

Town of Ghent Planning Board

Meeting of 4/4/18

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

Called to order 7:00PM by Chairman French.

Board reviewed the March 14th meeting minutes. Motion to approve the minutes as amended was made by Mr. Barufaldi, seconded by Ms. Stoner. All in favor, motion carried, Mr. Ocean Abstains.

New Business:

Kate Fitzpatrick/Collective Retreats
114 Ostrander Rd., Ghent, NY
Tax Parcel ID# 92.-2-7.200

Kate Fitzpatrick states she is here to give the Board an update on their site. Ms. Fitzpatrick states they will be opening the same 5 tents from last year again this summer and are working with Mr. Simonsmeier to open the other 5 tents they got approval for with the original site plan. Chairman French asks if they intend to expand any further, Ms. Fitzpatrick states their other sites have been expanding and would probably like to expand this site in the future.

Public Hearings:

Austin Coon/Bonnie Coon
–Application for Special Use Permit
2472 Route 66, Chatham, NY
Tax Parcel ID# 75.-1-19.11

Austin Coon, the Applicant passes out the maps to the Board as well as the letter to represent from Wayne Blue LLC. Mr. Khosrova goes over the requests from the Board from the previous month, Chairman French states the have the letter to from the land owner and the Agricultural question was already addressed. Mr. Khosrova asks why Wayne Blue LLC isn't the Applicant, Mr. Coon states it is because he is the one building the house. Mr. Khosrova states there isn't any sale or purchase of the property and a Special Use Permit runs with the property the Applicant should be Wayne Blue LLC. Mr. Coon changes the Application to Wayne Blue LLC/Richard Coon. Chairman French states the Application is complete.

Motion to open the Public Hearing is made by Mr. Machiz, seconded by Mr. Barufaldi, all in favor motion carried.

Chairman French asks if there are any comments from the Public - no response.

Motion to close the Public Hearing is made by Mr. Machiz, seconded by Mr. Barufaldi, all in favor motion carried.

Mr. Groom asks if the parcel is sub dividable, Mr. Groom states it is not indicated on the maps. Chairman French states as the Application stands now it is not sub dividable, Mr. Khosrova states to put the condition in the motion. Chairman French states the Application complies with the Town Code 190-19 Section AA2, 2A-D and will be noted on the Building Permit and Certificate of Occupancy. Mr. Groom asks if the driveway needs a maintenance agreement, Chairman French states it does not because it is a private driveway on one parcel. Mr. Ocean asks if the area is all fields and if they will be able to see

Camphill Ghent from where the house will be, Mr. Coon states they spoke with Adam from Camphill and there is a tree line between the potential house site and Camphill Ghent.

Motion to Approve the Special Use Permit with the condition it is not sub dividable, but is allowed as per the Town of Ghent code 190-19 Section AA2, 2A-D is made by Mr. Groom, seconded by Mr. Barufaldi, all in favor motion carried.

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

McMahon Family
–Application for Lot Line Adjustment
43 German Church Rd., Ghent, NY
Tax Parcel ID# 93.-1-1-38

Dan Russell, the Land Surveyor representing the Applicant passes out the final maps to the Board and explains the owners want to take parcel B and merge is with parcel C.

Motion to open the Public Hearing is made by Mr. Machiz, seconded by Ms. Stoner, all in favor motion carried.

Chairman French asks if there are any comments from the Public, Public Member asks if there is a reason for the lot line adjustment, Mr. Russell states that Chris McMahon wants more room on his parcel.

Motion to close the Public Hearing is made by Mr. Machiz, seconded by Mr. Ocean, all in favor motion carried.

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

Motion to Approve the Application for a Lot Line Adjustment and that it meets the Town Code and Master Plan is made by Mr. Groom, seconded by Mr. Barufaldi, all in favor motion carried.

New Business:

Ghent Centre
–Application for Site Plan Review
Route 66, Ghent, NY
Tax Parcel ID# 75.-4-2-30.20

Ronald Piester, the Applicant states that they have a new tenant that wants to come into the space where the realtor was and that tenant won't put up any signs. Mr. Groom asks if the realtor will still operate within the building, the Applicant states it is a small woodworking shop without retail. Mr. Khosrova asks Mr. Simonsmeier if it is a permitted use, who states it is and the application is for a change of use, not a special permit. Mr. Barufaldi asks if there will be any lighting, Mr. Piester states there won't be, it is just a guy and his wife doing woodworking. Mr. Groom asks if there will be a dumpster, Chairman French states it is in the site plan. Ms. Stoner asks about the equipment they will be using, the Applicant states it is very small. Ms. Stoner asks if the time of operation will be in the daytime, Mr. Piester states it will be. Chairman French adds 10am to 7pm is typical and is in the application. Mr. Machiz asks if the tenant could come to the Public Hearing next month, the Applicant states they can. Mr. Barufaldi asks if there will be any storage outside, the Applicant states it will all be inside.

Motion to deem the Application complete and schedule the Public Hearing for May 2, 2018 and to send the Application to the Columbia County Planning Board made by Mr. Machiz, seconded by Mr. Ocean, all in favor motion carried.

