

Town of Ghent Planning Board

Meeting of 10/3/18

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

Called to order 7:00PM by Chairman French.

Board reviewed the September 5th meeting minutes. Motion to approve the minutes as written was made by Mr. Groom, seconded by Mr. Ocean. All in favor, motion carried, Member Stoner Abstained, Member Barufaldi was out of the room.

Public Hearings:

Joan Bianchi
–Application for Special Use Permit
1533 State Rte. 66, Ghent, NY
Tax Parcel ID# 92.-2-14.200

Chairman French states Walt Simonsmeier still has to do the final inspection for the Certificate of Occupancy and an architect is involved, Ms. Bianchi states that is correct.

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

Mr. Simonsmeier states when the homeowner purchased the property the apartment already existed without any permits and the Applicant has gone to the ZBA and done the proper steps to amend the situation.

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

Chairman French reads through SEQRA, the Board declares a Negative Declaration.

Motion to approve the Application for Special Use Permit as it meets the Town Zoning Code and Master Plan, is made by Mr. Groom, seconded by Mr. Barufaldi, all in favor, motion carried.

Richard Ohl Jr.
–Application for Special Use Permit
1046 State Rte. 9H, Ghent, NY
Tax Parcel ID# 91.-1-47

Chairman French states he did a site visit and from the edge of the back of the property the Airport fence is not even visible and no other properties are affected by this modification. Mr. Ohl states the original permit stipulates that if he were to sell either property screening would have to be installed as well as separate septic tanks and wells. Chairman French adds those notes to the site plan maps and requests they be added to the notes prior to stamping.

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

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 of the modified site plan of the original map dated March 5, 2015 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.

Allyson VanAlstyne
–Application for Site Plan Review
2552 State Rte. 66, Ghent, NY
Tax Parcel ID# 76.-1-38

The Board reviews the new site plan maps. Chairman French asks to clarify the changes, Mr. Simonsmeier states a section of parking was taken out. Mr. Groom asks about the dumpster, Mr. Barufaldi states it is in the notes. Chairman French states pictures were sent to the Board by email on September 18th, as well as the hours of operation.

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

Public Member Coleen Dodge presents pictures of the lights on the building from her house. Chairman French states the lights on the corner of the building are to be removed. Public Member Malory Mort suggests changing the sign lights to come down from above the sign, Ms. VanAlstyne states she could change that.

Motion to close the Public Hearing 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.

Motion to approve the Application of the site plan contingent on the “standard” hours of operation 9am to 9pm Tuesday through Thursday and Saturday 9am to 2pm and the following lighting requirements:

1. The canopy (existing) lights under the porch
2. Lights on the corner posts of the porch are to be removed
3. Mercury light by the basement will be manually operated and will be on only when someone is in the umbrella of the doorway/light

4. One large square fluorescent light on the rear of the building above the deck that will not remain on, it will only be used when needed for the yard
5. Any exit door lighting as required by code
6. The sign lighting to be changed and fully shielded

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

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 introduces the owner of the Property and gives a brief summary of the 45ft by 65ft Morton Building. Mr. Prendergast presents the Board with the light details and the reasoning for the dusk till dawn lighting, Mr. Barufaldi asks about the information that was requested for lighting alternatives or insurance information. Mr. Prendergast indicates the owners wish to have the lights on all night, and that there may be a letter from the insurer, but not sure. Mr. Khosrova states these were requested to be received one week prior to this meeting and the hearing should be continued till next month. Member Machiz indicated that Columbia County Route 9H in Ghent is not Central Avenue in Albany and all-night lighting would be contrary to long established Ghent policy. Mr. Machiz suggested that the applicant hire a lighting engineer to propose alternative solutions (e.g., perhaps a dimmer setting).

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

Public Member, William Mink states his property is behind and is the most affected by the lights and wishes that there had been more trees planted for shielding, and that lights should not be on all night. Mr. Mink indicates he lost \$28,000 on a sale due to the lighting issue. Public Member, Paul Glesta states he is at 462 Old Post Road and the lights are very bright and have gotten brighter since the switch to LED and suggests fencing or dogs to decrease theft, and that lights should not be on all night. Public Member, Mark Johnson states he is at 533 Old Post Road and agrees the lights are brighter since the LED switch, describing the lights as a “Close Encounters” scene. Public Member, Glory Mink asks about the new building and if there will be any outdoor storage, Mr. Prendergast states there will not be. Public Member, Janice Fingar suggests possibly turning down the lights or relocating or taking some lights out so it is not so bright, and that lights should not be on all night. Chairman French states the Board will pause the public comment and extend it until next month and would like to see what the current landscaping is compared to what was approved and for the Applicant to provide lighting alternatives and insurance documentation and the documentation needs to be received by October 29, 2018.

