

Town of Ghent Planning Board

Meeting of 7/11/18

Chairmen French, Member Barufaldi, Member Stoner, Member Groom, Member Young, Member Machiz, Attorney Mitchell Khosrova, Absent Member Ocean.

Called to order 7:31PM by Chairman French.

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

Chairman French begins by introducing Evan Young the new Board Member.

Public Hearing:

Airosmith Development
–Application for Special Use Permit
Trailer Park Rd., Chatham, NY
Tax Parcel ID# 65.-1-44

Brian Lockovitz, the representative for Airosmith Development states they are a vendor for AT&T and presents the Board with the bond information that secures the removal of the tower if it is ever abandoned. Mr. Khosrova indicates the bond does not name the applicant company, and asks that the applicant provide information that the bond covers the applicant. Chairman French asks if they have the Certificate of Insurance information, Mr. Lockovitz states he will provide it to the Board. Mr. Khosrova states for clarification purposes that information was supposed to have been here for the Public Hearing. Chairman French states they can open the Public Hearing but will not be able to do the SEQRA until they get the Engineers review, Escrow of \$2,000.00, which the Applicant was informed of.

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

Chairman French asks if there are any comments from the Public. A Public Member asks what is changing, Mr. Lockovitz states just better equipment. Chairman French states they will continue the Public Hearing till August so they can get comments from Ray Jurkowski, get the amount of escrow needed, certificate of insurance and FCC Licensing, and the organizational chart between the companies.

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

Brian Matthew
–Application for Subdivision
930 Rte. 9H, Ghent, NY
Tax Parcel ID# 91.-1-67

Peter VanAlstyne, the Land Surveyor representing the Applicant introduces himself to the Public. Mr. VanAlstyne presents the Board with the new maps with the septic system for the trailer on the maps and the rear line of the smaller lot is now 15ft closer to 9H making the lots 1.45 & 3.42 acres. Mr. VanAlstyne adds that each lot has their own road entrance and their own utilities so that easements are not necessary.

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. Barufaldi, seconded by Mr. Machiz, all in favor motion carried.

Chairman French reads through Part II of SEQRA and an email from Walt Simonsmeier, the Building Inspector stating that all buildings on the lot pre-date zoning and that these are pre-existing, non-conforming lots and there are no violations that exist. The Board declares a negative declaration.

Motion to Approve the Minor Subdivision based on the report from Mr. Simonsmeier and that it meets the Town Zoning Code and Master Plan, is made by Mr. Machiz, seconded by Mr. Barufaldi, all in favor motion carried.

Jeff Meltz
–Application for Mining Special Permit
German Church Rd., Ghent, NY
Tax Parcel ID# 73.-3-37.211

Peter Nelson, the Applicant states the Board should have the revised sheet of the application indicating the clarification on the truck traffic for the amount of days and hours. Chairman French reads aloud the letter from Ben Perry and the revised application. Mr. Barufaldi reads aloud the email received from Mr. Simonsmeier per Gary Kittle stating at the most there would be 20 truck trips per day. Chairman French adds that this is removing a pile and not digging a hole. Mr. Nelson adds that part of the deal with this Application is that the field has to look nice once the pile is removed.

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

Chairman French asks if anyone from the Public has a comment to address the Board directly and to state your name and address. Public Member Barbara Bullock states she is at 196 German Church Road and feels that 20 trips per day is a lot and what the Town has in mind for road repair once it is completed. Public Member, Karlene Shehan states she is 113 German Church Road asks why they can't just spread the pile in the field. Mr. Nelson states he can probably get about \$15K from Kittle's for the top soil. Public Member, Beth Lenahan states she is at 197 German Church Road and states she has the same concern about road repair since the road isn't in great condition now. Public Member, Malory Mort suggests asking the Applicant for a Bond for the road repair if it is needed when done. Ms. Shehan asks about how much noise would be created from the trucks and the removal of the pile, Mr. Barufaldi confirms with the Applicant that there will only be one loader used to load the trucks. Mr. Khosrova reads from the Town Code 197-75G regarding bonds for road repair, however the Board has a letter from Mr. Perry, the Highway Superintendent that states the Town can handle the road repair if it is needed.

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

The Board makes the following conditions for the Approval of the Application:

- Duration time is 4 months
- Highway Superintendent makes the call if the temperature is too high
- Applicant is responsible for the cost of road damage
- 20 loads per day maximum if needed
- Hours of operation are Monday thru Friday 8am to 5pm
- Truck route is German Church Road to 9H
- The Highway Superintendent is to be notified immediately if there is any road damage
- Reclamation to stabilize soil within 6 months
- Vegetation to be established within 1 year
- Applicant to take photos of the road before and after the pile is removed

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

Motion to Approve the Mining Special Permit with the above conditions and that it meets the Town Zoning Code and Master Plan, is made by Mr. Machiz, seconded by Mr. Barufaldi, all in favor motion carried.