Robert Greenberg
–Application for Lot Line Adjustment
189 & 117 Schnackenberg Rd., Ghent, NY
Tax Parcel ID# 103.-1-50/34.211/35.1

Dan Russell, the Land Surveyor representing the land owner states they currently own 3 parcels and want to merge #2 and a portion of #3 to make 2 parcels and the smallest one would be 52 acres. Mr. Machiz asks what is the purpose for the lot line adjustment, Mr. Russell states they were bought separately and don't want part of it to sell because it is separated by a road currently. Chairman French states there would be no reason to deny it since it is currently separate by the road now. Mr. Barufaldi states the driveway currently comes in from Schnackenberg Road, Mr. Russell states that is correct. Mr. Ocean states part of parcel A2 is in the Town of Claverack, Mr. French states Ghent would be lead agency. Mr. Khosrova adds that SEQRA is not needed as it is Type 2 action and they are only changing what is in the Town of Ghent.

Motion to deem the Application complete and schedule the Public Hearing for May 2, 2018 is made by Mr. Machiz, seconded by Mr. Ocean, all in favor motion carried.

Public Hearings:

Melvin & Doris Fromberg
–Application for Special Use Permit for two dwellings on one lot
259 Snyder Rd., Ghent, NY
Tax Parcel ID# 75.-1-46

Peter VanAlstyne, the Land Surveyor representing the land owner apologizes to the Board and Public for being late and explains to the Public what the land owner is applying for.

Motion to open the Public Hearing is made by Mr. Machiz, seconded by Ms. Stoner, all in favor motion carried.

Chairman French asks if there are any comments from the Public, Public Member Mr. Nigleo asks if the daughter is going to be a permanent or weekend resident and about the size of the house. Mr. Machiz states the house on the map is just a place holder to show the location. Mr. Nigleo states that if the Application is approved he is not going to be able to hunt on his own property because you can't discharge a firearm within 500ft of a building and the Frombergs have 35 acres to put the second dwelling. Mr. Barufaldi asks Mr. Nigleo to point out on the map where his house is in relation to the proposed dwelling. Mr. Machiz states that the Applicant currently has the right to split the property as it is now without the second dwelling. Mr. VanAlstyne states the property does have wetlands which limits the placement of the second dwelling, Mr. Khosrova adds there has to be a 100' buffer from a wetland. Public Member, Mr. Snyder states the area were the proposed house is used to be a separate parcel owned by his family. Mr. Simonsmeier adds the set backs are 20-25', so the house could be much closer, Mr. VanAlstyne states the set back is around 200' and is really the best placement on the parcel for the house.

Chairman French states he understands the concerns, however with the zoning there is very little this Board can do to change the placement. The Special Permit is for a second dwelling which meets all zoning requirements. Mr. Khosrova suggests finish the Public Hearing and then the Board can conduct their discussion. Mr. Ocean asks if the septic has been approved for certain, Mr. VanAlstyne states it has for a 3 bedroom dwelling which is typical.

Motion to close the Public Hearing is made by Mr. Ocean, seconded by Ms. Stoner, all in favor motion carried.

Mr. Khosrova states the Board should mitigate any potential impacts, but there is no set criteria for this parcel. Mr. Machiz states he would like more time to read through the code, Mr. Barufaldi states he would as well. Mr. VanAlstyne states he doesn't feel the owners are in any real rush excepts for the building season is coming. Chairman French if any other members want to wait, personally would like to make a decision tonight. Mr. Barufaldi asks if the meets the code 100%, Mr. Khosrova states that it does and has never heard of putting on restrictions due to the way a neighbor uses their property. Chairman French states the Building Permit process would confirm it met all set backs. Mr. Khosrova points out that the applicant's map indicating the proposed dwelling is for illustration purposes, but the permit does not stipulate a location, only that whatever location is chosen must meet zoning and other requirements regarding setback, buffers, etc.

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

Chairman French states it meets 190-19 AA #1 of the Code of the Town of Ghent and there is nothing in the code to restrict the placement of the second dwelling and the Board basically has to approve the Application as presented.

Motion to Approve the Application with regrets for a Special Permit for two-dwellings on one lot and that it meets the Town Code, Master Plan and that the placement of the second dwelling is not part of the approval is made by Mr. Groom, seconded by Mr. Ocean, all in favor motion carried.

Old Business:

F. Robert Brew III
–Application for Special Use Permit for Mining
44 Old Post Rd., Ghent, NY
Tax Parcel ID# 72.2-53.111

Chairman French states they need to finalize the resolution, Mr. Khosrova states page 2, #1 was the issue. Mr. Ocean suggests specifying the seed and make sure the ground cover is established to cover the area so that maintenance wouldn't be needed until September 1st, 2019 and suggests a perennial pasture mix. Mr. Khosrova adds that there is nothing prohibiting construction of a new home. Mr. Simonsmeier adds that a copy of the application and Special Use permit will be in the parcel file. Chairman French reads through the changes to the resolution one more time. Mr. Barufaldi asks what the size of the lot is, Chairman French states it is 26.046 acres. Mr. Barufaldi asks if the area in question is 2.4 acres or .4 acres, Mr. Khosrova states it is part of the 2.4 acres that is not vegetated, Mr. Barufaldi states then he is already at the 80%. Chairman French states to remove the 80% from the Resolution.

Motion to Approve the Resolution with the stipulations discussed is made by Mr. Barufaldi, seconded by Mr. Ocean, all in favor motion carried.

Meeting adjourned at 9:12PM.

Respectfully submitted,

Erin Costa

Secretary