

Town of Constantia Zoning Commission

Meeting Minutes – July 28, 2026

Call to Order

Chair Peck opened the meeting at 6:07 with the Pledge of Allegiance

Attendees

Voting members in attendance included:

- Chair James Peck
- Sandra Touri-Bell
- Dave Antos
- Martin Godzwon
- Joseph Markham
- Randall West
- Brien Connolly
- Terri John
- Brenda Mosher, Secretary

Guests in attendance included: Matt Johnson, Tug Hill Commission

Members *not in attendance* included: Sandra Retajczyk, Jeff Rumble

Approval of Minutes

A motion to approve the minutes of the previous June 24, 2026 meeting was made by Chair Peck and seconded by Mr. Godzwon. Motion passed unanimously.

Zoning Map and Land-Use Designations Review

The group reviewed map areas and existing / proposed designations:

- Residential determinations supported by population density / heat-map data and comprehensive plan logic. Emphasis on logical shapes, gravity/population centers, and supporting evidence for future public explanation.
- Consensus that current designations largely match prior work and expectations. Potential for feedback concentrated on certain residential areas; supporting heat-map and comprehensive-plan materials to be retained as justification.

Key points of agreement:

- Waterfront, commercial, industrial, and rural/agricultural placements are consistent with existing uses and logical planning.
- Marina and manufactured-housing clusters fit waterfront allowances.
- Maps and scale information (including setback distances from water) to be finalized and printed for public presentation.

Draft Zoning Law Review – New Articles, Article 17 – Data Centers

Reviewed key provisions:

- Allowed within rural zoning districts (to be confirmed/filled in on maps).
- Concerns noted: high power demand (limited availability in rural areas; risk of on-site generators), high water use / on-site cooling (potential air emissions and noise), noise impacts on neighbors.

- Signage: 24-hour visibility from street; remove extraneous wording (“orange”).
- Screening (Section C / #5): Clarified language – when fencing is provided, screening shall be a minimum height of 8 feet of vegetation (not “depth”). Planning Board may waive screening.
- Electricity / power generation: Fossil-fuel generators permitted only for emergency power, not primary/removable operations.
- Sound mitigation: Increase of 3 dB above ambient (measurable by professional acoustical engineer). 3 dB equates to roughly a doubling of sound power; noted as a technical, enforceable standard drawn from similar statutes. Discussion of perception vs. measured power; real-world examples (e.g., air-conditioner difference) shared. Sensitive receptors (schools, residential concentrations, etc.) to be defined.
- Setbacks: Discussion of whether underlying district setbacks apply or a specific larger setback (reference to prior discussion of ~1,000 feet). Clarification needed; current draft appears to default to underlying zoning unless specific standards are inserted. Equipment cannot be placed within setbacks.
- Other: Ground-mounted equipment restrictions within setbacks; painting / visual standards discussed briefly.

Action on Article 17:

- Add definition of “sensitive receptor” to Article 2 (Definitions).
- Refine screening language (height of vegetation).
- Confirm setback standards and rural-district allowance.
- Retain 3 dB technical standard as measurable and professional-engineer based.

Article 18 – Planned Development District (PDD)

- Safety-valve mechanism for unique, high-benefit projects that do not fit standard zoning.
- Process requires compelling public benefit, Planning Board / Town review, and avoids “spot zoning.”
- Example referenced: prior high-density redevelopment / trailer-park concept that did not proceed.
- Procedure detailed in Section 18.40.
- Consensus that it provides needed flexibility for exceptional projects while remaining tightly controlled.

Article 20 (and related)

- Noted that much of Article 20 (building-code material) can eventually be separated from the zoning law to reduce length (current ~96 pages; potential reduction toward ~75). Deferred until after adoption.

Other document items:

- Index / finding aid for the multi-page document (similar to prior land-development-law example) requested for usability.
- Unified application form concept discussed (consolidating special-use, site-plan, subdivision, etc., with checklist steps) for future code-enforcement efficiency.
- Draft to be clearly marked “DRAFT” on every page.

Process, Timeline, and Next Steps

- Collective assignment: Each member to review the full document end-to-end (multiple times if needed). Flag language issues, broken references, inconsistencies, or needed changes via email (reply-all).
- Matt to circulate the current PDF (marked Draft) promptly; Jim to send reminder email if needed.

- Next meeting: **August 11 at 6:00 p.m.** – review revised version incorporating tonight’s discussion and emailed comments.
- Subsequent meeting: Approximately two weeks later (**August 25**).
- Assuming no major issues on the 11th:
 1. Town Attorney review.
 2. Town Board / Council.
 3. County referral (as applicable).
 4. Two required public hearings (this body + Town Board prior to adoption).
- Goal: Confident draft ready for formal next steps within roughly 1–2 months if progress continues smoothly.
- Zoning restrictions expected to affect only a small percentage of properties; framing should emphasize protection of existing character and mutual interests.

Decisions / Consensus

- Map designations largely affirmed; supporting materials (heat maps, comprehensive plan) to be retained.
- Article 17 refinements (screening height, sensitive-receptor definition, confirmation of setbacks and rural allowance) accepted for incorporation.
- Article 18 (PDD) retained as written.
- Full committee review + emailed comments required before August 11.

