

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION AGENDA
January 15, 2026**

The meeting was called to order at 6:00 PM by the presiding officer at the Town of Plattsburgh Town Hall, 151 Banker Road.

	<u>Present</u>	<u>Absent</u>
MEMBERS: Charles A. Kostyk, Supervisor	X	
Thomas E. Wood, Councilor		X
Dana M. Isabella, Councilor	X	
Daniel A. Bosely, Councilor	X	
Iona M. Kelting, Councilor		X
Jonathan J. White, Town Clerk	X	
Matthew G. Favro, Town Attorney	X	

Public Comments: Patricia Barnett – Town resident made a presentation regarding her SEQRA challenge to the 284 Idaho Avenue property. Her presentation is attached to these minutes.

Supervisor’s Report: Mr. Kostyk – Big thanks to all the outside crews during this winter season. Highway crews have not gotten much of a break keeping up with the snow. Facilities and Parks crews are taking good care of our parking lots. Water and Wastewater have a lot going on. Thanks to all these folks for their hard work!

The Town was host to the Clinton County Association of Supervisors. We met with the new County Administrator and talked about shared services like highway snow clearing and other items in the public interest. A special guest, former supervisor Arthur LeFevre, stopped by to say hello to the group. He started the supervisor association during his tenure.

Lastly, big kudos to my executive secretary Emillie LaMay, who has done great work on keeping the public up to date on town issues through our FaceBook page. Thank you Em!

Resolutions:

- 026-026 Z.O. Amendment Research - Definitions and Locations for Public Building/Use
- 026-027 Annual Acceptance of Town Fiscal Records for the Annual Audit

Draft Resolutions:

- 026-xxx Minutes
- 026-xxx Standard Work Day and Reporting Resolution – Jonathan J. White, Town Clerk
- 026-xxx Climate Smart Communities

Committee Reports:

Ms. Isabella – Wanted to echo sentiments about the crews in Highway, Parks/Rec and Facilities, they are all doing great work, navigating mechanical issues and other challenges, during this cold weather.

Town Board meeting be adjourned at 6:15 PM.

TOWN CLERK, TOWN OF PLATTSBURGH

Ms. Isabella
1/22/24

[Signature]

SEQRA Record Clarification, 284 Idaho Avenue (DHS/ICE/HSI Facility)

Submitted by: Patricia B. Barnett

Meeting: Town Board Meeting – January 15, 2026

Purpose: Record clarification and status update regarding SEQRA compliance

Background & Timeline

- November 18, 2025
The Planning Board verbally approved the site plan for 284 Idaho Avenue, associated with a federal DHS/ICE/HSI facility.
- Post-Approval Review
Upon review of the Planning Board record, multiple procedural issues became apparent, including:
 - inconsistent or unclear project description regarding agency function and enforcement role, and facility use;
 - segmentation of operational impacts from site impacts;
 - conclusory SEQRA findings lacking documented analysis (including conditional stormwater approvals); and
 - unanswered or incomplete responses to public comments.
- November 20, 2025
I submitted a formal SEQRA Challenge Letter identifying these deficiencies and requesting corrective action consistent with SEQRA's procedural requirements (attached).
- December 16, 2025
I submitted a FOIL request seeking records relevant to the environmental review, agency coordination, and underlying project documentation.
- December 18, 2025
I made remarks to the Town Board and provided it with a copy of the SEQRA Challenge Letter.
- January 2, 2026
I received FOIL materials that further inform, and in some respects underscore, the procedural concerns raised in my SEQRA challenge.
- January 2, 2026
Based on the existing record in the FOIL disclosures, I submitted a formal written request to the Planning Board seeking reopening of SEQRA review or supplemental environmental review, as appropriate (attached).

SEQRA CHALLENGE

Re: GSA Site Plan Application at 284 Idaho Avenue, Plattsburgh, NY
Date: November 20, 2025

To the Members of the Town of Plattsburgh Planning Board:

I formally challenge the Planning Board's SEQRA determination and site plan approval for the proposed federal facility at 284 Idaho Avenue, approved November 18, 2025.

The SEQRA review and approval were procedurally improper, substantively inadequate, and issued without the legally required "hard look" or "reasoned elaboration" required by 6 NYCRR Part 617. Failure to comply with these SEQRA obligations requires annulment as a matter of law. Accordingly, the Planning Board's decision cannot stand.