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

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 states he received two additional comments from Ray Jurkowski and presents the Board with the new maps reflecting them. Mr. VanAlstyne adds they have the letter from the West Ghent Fire Department and the lighting information added as well. Mr. Groom asks if they could get a letter of satisfaction from Ray Jurkowski.

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

Public Member, Conrad Coon asks if the entrance has the approval from DOT, Mr. Khosrova states the Planning Board has no authority over DOT approvals.

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

Chairman French reads through SEQRA, the Board declares a Negative Declaration.

Motion to approve the Application of the special use permit contingent on the final letter from Ray Jurkowski and that it meets Town Zoning Code and Master Plan is made by Mr. Barufaldi, seconded by Mr. Young, all in favor, motion carried.

Keith Celentano
–Application for Minor Subdivision
Rte. 217, Ghent, NY
Tax Parcel ID# 103.-1-43.111

Mr. Celentano presents the Board with the letter from Carl Matuszek, the land surveyor as well as the new maps. Mr. Celentano requests that he can double check two of the pins labeled on the map and come back next month with the maps for stamping.

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

Public Member, Michael Pyfrom states he purchased 10 acres from the Applicant last year and is concerned his driveway may be affected by a new driveway. Mr. Celentano indicates DOT has been out to view the driveway and indicated it is acceptable as proposed.

Motion to close the Public Hearing is made by Mr. Barufaldi, 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 of subdivision and that it meets Town Zoning Code and Master Plan is made by Mr. Barufaldi, seconded by Mr. Ocean, all in favor, motion carried.

New Business:

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

Mr. Zlomek states he bought the property in 1996 and did a subdivision of 7.1 acres which was never filed with the County and he can't find the stamped plans and now has an offer on it, but can't sell it. Chairman French states this triggers the conservation subdivision law and needs to be done now as a new subdivision with new maps.

Old Business:

Member, Evan Young recuses himself as he is employed by Crawford & Associates representing the Applicant.

William Slemp
–Application for Minor Subdivision
255 Gahbauer Rd., Ghent, NY
Tax Parcel ID# 101.-1-5.1

Chairman French states the Applicant is looking for a waiver from the Conservation Subdivision, Mr. Slemp presents the Board with maps delineating the wetlands and the utility easement and the nature of the property would make most of the property unbuildable. Chairman French adds that any further subdivision would require a joint hearing with Claverack. Mr. Slemp states that he will not be doing any further subdivisions, but does not want to sign off on “no further subdivision” for future property owners. Mr. Barufaldi states there are several alternatives to the Conservation subdivision/his proposal, such as larger subdivision lots, further subdivision limitations in the deed, Special Use Permit to build a second residence on a single lot, etc. Chairman French reads through the Town Code Conservation Subdivision Section and adds that any further subdivision on the Ghent balance of the property would require a Major Subdivision or Conservation Subdivision. The Board then suggests the Applicants speak to the Land Surveyor on further options to the Subdivision.

Member, Evan Young returns to the Board.

Wayne Blue LLC
–Application for Special Use Permit
1765 Route 9H, Ghent, NY 12075
Tax Parcel ID# 73.-2-65.200

Pat Prendergast, the Engineer representing the Applicant presents the Board with new maps with landscaping done by Calendar's added. Mr. Barufaldi asks about the open areas on the maps, Mr. Prendergast states there are existing trees there and will add those to the maps. Mr. Machiz asks if the buildings can be labeled on the maps that they are approved, but not built. Mr. Khosrova states even though this is a modification it is the same as starting a new application so everything is indicated on the maps that is not currently in place will need to begin construction/installation within 180 days of the approval of the application. Chairman French states the Applicants need to decide what they want to do with the buildings and return next month with revised maps.

Meeting adjourned at 11:06PM.

Respectfully submitted,

Erin Costa

Secretary