Adjournment

Mr. Markham moved that the meeting be adjourned, seconded by Mr. West. Members voted unanimously to adjourn at 7:00 pm.

Brenda Mosher

Brenda Mosher
Secretary
Town of Constantia Planning Board, Zoning
Board, and Appeals Board

Date of Approval

*Additional notes from Commission Members

Additional Notes:

My comments are as follows (I have not had time to finish my review yet, hopefully by the end of the weekend).

Under definitions, bold all terms that require definitions and remove bold from any definitions that are in bold, for consistency.

Section 140. Doesn't Land Development Law Local Law 2- 2013 and amendments made to it supersede these laws?

Definition of Accessory Facility (telecommunications) seems somewhat unclear.

Under the definition Large Scale Mining, a NYSDEC Mine Land Reclamation permit is required for extraction of more, etc. Additionally, a NYS SPDES permit may be required for stormwater discharge, management.

Article 16. Section 1620. Large Scale Battery Storage Systems. Need to add that they must comply with all applicable federal, state and local environmental regulations, including obtaining any required permits.

Article 17. Data Centers. In addition to Sewer and Stormwater requirements, must comply with federal and state Clean Air Act regulations including obtaining any required permits.

Sent via the Samsung Galaxy S25, an AT&T 5G smartphone

Get [Outlook for Android](#)

From: Brien Connolly <brien1313@icloud.com>

Sent: Friday, August 7, 2026 3:45:34 PM

To: Sandy <sandraretajczyk@netscape.net>; planning <planning@constantiany.gov>; Brenda Mosher <Brenda.Mosher@Shopbotanist.com>; dantos1481@gmail.com <dantos1481@gmail.com>; s3doh@msn.com <s3doh@msn.com>; Matt Johnson <matt@tughill.org>; Ronald Chapman <townsupervisor@constantiany.gov>; heidi@tughill.org <heidi@tughill.org>; Clare Haynes <clerk@constantiany.gov>; Jeff Rumble <jeff.betterbasements@gmail.com>; Terri John <terrijohn100@gmail.com>; Joseph Markham <jmarkhal@twcny.rr.com>; Randall West <randygoldandgems@gmail.com>; Martin Godzwon <mgodzwon@yahoo.com>

Subject: Re: Zoning Law 'near final' draft, meeting Tuesday 8/11/2026

Here are my comments so far

Section 130:

-In my opinion, this section is very wordy, repetitive and does not seem to flow well. Maybe consider rewording this section to make it shorter and easier to read?

Section 140:

-Town of Constantia land development law is listed twice.

Article 2:

-Do we need separate definitions of Accessory Building and Accessory Structure? Can we combine the definition into a single definition of Accessory Structure?

- The Definition of Marina is missing

- The definition of Portable Storage Container seems incomplete, the last sentence abruptly ends

-Why do we have some definitions in bold font and some not?

Section 640:

- I assume that the <<INSERT DATE>> is a temporary placeholder that will be changed to reflect the adoption date of this law?

Section 1710:

- Needs to be changed to reflect that Data Centers are only allowed in Rural Zone

Section 2005:

"Order to Remedy" shall mean an order issued by the Code Enforcement Office pursuant to subdivision

(a) of section 1515 of this local law" -- Section 1515 does not exist

"Temporary Certificate of Occupancy" shall mean a certificate issued pursuant to section 1505 of this

local law" -- Section 1505 does not exist

Section 2030 (f)

This section refers to section 1516 of this local law, which does not exist.

I'll send out another email if I find more issues.

-Brien

On Aug 7, 2026, at 11:34 AM, Sandy <sandraretajczyk@netscape.net> wrote:
Hi Jim,

Wow what a homework assignment!

Not sure how much I should get into formatting issues so will do a few of the ones that stood out:

Bolding all words requiring definitions in the Article 2 Definitions section (eg Accelerated Erosion and Accessory Building among a few others require bolding for consistency).

Unbolding of Battery Energy Storage systems actual definitions.

For continuation of non-conforming items started during or prior: will the dates set (such as on page 21) be the date that the LDL was first established or will it be the date of this zoning law? If we do the setting of this law for section 640 does that mean that all current undersized lots are permitted a single unit dwelling for whatever date we set?

For the Existing Users and Structions in Section 715: Any use or structure shall be considered to be in existence provided the same has been commenced.. etc... What is the definition of commenced? Can someone submit a permit/request and then complete it within a year or do they actively have to get approval from the town of constantia to consider it commenced?

I know that this is all pulled from our existing LDL: Section 730: sketch plan conference. It says that a sketch plan conference shall be held between the planning board and applicant prior to the preparation and submission of a site plan. Should additional wording be included (or looser wording) on the sketch plan since we don't always do them? or should there be wording on timing of these events per law to make it more consistent with some of the other sections?

For the new articles, solar, battery, data centers, planned unit developments, all provide wording in deference to the environment; is that sufficient or should some reference to SEQOR be made? I didn't notice SEQOR referenced actually anywhere in the document.

Article 20, pgs 69 - 94 appear to have potentially a few paragraph/bullet point alignment issues. Would that need to be corrected at this point?

Pg 93, section 2096: do we have to have a fixed number for the board of appeals stated in this document? We don't have one for the planning board.

Please let me know if I need to submit a hard copy of my comments (such as formatting article 20) and I will do so on Monday.

Sandy R.