

Town of Ghent Planning Board

Meeting of 10/4/17

Chairmen French, Member Machiz, Member Barufaldi, Member Walters, Member Groom, Member Ocean, Attorney Mitchell Khosrova, Building Inspector Walt Simonsmeier, Absent Member Stoner.

Called to order 7:01PM by Chairman French.

Board reviewed the September 6th meeting minutes. Motion to approve the minutes as amended was made by Mr. Machiz, seconded by Mr. Barufaldi. All in favor, motion carried.

Public Hearing:

Marcia Douglas & Andrea Barrow
–Application for lot line adjustment
Letter S Rd., Ghent, NY
Tax Parcel ID# 74.-00-1-24.111

Richard Sardo, the land surveyor representing the property owner states this is a lot line adjustment taking 2.5 acres from Douglas & Barrow to Bozik and that he still doesn't have the letter to represent from Douglas & Barrow.

Motion to open the public hearing made by Mr. Walters, seconded by Mr. Barufaldi, all in favor motion carried.

Motion to continue the public hearing to next month made by Mr. Groom, seconded by Mr. Machiz, all in favor motion carried.

Sunnyview Farm
–Application for lot line adjustment
15 Arch Bridge Rd., Ghent, NY
Tax Parcel ID# 93.-00-1-35&93.00-1-43.11

Jim Thomaso, the land surveyor representing the property owner presents the Board with the letter they received back from DEC.

Motion to open the public hearing made by Mr. Walters, seconded by Mr. Ocean, all in favor motion carried.

Chairman French asks if there are any questions or comments from the public, Public Member, Mike Hurtzler states he is from Sunnyview farm.

Motion to close the public hearing made by Mr. Walters, seconded by Mr. Groom, all in favor motion carried.

Chairman French states this is a Type II action and SEQRA is not required.

Motion to approve the Application and that it meets the current Town Zoning Code and Master Plan made by Mr. Walters, seconded by Mr. Groom, all in favor motion carried.

Jean Nyfeler
–Application for lot line adjustment
82 Nyfeler Rd., Ghent, NY
Tax Parcel ID# 83.-00-1-12

Geoff Man, states he is representing Dan Russell the Land Surveyor for the property owner, Jean Nyfeler who wishes to transfer property to her daughter and son-in-law whose property abuts hers. However he is still on the authorization letter to be signed.

Motion to open the public hearing made by Mr. Groom, seconded by Mr. Walters, all in favor motion carried.

Chairman French asks if there are any questions or comments from the public, no response.

Motion to close the public hearing made by Mr. Walters, seconded by Mr. Groom, all in favor motion carried.

Chairman French states this is a Type II action and SEQRA is not required.

Motion to approve the Application, contingent on receipt of signed authorization letter by the Building Inspector, Walt Simonsmeier, as the Application meets the current Town Zoning Code and Master Plan is made by Mr. Walters, seconded by Mr. Groom, all in favor motion carried.

Robert Brooks

–Application for Special Use Permit for a dog kennel

1905 State Rte. 66., Ghent, NY

Tax Parcel ID# 84.-3-17

Chairman French states this is a Special Use Permit which is required by the Town for 4 or more dogs. Chairman French asks if they made the modifications to the map that the Board had asked for, Mr. Brooks states they have and have moved the shed and have also gotten rid of most of the goats and added the trees they have planted. Mr. Barufaldi asks if they have the measurement from the road to the house, Mr. Simonsmeier states it is a fairly new house and is 83 feet from the center of the road. Chairman French asks how many animals do they currently have, Mr. Brooks states 2 horses, 3 goats, 6 dogs and chicken, geese and ducks. Mr. Barufaldi asks if they intend to keep the same number of dogs, Mr. Brooks states as they pass they will not be replacing them, intend to get down to two and stay at that amount. Mr. Walters asks how much acreage they have, Mr. Brooks states 2.32 acres. Mr. Machiz asks about the vegetation plantings, Mr. Brooks states they have some and will be planting more.

Motion to open the public hearing made by Mr. Walters, seconded by Mr. Barufaldi, all in favor motion carried.

Mr. Brooks states eventually they will put fencing along the road as well. Chairman French asks if anyone from the public has any questions or comments. Public Member, Tom Fink states he lives across the street and is concerned about barking dogs at night. Mr. Barufaldi asks if they can tell the general area the barking is coming from and Mr. Khosrova asks if it during the day or night they hear barking. Mr. Fink states that is the area of the barking and it is both day and night. Public Member, Ralph Cooley states he is not concerned since the permit is for personal use, but is concerned about the horse manure contaminating their well. Mr. Brooks responds by stating his dogs are always in the house by 8pm and never out all day or all night. Chairman French states the dogs are housed in a permanent enclosed building, which is the house. Mr. Simonsmeier adds that he has been there many times when they were home and not at home and the dogs have never barked and they are all personal dogs. Mr. Groom suggests if the area considered to be a kennel is the house that a condition be the dogs are to be in the

kennel during darkness. Mr. Barufaldi suggests a sunset provision that stipulating that no additional dogs will be added to the property, and once the Applicant has four or fewer dogs the permit will expire.

