



Planning Board

TOWN OF POESTENKILL

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**PLANNING BOARD
July 3, 2018 Minutes**

Attendees:

Tom Russell, Chairman
Jeffrey Briggs
William Daniel
Robert Dore
Harvey Teal
Don Heckelman
Steve Valente, Alternate

Non-Voting:

Robert Ryan, Esq.
Lynn Kane, Clerk

Absent:

Judy Grattan

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

New Applicants:

Janet Provost
137.00-2-7.21

3 Lot Minor Subdivision
576 Oak Hill Road

Ms. Provost explained change from a 2 lot to a 3 lot minor subdivision. Discussion between the Board and Ms. Provost included the need for an Area Variance from the Zoning Board of Appeals due to lack of appropriate road frontage on lot 3. Motion made by Member Teal forward Janet Provost to ZBA for Area Variance for Lot 3 ó road frontage of 106.5ø where 200ø required by Code and with an Advisory from the Planning Board having no negative issues with this request. Motion seconded by Member Dore, motion passed with a vote of seven (7) ayes, zero (0) nays and zero (0) abstentions.

Resolution: Forward to ZBA for Area Variance with PB Advisory

Public Hearing:

Donna Young
126.00-1-5.11

2 Lot Minor Subdivision
105 Hinkle Road

Board Member Steve Valente recused himself due to a possible conflict of interest. Planning Board Clerk Lynn Kane read the Public Hearing Notice. Kevin McGrath, on behalf of Mrs. Young, briefly explained the proposal. Chairman Russell asked for comments in favor or in opposition of the application. There being no comments, the public comment period is closed.

SEQRA Hearing: The SEQRA portion of the public hearing began with Chairman Russell reading the Environmental Assessment Form (EAF) into record and the Board responded to all questions. Chairman Russell asked for comments in favor or in opposition of this portion of the application, none given. A motion made by Member Teal that the proposed action will have no significant environmental impact and therefore a negative declaration should be issued. Member Daniel seconded the motion and it was approved by a vote of six (6) ayes, zero (0) nays, and zero (0) abstentions. Chairman Russell states the proposed action will not result in any significant adverse environmental impacts and closes this Hearing.

Minor Subdivision Hearing: Given the negative declaration, the final public hearing on the approval portion of the application conducted after the SEQRA Hearing, Chairman Russell asked for comments in favor or in opposition of the final portion of the application, none given. Chair closes the public hearing with "There being no further comments, the public hearing is closed." Member Teal makes "motion that the proposed 2 lot minor subdivision for the property at 105 Hinkle Road, Poestenkill, NY be approved, motion seconded by Member Dore and it was approved by a vote of six (6) ayes, zero (0) nays, and zero (0) abstentions.

Resolution: 2 lot Minor Subdivision Approved

Minutes: Meeting minutes of June 5, 2018 were reviewed. Motion to accept the Minutes was made by Board Member Briggs, seconded by Board Member Heckelman and approved by a vote of seven (7) ayes; zero (0) nays; zero (0) abstentions.

Public Comment Period:

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

Old Business:

Waste Management

Member Valente stated all has been quiet. Town Board Member June Butler explained that Waste Management will pay \$0.50 per ton of intake, with a not to exceed limit of \$12,000. Chairman Russell stated these is proposed quarterly recycling and that resident will be able to drop of bags of either garbage or recycling twice a week between the hours of 7 am- 9 am at cost of \$3.00 per bag.

Major Subdivision Green Space regulation

Chairman Russell reported the Town Board has had a proposed "Green Space" law (that deals only with the financial issues) drafted by Town Attorney and has sent this proposal to the Planning Board for review and comment. There much discussion amongst Board Members, Planning Board Attorney Robert Ryan and Town Board Members in attendance, June Butler and Harold Van Slyke. Issues of a recreational type fund vs. actual on-site recreation site and would recreation site be open to all residents vs. just residents of the major subdivision were discussed. Member Valente expressed much concern of the Town

acquiring multiple parcels that would be unusable for recreation and/or that the Town would be responsible for maintenance such as mowing, etc. Attorney Ryan stated under section 244 of the Town Code, the land would be deeded to the Town, to be utilized by all residents or the project developer would have to remain as owner. Ms. Butler explained that the Planning Board proposal of 2011 was not acted on by the Town Board. Further, she stated it may be time for the Town's Comprehensive Plan be updated, that in past there were committees formed to address these types of issues. Mr. Van Slyke feels the Planning Board should act on this proposed law (on fee schedule) and address other items in future. Attorney Ryan summarized the situation that at least one (1) acre would need to be deeded to the Town or a fee of proposed \$750 per lot from the Planning Board or "fair market value" of a similarly sized and located piece of property in its unimproved state as suggested by Town Board Law. Mr. Van Slyke stated the Town Assessor would need to determine the fair market value. Member Dore questioned who would decide if Town or developer if what parcel in the subdivision would be deeded to Town, i.e. unusable Area such as swamp or wetland area. Attorney Ryan stated it would be up to Town to approve. Member Daniel spoke of the need to have the Comprehensive Plan updated but also implemented. He stated there are Members on this Board have significant opposing views that should be reviewed and that once the Plan is updated, the provisions of the Plan should be acted upon without delay. Attorney Ryan stated that a parcel here and there may not be of much use to the Town whereas funds paid to the Town may be more efficient and appropriate. Member Dore questions what the Town's vision is for recreational spaces, that the Town is currently lacking in public recreational spaces and we must decide what we want for the future. Member Daniel said he assisted when the Plan was worked on in 2011 and it now appears that nobody wants the Town to grow, that we must be proactive and move forward in timely manner. Ms. Butler stated the Town does have the Little League field and perhaps the Barbersville Falls. Clerk Kane is directed to send memo to Town Board requesting the Town's overall plan for this issue, instead of the current piecemeal approach. Matter to be discussed at next meeting.

A motion to adjourn the meeting at 8:40 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) abstentions.

Respectfully submitted,

Lynn E. Kane,
Planning Board Clerk