

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING

August 25, 2016

(Not approved at time of distribution)
(continuation from August 18, 2016)

ROLL CALL AS FOLLOWS

Councilwoman Butler	Present
Councilman Hass	Present
Councilman Van Slyke	Present
Councilman Wohlleber	Present
Supervisor Jacangelo	Present

NON VOTING MEMBERS

Susan Horton, Town Clerk
Patrick Tomaselli, Town Attorney

Supervisor Jacangelo thanked the audience for attending tonight's continuation of the August 18th Town Board meeting due to a power failure. He opened the meeting with the Pledge of Allegiance.

The first item to be discussed was the Warren Fane rezoning application. Supervisor Jacangelo stated that based on the discussion at last week's Town Board meeting there was a modification that no excavation would take place within 170 ft. of any structure located on Snyder's Corner Rd.

RESOLUTION #22-1016 – IN THE MATTER OF THE APPLICATION BY WARREN W. FANE TRUCKING, INC. TO AMEND THE LAND USE DISTRICT MAP OF THE TOWN OF POESTENKILL SO AS TO RE-ZONE FROM RESIDENTIAL (“R”) TO NATURAL PRODUCTS (“NP”) CERTAIN LANDS OWNED BY PERRY BROTHERS SAND AND GRAVEL, INC. LOCATED NORTHEAST OF SNYDER’S CORNERS ROAD – APPROVAL OF REZONING APPLICATION

MOVED BY: Councilman Hass

SECONDED BY: Councilman Van Slyke

And discussion followed.

Councilman Wohlleber stated he had reached out to the Association of Towns regarding the procedure for the adoption of a Local Law. He stated he was told that the law had to be in final form ten days prior to the adoption of the local law and this is what he tried to point out at last week's meeting. He went on to state that Mr. Fane was nice enough to take Town Board members through the site and they are a good business. But, in this case he is voting no on the rezoning because of the proximity of the excavation with respect to the closest residential structure. Councilman Van Slyke disagrees with Councilman Wohlleber and he is comfortable with the excavation to take place within 170 ft. of any structure.

Supervisor Jacangelo feels that Fane/Callahan is a good company and rezoning generally in the past has added something to the Town; he doesn't feel that this is happening in this particular case. He does not like the closeness of the excavation to the nearest structure but he wishes the project well. A long roll call follows on Resolution #22-2016:

Councilwoman Butler:	YES
Councilman Hass:	YES
Councilman Van Slyke:	YES
Councilman Wohlleber:	NO
Supervisor Jacangelo:	NO

Action Items:

LED Lighting for Town Hall - Motion by Wohlleber, seconded by Van Slyke and carried to authorize the expenditure of \$946.00 for the changing of all of the lights at Town Hall with a ten-year warranty.

Solar Installation at Highway Garage –

A Representative spoke on this project to be initiated at the Highway garage which will supply power for the Highway Garage, Town Hall and possibly the Library. Supervisor Jacangelo stated that a contract would have to be drawn up. Motion by Van Slyke, seconded by Wohlleber and carried to have the company draw up the necessary contract for Mr. Tomaselli's review.

Local Law #3-2016 – AMENDING THE LAND USE REGULATIONS AND LAND USE DISTRICT MAP OF THE TOWN OF POESTENKILL

MOVED BY: Councilman Hass
 SECONDED BY: Councilman Van Slyke

VOTED UPON AS FOLLOWS:

Councilwoman Butler:	YES
Councilman Hass:	YES
Councilman Van Slyke:	YES
Councilman Wohlleber:	NO
Supervisor Jacangelo:	NO

The Town Clerk will file this Law with the Department of State.

Reports:

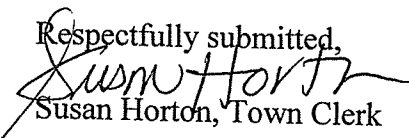
Supervisor's Report- Supervisor Jacangelo stated that the week of September 17th - 23rd is Constitution Week. The Board authorized the Supervisor to send a letter to the County asking for a speed reduction at Blue Factory/Plank Rd. He also stated that Michelle was preparing the 2017 Budget requests.

Town Attorney's Report – Town Board members had copies of his monthly report in their packet.

Town Clerk's Report – Motion by Hass, seconded by Van Slyke and an oral vote of 5 ayes to accept the Town Clerk's report of July 2016. The total amount received in the Clerk's office was \$14,130.41 and of that amount \$11,880.16 was remitted to the Supervisor. Town Board members had copies of the Building Inspector/Code Enforcement Officer's written report. There were also reports from the Water Manager, Assessor, DCO, and the Highway Dept.

