

Town of Ghent Joint Zoning and Planning Board

Meeting of 1/10/18

Planning Board: Chairmen French, Member Machiz, Member Barufaldi, Member Groom, Member Stoner, Member Ocean, Attorney Mitchell Khosrova, Absent Member Walters.

Zoning Board: Chairman Lew Streeter, Member Keith Kanaga, Member James Andrews.

Public Hearing:

NYSEG

–Application for Site Plan Review

Falls Industrial Park Rd., Ghent, NY

Tax Parcel ID# 103889-73.-3-88

Chairman Streeter states the joint public hearing is now open and NYSEG can begin with their presentation starting with the area variance for the height of the fence which is over the allowable 6 feet as well as the 60.25ft lightning masts. Brian Bury, representing NYSEG states there are 6 lightning masts and a 6ft chain link fence with 1ft of barbed wire and the lightning masts also double as poles. Chairman French states the fence detail they just received by email was and 8ft fence and 1ft barbed wire. Chairman Streeter states the Application says 6ft plus 1ft barbed wire, Mr. Bury states he will have to confirm which one is correct. Mr. Khosrova states there isn't anyone from the public here, therefore it is not substantial enough to have to reschedule the public hearing, the Zoning Board could grant the variance for the 8ft plus 1ft and make a note on the application. Chairman Streeter asks the Board and they all agree the difference is not substantial for the use, Mr. Khosrova adds the Board should make a statement with the approval to not set a precedent for others. Mr. Kanaga states it is actually a total of 9ft 2in. Chairman Streeter asks if there is any further discussion on the fence, Mr. Barufaldi asks what the need is for a 9ft fence, Chairman French states he is more comfortable with the 9ft because of deer. Mr. Groom asks if the fencing affects the lighting, Mr. Bury states the lighting is all above the fence line.

Chairman French states the Planning Board discussed the dusk to dawn light setting at their last meeting and asks if the only time they would use that setting is for the reasons stated in the letter. Mr. Bury states the lights will be angled down to help minimize the light pollution. Chairman French states the Planning Board wanted more detail on the dusk to dawn setting. Mr. Bury states the automatic light setting is so infrequent and they are not able to predict the frequency and have also never received a complaint for lights on any other station. Ms. Stoner asks if they had to use this setting would they monitor remotely or in person, Mr. Bury states someone would have to go there and flip a switch for the dusk to dawn setting. Chairman French asks if this setting would be on all lights, Mr. Bury states it is just the perimeter lights. Mr. Barufaldi asks how many lights would that include, and Mr. Bury states it would be 12 and they are each 20ft high. Chairman French states that L1-13 are the 20ft high perimeter lights and at a 30 degree incline and L6 & L7 are the working lights and have two heads on them and are only used while work is being done. Mr. Jurkowski asks if it is the intensity or the glare that is a concern for the Planning Board and if the lights are LED they may be able to set them at a reduced setting. Mr. Barufaldi states he doesn't think a security threat is a reason for the dusk to dawn setting when this is out in the middle of nowhere, Mr. Bury adds that the lights would give the impression that someone might be there. Chairman French states the Applicants are not going to be able to predict what or if a safety issue will happen and the paperwork does say they are LED lights. Mr. Khosrova states they could amend the site plan without the lighting so they can begin construction and come back for just the

lighting. Mr. Bury states he will eliminate the photo eye for now and just do the switch setting for now as needed or portable lighting with generators. Mr. Khosrova states then the lighting is amended for now to only when workers are present.

Chairman Streeter asks if there is any questions or comments from the public, Public Member Bill Better asks if DOT was contacted because he wanted to pave the road and DOT had said if there was a change in use they would need to be notified. Mr. Khosrova states DOT was a coordinated agent and SEQRA received a negative declaration. Mr. Better asks if there will be a gate going up the driveway, Mr. Jurkowski states it is on the fence detail. Mr. Better states he has no issues with the lighting or the fencing. Chairman Streeter asks if there is any further discussion on the application or SEQRA, Mr. Khosrova states there is no need for SEQRA it was already done.

The Public Hearing is closed at 8:06PM

Chairman Streeter states the ZBA will now do the findings of facts. Mr. Kanaga states the Board accepts that this cannot be done by any other means, there is no change to the neighborhood and would vote to approve the masts and the fence. Chairman Streeter states to include the fence is 9ft 2in and Mr. Kanaga states to add that the variance is being granted specific to a substation and is for safety and is not visible to any habitation or public road.

Motion to approve the variance for a 9ft 2in fence and 30.25ft variance on the masts is made by Chairman Streeter, all in favor motion carried.

Motion to dismiss the ZBA at 8:09PM is made by Chairman Streeter, seconded by Mr. Kanaga.

Chairman French states he wants to clarify the documents the Planning Board is approving. Mr. Jurkowski states they should provide additional information on storm water drainage and the Board should make it a condition that they provide the permit from DEC prior to construction. Chairman French states it is the site plan and application received 9/25/17 and the responses to the Planning Board and Zoning Board questions dated 11/27/17. Mr. Bury adds the drawings are the ones dated 11/27/17 as well. Chairman French states the lights on the poles will not to go higher than 20ft and the documents dated 1/8/18 regarding the wetlands, fencing and response to the Morris Association should be included as well and the dusk to dawn setting is the only thing eliminated. Mr. Barufaldi adds the only lighting is when workers are present. Mr. Khosrova states any modifications they need to come back and they need to submit 3 sets of plans for stamping, Mr. Jurkowski adds they need to be stamped and sealed.

Motion to approve the Application for site plan and special use permit based on the documents Chairman French stated and all dusk to dawn settings removed all lights to be turned on by a switch when workers are present only, made by Mr. Machiz, seconded by Mr. Barufaldi, all in favor motion carried.

Meeting adjourned at 8:23PM.

Respectfully submitted,

Erin Costa

Secretary