This letter identifies the following deficiencies, including:

- Conducting SEQRA review and approval in the same meeting;
- Improper reliance on the property's former warehouse use;
- Misleading identification of the federal agency user;
- Inconsistent and inaccurate project descriptions;
- Fundamental deficiencies in SEQRA;
- The lack of confirmation that stormwater requirements were satisfied; and
- Inadequate consideration of numerous concerns brought by the public related to community character.

I. Improper Conduct of SEQRA Review and Approval in the Same Meeting

Although New York law does not prohibit same-meeting review and approval, an agency may only approve a project after it has taken a full hard look and issued a reasoned elaboration based on a complete record. SEQRA requires an agency to complete an environmental review before committing to a discretionary action. This includes completing the EAF, evaluating all impacts, adopting a determination of significance supported by factual findings, and, only then, considering site plan approval. At the November 18, 2025, meeting, the Planning Board performed a minimal Part 2 review, adopted a Negative Declaration, and immediately approved the site plan. This reveals predetermination and a lack of deliberation, indicating that SEQRA was not treated as a substantive environmental review, as required by law.

II. Improper Reliance on the Property's Former Warehouse Use

Planning Board members repeatedly invoked the site's prior warehouse use to justify finding no significant impacts. SEQRA, however, evaluates the effects of the proposed use, not past uses. SEQRA requires an analysis of the real-world impacts of the proposed action, not a nominal land use classification. A federal DHS/ICE/HSI facility differs dramatically from a warehouse. New impacts include detainee/witness transport, emergency response

activities, federal law enforcement vehicle circulation, secure holding cell operations, surveillance lighting, parking lot security measures, and potential effects on community character.

III. Misrepresentation and Minimization of Federal Agency User (HSI vs. ICE)

The applicant listed the user as “DHS/HSI,” omitting that HSI is a division of ICE. Given the known community concern regarding ICE operations, the omission was material and undermined SEQRA review. SEQRA requires a complete and accurate project description. The failure to clearly identify the agency masks the likely level of federal enforcement activity, the frequency of detainee transport, possible protest activity, and the effects on community character. This omission alone renders the determination vulnerable under SEQRA. Additionally, the applicant characterized HSI as a non-enforcement agency, directly contradicting the agency’s own website, which states that HSI is “a premier federal law enforcement agency” (emphasis added). (<https://www.ice.gov/about-ice/hsi>)

IV. Material Inconsistencies in Project Description and Operations

The project description contains material contradictions. The Description of Proposed Structures and Improvements on the Site Plan Application explicitly identifies “detention facilities.” However, on the undated document detailing the applicant's responses to Planning Board questions, under item 2, “What is this facility?”, the applicant responded, “To emphasize it will not be used for detention.” The applicant’s assertion that the facility will not be used for detention not only contradicts the Site Plan Application, but also the presence of a secure holding cell. A person locked in a holding cell is, by definition, detained.

On the other hand, descriptions of presumably low-impact office use are inconsistent with federal enforcement operations if, as originally stated, the facility will be used for detentions. In the same undated document at item 4, “What are the hours of operation?”, the applicant answered, “7:00 AM to 5:00 PM, Monday through Friday, with the exception of Federal holidays.” And in item 2, the applicant responded that the holding cell would be for “short term non overnight” use. Thus, it is implied but not explicitly stated that all detainees would be released by 5:00 PM, the stated close of business. The intended use and operations of this facility are unclear.

During the November 18, 2025, Planning Board meeting, I pointed out this inconsistency in the record and explicitly asked if the Planning Department considered the contradiction between the application description and the applicant’s later response. The Planning Department did not find this contradiction warranted further clarification, even though the proposed facility's use is essential to the application. SEQRA requires a complete and accurate description of the action.