Motion by Wohlleber, seconded by Van Slyke and carried to adjourn this meeting at 8:00 p.m.

Respectfully submitted,


 Susan Horton, Town Clerk

TOWN BOARD MINUTES
TOWN OF POESTENKILL
TOWN BOARD MEETING
AUGUST 18, 2016
(Not approved at time of distribution)

ROLL CALL AS FOLLOWS

Councilwoman Butler	Present
Councilman Hass	Present
Councilman Van Slyke	Present
Councilman Wohlleber	Present
Supervisor Jacangelo	Present

NON VOTING MEMBERS

Susan Horton, Town Clerk
Patrick Tomaselli, Absent

Motion by Hass, seconded by Wohlleber and carried that the monthly bills had been audited for payment.

Supervisor Jacangelo opened the meeting with the Pledge of Allegiance and asked to go out of order and allow the presentation of the Proclamation to Maxwell Everett for becoming an Eagle Scout. This resolution was adopted at the July Town Board meeting. The Town Board congratulated Maxwell and wished him well in his future endeavors.

Public Hearing on Fane Rezoning Continued from July 21st - The Public Hearing was re-opened at 7:05 pm. The affidavit of publication was available for review. The application is for a zoning change to amend the land use regulations and the land use district map by changing the present zoning classification of Residential to Natural Products for a parcel of land approximately 9.98+- acres in size owned by Perry Bros. Sand & Gravel located on Snyder Corners Rd. The purpose of the continuation of this public hearing was to allow written comments as well as verbal. There were approximately fifty people in attendance. The main concerns were the proximity of the excavation, noise, traffic and water table. Many residents voiced their concern on the whole operation. However, other people stated their opinions on the need of gravel. A. Schultz representing Fane Trucking stated that this rezoning application will not increase truck traffic on Snyder Corners Rd. because the trucks will exit within the site itself. B. Doyle representing Perry Bros. (actual owner of property) stated that this particular proposed mining area is at the end of the original operation mine site and no excavation will take place in the water table. Mr. Doyle further stated that the present berm will stay in place. The question arose from the audience as to who monitors these mining operations. Supervisor Jacangelo stated that the Town Board has the authority of rezoning and DEC normally supports what the town puts in place. The full audio tape is on file at the Town Clerk's office. Supervisor Jacangelo stated that action would be taken later on in the meeting. The hearing was closed at 7:50 pm.

Public Comment – T. Jacangelo wanted to reserve time to speak.

Motion by Hass, seconded by Van Slyke and an oral vote of 5 ayes to accept the Town Clerk's minutes of the July 21, 2016 Town Board meeting as written.

Liaison Reports:

Planning Board –Town Board members had copies of the Planning Board's meeting of July 12th and the August 2nd in their packets and Chairwoman Grattan elaborated. Please note that the Town is looking for a Planning Board/ZBA Secretary. Chairwoman Grattan also reported on the

new procedure requiring reimbursable costs to be paid prior to approval being granted unconditionally.

Zoning Board-Liaison and Chairman Jamison reported on their recent ZBA meeting of August 9th.

Fire Company – Town Board members had copies of the Fire Co. July report.

Library – Ed Gresens reported on the library activities.

Youth Advisory Board-Councilman Wohlleber reported that the summer camp program went well.

CAC-No Meeting.

Correspondence:

Memo dated August 1st from Time Warner Cable (now Charter Communications) stating that certain services/stations might be discontinued in the near future.

Joyce Blauvelt Letter – Letter dated July 26th to the Town regarding the cars traveling at high rates of speed on Plank Road. She would like to see speed limit signs posted for no more than 35 mph. The area of concern is Plank Road/County Rt. 40. Mrs. Blauvelt would like a speed study request prepared by the town and Supervisor Jacangelo stated when the Board got to the Action Items of the meeting the request would be authorized.

Flier on Rensselaer Plateau Signage – Supervisor Jacangelo reported that Town Board members had a flier in their packet pertaining to the workshop on designs for road signage for the Rensselaer Plateau that will be held at the Sand Lake Town Hall on August 24th.

Discussion Items –

Natural Gas Update – Supervisor Jacangelo reported that he and Councilman Hass once again met with Gas Representatives. They discussed the supply of Natural Gas on this side of the river and it was not good and there are concerns that a lot of the home owners will not commit to sign up in the allotted time frame. More information will be forth coming from National Grid and when received it will be distributed to Town Board members.

