



TOWN OF POESTENKILL

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Planning Board

PLANNING BOARD August 6, 2019 Minutes

Attendees:

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

Non-Voting:

Robert Ryan, Esq.
Lynn E. Kane, Clerk

Absent:

Judy Grattan

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

Public Hearings:

Luke Reiter
116.00-2-2.12

Minor Subdivision-2 lots
693 Blue Factory Road

The Secretary read the Public Hearing notice into the record. 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. The Applicants will sell the house and Lot 2, while maintaining ownership of Lot 1. 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. Motion made by Member Teal that the proposed action will not result in any significant adverse environmental impact and that therefore, a negative declaration should be issued. Seconded by Board Member Daniel and was approved by a vote six (6) ayes; zero (0) nays; zero (0) abstentions.

Chairman Russell asks if any member of the public in favor of the application wishes to speak – there is none. Chairman Russell asks if any member of the public in opposition of the application wishes to speak – there is none. Chairman Russell closes the public hearing with “There being no further comments, the public hearing is closed.” Motion made by Member Briggs to approve the 2 lot Minor Subdivision. Motion was seconded by Member Dore and approved by a vote of six (6) ayes, zero (0) nays and zero (0) abstentions.

Resolution: 2 Lot Minor Subdivision approved.

Kenneth Hohman
126.00-3-14

Minor Subdivision-2 lots
329 Plank Road

The Secretary read the Public Hearing notice into the record. The Applicant wishes 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 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. Motion made by Member Dore made a motion that the proposed action will not result in any significant adverse environmental impact and that therefore, a negative declaration should be issued. Seconded by Board Member Briggs and was approved by a vote six (6) ayes; zero (0) nays; zero (0) abstentions.

Chairman Russell asks if any member of the public in favor of the application wishes to speak. Neighbor Mr. Steve Valente said he has no issues with this application, that it is a real shame the Nature Conservancy allowed bad behavior on its property, adjacent to the Hohman property, to cause them to leave Town and that the Town Board should be ashamed that they allowed this behavior to happen. Neighbor June Butler and Town residents Harold Van Slyke and Dominic Jacangelo all spoke of being in favor of the application. Chairman Russell asks if any member of the public in opposition of the application wishes to speak. Town resident Dominic Jacangelo asked Chairman Russell where in the Code is a mill allowed in a Residential zone and is the mill on a residential lot? Chairman Russell stated there is nothing in the Code allowing or denying the use of a band-saw in the Town and that there are quite a number of residents with these types of saws. Further, he stated the band-saw/mill is portable. Member Valente asks Mr. Jacangelo how many of these band-saws/mills are there in the Town? Member Valente also asks if Mr. Jacangelo's problem is with mills in general or this mill in particular? Much discussion ensued. Attorney Robert Ryan stated that the use of the land would not delay the process of a subdivision and that the issue of the mill should be addressed at a future time. He also stated that the usual "Home Occupancy" provisions could not be used for future consideration as the mill would be on the property alone, with no residence to be accessory to. Chairman Russell closes the public hearing with "There being no further comments, the public hearing is closed."

Motion made by Member Daniel to approve the 2 lot Minor Subdivision with a condition that the easement for the water pipes be duly noted in all deeds filed. Motion was seconded by Member Dore and approved by a vote of six (6) ayes, zero (0) nays and one (1) abstentions by Member Valente.

Resolution: 2 Lot Minor Subdivision approved.

Robert Bayly
125.-1-37.1

Minor Subdivision-2 lots
Heritage Road

The Secretary read the Public Hearing notice into the record. Mr. Bayly's daughter is getting married in September and would like some property to build a home. He is giving her 2 acres of the 25 acres parcel. 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. Motion made by Member Teal made a motion that the proposed action will not result in any significant adverse environmental impact and that therefore, a negative declaration should be issued. Seconded by Board Member Dore and was approved by a vote six (6) ayes, zero (0) nays, zero (0) abstentions.

Chairman Russell asks if any member of the public in favor of the application wishes to speak. Neighbors Don Heckelman and Harold Van Slyke spoke in support this proposed subdivision. Neighbors Mr. & Mrs. Cahill asked about specific location of house on new parcel and in what direction the house will face. Mr. Bayly showed them the location on the site map and states house will face Heritage Road. Also, Member Briggs states that any wetlands located on the property will remain within the larger, existing parcel. Chairman Russell asks if any member of the public in opposition of the application wishes to speak – there is none. Chairman Russell closed the public hearing with “There being no further comments, the public hearing is closed.”

Motion made by Member Daniel to approve the 2 lot Minor Subdivision. Motion was seconded by Member Valente and 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 July 2, 2019 were reviewed. Corrections by Chairman Russell – second page, fifth line change “...natural dividing...” to “...natural dividing line.”, second page under Hohman, second line delete the word “The” from second sentence and change “...directly...” to “...directed...” in the sixth line and delete the “1” before Mr. Motion to accept the Minutes as revised was made by Board Member Teal, seconded by Board Member Daniel and approved by a vote of six (6) ayes; zero (0) nays and zero (0) abstention.

