involved agency in accordance with SEQRA for the purpose of assessing the effect of this Planned Development District on the environment and whether or not said effect is significant enough to warrant the preparation of a Draft Environmental Impact Statement (DEIS); and

WHEREAS, the Town Board has made the determination that they intend to act as Lead Agency and there are no other involved agencies under SEQRA for the purposes of the Planned Development District application and have received the required long Environmental Assessment Form (EAF); and

WHEREAS, the Town Board of Town of Plattsburgh, is required to review and use the EAF to determine the significance of said proposed Planned Development District; now, therefore be it

RESOLVED, the Town Board hereby declares itself as Lead Agency for the Planned Development District application, and does hereby determine that the proposed Project is an UNLISTED ACTION and a coordinated review under SEQRA will not be conducted, as there are no other involved agencies and, be it further

RESOLVED, after review and discussion of the PDD application and the Town Planning Board's *Findings and Recommendations Report of the Planning Board*, dated September 17th, 2024, the Town Board does hereby receive and place on file said *Findings and Recommendations Report of the Planning Board*; be it further

RESOLVED, that the Town Board does hereby *accept* the *Findings and Recommendations Report of the Planning Board* and finds the report to be favorable in accordance with Article IX of the Town of Plattsburgh Zoning Ordinance; and be it further

RESOLVED, that the Town Board shall hereby proceed to:

1. Schedule a public hearing on the above *Planned Development District* application in accordance with *Zoning Ordinance* Article IX for November 14th, 2024 at 6:05pm EST at the Town Hall at 151 Banker Road, Plattsburgh, NY; and
2. Cause a notice of the time and place of said public hearing to be published in the Press Republican, a paper of general circulation in the Town of Plattsburgh; and
3. Cause a certified copy of this resolution, the Planning Board Report and Resolution, the PDD application, and the public hearing notice be posted to the Town's Website; and
4. Refer this PDD Application to the Clinton County Planning Board in accordance with GML 239m and Town Zoning Ordinance Article IX: and
5. Comply with the provisions of Article 8 of the Environmental Conservation Law Part 617 NYCRR (SEQRA) prior to rendering its decision; and
6. Act on the application within 45 days of the adoption of this resolution, and within 30 days of the decision of the Clinton County Planning Board; and be it further

RESOLVED, that a copy of this resolution be provided to the Planning Department.

Motion:

Seconded by:

Discussion:

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
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Thomas E. Wood
Barbara E. Hebert
Charles A. Kostyk
Dana M. Isabella
Michael S. Cashman