Highway Garage – Supervisor Jacangelo stated that there has been discussion about implementing a new disciplinary document for Highway employees. Councilwoman Butler, Union Rep and the Highway Superintendent have been meeting to work out a “Step Program” pertaining to work procedure violations; either oral/written. Councilwoman Butler was looking for guidance as to whether this discussion should continue and Supervisor Jacangelo reported that it should.

Ambulance – Councilman Van Slyke reported that the process is moving forward and Town Board members have copies of the document.

Solar Installation at the Highway Garage – Supervisor Jacangelo stated that Town Board members had copies of a Solar installation project for the Highway Garage. This is an ongoing project and will be discussed at future board meetings.

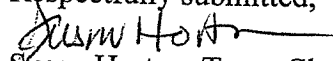
Action Items –

Warren Fane – Local Law#3-2016 Amending the Land Use Regulations and Land Use District Map of the Town of Poestenkill – Councilman Wohlleber had concerns that the revised local law that was discussed at last month's meeting in depth was not posted to the website in a timely fashion for town residents to review. Supervisor Jacangelo stated that he received the revised proposed local law on Tuesday and it was posted to the website. Councilman Wohlleber just received his copy tonight and had not had a chance to review it and he doesn't feel that final action should be taken tonight. Supervisor Jacangelo stated that there was considerable discussion over the distance of the excavation from the residents. Councilman Hass feels the Town Board should not stand against Fane; Councilwoman Butler feels that issues were already resolved and that the rezoning should be voted on tonight and Councilman Van Slyke agreed. Motion by Hass, seconded by Butler to adopt Local Law#3-2016 entitled "AMENDING THE LAND USE REGULATIONS AND LAND USE DISTRICT MAP OF THE TOWN OF POESTENKILL." A lengthy discussion followed. Supervisor Jacangelo stated if this vote causes grounds for an Article 78 he will not authorize payment. Councilman Hass withdrew his motion and a Special Meeting will take place on August 25th at 7:00PM for the official vote on this proposed law. Supervisor Jacangelo apologized to the Fane representatives for the confusion. Attorney Schultz asked if the Town Board was satisfied with the current proposed local law. Supervisor Jacangelo stated that he was uncomfortable with Section 3 (c) stating that there shall be no excavation within 150 ft. of any existing residential structure and he does not see himself voting for this local law at next week's meeting. He is upset that the Town Attorney just got this document to the board but he was sick. A. Schultz stated that he would agree with whatever the distance is from the closest corner of the occupied house from the edge of the excavation on the map. Everything else in the document was discussed at the July meeting. Motion by Jacangelo, seconded by Wohlleber and carried to recess the actual vote on this proposed law until August 25th at 7:00 pm.

Unfortunately, at this point of the meeting the power went out. The bills were voted on and the remaining of the agenda will be completed at next week's meeting.

Motion by Hass, seconded by Wohlleber and carried to pay Warrant #15-2016 in the amount of \$126,601.23. Motion by Hass, seconded by Wohlleber and carried to pay Warrant #16-2016 in the amount of \$3,088.46.

Respectfully submitted,


Susan Horton, Town Clerk

Michelle Asquith

From: Coscione, Susan D <Susan.Coscione@charter.com>
Sent: Wednesday, September 07, 2016 10:47 AM
Subject: Programming Notice



September 7, 2016

Dear Municipal Official:

I am writing to you as part of our ongoing efforts to keep you apprised of developments affecting Time Warner Cable (now Charter Communications) subscribers in the Eastern New York area.

From time to time we make certain changes in the services that we offer in order to better serve our customers. The following changes are scheduled to take place:

Pop TV (fka TV Guide) scrolling guide service will cease on or about September 12, 2016

We will be providing you these notifications whenever there is a change in channel or programming service. You can also check our division website at www.twc.com if you would like more updated information.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Alice J. Kim".

Alice J. Kim
Director, Government Affairs
Charter Communications
6005 Fair Lakes Road
E. Syracuse, NY 13057
(315) 634-6170
alice.kim@charter.com



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210
Poestenkill, NY 12140
(518) 283-5100 Phone
(518) 283-7550 Fax

PLANNING BOARD AGENDA

September 6, 2016

7:30 Meeting Opens – Pledge of Allegiance

Public Comment Period

Minutes of the August Meeting

New Business

Helen Martin Special Use Permit Development near Stream
125.8-1-1 15 Flint Drive

Michael Esposito Lot Line Adjustment
135-7-4.2 31 Furry Road

Workshop

Lot Line Adjustment definition

Representatives to Zoning and Town Board meetings:

October	Bob Dore
November	Don Heckelman
December	Harvey Teal



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Planning Board

PLANNING BOARD

September 6, 2016 Minutes

(Distributed before approval)

Attendees:

Judy Grattan, Chairman

Jeffrey Briggs

William Daniel

Robert Dore

Tom Russell

Harvey Teal

Steve Valente, Alternate

Robert Ryan, Attorney

Absent:

Don Heckelman

Chairman Grattan called the meeting to order at 7:30 pm with the Pledge of Allegiance.