Motion to close the public hearing made by Mr. Walters, seconded by Mr. Barufaldi, all in favor motion carried.

Mr. Khosrova suggests the Board should Sunset the Permit and address the fencing and screening. Chairman French asks what the length of the fence will be, Mr. Brooks states the intent is a six foot stockade-style fence along the Route 66 property line from the top to bottom of the property. Mr. Machiz suggests the fence be completed by June 1, 2018, Mr. Groom suggests tying the fence into the permit.

Chairman French reads through SEQRA, the Board declares a negative declaration.

Motion to approve the Application for a Special Use Permit with the Sunset provision, the fence completed by June 1, 2018 and the provisions in 190-19L1-10 of the Town Code and that it is in accordance with the Zoning Code, Master Plan made by Mr. Walters, seconded by Mr. Ocean, all in favor motion carried.

New Applications:

John & Marybeth Sullivan
–Application for lot line adjustment
67 & 51 Winter Hill Rd., Ghent, NY
Tax Parcel ID# 92.00-2-53

Richard Sardo, the land surveyor representing the owner states they are moving the boundary line between the two parcels to alleviate the encroachment of the pool fence. Mr. Simonsmeier states a fence can be right on the property line. Mr. Sardo states the new property line will put the house 50ft from the property line, Mr. Simonsmeier states the zoning here is 20ft and 25ft for side yard. Mr. Sardo, states that Mr. Ochino wants to put his property on the market which is the reason for the adjustment. Mr. Groom asks if the plans are preliminary, Mr. Sardo states he will have the final plans for the Public Hearing.

Motion to deem the Application complete and set the Public Hearing for November made by Mr. Walters, seconded by Mr. Groom, all in favor motion carried.

NYSEG
–Application for site plan
Falls Industrial Park Rd., Ghent, NY
Tax Parcel ID# 103889-73.-3-88

Mr. Khosrova gives a quick review, the proposal given was met with some issues and the Applicant will execute a joint stipulation to modify the application. Mr. Khosrova adds that this falls under Article 10 of the State Law and the Board should do a site visit to help understand the Application and SEQRA will not be done by the Town Planning or Zoning Board of Appeals and a decision cannot be made on the Application until the final decision is made on SEQRA from the County.

Brian Bringham and Alex Roth introduce themselves, Mr. Bringham states this is part of the Columbia County transmission project and they will be doing 1.15 miles of new poles partially in Ghent and Stockport. Chairman French asks if this Application is just for the substation, Mr. Khosrova states it is.

Mr. Bringham states the Public Service Commission is the Lead Agency who is currently working on part II of SEQRA this week and that the property is located in the Indian Bat area, therefore they can only drop trees between November 1st and March 31st.

Mr. Machiz asks what the ZBA Application is for, Mr. Bringham states it is for the lightening pole and the fencing which are 75ft high and 6ft high with barbed wire. Mr. Barufaldi asks if there will be any hazardous materials, Mr. Bringham states there is oil fluid in the transformers but it is not classified as hazardous material, and that handling of the materials is covered within the Spill Prevention Control and Countermeasures (SPCC) Plan. Mr. Machiz asks about fire suppression onsite, and Mr. Groom asks about lighting, Mr. Bringham states he will have to check on both. Chairman French asks about onsite grading, Mr. Bringham states instead of building up they are going to knock down the land to make it flat. Mr. Khosrova asks about timeframe and hours of construction, Mr. Bringham states 7am-7pm and 6 days a week. Mr. Machiz asks if there will be employees and Mr. Bringham states it will not be staffed. Mr. Khosrova states the Board needs to do a site visit and see similar sites to understand the Application.

Mr. Bringham states they will be widening the road, but it is strictly an access road. Mr. Bringham adds the lighting is on the plans, but it will only come on when work needs to be done, Mr. Khosrova suggests submitting the lighting separately. Mr. Barufaldi asks about the retention pond, Mr. Bringham states there won't be as much runoff as on the map. Mr. Ocean asks how often maintenance will need to be done, Mr. Bringham states he will have to check. Mr. Groom asks if materials will be stored here, Mr. Bringham states it is not unheard of but is A-typical.

New Business:

- Lot Line Discussion

Chairman French states NYS Law allows Lot Line Adjustments or Mergers as a simple one step approval and a Public Hearing is not required. Mr. Khosrova adds that the Board would need to make sure they are not creating a non-conforming parcel. Chairman French states the Applicant would need to provide a survey to show the buildings on the parcel as well.

Meeting adjourned at 9:15PM.

Respectfully submitted,

Erin Costa

Secretary