

Town of Ghent Planning Board

Meeting of 11/7/18

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

Called to order 7:00PM by Chairman French.

Board reviewed the October 3rd meeting minutes. Motion to approve the minutes as amended was made by Mr. Groom, seconded by Mr. Ocean. All in favor, motion carried.

Board reviewed the October 23rd meeting minutes. Motion to approve the minutes as amended was made by Mr. Groom, seconded by Mr. Ocean. All in favor, motion carried.

Public Hearings:

Kinderhook Toyota
–Application for Site Plan Review
1908 State Rte. 9H, Ghent, NY
Tax Parcel ID# 73.-2-16

Pat Prendergast, the Engineer representing the Applicant presents an amended lighting plan with the lights behind the building switching to motion sensor activated at 8pm and added white pines for screening as well. Mr. Barufaldi asks about the lighting on the front and sides of the building, Mr. Prendergast states those would remain on dusk till dawn. Mr. Machiz suggests possible dimmed lighting on the lights, Mr. Ocean recommends consulting a lighting specialist or putting a gate up. Mr. Khosrova explains to the applicant that they need a comprehensive plan for the lighting such as exactly what lights are motion sensor activated and the times as well as the length of time they go on, the lumination, etc. Mr. Machiz adds that they need a detailed plan and can't approve the application just on their word. Mr. Khosrova suggests getting the comments from the public quickly.

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

Public Member, Carrie Schoenfeld states she is at 558 Old Post Road and shows the Board a picture on her phone of the view of the lights. Public Member, Frederick Schoenfeld states he is also at 558 Old Post Road and believes that a fence would probably be the best solution and leave an area open designated for dropping off cars. Public Member, Glory Mink states she is concerned about the lights as well as the new building and the possibility of removing trees. Public Member, Mark Johnson shows the Board a picture from his phone of the lights from his house, as well as asks why the lights are still on when the Applicant has been called before the board to address the non-compliance. Mr. Khosrova explains that enforcement action ceases while the Applicant applies for a permit to remedy the infraction. Chairman French states at this point they will close the Public Comment portion but keep the Public Hearing open and states that if they want to keep the lights for security purposes they need to make a very detailed proposal on the entire lighting plan, including information on motion sensors. Mr. Khosrova adds that they also need to have all the information one week before the December

meeting and suggests a lighting engineer as well. Kinderhook Toyota General Manager indicates that this is the first he is hearing that the Board will not approve leaving lights on all night. Mr. Barufaldi indicates that it was communicated in each of the preceding meetings, to both the Engineer and whichever representative was present, that the Board had previously ruled with the initial permit that lighting was to be turned off at 8pm and that, while we would not vote on an incomplete application, it was unlikely the Board would approve a scenario where lights are left on all night. Mr. Machiz and Chairman French relate that several other applicants have submitted less obtrusive proposals that have been denied or heavily modified for approval, and that the Board is not likely to approve the plan as submitted.

Mr. Khosrova suggests while enforcement efforts stop when an applicant applies for a permit to address an enforcement action, it would be a good faith gesture on the part of Kinderhook Toyota to turn off the lights at 8pm daily during the permit review procedure.

Motion to continue the Public Hearing is made by Mr. Barufaldi, seconded by Mr. Groom pending receipt of the requested information one week prior to the meeting, all in favor, motion carried.

Mr. Prendergast adds the pines are only to shield the new building, but the new building will also help with the shielding of the lights, Mr. Ocean suggests 8-10ft white pines.

New Business:

Antonio Abitabile
–Application for Lot Line Adjustment
557 Gahbauer Rd., Hudson, NY
Tax Parcel ID# 102.-00-1-48/120.00-1-5

Member Evan Young recuses himself due to the fact he works for Crawford & Associates, who is representing the Applicant.

Chairman French explains the reason for this application is due to solar panels accidentally installed on the wrong property and that all set-backs are met. Chairman French adds this is an Application were the Public Hearing can be waived.

Motion to approve the Application and waive the Public Hearing and SEQRA is made by Mr. Machiz, seconded by Mr. Barufaldi all in favor, motion carried.

Member Evan Young returns to the Board.

Jonathan Walters
–Application for Minor Subdivision
1923 Route 22, Valatie, NY
Tax Parcel ID# 75.-1-6.12

Attorney Mitch Khosrova recuses himself due to the fact he represents the Applicant. Chairman French explains that the road divides the land that the Applicant wants to sell and the potential buyers do not want the land across the street from the house.

Motion to deem the Application complete and schedule the Public Hearing for November 20th, 2018 is made by Mr. Barufaldi, seconded by Mr. Young, all in favor, motion carried.

Attorney Mitch Khosrova returns to the Board.

Christopher Zlomek
–Application for Minor Subdivision
218 Flower Lake Rd., Ghent, NY 12075
Tax Parcel ID# 74.-1-17.1

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 states they have added the note of no further subdivision to parcel 1 as well as the note of no further subdivision to create a lot less than 10 acres to parcel 2. Chairman French states this now complies with the Conservation Subdivision Law. Mr. Barufaldi asks if the frontage requirement is met, Mr. Russell states that it is. Mr. Zlomek adds the abutters uses the right-of-way indicated on the maps and Parcel 1 is 10.003 acres and Parcel 2 is 33.7 acres. Chairman French asks the Applicant to initial the change made to SEQRA.

Motion to deem the Application complete and schedule the Public Hearing for November 20th, 2018 is made by Mr. Groom, seconded by Mr. Barufaldi, all in favor, motion carried.

Meeting adjourned at 8:11PM.

Respectfully submitted,

Erin Costa

Secretary