Public Comment Period

There being no comments from the public, the public comment period was closed.

Minutes

The minutes of the Board meeting on August 2, 2016 were reviewed. A motion is made by to approve the minutes as written by Board member Briggs, seconded by Board member Russell, and approved by a vote of seven (7) ayes, zero (0) nays, and zero (0) abstention.

Helen Martin
(Tax Map # 125.8-1-1)

Special Use Permit Development near Stream
15 Flint Drive

Ms. Martin wants to construct a 15 foot by 25 foot raised deck on her house which will be less than 100 feet from the Poestenkill Creek and was believed to be in the floodplain. Ms. Martin said that in the 49 years she has lived by the creek it has only flooded once and that was during Hurricane Irene. Chairman Grattan stated that in researching this application she found that FEMA has not changed the 1981 floodplain map along the Poestenkill Creek and Ms. Martin is not in the floodplain. Board member Daniel pointed out that the creekbed was moveable depending on the weather event and Ms. Martin's home appears to be more than 100 feet from the creek.

A motion that this application does not need a special use permit was made by Board member Teal, seconded by Board member Valente, and approved by a vote of seven (7) ayes, zero (0) nays, and zero (0) abstention.

Chairman Grattan stated that she would request a refund of the application fee from the Town Board.

Resolution of Issue: No special use permit is required.

Michael Esposito
(Tax Map # 135-7-4.2)

Lot Line Adjustment
31 Furry Road

Mr. Esposito wants to adjust his lot line. Currently there is a shed that crosses the property line. This was discovered as a result of a survey of the property being done. He would like to give only enough property to his neighbor, Mr. Sidney Sharpe III, to allow for the necessary 20 foot setback around the shed. The property to be transferred is approximately .05 acres.

The Board applied the test for a lot line adjustment and found that this was a minor property adjustment that was being done to correct a boundary issue and no new lots were being created. As such it meets the requirements for a lot line adjustment.

A motion is made by Chairman Grattan, seconded by Board member Russell, and approved by a vote of seven (7) ayes, zero (0) nays, and zero (0) abstention to approve the lot line adjustment.

Resolution of Issue: Lot line adjustment was approved.

Lot line Adjustment Workshop

Chairman Grattan opened discussion on the current definition of lot line adjustment. The Planning Board has seen several applications for this and while some are easily determined to match the town code definition other applications are more difficult to determine. The Board discussed whether there might be ways to more clearly define lot line adjustments so that the decisions reached are consistent over time.

Attorney Ryan reminded the Board that a lot line adjustment was an acknowledgement by the Board that the application was not a subdivision and so no official action, or SEQRA review, is necessary.

Board members expressed concern that lot line adjustments might not be reflected in the tax maps since the owners are responsible for filing the revised deeds and the Planning Board would have no knowledge of this. It was decided to modify the current procedure to include language in the letter sent with the resolution to notify the owners that the next step in the process is to revise their deeds and file them with Renss. County. A copy of the revised deed would be requested for Planning Board files. The Assessor's office will be notified of this change in the Planning Board procedure.

As a result of the Board's discussion it was decided that the existing town code language gave the Planning Board flexibility to weight the merits of each individual application. A slight modification of the order of the wording is suggested and will be forwarded to the Town Board.

Resolution of Issue: A change in the procedure will be made.

A motion is made by Chairman Grattan, seconded by Board member Briggs and approved by a vote of seven (7) ayes, zero (0) nays, and zero (0) abstention to adjourn the meeting at 8:10 pm.

Respectfully submitted,

Judy Grattan
Chairman



Planning Board

TOWN OF POESTENKILL

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

(518) 283-5100 Phone

(518) 283-7550 Fax

Memorandum

To: Town Board Members

From: Planning Board

Re: Refund Request for Helen Martn

Date: September 13, 2016

On September 6, 2016 the Planning Board reviewed a special use permit application for Helen Martin. The Board determined that no application was required. As no application was required, the Board believed that the \$250 application fee should be refunded to Ms. Martin as soon as possible.

Your assistance in this matter is appreciated.



