



Planning Board

TOWN OF POESTENKILL

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PLANNING BOARD June 4, 2019 Minutes

Attendees:

Tom Russell, Chairman
Jeffrey Briggs
William Daniel
Steve Valente
Robert Dore
Judy Grattan

Non-Voting:

Robert Ryan, Esq.
Lynn E. Kane, Clerk

Absent:

Don Heckelman
Harvey Teal

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

Public Comment Period:

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

Minutes: Meeting minutes of April 2, 2019 were reviewed. Motion to accept the Minutes was made by Board Member Briggs, seconded by Board Member Daniel and approved by a vote of six (6) ayes; zero (0) nays and zero (0) abstentions.

New Applicants:

Peter Barna
125.-1-3.12

Site Plan Review
299 Rt. 355

Mr. Barna bought the property a year ago from Rensselaer County tax sale. He stated that he contacted the Town Offices prior to purchase, inquiring of any restrictions and was told no. (It is believed but not confirmed that he spoke with the former Assistant Assessor and from that office's perspective, there were no deed restrictions. No contact was made with any other Town Department.) Mr. Barna is looking to store two to three pieces of equipment – i.e. dump truck, small excavator, skid steer – to be used on the site for prepping for future house and occasionally uses off-site. He wishes to build a house or a “ready to build” lot to sell. He wants to make the property attractive to the neighborhood. Further, Mr. Barna has worked with Kate Kornak from NYS DEC to place a small stone area to park equipment (so as not bring dirt onto the street). Member Valente questions estimated time to fill, answer approximately two to three years. Member Dore spoke of the wetness of lot, he used to grow

hay there. Chairman Russell spoke of the future need for septic to be considered when placing fill. Mr. Barna states he would want a finished basement and is more than willing to comply with all regulations, including FEMA. Member Grattan reviews the Town Code and suggests the Applicant would be better served by a Grading permit issued by the Code Enforcement Officer. Review of Code 150-74, B, indicates that up to 100 cubic yards per acre per year can be placed without permit. Mr. Barna would receive appropriate fill – i.e. no construction debris, concrete, asphalt, etc. – from contractors including but not limited to Liuzzi Bros. and DelSignore. Permit would cost \$75 and could be renewed per schedule. Mr. Barna was advised not to disturb more than one acre or additional regulations such as SPEDES and SWPP would go into effect.

Planning Board Members agreed to forward an Advisory to the Code Enforcement Officer – 1) Applicant to apply for Grading permit with appropriate extensions as allowed, 2) any materials on-site were to be stacked up neatly, 3) the equipment on site – i.e. excavator, etc. may be temporarily stored for on-site work and must have NYS registration and 4) as soon as weather permits, lot is to be cleared of all other debris.

Resolution: Forward to Advisory to Code Enforcement Officer.

Joseph Grieco
125.5-4-14

Site Plan Review
12 Weatherwax Rd.

Mr. Grieco explained to the Board of wanting to use the basement and garage for his small taxidermy business. Chairman Russell questions if this amount of space will be enough in the future – i.e. two to three years. Mr. Grieco stated yes, it would be enough as he is 68 years old and is uncertain how many more years he will work. Mr. Grieco further stated that he maintains control over the amount of business he takes on. Discussion on number of parking spaces (not in front of building and need a handicap spot) and Member Grattan suggest an Area Variance is needed for Home Occupancy I.

Motion was made by Member Grattan to forward Applicant to ZBA with an Advisory that the Planning Board has no issues with this project. Motion is seconded by Chairman Russell and it was approved by a vote of six (6) ayes, zero (0) nays, and zero (0) abstentions.

Resolution: Forward to ZBA with Advisory.

Advisory:

Christine Anderson
609 Snyders Corner Rd.

Area Variance – Fence
125.-1-47

Chairman Russell read the ZBA meeting minutes from May 14, 2019 regarding Ms. Andersen’s request for an Area variance from the Zoning Board of Appeals for a six (6’) foot privacy fence immediately in front of her residence – approximately 104 feet within the 407 feet frontage – where a four (4’) foot fence is allowed per Town Code. Member Briggs questioned the actual footage from the fence to the corner of Heritage Road. Neighbor Harold Van Slyke spoke to the Board and stated that this fence would be directly across from his residence and that if the Code states that four (4’) foot fence is allowed, then only a four

(4') fence should be installed. He also stated he had made suggestions for alternatives to Ms. Anderson. Member Grattan stated that another resident was not allowed to install a six (6') foot fence and remedied the situation by creating a three (3') foot berm and placed a four (4') foot fence on top of that. Member Daniel noted that a four (4') foot fence would block the road noise if placed at least 25' back.

Motion was made by Member Grattan to send Advisory to ZBA with no issues from Planning Board provided line of sight is maintained. Motion is seconded by Chairman Russell and it was approved by a vote of six (6) ayes, zero (0) nays, and zero (0) abstentions.

Resolution: Forward Advisory to ZBA.

Old Business: None

Organizational: None

A motion to adjourn the meeting at 8:55 pm was made by Member Grattan, seconded by Chairman Russell and approved by a vote of six (6) ayes, zero (0) nays, and zero (0) abstentions.

Respectfully submitted,

Lynn E. Kane,
Planning Board Clerk