V. Fundamental Deficiencies in SEQRA Review and Decision-Making

a. Failure to Take a Hard Look

No meaningful review occurred in the following required SEQRA categories: traffic; circulation; emergency response; public safety; community character; lighting, noise, and security; stormwater; cumulative impacts; or alternatives. The Planning Board substituted assumptions (“it was a warehouse”) for factual analysis. Conclusory statements are insufficient. This violates SEQRA’s hard-look requirement.

b. Lack of Reasoned Elaboration

The Negative Declaration lacked the required written reasoning. It contained no supporting factual findings, no Part 3 analysis, and no explanation for the conclusions reached. A Negative Declaration without a reasoned elaboration is invalid per se.

c. Approval Based on an Incomplete Application

Critical materials were missing, including: a complete and accurate application; a complete SWPPP; traffic analysis; holding cell procedures; emergency response plan; security plan; lighting/noise analysis; and confirmation of compliance with the Town’s Storm Water Management Plan requirements. Item 8a on the Site Plan Application states, “Will the proposed action result in a substantial increase in traffic above present levels?”, to which the applicant responded, “No.” However, the applicant also noted “Parking improvements and expansions” in the Description of Proposed Structures and Improvements. There is no indication in the public record that the Planning Department or Board considered increased traffic resulting from the anticipated 46 employees, despite the applicant asserting that traffic would not increase. The expansion of parking facilities strongly suggests an intensification of use and vehicle trips, contradicting the applicant’s claim of no increase in traffic.

Further on the application, Item 17b asked “Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?” The applicant marked “Yes” to this question. Below Item 17b, the application states, “If Yes, briefly describe.” This section was left blank. The applicant clearly did not provide a required response to this question, further demonstrating the plan’s inadequacy regarding stormwater.

VI. The Planning Board Improperly Proceeded Despite Unresolved Engineering Deficiencies and an Incomplete Stormwater Record

Laberge Group issued a detailed technical review on September 10, 2025 identifying extensive deficiencies in the applicant’s Storm Water Management Report and related SWPPP materials, including: missing 50-year storm analysis; incorrect point-of-interest location; lack of infiltration testing; improper reliance on surcharging; missing construction sequencing; non-standard inlet protection; and, critically, failure to demonstrate compliance with the Town’s requirement that “Detention facilities shall be based upon a

twenty-five (25) year post development runoff with peak discharge limited to the pre-development runoff from a ten (10) year storm event at the discharge point.” Town of Plattsburgh Zoning Ordinance §7.8(FF)(3).

Laberge Group recommended “that the applicant address the following comments satisfactorily prior to site plan approval”, consisting of thirteen items. There is no evidence in the public record that the applicant ever performed the needed revisions. Item 10 on Laberge Group’s recommendation states, “The plans indicate the project is to comply with the 2016 Design Manual. The reference should be revised to the current Design Manual, July 31, 2024.” There is no evidence in the public record that the updated Design Manual was used. No updated stormwater analysis, infiltration testing, or construction-phase sequencing, or confirmation thereof, was made available for public review before the November 18, 2025, meeting. The Administrative Record as of that meeting is void of any engineering response to the Laberge Group’s letter. Consequently, the only evidence in the record demonstrates that the project does not comply with State stormwater regulations. An approval granted in direct contradiction to the only expert engineering evidence in the record is the definition of arbitrary and capricious.

This violates core SEQRA principles for three independent reasons:

1. SEQRA Requires the Lead Agency to Have a Complete and Accurate Record Before Issuing a Negative Declaration.

An agency may not rely on missing, future, or speculative submissions. SEQRA prohibits a lead agency from issuing a Negative Declaration unless it has “sufficient information upon which to base its determination.” 6 NYCRR 617.3(g)(1). A lead agency must also request and obtain “any additional information it reasonably needs” to evaluate environmental impacts before making a determination of significance. 6 NYCRR 617.3(g)(1); 6 NYCRR 617.8(b) (requiring “full environmental information”).

Because the Town’s own engineering consultant found the stormwater submission materially deficient, the lead agency cannot proceed to SEQRA completion in the absence of correction. H.O.M.E.S. v. NY Urban Dev. Corp., 69 A.D.2d 222, 232 (4th Dep’t 1979) (agency must have “all relevant information” before decision).

2. Issuing a Negative Declaration Without Reviewing Corrected Stormwater Materials Violates the “Hard Look” Requirement

An incomplete environmental record renders a Negative Declaration arbitrary and capricious. New York courts consistently hold that SEQRA requires an agency to:

- Identify all relevant areas of environmental concern,
- Take a hard look at those concerns, and
- Provide a reasoned elaboration for its determination.