Planning Board

TOWN OF POESTENKILL

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Poestenkill, NY 12140

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Memorandum

To: Poestenkill Town Board Members

From: Judy Grattan *JG*
Poestenkill Planning Board Chairman

Re: Change to Procedure for Lot Line Adjustment

Date: September 14, 2016

At the September 6, 2016 meeting the Planning Board decided to change the procedure used when granting lot line adjustments. Because there was concern with the possibility that lot line adjustments might not be filed with Rensselaer County the letters to the applicants containing a copy of the resolution approving the requested lot line adjustment will now indicate that the next step of the process is for the applicants to file the lot line changes with Rensselaer County and provide a copy of the revised deeds to the Planning Board office.

cc: Assessor



TOWN OF POESTENKILL

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Zoning Board of Appeals

AGENDA

Zoning Board of Appeals

Tuesday September 13, 2016

7:30 pm

MEETING OPENS – PLEDGE OF ALLEGIANCE

PUBLIC HEARING cont'd

John Leboeuf

125.-9-4

Area Variance

3 Pandora Drive

Minutes of August 2016 Meeting

Representatives to Planning and Town Board meetings:

October

Frank Burzesi

November

Cheryl Sarjeant

December

Terry Lantry



TOWN OF POESTENKILL

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Poestenkill, NY 12140
(518) 283-5100 Phone
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Zoning Board of Appeals

ZONING BOARD OF APPEALS September 13, 2016 Minutes

(DISTRIBUTED BEFORE APPROVAL)

Attendees:

Paul Jamison, Chairman
Frank Burzesi
Terry Lantry
Kevin McGrath
Cheryl Sarjeant
Tim Hoffay, Alternate

Absent:

Chairman Jamison opened the meeting at 7:30 pm with the pledge of allegiance.

Public Hearings:

Le Boeuf

(Tax Map# 125.-9-4)

Area Variances - Addition

3 Pandora Drive

Mr. Le Boeuf is looking for a variance to construct an addition with a front setback of 10.5 feet where 50 feet is the minimum allowed by code.

Chairman Jamison continued the public hearing from last month. Chairman Jamison stated that the Code Enforcement Officer was asked to look at the property to see if he had any concerns. After speaking to him he reported that the Code Enforcement Officer had no serious concerns although he had expressed some concern about setting a precedent with the closeness of the addition to the front property line.

Mr. Le Boeuf provided the Board with a letter from his neighbor that indicated that the location of the addition was acceptable to them.

Mr. Le Boeuf discussed with the Board the various options he tried to change the position of the addition to require less of a variance. He was limited by the location of the existing house, garage, well, septic, and pool.

With no further comment, Board member Burzesi made a motion to close the public hearing, seconded by member Lantry and approved by five (5) ayes, zero (0) nays and zero (0) abstention.

Member Jamison made a motion to approve a variance of 39.5 feet to construct the addition with a front setback of 10.5 feet where a 50 foot setback is required with the condition that

the building permit be acquired within 180 days. Board member Lantry seconded the motion. The Board members were then polled for their vote and the reasons for that vote.

After considering all of the mandatory area variance factors, Chairman Jamison voted to approve the variance giving the following reason for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No. The house would be very close to the road but overall, the neighborhood would not be negatively impacted.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No. The applicant conserved several alternatives but the existing structure limits the feasible options due to the location of the septic, pool, etc.
- 3) *Whether the requested variance is substantial.* – Yes. An 80% variance is very substantial.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No. There would be no significant impact on the environmental conditions.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes. This planned addition is desired not required, but the existing structure pre-dated zoning.

After considering all of the mandatory area variance factors, Board member Burzesi voted to approve the variance giving the following reason for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No. There will be no undesirable change.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No economical or area based solution is possible due to well, septic, pool, and garage.
- 3) *Whether the requested variance is substantial.* – Yes. Given a 10 foot setback for a house 40 feet from the property line, this would be a 75% variance.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No. Neighborhood is established and houses are not near this extension.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes.

After considering all of the mandatory area variance factors, Board member Lantry voted to approve the variance giving the following reason for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No. Applicant has a design fitting to the existing house, garage, and neighborhood.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No. Not if the applicant wants the addition to his residence as reported in his application.
- 3) *Whether the requested variance is substantial.* – Yes. A substantial request. Present house setting and position of neighbor's house allows for the addition without adverse effect.

- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No. There are no known adverse environmental effects. The house does not appear to have any adverse physical or environmental conditions.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes based on the applicant's desires for the addition. Applicant is limited with the location of the addition.

After considering all of the mandatory area variance factors, Board member McGrath voted to approve the variance giving the following reason for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – No. House is at the end of a dead end street. It will not stand out from the other houses.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – No. House is not parallel with the property line. Well is in the way on one side and septic is in the way in the rear.
- 3) *Whether the requested variance is substantial.* – Yes at 79% . 10.5 feet for the front setback rather than the required 50 feet.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No. Addition will not affect the neighbors.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes. The addition is not a necessity.

