

Town of Lyme  
August 12, 2015

Public Hearing – Planned Development District – Cohen Campground and RV Park 6:15  
Regular Monthly Meeting -6:30 P.M.

Supervisor Aubertine opened tonight’s Public Hearing at 6:15 P.M.

Present at tonight’s meeting: Supervisor Aubertine, Councilmen Bourquin, Henderson, and Villa, Councilwoman Harris, Mr. and Mrs. Jeffrey Cohen, Mr. and Mrs. David Detweiler, Jefferson County Legislator William Johnson and approximately 12 others.

Clerk Wallace read the Public Hearing Notice that appeared in the Watertown Daily Times on August 5, 2015. Stating that the Public Hearing would be held on August 12, 2015 at 6:15 p.m. to consider an amendment to the Town Zoning Law to establish an Appendix III for a Floating Planned Development District (FPDD) for Cohen Campgrounds and RV Park, to be located on Tax Map Parcel Number 62.00-2-3-121 which property is located off County Route 179 in the Town of Lyme. The purpose of the FPDD is to establish a Campground and RV Park on 19.15 acres.

The full text is as follows:

*A Local Law to establish an Appendix III to the Town of Lyme Zoning Law for a Planned Development District to be known as Cohen Campground and RV Park.*

**Article 1. – Statement of Authority.**                    *The Town Board of the Town of Lyme, pursuant to the authority granted it under Article 16 of the Town Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:*

**Article 2. – Statement of Purpose and Findings.**                    *The Town Board of the Town of Lyme is in receipt of a request from property owners of Tax Map Parcel Number 62.00-2-3.121, located off of County Route 179 in the Town of Lyme to establish a Campground and RV Park. Currently, Zoning on this property would not permit the same. They have requested the establishment of a Planned Development District pursuant to Section 765 of the Town of Lyme Zoning Law to amend the Zoning Law to allow the Development of above*

*referenced tax parcel in this manner. It is the purpose of this Local Law to establish a Planned Development District Number III (PDD 3) for that parcel.*

***Article 3. – Enactment.***            *The Town Board of the Town of Lyme does hereby enact an Appendix III to the Town of Lyme Zoning Law to be known as Planned Development District Number III – Cohen Campground and RV Park as follows:*

***Section 425A.***            *Planned Development District Number III – Cohen Campground and RV Park.*

- A. Area Included.***            *The property included within PDD3 shall be Town of Lyme Tax Map Parcel #62.00-2-3.121 located off County Route 179 in the Town of Lyme consisting of 19.15 acres.*
- B. Project Scope.***            *The permitted uses within PDD3 shall be for a Campground and RV Park.*
- C. Other Approvals Needed.***            *Prior to commencing any construction of the Planned Development District, the owner must obtain the following:*
  - 1. Special Use Permit approval from the Zoning Board of Appeals of the Town of Lyme.***
  - 2. Sewage System /SPDES Permit from the New York State Department of Environmental Conservation.***
  - 3. Water supply/water system permit from the New York State Department of Health.***
  - 4. Right-of-way approval from the Town/County Highway Department.***
  - 5. Permit for construction in navigable waters from the United States Army Corps of Engineers, if applicable.***
  - 6. Such other and further permits as may be applicable by other agencies, including further review by the Jefferson County Planning Board pursuant to Section 239-m of the General Municipal Law.***
- D. Special Condition.***            *The Zoning Board of Appeals in reviewing any project in Planned Development District Number III shall consider and provide for the following special conditions:*

- 1. The parcel must be delineated from neighboring parcels by an orange nylon rope of at least ½ inch in diameter.**
- 2. Signs must be posted on the property boundaries indicating no trespassing. Signs must be no further apart than fifty (50) feet.**
- 3. There must be a thirty (30) foot setback to be considered a buffer zone along the sides of the property to be “forever wild”. This is a defined area that cannot be cut or cleared, but left as the natural buffer for sound and view.**
- 4. All RV Sites must be designed to provide a minimum of twenty-five (25) foot separation between RV Units with the further understanding that would be no more than fourteen (14) RV Units per acre.**
- 5. Prior to occupancy, a proper septic system must be designed in accordance with all applicable New York State Department of Health regulations sized officially for the proposed occupancy of the property.**
- 6. Provisions for adequate potable water for all sites must be provided in accordance with all applicable New York State Department of Health regulations.**
- 7. Lighting, if any, shall be approved during Special Permit review by the Zoning Board of Appeals.**
- 8. Signage, if any, shall be approved by the Zoning Board of Appeals during Special Permit Review.**
- 9. The Zoning Board of Appeals shall consider what provisions must be made for fire protection to adequately service the project.**
- 10. The Zoning Board of Appeals may also consider such other factors as it deems appropriate, including potential impacts of the project upon wetland areas and wild life habitats.**
- 11. A quiet time hours from 10:00 p.m. through 7:00 a.m. shall be posted, observed and enforced by the site owner/operator similar to such provisions at the New York State Parks and Campgrounds.**

**Article 4. – Severability.** *If any part of this Chapter shall be found to be void, voidable or unenforceable for any reason what-so-ever, it shall not affect the validity or enforceability of any remaining Section or Provision of this Chapter.*

**Article 6. – Effective Date.** *This Local Law shall take effect immediately upon filing with the Secretary of State.*

Supervisor Aubertine opened the floor for Public Comments.