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 Applicant:**Victor Gush**
124.-1.-5**Major Subdivision-8 lots**
614 NY 355 (Cooper Hill Rd)

Applicant Victor Gush was not in attendance but was represented by Nicholas Costa, PE of Advance Engineering & Surveying and business partner, Raymond Malley III. Mr. Costa gave the Board an overview of the proposed project, where the Applicant seeks to develop eight (8) single family home lots (total of 8.82 acres) parcel adjacent to the Vanderhyden Hall located on Rt. 355. He stated that each lot would have at least one acre, would connect to Town water which is readily available and would design on-site engineered septic systems with the approval of Rensselaer County Department of Health. Member Dore questions if there is enough space on Lots 7 & 8, where the terrain is very steep and there is a sizeable indentation, possibly where gravel and other materials have been removed. Mr. Costa does not know answer. Mr. Costa stated a sight distance analysis will be performed in conjunction with NYS Department of Transportation. Member Briggs discussed the location of wetlands on the property and the 100' buffer. Mr. Costa said the information shown on the plans was gathered from DEC database, not field conditions and site will be delineated by North Country Ecological Services. Member Briggs asked further on how site would be developed – strip all the trees, remove gravel and dirt and recounts unpleasant and disappointing interactions the Planning Board and the Town have had with other developers treating sites poorly during initial development. Also, Member Briggs stated he would like to see additional detail of the wetland buffer on the “inset” plan on top right corner of the site plan. Chairman Russell asked about plans and expectations for the site’s storm water drainage. Mr. Costa replied that Mr. Gush would be a good developer, whose goal is to build eight (8) single family homes (target market value unknown at this time) and may find it necessary to combine lots in order to comply with Town Code. Some aspects of review letter by Town Engineer, Tom Fields, were reviewed and Mr. Costa will address the remaining points of Mr. Field’s letter thoroughly with the Applicant. Town Code Enforcement Officer, Paul Barringer, inquired how the lots were to be developed – one at a time or all at once? Mr. Costa is uncertain. Paul reminded all that SWPPP would be needed for this project. Town resident Luke Reiter questioned the location of Town boundary with relation to this application – Town line directly abuts Lot #1.

Motion was made by Member Briggs to classify this project as an 8 lot Major Subdivision. Motion was seconded by Member Teal and was approved by six (6) ayes, zero (0) nays and zero (0) abstentions. Motion was made by Chairman Russell to schedule the SEQRA Public Hearing for Tuesday, September 3, 2019. Motion was seconded by Member Daniel and was approved by a vote of six (6) ayes, zero (0) nays and zero (0) abstentions.

Resolution: Schedule SEQRA Public Hearing for September 3, 2019.

Old Business: Summaries from Chairman Russell

Quail Meadow: Work on Phase II has started and after a meeting with Tom Fields, Toby Chadwick, Paul Barringer, Dominic Jacangelo and Kevin Kronau, it was determined that Mr. Kronau would follow a new procedural letter to cover road construction and utility activities with inspections by Town Highway Department personnel. Further, the cul-de-sac at the top of Phase 2 would be revised to accommodate the regular Town plow trucks instead of a pick-up and would be paved in its entirety.

Lochvue: There is an issue that will be discussed at the next Town Board meeting.

Cell Tower in Center Brunswick: Notice was received from Town of Brunswick about the possible placement of a Cell Tower off of Creek Road. No need for action, for informational purposes only.

Reflective 911 Address signs: Poestenkill Fire Department has the standard green with white numbers "911 address" signs available for a small fee. Chairman Russell stated he would like to see the use of these signs be made a "condition" to all new subdivisions approved in Town.

Organizational:

Reappointment of Donald Heckelman: Members Briggs, Teal, Dore and Chairman Russell all spoke of Mr. Heckelman's dedication and great service to the Planning Board. Motion was made by Member Valente to have Clerk Kane forward a memo to the Town Board to reappoint Donald Heckelman to Planning Board. Motion was seconded by Member Briggs and passed with a vote of six (6) ayes, zero (0) nays and zero (0) abstentions.

Clerk Kane reviewed the training requirements for Board Members, reviewed current training available from the Association of Towns and was requested to send out emails to the Members advising them of their current tally of 2019 training hours. Supervisor Jacangelo also reminded the Members that on-line training is available for free through our membership with the Association.

A motion to adjourn the meeting at 8:50 pm was made by Chairman Russell, seconded by Member Daniel and approved by a vote of six (6) ayes, zero (0) nays, and zero (0) abstentions.

Respectfully submitted,

Lynn E. Kane,
Planning Board Clerk