After considering all of the mandatory area variance factors, Board member Sarjeant voted to deny the variance giving the following reason for this decision:

- 1) *Whether an undesirable change would be produced in the character of the neighborhood or detrimental to nearby properties.* – Yes. Other properties on the street do not appear to be so close to the front line and roadway. This could set a precedent if granted that may change the character of the neighborhood going forward.
- 2) *Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance.* – Yes. The structure could be a smaller size.
- 3) *Whether the requested variance is substantial.* – Yes. A 39.5 foot variance out of a 50 foot setback is substantial (80%). The Planning Board preferred the front setback to be more than 10.5 feet.
- 4) *Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?* – No.
- 5) *Whether the alleged difficulty was self-created. This fifth argument is not in and of itself grounds for denial.* – Yes. Applicant is seeking to expand the existing structure.

Resolution of issue: Variance was granted

Minutes:

August 9, 2016

The minutes of the Board meeting on August 9, 2016 were reviewed. A motion to accept the minutes as written was made by Board member Lantry, seconded by member McGrath and approved by a vote of four (4) ayes, zero (0) nays, and one (1) abstention (Burzesi).

Other:

Chairman Jamison reminded the Board members about signing up for the October training at HVCC and bringing in the certificates from 2015 training if it has not already been done.

A motion to adjourn was made by Board Member Lantry and seconded by Board Member Burzesi. It passed with a vote of five (5) ayes, zero (0) nays, and zero (0) abstentions. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,



Judy Grattan, Interim Secretary

Poestenkill Fire Company
Custom Summary Report
August 2016

	<u>Aug 16</u>
Expense	
Building Maintenance	
Cleaning Supplies	167.90
Main Station	230.00
Refuse	112.24
Total Building Maintenance	<u>510.14</u>
Electric	
East Poestenkill	72.20
Main Station	21.02
Total Electric	<u>93.22</u>
Equipment	
New Equipment	22,016.08
Repair & Maintenance	46.74
Total Equipment	<u>22,062.82</u>
Fire Trucks	
Fuel	477.36
Repair & Maintenance	704.16
Fire Trucks - Other	2,253.66
Total Fire Trucks	<u>3,435.18</u>
Funerals	65.00
Insurance	
Auto	493.00
Buildings	1,150.00
Total Insurance	<u>1,643.00</u>
Medical Supplies	190.58
Office Supplies	
Postage	94.00
Office Supplies - Other	277.93
Total Office Supplies	<u>371.93</u>
Professional Services	4,688.00
Reimbursement	122.95
Security Alarm	65.00
Solar	588.61
Telephone	
Cell Phones	107.46
East Poestenkill	59.13
Main Station	185.91
Total Telephone	<u>352.50</u>
Truck Trip	<u>117.65</u>
Total Expense	<u>34,306.58</u>
Net Income	<u><u>-34,306.58</u></u>

**NOTICE OF FILING OF APPLICATION
FOR SPECIAL USE PERMIT, SITE PLAN REVIEW and
ROSENBERG VARIANCE**

NOTICE is hereby given in accordance with Section 14 of Local Law No. 1 of the Year 1999 of the Town of Brunswick (entitled *A Local Law Amending The Zoning Ordinance Of The Town Of Brunswick And Providing For The Regulation Of Personal Wireless Telecommunications Service Facilities Within The Town Of Brunswick*) that Cellco Partnership d/b/a Verizon Wireless ("Verizon Wireless") has filed an application with the Town of Brunswick Planning Board and Zoning Board of Appeals requesting municipal approval to construct, maintain and operate a public utility/personal wireless service facility (the "communications facility") on a portion of lands n/f owned by Mary Alice Zouky and located off Creek Road in the Town of Brunswick, Rensselaer County, New York (Tax Map Parcel No. 113.-5-7.1) (the "premises").

The premises is located at 275C Menemsha Lane via Creek Road. Verizon Wireless' communications facility will consist of the following general components: twelve (12) panel antennas mounted at the top position of a proposed 150± ft. monopole (154± ft. when including a 4± ft. lightning rod); an unmanned equipment platform measuring 11.5± ft. x 16± ft. in size; cabling connecting the antennas to the equipment platform; and associated cabling and all related ground equipment and utility services (power and telephone/fiber optic services).