**Hope Johnston – Water Street Chaumont** – Stated that she is opposed to the Development for a number of reasons such as the property being located in a residential district and concerns with river speed limits and traffic.

**Dave Detweiler – County Route 179** – The Detweilers own property next to the proposed campground; they are opposed to the Development mainly due to the potential for noise and the possibility of people wandering on to their property. Mr. Detweiler asked Jeffrey Cohen how many units the development is proposing and Mr. Cohen answered by stating, “forty-three”.

**Chris Johnston – Water Street, Chaumont** – Drew attention to Special Conditions #5; prior to occupancy a proper septic system must be designed. Chris has driven down in the development and found where there have been a couple of units set up already.

**ZEO/CEO Millington** assured the Town Board that the units at the development are for the people who are working on location and they do have proper holding tanks. Until all approvals are met there will be no campers allowed.

**Jeffrey Cohen** wanted to make it clear that he has been following the rules of the Town Board and ZEO and wants to proceed properly.

**Councilman Henderson** stated that he has an issue with the definition of “quiet”, he feels it is subjective and would like to see it measured in

decibels with the overnight ambient measuring 25 – 30 decibels. Councilman Henderson will check into what New York State Parks require for quiet times.

**Jeffrey Cohen** stated that for the record, if the Detweilers called him and said they were making too much noise at the campground he would quiet it down. He does not want the Detweilers to be angry with him.

**Councilwoman Harris** – stated contrary to what residents think, she is not anti-development. This development is a change to the Town’s Zoning Law allowing a change to an existing residential neighborhood. Mr. and Mrs. Detweiler own a piece of property where they currently have peace and quiet. How will the quiet time be imposed? Mr. Cohen can promise anything he wants to although it doesn’t mean anything unless it is part of our Law.

This Development will change the dynamics of this residential area permanently. The Town Board needs to take a hard look at the ramifications for the neighboring residents; property values could be affected.

**Julia Gosier – Empie Road, Three Mile Bay** – Feels that the Zoning regulations should be in place and in writing before being approved. The Zoning Law and conditions have to be established and voted on before the Floating Planned Development District is voted on. Julie asked if the Town Board is sure they are properly expressing the fact that it is a brand new Planned Development District and does the Zoning Law apply to the new district?

**Supervisor Aubertine** read Section 415 – Floating Planned Development Overlay District B. – General Requirements and Planned Development Review Standards from the Town Zoning Law. He feels we have our Laws in place.

**ZEO/CEO Millington** would like to ask that the ZBA take care of the necessary clarifications.

Councilman Henderson expects better definitions.

Councilman Villa doesn't see the specifics the County is looking for; we need guidelines on sound' everything else is based on our Local Law.

**RESOLUTION 2015 – 114: Motion by Councilman Bourquin and seconded by Councilman Villa approving the Floating Planned Development District Number III – Cohen Campground and RV Park.**

**Roll call vote as follows:**

<b>Councilman Bourquin</b>	<b>Aye</b>
<b>Councilman Villa</b>	<b>Aye – Providing Councilman Henderson addresses Article 3 - #11 and clarifies with the ZBA.</b>
<b>Councilwoman Harris</b>	<b>Aye</b>
<b>Councilman Henderson</b>	<b>Nay</b>
<b>Supervisor Aubertine</b>	<b>Aye – Expressing the same as Councilman Villa above.</b>

**Four ayes. One Nay. Motion carried.**

**RESOLUTION 2015 – 115:**

**Motion by Councilman Bourquin and seconded by Councilman Villa accepting the SEQR (Short Environmental Assessment Form) Parts I and II as submitted by Mr. and Mrs. Jeffrey Cohen. Five ayes. Motion carried.**

The Cohens will now go to the ZBA for the next step in the process.

**A Motion was offered by Councilman Bourquin and seconded by Councilman Villa closing the Public Hearing at 7:45 p.m. Five ayes. Motion carried.**

***The Minutes of tonight's Public Hearing are respectfully  
Submitted by,***

***Kim Wallace  
Town Clerk***