See Jackson v. New York State Urban Dev. Corp., 67 N.Y.2d 400, 417 (1986); Chinese Staff & Workers Ass’n v. City of New York, 68 N.Y.2d 359, 363–64 (1986).

Where an agency fails to obtain or review missing engineering analyses before issuing a Negative Declaration, courts hold that the determination must be annulled. See Riverkeeper, Inc. v. Planning Bd. of Town of Southeast, 9 N.Y.3d 219, 232 (2007) (negative declaration invalid where agency failed to review necessary hydrological analysis). See also Town of Blooming Grove v. County of Orange, 103 A.D.3d 655 (2d Dep't 2013) (finding SEQRA review unlawful where the county accepted incomplete submissions and approved the project without evaluating necessary environmental information).

Here, the Planning Board did not possess complete stormwater information at the time of the SEQRA determination, nor did it review any corrective submissions. This renders the Negative Declaration unlawful. Stormwater and drainage impacts are explicitly listed as mandatory considerations under EAF Part 2 review and 6 NYCRR §617.7(c).

3. Where the Agency's Own Experts Identify Deficiencies, the Planning Board Must Resolve Them Before Approval.

Courts invalidate SEQRA determinations when agencies ignore or fail to resolve deficiencies identified by consultants or reviewing agencies. Chinese Staff & Workers Ass'n v. City of New York, 68 N.Y.2d 359, 366–67 (1986) (“An agency may not rely on conclusory statements or incomplete data.”); N. Country Citizens for Responsible Growth, Inc. v. Town of Potsdam Planning Bd., 39 A.D.3d 1098 (3d Dep't 2007) (holding that a Planning Board's SEQRA review was inadequate where it failed to analyze potential environmental impacts sufficiently and did not take the required hard look).

Because the Town's consultant identified noncompliance with mandated stormwater design standards, and the applicant never submitted the required corrections, the Planning Board acted without a complete environmental record. This is a per se violation requiring rescission of the Negative Declaration.

a. The Public Must Have Access to Complete Environmental Information Before SEQRA Review Is Finalized

SEQRA is grounded in public participation. 6 NYCRR 617.1(c) requires “public disclosure of environmental impacts” so the public can meaningfully participate in the process. Where an applicant submits revised engineering materials, and/or where significant deficiencies are identified, the public must be given access before SEQRA is concluded. Courts annul SEQRA determinations where an agency adopts a Negative Declaration based on documents unavailable to the public or reviewed after approval. See H.O.M.E.S. v. NY Urban Dev. Corp., 69 A.D.2d 222, 232 (4th Dep't 1979) (public must have meaningful opportunity to review environmental information).

Failure to ensure compliance with local stormwater standards before SEQRA completion constitutes a substantive violation, not a mere procedural defect. If the applicant made stormwater corrections privately, without public disclosure, the Planning Board violated both SEQRA and the principles of transparent environmental review.

b. The Town Cannot Lawfully Approve a Project Whose Stormwater Plan Does Not Comply With Local Requirements

The Town's SWMP requires that post-development runoff from a 25-year storm be discharged at or below the pre-development 10-year rate. This is a substantive, enforceable local standard. Until the applicant proves compliance, the Planning Board cannot make a SEQRA finding of no significant impact. See Eadie v. Town Bd. of N. Greenbush, 7 N.Y.3d 306, 318 (2006) (SEQRA findings cannot contradict local requirements).

Because the applicant's stormwater design was incomplete and non-compliant, and the Planning Board did not verify corrections, SEQRA could not legally be completed.

VII. Public Opposition Based on Documented ICE Conduct Constitutes a Valid and Legally Cognizable SEQRA "Community Character" Concern

The hearings on both October 21, 2025, and November 18, 2025, drew extraordinary public participation, and numerous residents expressed serious concern about the siting of an ICE-associated facility in Plattsburgh, citing documented public safety concerns regarding ICE enforcement operations across the United States. The public objection was not based on generalized political views but on reasonably foreseeable law-enforcement impacts, including: increased enforcement operations; community fear; destabilization of vulnerable populations; and heightened risk of protests, conflict, or community disruption. Under SEQRA, these concerns are squarely relevant to the environmental impact category of "community character."