A 30± ft. wide easement area will provide the Applicant with access and utility services to and from the premises. Access to the proposed facility will originate from Creek Road over a proposed curb cut and a proposed gravel access road will connect the curb cut with the tower compound. Utilities will be installed underground in a trench adjacent to the access drive. An eight (8) foot chain link safety fence (with 3 strands of barbed wire on the top) will be installed to secure the tower site and protect the tower and Verizon Wireless' telecommunications equipment from unauthorized access.

The proposed communications facility is unmanned, and will be visited for routine maintenance purposes approximately 1 - 3 times per month. As such, this project will not have any impact on existing water and sewage services. In addition, neither pedestrian nor vehicular access will be significantly impacted.

Relevant sheets of the Zoning Drawings are enclosed.

Questions concerning this application can be directed to the Town of Brunswick, or David C. Brennan, Esq., the Applicant's representative, who can be reached at Young/Sommer LLC, 5 Palisades Drive, Albany, New York 12205, Telephone (518) 438-9907 x 224, Fax (518) 438-9914, or via e-mail at dbrennan@youngsommer.com.

CITY OF TROY

City Council
City Hall
433 River Street
Troy, NY 12180

TOWN OF NORTH GREENBUSH

Town Board
Town Hall
2 Douglas St.
Wynantskill, NY 12198

TOWN OF POESTENKILL

Town Board
Town Hall
38 Davis Drive
PO Box 210
Poestenkill, NY 12140-0210

TOWN OF GRAFTON

Town Board
Town Hall
P.O. Box G
Grafton, NY 12082

TOWN OF PITTSTOWN

Town Board
Town Hall
97 Tomhannock Road
Valley Falls, NY 12185

TOWN OF SCHAGHTICOKE

Town Board
Town Hall
290 Northline Drive
Melrose, NY 12121

BUREAU OF ECONOMIC

DEVELOPMENT AND PLANNING
Rensselaer County Government Center
1600 7th Avenue
Troy, NY 12180

RENSSELAER COUNTY BUREAU OF EMERGENCY SERVICES/ BUREAU OF PUBLIC SAFETY

Public Safety Building
4000 Main Street
Troy, NY 12181

TOWN CLERK'S MONTHLY REPORT
Town of Poestenkill, New York
August 2016

TO THE SUPERVISOR: Pursuant to Section 27, Subd. 1, of the Town Law, I hereby make the following statement of all fees and moneys received by me in connection with my office during the payment of which is otherwise provided for by law:

Conservation Fees to the Town:		\$ 94.75
Marriage License	@ \$ 7.50 each	\$
Marriage Certificate	@ \$10.00 each	\$
Marriage Transcript	@ \$10.00 each	\$
A1255 Total Town Clerk Fees		\$ 94.75
Peddler's Permit		
A1289 Registrar		50.00
A2655 Minor Sales - Copies		\$ 20.00
		\$
A2544 Local Fee for 16 dogs		\$ 140.00
A2115 Planning Board Fees/ZBA fees		\$ 600.61
A2555 Building Permits		\$ 915.25
A2501 Junkyard License		
A2268 Impoundment fees from Creekside Kennel		\$
A2720 Water Meter Fee	1001 Water Benefit Charge - \$352.51	
A2240 Misc. Water Charges -		\$
A2710 Water Permit Fee	\$	\$
1001 Water billing	\$1,248.42	
Total Water Charges		\$1,600.93
REVENUE TO SUPERVISOR		\$3,421.54
Amount paid to State Comptroller for Games Chance License		
Amount paid to DEC for Conservation Licenses		\$1,675.25
Amount paid to AG. And Markets for fee for unsprayed/unneutered Dog program		\$ 40.00
Amount paid to State Health Dept. for Marriage Licenses		\$
TOTAL DISBURSED		\$ 1,715.25
September 6, 2016 Dominic Jacangelo, Supervisor		
TOTAL AMOUNT RECEIVED BY CLERK		\$ 5,136.79
State of New York, County of Rensselaer, Town of Poestenkill, Susan Horton, being duly sworn says that she is the Clerk of the Town of Poestenkill the foregoing is a full and true statement of all Fees and Moneys received by her during August only such Fees the application and payment of which are otherwise provided by law subscribed and sworn to before me this 6th day of September 2016.		

Susan Horton



OFFICE OF THE
ASSESSOR

Town of Poestenkill

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12140

518.283.5100 (Phone)

518.283.7550 (Fax)

TO: POESTENKILL TOWN BOARD

FROM: BRIAN M. JACKSON/ ASSESSOR
ASSESSOR'S REPORT FOR AUGUST 2016

This office continues to receive some information from New York State Tax and Finance regarding the new process for STAR registration. It appears to us that about half of the people who applied this year have registered on time in order to receive their checks for September and we have as yet not received word whether the rest registered or not. The new legislation does seem to have some areas that are vague and the information coming from the State is slow and unclear.

