



**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  
December 3, 2019 Minutes**

**Attendees:**

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

**Non-Voting:**

Robert Ryan, Esq.  
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.

**Public Hearings:**

**Wilbert & Carol Langley**  
**126.-4-7.11**

**Minor 2 lot Subdivision**  
**300 Blue Factory Road**

The Secretary read the Public Hearing notice into the record. The Applicant wishes to subdivide the land of approximately 97.32 acres into a lot (Lot 1) of 37.51 acres and a lot (Lot 2) of 59.81 acres. The Applicants will continue to reside in the home on Lot 2, giving ownership of Lot 1 to their daughter and son-in-law, Laurel & Daniel Ashdown. 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 Dore and was approved by a vote seven (7) 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 Grattan to approve the 2 lot Minor Subdivision. Motion was seconded by Member Teal and approved by a vote of seven (7 ) ayes, zero (0) nays and zero (0) abstentions.

*Resolution: 2 Lot Minor Subdivision approved.*

**Minutes:** Meeting minutes of November 6, 2019 were reviewed. Motion to accept the Minutes was made by Board Member Heckelman, seconded by Board Member Dore and approved by a vote of four (4) ayes; zero (0) nays and three (3) abstentions – Members Teal, Briggs, Daniel.

**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.

**Old Business:** Summaries from Chairman Russell

- 1) **Non-conforming Use Law:** Much discussion, suggestion to increase time frame from one (1) year to three (3) years to allow for use to continue. Clerk Kane to work with CEO Paul Barringer to create list of non-conforming properties currently in Town. Discussion to continue at next meeting.
- 2) **Major Lot Line Adjustment:** Much discussion, with member Grattan using the 2 lot subdivision on tonight's agenda as a practical use of a Lot Line Adjustment (property to family without compensation) over the need for a Subdivision. Chairman Russell to draft a proposed "Lot Line Adjustment" revision to the existing Code – for review and discussion by Board Members at next meeting.
- 3) **Victor Gush:** Clerk Kane advised the Board that Applicant Gush is waiting on Vanderhyden to separate his parcel from the remaining property. Clerk Kane advises the Board that the SEQRA Hearing remains open and that Town Bookkeeper, Michelle Asquith, has requested an escrow account be formed so that Engineering fees may be paid. Board directs that the needed fund for the engineering invoice be deducted from the application fee and balance to be reimbursed to Applicant. The SEQRA Hearing will be closed in near future.
- 4) **20 Main St. – Michael Kronau:** Clerk Kane advises the Board that a prospective buyer (who is a contractor) of 20 Main Street recently met with CEO Paul Barringer to apply for building permit to change building from two apartments to four apartments. Kevin Kronau joined the conversation stating approvals for area variance and special use permit were obtain several years ago. Clerk Kane researched issue. After consultation with ZBA Chairman Paul Jamison, the area variance approved in October 2014 is now considered to be null and void due to failure to comply with the conditions of the variance. Michael Kronau applied for but never received a special use permit from the Planning Board due to failure to provide necessary documentation. Approval process for both will be needed for the proposed change.

**Organizational:**

Reappointment of Board Members – Harvey Teal, Member 12/31/19 to 12/31/26 and Steve Valente, Alternate 12/31/19 to 12/31/20. Motion was made by Member Grattan to have Clerk Kane forward a memo to the Town Board to reappoint Harvey Teal and Steve Valente to Planning Board. Motion was seconded by Member Dore and passed with a vote of seven (7) ayes, zero (0) nays and zero (0) abstentions.

Clerk Kane reviewed 2020 Meeting Attendance assignments sheet.

A motion to adjourn the meeting at 8:50 pm was made by Member Grattan 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