a. Community Character Is an Environmental Impact Under SEQRA

Courts have repeatedly held that community character, including the social and psychological environment of a neighborhood, is a legally protected environmental resource:

- Chinese Staff & Workers Ass'n v. City of New York, 68 N.Y.2d 359, 366 (1986) ("The impact of a project on the social fabric of the community is a proper subject of environmental review.")
- Village of Chestnut Ridge v. Town of Ramapo, 45 A.D.3d 74, 90 (2d Dep't 2007) ("Community character is specifically included within the definition of environment under SEQRA.")
- Gernatt Asphalt Prods., Inc. v. Town of Sardinia, 87 N.Y.2d 668, 683 (1996) (impacts on community identity are valid considerations).

b. Why ICE-related Concerns Fall Squarely Within "Community Character"

ICE operations differ from standard administrative office and public use. Its enforcement actions affect residents' sense of safety, trust in public institutions, stability of immigrant families, likelihood of protests or public gatherings, and the psychological climate of the community. These impacts are environmental under SEQRA because they affect the

“existing patterns of population concentration, distribution, or growth, and existing community or neighborhood character.” 6 NYCRR §617.7(c)(1)(v).

The Planning Board failed to meaningfully consider community opposition. Failure to consider unanimous, well-documented community concern is a hard look violation. Where public comment overwhelmingly warns of specific, foreseeable community impacts, an agency must meaningfully address them. Save the Pine Bush v. Common Council of Albany, 13 N.Y.3d 297, 307 (2009) (public concern must be substantively addressed). H.O.M.E.S., 69 A.D.2d at 232 (ignoring relevant public input invalidates SEQRA review).

The Planning Board’s failure to adequately consider the community character impacts associated with ICE-related federal operations constitutes a clear violation of 6 NYCRR Part 617.

VIII. Requested Action

For the reasons outlined above, the Planning Board’s SEQRA determination cannot withstand judicial scrutiny. The record demonstrates procedural violations, reliance on incomplete and inaccurate submissions, failure to resolve identified engineering deficiencies, and disregard of legally cognizable impacts on community character. These errors collectively constitute a clear violation of SEQRA’s core requirements: a complete record, a hard look at all relevant environmental concerns, and a reasoned elaboration for the determination. Under controlling precedent and 6 NYCRR Part 617, the Negative Declaration and site plan approval are arbitrary, capricious, and unlawful, requiring rescission and reopening of environmental review. Accordingly, I respectfully request that the Planning Board:

- Rescind the Negative Declaration;
- Vacate the site plan approval;
- Reopen SEQRA review;
- Require complete and accurate project submissions, including stormwater documentation proving compliance with pre- and post-development discharge requirements; and
- Only consider approval after lawful SEQRA completion.

IX. Conclusion

The Planning Board’s SEQRA review was procedurally improper, substantively deficient, and unsupported by evidence. For these reasons, the Planning Board’s SEQRA determination and site plan approval are invalid as a matter of law and must be rescinded, and the environmental review lawfully reopened.

Respectfully submitted,



Patricia B. Barnett

REQUEST TO REOPEN SEQRA REVIEW

Re: Proposed DHS/ICE/HSI Facility at 284 Idaho Avenue, Town of Plattsburgh

Date: January 2, 2026

I. Purpose of Submission

I respectfully request that the Planning Board reopen SEQRA review for the proposed facility at 284 Idaho Avenue to ensure that the environmental review is procedurally complete, transparent, and based on a fully developed administrative record, consistent with the requirements of the State Environmental Quality Review Act (SEQRA).

This request is prompted by information disclosed through the Town's recent Freedom of Information Law (FOIL) production, which revealed materials and record inconsistencies that were not publicly available or apparent at the time the Planning Board issued a Negative Declaration and verbally approved the site plan application on November 18, 2025.

II. Background

Following the November 18, 2025 Planning Board meeting, at which a Negative Declaration was issued and the site plan application was verbally approved, I submitted a written SEQRA challenge letter dated November 20, 2025 identifying record-based concerns regarding the adequacy of the environmental review, including inconsistencies in the project description, unresolved stormwater issues, and the absence of a clearly documented SEQRA analysis supporting the Negative Declaration.

To better understand the basis for the Planning Board's SEQRA determination, I subsequently submitted a FOIL request seeking the complete SEQRA administrative record and all materials relied upon by the Planning Board in conducting its review. The Town has now produced documents in satisfaction of that request.