We continue to receive sales information and new split/merges that the county has processed. That is processed and the value will be added for 2017.

Constituent relations are considered good during the report period.

Respectfully submitted,

Brian M. Jackson
Assessor
Town of Poestenkill

cc: Town Board
Susan Horton, Town Clerk



TOWN OF POESTENKILL

38 Davis Drive, P.O. 210
Poestenkill, NY 12140

September 8, 2016

To: Dominic Jacangelo

From: Paul Barringer – Acting Code Enforcement Officer

Re: August 2016 work activities

My work hours for the month totaled 40 hours. Fees collected through this office totaled \$915.25 for work permits, building permits (new and renewals), and Certificate of Occupancy inspections.

Activities included:

- Issuing one building permit new home construction
- Inspecting one new home completed and issuing a Temporary Certificate of Occupancy with a punchlist of items to be completed within 30 days for a Certificate of Occupancy
- Performed footing and basement wall inspection for addition attached to existing home as required by code
- Issued 2 fence permits
- Inspected a number of completed projects for issuing Certificates of Completion including one new solar panel installation, an inground pool installation(CO issued due to the lack of code required pool alarm with a follow up to come), new roof installations
- Issued Building Permit for solar panel installation
- Issued Building Permit for new inground swimming pool
- Issued Building Permit for new fireplace insert and inspected same whereas a Certificate of Completion was issued
- Fielded numerous complaints concerning non-conforming property issues with various degrees of resolution
- Reviewing existing files on ongoing building permits with the long term intent of closing out files
- Issued one building permit renewal and denied one building permit renewal. The denial was based on a new building in the process of construction on the existing building permit (Note: Building permits have a 1 year term according to code with extensions being granted by the code official. The standard I use is the project must be moving forward to final completion in a reasonable time and fashion.)

Submitted by

Paul F. Barringer

Town of Poestenkill
Water Manager/ 811
38 Davis Drive
Poestenkill, New York 12140

August Monthly Report

September 1, 2016

811 Dig Safe

Marked out the water and service lines on Spring Ave(130 marks) (from Carol Pl to Rte. 355

Had 5 mark outs for (pool, electric line and possible 2 new water services (on Willow and one on 355 (bad well test on a house sale)

Had a no water complaint: Found meter had dirt in the venture cleaned and reinstalled.

Water

In August we pumped 157,922,000 Gallons of water (which is 50,942 gallon per day)

Did water test and set it to Bender and made out the paperwork and submitted it to DOH

Found a broken curb stop on Spring Ave (county mower ran over it)

Had two request for final water bills (one was for a house on Grandview which had no water service and the second one was for 720 Snyder Corner Rd as of this date no new owner data available.

Sent two letters out to customers that haven't paid the yearly fee and also sent out two letters on customers for the last quarter bill (one person hasn't paid yet this year).

Submitted By

A handwritten signature in black ink, appearing to read "Leonard F. Clapp Jr.", with a large, sweeping flourish at the end.

Leonard F Clapp Jr

Town of Poestenkill

Dog Control

August 2016

- 4th Resident complains of several dogs running loose. Complaint forms sent
- 5th Owner of several dogs answers complaint about them running loose
- 16th Stray dog found. Taken to kennel by driver.
- 17th Information about stray dog found by driver
- 19th Resident walking with dog on road. Dog was attacked by dogs running loose
- 20th Dog found by driver Took to kennel (see Sand Lake info also, confusing situation)
The dog was then changed to a dl#18 from Sand Lake
- 21st State Police and many other callers about stray dog picked up
- 26th Lost dog Later found
- 26th Kitten found
- 28th Stray dog found Took to kennel
- 28th Owner of stray dog looking for it
- 31st Resident saw a loose dog



Town of Poestenkill
Office of the Highway Superintendent
P.O. Box 210
Poestenkill, NY 12140
(518) 283-4144

To: Town supervisor- Dominic Jacangelo
Town Board Members Butler, Wohlleber, Hass, Van Slyke

From: Highway Superintendent- Toby Chadwick

Date: September 8, 2016

RE: Highway Activities
August 11, 2016- September 8, 2016

1. Crew been out picking up brush and bags of leaves
2. Crew been out replacing culverts
3. Crew been out helping Town of Sand Lake Paving Road
4. Town of Sand Lake helping us pave our roads
5. Crew started to grade the dirt roads and put item #4 on dirt roads
6. Crew been out replacing catch basin on Todd Drive