



Planning Board

TOWN OF POESTENKILL

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**PLANNING BOARD
November 6, 2019 Minutes**

Attendees:

Tom Russell, Chairman
Don Heckelman
Judy Grattan
Steve Valente
Robert Dore

Non-Voting:

Robert Ryan, Esq.
Lynn E. Kane, Clerk

Absent:

Jeffrey Briggs
William Daniel
Harvey Teal

Applicants:

Daniel Ashdown
126.-4-7.11

Minor 2 lot Subdivision
300 Blue Factory Road

Laurel Ashdown explained her parents wish to transfer some of their land abutting her land to her and her husband. Applicant listed on the Minor Subdivision application was changed to reflect the current owner of the property to be subdivided – Wilbert and Carol Langley. Clerk Kane has Mr. Langley sign form as Applicant. Motion was made by Member Grattan to classify the project as a 2 lot Minor Subdivision. Member Dore seconded the motion and was approved with five (5) ayes, zero (0) nays and zero (0) abstentions. Motion made to schedule a Public Hearing for Tuesday, December 3, 2019 was made by Member Dore. Member Heckelman seconded the motion and was approved with five (5) ayes, zero (0) nays and zero (0) abstentions.

Resolution: Schedule Public Hearing for December 3, 2019

Minutes: Meeting minutes of September 3, 2019 were reviewed. Motion to accept the Minutes was made by Board Member Grattan, seconded by Chairman Russell and approved by a vote of four (4) ayes; zero (0) nays and one (1) abstention by Don Heckelman.

Public Comment Period:

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

Old Business: Summary from Chairman Russell

Scott Hamlin
126.-1-24.113

Special Use Permit - Garage
614 NY 355 (Cooper Hill Rd)

Chairman Russell brought the issue of a need for a Special Use Permit for Mr. Hamlin, that the issuance of a SUP would safeguard his proposed garage in the future from negative interpretations of the Code. Member Grattan reiterated her comments from the September meeting, that Mr. Hamlin's proposed garage meets the three criteria for "private garage" as listed in the Town Code. Chairman Russell reminded the Members of a large, nearby metal garage (Bubie's) that was use for the storage and/or sale of vehicles and stated that he thinks it most important that enforcement of the Code be uniform for all. There was much discussion amongst the Planning Board and Zoning Board of Appeals Members in attendance. Items of concern were if the time frame for filing an Article 78 had expired. Attorney Ryan thinks 120 days but will check and advise. ZBA Chairman Jamison questioned if this use is even listed on the Schedule of Allowable Uses. There was more discussion. It was agreed that Attorney Robert Ryan will contact Town Attorney Jack Casey for follow-up on a past court decision and that this discussion would be left open for the December meeting.

Quail Meadow: Chairman Russell stated that Phase II construction has commenced, that the road and water are in and there are lots for sale.

Lochvue: Chairman Russell stated the initial hill section has been resurfaced and there will be no additional work done until the Spring.

New Business:

The subject of the Town having a Major Lot Line Adjustment Code was discussed as a possible alternative for Town Residents to use to give their family larger than one-acre portions of their (the parents) property, where there is no monetary exchange, without the burdensome and costly Minor Subdivision application process. Again, much discussion by both Boards' Members. Attorney Ryan to review and draft proposal.

Organizational:

Clerk Kane asked Members of both Boards to please review the Harassment Policy, sign the attached acknowledgement and return to her. She also reviewed the training hour spread sheets for each Member's training and made inquiry of anyone interested in attending the DEC training offered recently.

ZBA Chairman Jamison and Board Members Colello, Kalafut, Hoffay and Heckelman were in attendance to participate in a workshop with the Planning Board regarding the proposed Local Law regarding Application for a New Nonconforming Use. Workshop to commence after completion of this meeting. A motion to adjourn the meeting at 8:30 pm was made by Member Grattan seconded by Chairman Russell and approved by a vote of five (5) ayes, zero (0) nays, and zero (0) abstentions.

Respectfully submitted,
Lynn E. Kane, Planning Board Clerk