III. Issues Identified Through FOIL Production

Review of the FOIL materials raises several concerns relevant to SEQRA compliance and warrants reopening review.

A. Reliance on Stormwater Materials Not Publicly Available

The FOIL production includes a substantive Stormwater Management Report (SWM Report) and related stormwater review materials. The SWM Report is dated August 26, 2025 and contains substantive project descriptions, site features, and stormwater methodology assumptions.

Based on the materials publicly accessible on the Town's project webpage as of the November 18, 2025 public hearing (as preserved by me), the SWM Report was not publicly available at or before the hearing. Stormwater impacts are a core SEQRA consideration, and reliance on technical

materials not made available for public review raises concerns regarding both the completeness of the administrative record and the opportunity for meaningful public participation prior to issuance of the Negative Declaration.

B. Deferral of Stormwater Impact Analysis and Unverified Key Assumptions

The stormwater documents produced focus primarily on engineering compliance and future implementation rather than evaluating, at the SEQRA stage, whether potential stormwater impacts may be significant.

In addition, the SWM Report states that infiltration testing had not yet been performed and that an infiltration rate was assumed for design purposes, with testing to occur at a later stage. Where stormwater design inputs are expressly preliminary or assumed pending testing, reopening SEQRA review is appropriate to confirm that potential impacts were evaluated on verified site conditions rather than deferred assumptions.

C. Absence of Documented “Hard Look” and Reasoned Elaboration

The FOIL materials do not include a completed Part 2 or Part 3 Environmental Assessment Form, consultant memoranda, or other written analysis demonstrating a reasoned elaboration supporting the conclusion that the project would not result in any significant adverse environmental impacts. The absence of such documentation makes it difficult to discern how the Planning Board satisfied SEQRA’s “hard look” requirement in reaching a Negative Declaration.

D. Conflation of Zoning Permissibility with SEQRA Compliance

The FOIL production and the public record indicate that zoning permissibility may have been treated as determinative of SEQRA compliance. While zoning compliance is a necessary prerequisite for site plan approval, it is a distinct inquiry from SEQRA review. SEQRA requires an independent evaluation of potential environmental impacts, including site-specific effects and community context, regardless of whether a proposed use is permitted under the zoning ordinance. Even where a use is permitted by zoning, SEQRA requires a separate determination of environmental significance based on potential impacts.

The FOIL materials do not include written analysis demonstrating that the Planning Board separately assessed potential environmental impacts beyond zoning permissibility, nor do they reflect a reasoned elaboration explaining why zoning compliance alone was sufficient to support a Negative Declaration. Reopening SEQRA review would allow the Planning Board to clarify the analytical basis for its determination and confirm that the SEQRA inquiry was conducted independently, as required by law.

E. Project Description and Operational Characteristics Material to SEQRA Review

The SWM Report itself describes the project as including offices for GSA “as well as some temporary short-term holding/detention facilities,” and references a sallyport structure, security fencing, and a perimeter fence surrounding the property. Project use and operational characteristics

may bear directly on potential environmental impacts, including traffic, lighting, noise, security infrastructure, and community character. Reopening SEQRA review is therefore warranted to ensure that the project description and operational assumptions relied upon by the Planning Board are clear, consistent across the record, and adequately evaluated for environmental significance.

F. Incomplete SEQRA Record Regarding Public Submissions

The Town Attorney has confirmed in writing that my November 20, 2025 SEQRA challenge letter was received by the Town and is included in the project file for this application. That correspondence, however, was not included in the FOIL production of the complete SEQRA administrative record. This discrepancy raises concerns as to whether all relevant submissions and materials were incorporated into the SEQRA record considered by the Planning Board. I respectfully request confirmation that my November 20, 2025 letter has been circulated to Planning Board members and incorporated into the SEQRA record for the application.

G. Unresolved Public Concerns Relevant to SEQRA

This project has generated substantial public comment and community concern, including questions regarding the facility's operational description and potential impacts on traffic, public safety, and community character. In addition, a community petition requesting that SEQRA review be reopened has been circulating and currently reflects approximately 350 signatures. I recognize that public concern alone is not determinative under SEQRA and that SEQRA is not a referendum; however, the volume and persistence of public response underscore the importance of ensuring that the SEQRA record is complete and that public participation is meaningfully informed, particularly where key technical materials were not publicly available at the time of the Planning Board's determination.

