

# **Town of Norfolk Planning Board Meeting Minutes September 26, 2024**

The Town of Norfolk Planning Board held a meeting Thursday, September 26, 2024 at 5:15 pm, Norfolk Town Hall.

## **Call Meeting to Order**

Kate Chepeleff (chair) called the meeting to order.

## **Pledge of Allegiance**

The Pledge of Allegiance was said by all present.

## **Rollcall**

Kate Chepeleff (chair) called roll, Richard Planty, Tom Emburey, Gary Bandy, Vernon Wolfe (alt) - Present. Andrew Solley – Absent. Members in attendance constituted a quorum. Kate Chepeleff appointed Vernon Wolfe to act in place of Andrew Solley. Also in attendance was Code Enforcement Officer, Tim Wunder and Town Clerk, Jill Molnar.

## **Adoption of Agenda**

The agenda for the meeting was reviewed by the Board. A motion to accept the agenda as presented was made by Kate Chepeleff and seconded by Gary Bandy.  
All In Favor – Carried.

## **Adoption of Minutes**

Minutes from the August 22, 2024 Planning Board Meeting were reviewed. Motion by Kate Chepeleff to adopt the Minutes as presented and seconded by Richard Planty.  
All In Favor - Carried.

## **Special Use Permit Application #5-2024 at 316 Co. Rt. 38, Norfolk (R-A).**

Kate Chepeleff asked the Board members to review the application made by Teresa Nichols dated August 23, 2024 to operate a Dog Grooming business at 316 Co. Rt. 38, Norfolk NY (Tax Map#32.003-1-23). Neither the applicant, nor any members of the public were in attendance at the meeting.

After reviewing the application for traffic, parking, lighting, signage and hours of operation, the board members agreed that the application as presented met the criteria for a Special Use Permit.

Kate Chepeleff suggested that conditions set on the permit should include the 65 dB limit at the property line, that the sign should be limited to 32 sq. ft. as per regulations for R-A zone, and that any violation of these conditions or other laws, regulations or codes within the Town of Norfolk, NY will render this Special Use Permit null and void.

Kate Chepeleff made a motion to **APPROVE** the Special Use Permit Application as presented with the above conditions. Motion was seconded by Gary Bandy.

All in Favor – **Carried Unanimously**

### **Chapter 200 Vehicles – ATV/UTV/Golf Carts within the Town**

Deb Christy of the St. Lawrence County Public Trails office was invited to attend the meeting to address the board. However, she did not attend. Gary Bandy questioned whether the Town would bear any liability or responsibility of maintenance should the Town designate a trail system for such vehicles. After a discussion, it was decided that a designated trail system would not be in the Town's best interests at this time.

### **Chapter 112, Energy Systems and Battery Energy Storage Systems**

Gary Bandy presented a news article for the Board's consideration regarding the Chaumont battery storage fire in July of 2023. Although the State is in the process of forming regulations to address lithium battery storage systems, and outlined recommendations for doing so, it was noted that local fire departments still have no technology or apparatus that can contain such a fire – and are therefore still unable to address this issue. Gary suggested that at this time, it would be prudent to suggest the Town follow the Uniform Fire Code until these issues are addressed at the state level.

Several Board members also mentioned that Montreal is currently dealing with such a fire containing 16 tons of lithium batteries, causing the evacuation of surrounding areas. It was also mentioned that National Grid plans to discontinue allowing feedback energy into the grid after 20 years, which would force more people using solar power to use battery storage systems.

Kate suggested contacting Jason to see if he could discuss this topic and provide some information as to what other communities in the County are doing to address this issue.

## **CHAPTER 150 LAND USE & DEVELOPMENT**

Kate Chepeleff will check with the County to see if any of the regulations contained in Subsections 1-28 require updating.

### **Chapter 150-35 R-H Residential Hamlet District**

It was suggested that a change be made to the addition approved on March 10, 2016 to subsection C. 6) Small Residential Business – adding the phrase “in existing residence”. This would necessitate a change to the following section of the code as well:

### **Chapter 150-74 Definitions**

The definition of SMALL RESIDENTIAL BUSINESS would be changed to: “A small-scale business conducted as an accessory use on an existing residential premises by the owner-occupant/primary resident and no more than two nonresident employees under conditions stipulated in Article X of this chapter.”

An additional draft definition for PRIMARY RESIDENCE should be added as follows:  
“Considered to be the principal or main home you live in most of the year. You can only have one primary residence at a time. This is usually the address listed on your driver's license, tax returns and other official government documents. Your primary residence can be any dwelling where you live for a majority of the year that is considered your permanent address, including a single-family home, an attached or multi-family home, a condominium, a townhouse or an apartment or rental unit”. This draft will be reviewed at the next meeting.

Also, the following additions would be made to:

### **Chapter 150-58 Application of Standard to Certain Uses**

#### **M. Small Residential Business.**

- (12) The primary residence of the owner must be an existing residence and not built to suit the business.
- (13) Proof of primary residency must be supplied annually with AOP renewal.

### **Chapter 150-40 Planned Development District**

This addition of 150-40.2 P-D (AR) Planned Development District, Adaptive Reuse was to be included in this section. General Code should be consulted on the proper way to renumber this section to include this addition.

### **Chapter 150-46 Walls; Fences, Hedges; Visibility at Street Intersections**

There was a discussion regarding section D. and whether the board should consider changing the height requirement of the fence from 3 feet to 4 feet. It was decided that Kate would check with Jason to provide more information on this topic.

### **Chapter 150-53 Campers & RVs / “Tiny” Houses**

This item was tabled until the next meeting.

### **Chapter 150-55 Unsafe and Substandard Buildings**

This item should be added to the agenda for the next meeting.

### **Chapter 150-58 Special Uses – Short Term Rentals**

This item was tabled until the next meeting.

### **Items for Action Summary**

- 1) Kate Chepeleff will contact Jason to see if he could discuss this topic and provide some information as to what other communities are doing to address B.E.S.S. systems.
- 2) Kate will ask the County to review Chapter 150 (1-28) for their input.
- 3) Kate will ask the County for input regarding changing the fence height from 3’ to 4’.

### **Next Meeting**

The next meeting of the Planning Board is for codification and is scheduled for October 24, 2024 at 5:15 pm.

### **Meeting Adjourned**

A motion to adjourn the meeting was made by Kate Chepeleff and seconded by Tom Emburey. All In Favor – Carried. Meeting adjourned.

Dated: September 28, 2024

Theresa Planty, Planning Board Secretary

cc: Planning Board Chair, Town Supervisor, Code Enforcement Officer, Town Clerk