New Applications:

M. Grimaldi & Sons, LLC
 –Application for Subdivision
 Stockport Rd., Ghent, NY
 Tax Parcel ID# 82.-1-2.110

Member Evan Young recuses himself due to the fact he works for Crawford & Associates, who is representing the Applicant. Dan Russell, the Land Surveyor representing the Applicant introduces himself and explains the maps and that they are applying for a subdivision to build a small farm house separate from the land owned by the family business. Chairman French adds that the Applicant would like a waiver from the conservation subdivision and asks the reason for the front piece of land, Mr. Russell states they don't want a land locked parcel and wanted to meet the minimum road frontage. Mr. Machiz asks if there have been the 3 subdivided parcels since 1990 and now they want to create a 4th, Mr. Russell states that is correct. Chairman French states they would be looking for the conservation subdivision due to the land staying in the family, being farmland and the 5th subdivision would require a major subdivision. Mr. Barufaldi asks if they considered creating a 10 acre subdivision to avoid the issue of the conservation subdivision, Mr. Grimaldi states they prefer a smaller parcel subdivision due to the taxes and they are just trying to put a small farmhouse in to live and keep farming the rest of the land. Chairperson French states cases like this is the reason for the conservation subdivision waiver, Mr. Khosrova adds section 156-33C pertains to agricultural land. Mr. Khosrova states if the Board grants the waiver can require no further subdivision and add the land conservancy agreement contingent on approval. Chairman French states they can go to Public Hearing and the Applicant can get the agreement with the Columbia Land Conservancy details for August. Mr. Khosrova suggests asking the Columbia Land Conservancy to appear at the Public Hearing.

Motion to deem the Application complete and schedule the Public Hearing for August 1, 2018 is made by Ms. Stoner, seconded by Mr. Groom contingent on the maintenance agreement and the Columbia Land Conservancy appearing, all in favor, motion carried.

Columbia County Facilities Department
–Application for Special Use Permit
50 Grandinetti Dr., Ghent, NY
Tax Parcel ID#101.-1-12

Member Young remains recused. Ryan Loucks, the Engineer representing the Applicant states they are looking to install a new fire training tower, storage facility, a few offices and a back up 911 facility. Mr. Machiz asks if they are obligated to go before the County Planning Board, Mr. Khosrova states they are, the property is owned by the county. Mr. Loucks adds they have to put in a concrete pad where the car-fire training prop will be located for stability as well as due to the heat from the drills. Mr. Barufaldi asks what the underground water storage is for, Mr. Loucks states it is strictly for the training, and is serviced by the proposed well, not by City water. Ms. Stoner asks how often will the trainings happen, Mr. Loucks states two or three times per week. Mr. Barufaldi asks what the size of the addition is, Mr. Loucks states 26' x 34'. Mr. Barufaldi asks what is the storage for, Mr. Loucks states the addition will house the backup 911 call center, and equipment for training all other items will be stored in the existing structure, and that nothing will be stored outside. Mr. Barufaldi asks if the lights in the parking lot could be lower, Mr. Loucks states he will look into it, they were just matching what is currently there. Chairman French asks about the land where the water will runoff, Mr. Loucks states that is also owned by the County, Mr. Khosrova states they should check if a permit is needed from DEC for runoff into wetlands. Chairman French states the Applicant is responsible to notify the County Planning Board since it is county property. Mr. Simonsmeier states the Application should also be for Special Use Permit not a Site Plan and will make the changes. Mr. Wallace, a Public Member representing the fire departments states they will most likely dispense about 500 gallons of water per day of training, which will be two or three times per week. Chairman French asks the Applicant to do a drainage study and get the response from the County Planning Board, Mr. Khosrova adds they should also get the response from DEC and look into lower the light poles and the Application is complete.

Motion to deem the Application complete and schedule the Public Hearing for August 1, 2018 is made by Mr. Machiz, seconded by Mr. Barufaldi contingent on the above conditions, all in favor, motion carried.

Member Evan Young returns to the Board.

Old Business:

Ferrell Gas, L.P.
–Application for Special Use Permit
51 Falls Industrial Rd., Ghent, NY
Tax Parcel ID# 73.-3-37.211

Peter VanAlstyne, the Land Surveyor representing the Applicant presents the Board with the new maps stating the layout is the same for the site, the Army Core wetlands and the building layout is 10' x 32' are indicated. The maps also indicate a 10,000 gallon, partially underground water tank, to meet fire code, as the access to the fire pond on an adjoining parcel cannot be secured. Mr. Young asks if the Department of Health is involved with the Well and Septic, Mr. VanAlstyne states they are not because it is under the size needed for approval. Mr. VanAlstyne adds that the lights are on demand if someone is there, they will only have a maximum of 3 trucks per day, one delivery truck per week and no offices, just a bathroom and they have the flammable liquid sites received by the Fire Department.

Chairman French states they need to show they have adequate access to water, as well as the documents that it meets all NFPA standards and \$4,500.00 in escrow for legal and engineer fees. Mr. Simonsmeier adds it also needs to be referred to the County Planning Board. Chairman French states this is not ready for a Public Hearing in August.

Meeting adjourned at 10:28PM.

Respectfully submitted,

Erin Costa

Secretary