IV. Request to Reopen SEQRA Review

Taken together, the issues identified above indicate that the record underlying the Negative Declaration may not have been complete or fully transparent at the time the Planning Board made its determination. SEQRA provides the Planning Board with continuing authority to revisit its determinations where necessary to ensure procedural compliance and a legally sufficient environmental review.

Accordingly, I respectfully request that the Planning Board reopen SEQRA review for this project to allow for consideration of the full record, including stormwater materials disclosed through FOIL and all written public submissions contained in the project file, and to clarify the basis for any determination of environmental significance. Reopening review would allow the Planning Board to confirm that the Negative Declaration was based on a complete record available for public review at the time of the determination.

This request is made in the interest of procedural integrity and informed decision-making, and not for the purpose of unnecessary delay. Reopening SEQRA review would allow the Planning Board to ensure that its determination is supported by a complete administrative record and satisfies SEQRA's requirements for transparency, public participation, and reasoned analysis.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink that reads "PBarnett". The letters are cursive and connected, with a large, stylized "P" and "B".

Patricia B. Barnett

patricia@barnettadvocacy.com

**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
January 15, 2026**

Resolution No. 026-026

**Z.O. Amendment Research -Definitions and
Locations for Public Building/Use**

WHEREAS, The Town Zoning Ordinance, or any part thereof, including the Zoning Map indicating the various district boundaries, may from time to time be amended or repealed by the Town Board in the manner provided by Sections 264 and 265 of the New York State Town Law and Article XVII § 17.1 & 17.2 of the Town Zoning Ordinance; and

WHEREAS, the Town Board by its own motion does intend to analyze and consider potential amendments to the existing Zoning Ordinance’s definition of Public Building/Use; and

WHEREAS, the Town Board does additionally intend to analyze and consider the appropriate districts for the development of uses defined as Public Building/Use; now, therefore be it

RESOLVED, that the Town Board does hereby instruct the Town Planning and Community Development Department to conduct research and make recommendations regarding standardized definitions for Public Building/Use and their permitted locations; and, be it further

RESOLVED, that the Planning and Community Development Department shall provide a written report to the Town Board containing said recommendations for consideration.

Motion: Ms. Isabella

Seconded by: Mr. Bosley

Discussion: Mr. Kostyk – We’ve had very in-depth conversations between the Planning staff and councilors, as well as lots of discussion with the public, and we feel this is the best action at this time. Ilona and Tom are very well aware of this resolution.

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u> YES	<u>Tabled</u>
Thomas E. Wood			X		
Dana M. Isabella	X				
Daniel A. Bosley	X				
Ilona M. Kelting			X		
Charles A. Kostyk	X				



**TOWN OF PLATTSBURGH
TOWN BOARD WORK SESSION
January 15, 2026**

Resolution No. 026-027

**Annual Acceptance of Town Fiscal Records
for the Annual Audit**

WHEREAS, the Town Board is responsible for the general management and control of the Town finances (Town Law, Section 64(1)). An important aspect of this responsibility is to provide a process to monitor and review, on a routine basis, the work performed by those who manage money as part of their town duties; and

WHEREAS, to improve accountability and controls over finances and records, the Town of Plattsburgh Auditing Committee and Finance Manager are required to obtain the fiscal records of the Town Clerk, Town Justices', and Town Tax Receiver as per regulation, by January 20th to allow for those records to be audited; and

WHEREAS, the Town Clerk's, Town Justices,' and Town Tax Receiver's records have been received and are now available for the Auditing Committee, Finance Manager and full Board for their review; now, therefore be it

RESOLVED, that the Town of Plattsburgh Auditing Committee and Finance Manager are instructed to perform the Annual Audit and the full Board has the opportunity to review the records and the audit as per regulation.

Motion: Mr. Bosley

Seconded by: Ms. Isabella

Discussion: None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u> YES	<u>Tabled</u>
Thomas E. Wood			X		
Dana M. Isabella	X				
Daniel A. Bosley	X				
Ilona M. Kelting			X		
Charles A. Kostyk	X				