



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 July 2, 2019 Minutes

Attendees:

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

Non-Voting:

Robert Ryan, Esq.
Don Heckelman

Absent:

Lynn E. Kane, Clerk

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

Minutes: Meeting minutes of June 4, 2019 were reviewed. Correction by Member Daniel on page 2, last sentence should read "...a four foot fence would not block noise...". Member Briggs noted the exclusion under the Barna application review that a letter from DEC to Mr. Barna indicated that there are wetlands on the property, which need to be delineated and that a joint application to FEMA/DEC is necessary prior to the Town Code Enforcement Officer issuing a permit for work on the parcel. Chairman Russell advises the Board that the Town Board has issued a refund of \$110.00 to Mr. Barna for his application fees. Motion to accept the Minutes as revised was made by Board Member Daniel, seconded by Board Member Briggs and approved by a vote of six (6) ayes; zero (0) nays and one (1) abstention by Harvey Teal.

Member Valente inquires if Mr. Barna has cleaned up his property, that it has been consistently raining. Chairman Russell states Mr. Barna has used a brush hog, has stacked up miscellaneous material neatly but the three equipment pieces are still on-site. States the weather has certainly worked against Mr. Barna.

Public Comment Period:

Chairman Russell asked those in attendance if anyone has any comments they wish to share. There being no comments from the public, the public comment period was closed.

New Applicants:**Luke Reiter**
116.00-2-2.12**Minor Subdivision-2 lots**
693 Blue Factory Road

Erin Reiter and Kevin McGrath appear on behalf of Luke Reiter. The Applicant wishes to subdivide the land of approximately 12.12 acres into a lot (Lot 1) of 5.515 acres and a lot (Lot 2) of 6.605 acres. Chairman Russell inquires which lot will have the home. Kevin McGrath states the home is on a separate lot, with its own tax map number. The dividing line would be the stone line, is natural dividing. Member Grattan inquires where are the wetlands located and Mr. McGrath explains there are no wetlands and he has verified this fact by reviewing the DEC website. Mrs. Reiter states the septic is located right behind the house. Further stated that they bought the house with two and a half (2-1/2) acres originally and then was given opportunity to purchase remaining acres from the land owner. The Applicants will sell the house and Lot 2, while maintaining ownership of Lot 1 for potential future use..

Motion made by Member Briggs to classify this project a 2 Lot Minor Subdivision. Motion was seconded by Member Dore and approved by a vote of seven (7) ayes, zero (0) nays and zero (0) abstentions.

Motion made by Member Teal to schedule a Public Hearing for August 6, 2019. Motion was seconded by Member Daniel and approved by a vote of seven (7) ayes, zero (0) nays and zero (0) abstentions.

Resolution: Schedule Public Hearing for August 6, 2019.

Kenneth Hohman
126.00-3-14**Minor Subdivision-2 lots**
329 Plank Road

Chairman Russell reads letter from Kenneth Hohman being unable to attend and designates Kevin McGrath to represent him. The Mr. & Mrs. 1 Kenneth Hohman have a young child, have demanding careers and have already purchased a home in Troy. They wish to sell the existing house and 2.36 acres (Lot 2) while retaining the rest of the property (Lot 1) for the foreseeable future. The home, property and adjacent Valente property were all previously part of the Joseph McCaffrey waterworks. There was discussion of the 50' easement for waterline access and maintenance and the Board directly that the deed created from this application be noted with such so that future owners will be readily aware of this provision. There is over 200' frontage, as required by Code, available for both lots on Plank Road. Member Valente states he has no financial gain but as an abutting neighbor he will refrain from voting.

Motion Made by Member Dore to classify this project a 2 Lot Minor Subdivision. Motion was seconded by Member Teal and approved by a vote of six (6) ayes, zero (0) nays and one (1) abstention by Steve Valente as he is an abutting land owner.

Motion made by Member Teal to schedule a Public Hearing for August 6, 2019. Motion was seconded by Member Daniel and approved by a vote of six (6) ayes, zero (0) nays, and one (1) abstention by Steve Valente as he is an abutting land owner.

Resolution: Schedule Public Hearing for August 6, 2019.

Robert Bayly
125.-1-37.1

Minor Subdivision-2 lots
Heritage Road

Chairman Russell states he knows Mr. Bayly through the Poestenkill Business Association. Mr. Bayly's daughter is getting married in September and would like some property to build a home. After his uncle passed away, Mr. Bayly bought an extra 25 acres as shown on the survey and he is giving the approximately 2 acre lot to his daughter. Chairman Russell asks where the subdivision would start and Mr. Bayly states right at the pile of stone, there is a marker there and the line goes back 300 feet, then angles down to Heritage Road. Applicant has no intention of selling remaining 23 acres. Member Briggs notes that the wetlands have been properly documented and won't have any impact on this subdivision. A well will need to be drilled as public water is unavailable on Heritage Road.

Motion Made by Member Teal to classify this project a 2 Lot Minor Subdivision. Motion was seconded by Member Dore and approved by a vote of seven (7) ayes, zero (0) nays and zero (0) abstentions.

Motion made by Member Grattan to schedule a Public Hearing for August 6, 2019. Motion was seconded by Member Daniel and approved by a vote of seven (7) ayes, zero (0) nays and zero (0) abstentions.

Resolution: Schedule Public Hearing for August 6, 2019.

Old Business: None

Organizational:

Chairman Russell recounted the Board accepted a resignation letter from Member Heckelman to leave the Planning Board. Member Grattan inquires of Town Board Members Butler and Van Slyke if the Town Board actually accepted the resignation and was advised that no action was taken. Mr. Heckelman states there is a process whereby he actually goes off the payroll and then he can be reappointed to the Planning Board. Town Board Member Butler stated the Town Board received the resignation letter and did not act on it at their June meeting. Chairman Russell will need to speak with Michelle Asquith for follow-up. Member Grattan suggests that Clerk Kane forward a memo to Town Board requesting reappointment as soon as possible. Attorney Ryan reviewed the process for the Planning Board Members and stated it was very important that all documentation – payroll, meeting minutes – accurately reflect Mr. Heckelman's removal from the Planning Board. Member Daniel recommended that Mr. Heckelman be reappointed as soon as possible.

Executive Session:

Member Daniel made a motion at 8:10 pm to enter Executive Session for a personnel matter, where no vote is to be taken. Member Dore seconded the motion. Member Grattan made motion at 8:20 pm to exit Executive Session. Motion was seconded by Member Daniel.

A motion to adjourn the meeting at 8:20 pm was made by Member Daniel, seconded by Member Dore and approved by a vote of seven (7) ayes, zero (0) nays, and zero (0) abstentions.

Respectfully submitted,

Lynn E. Kane,
Planning Board Clerk