

Town of Ghent Planning Board

Meeting of 11/28/18

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 November 7th meeting minutes. Motion to approve the minutes as amended was made by Mr. Barufaldi, seconded by Mr. Young. All in favor, motion carried.

Public Hearings:

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.

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

Public Member, David and Sheila Zito approach the Board and state they did not receive notification of the Public Hearing except from a neighbor and ask to look at the maps. Mr. Zito asks how many acres the new parcel is and if it is buildable, Chairman French states it is a 3 acre minimum and it would be a buildable lot. Mr. Zito states their only concern is about the access on Barry Lane, they don't believe the property has access from there. Chairman French states the matter before the Board does not affect whatever access may or may not be granted via Berry Lane, but that the newly created lot has sufficient frontage on County Route 22.

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 the Minor Subdivision as it meets the Town Zoning Code and Master Plan, is made by Mr. Groom, seconded by Mr. Barufaldi, 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. The Board reviews the maps.

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

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

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

New Business:

Thibeault/Ravetch
–Application for Lot Line Adjustment
1629 & 1641 County Rte. 22, Ghent, NY
Tax Parcel ID# 75.-1-40.12/11

Member Evan Young recuses himself due to the fact he works for Crawford and Associates, who is representing the Applicant. Geoff Plass, the Land Surveyor representing the Applicant explains this is an adjustment of .385 acres that was already being maintained by Ravetch.

Motion to approve the Application of the Lot Line Adjustment and waive the Public Hearing and that it meets the Town Zoning Code and Master Plan and has minimal impact, is made by Mr. Machiz, seconded by Mr. Groom, all in favor motion carried.

Member Evan Young returns to the Board.

4C's Property Management, LLC
–Application for Site Plan Review
1840 Route 9H, Hudson, NY 12534
Tax Parcel ID# 73.-2-37.1

Pat Prendergast, the Engineer representing the Applicant states Lucas Coon the Land Owner is here as well. Mr. Prendergast states they are looking to add another storage facility and they won't be adding any lighting. Mr. Khosrova suggests the Application show the potential long term goal on the site plan as required under NYS Law under the SEQRA Review in order to avoid segmentation. Mr. Coons states that would be difficult to do because he has no idea how much would be needed or possibly scale back in the future. Mr. Young asks the Applicant about drainage for the lot, including the potential need for a SWPPP's permit because they have added buildings over time, not in a single, comprehensive plan. Chairman French requests the following from the Applicant: a drainage study, an indication of future development; a landscape plan for the front of the proposed building, on Old Post Road, as well as along the northern property border. Member Groom recommends leaving a larger swath of land on the 9H side to accommodate the screening landscape. Chairman French states Section 190-13EG1E of the Ghent Town Code says that buildings longer than 100ft need to look as though they are broken up into 2 or more buildings, and the new building will need to comply with Town Code. Mr. Prendergast states they will have that for the next meeting. Chairman French states the next meeting will be December 19th, 2018.

Richard Howland Jr.
–Application for Minor Subdivision
226 Old Post Rd, Ghent, NY 12075
Tax Parcel ID# 82.-1-16.11

Kirk Kneller, states he is representing the Applicant and gives the background of the property as farmland. Chairman French states the property has more than 30 acres which triggers the conservation subdivision. Mr. Khosrova states the Board needs to review Sections 156 and 157A-J adding the only way for the waiver is under B because it is agricultural land. Chairman French asks if it is in the Ag District, Mr. Kneller states it is. Mr. Khosrova states if the Board feels it is a Conservation Subdivision the Applicant would have to put it in writing, although legally he does not feel this triggers the Conservation Subdivision and a waiver would not be necessary. Mr. Simonsmeier states he agrees and gives an example of the way he interprets the Conservation Subdivision Law. Chairman French asks the Board for their consensus on a Conservation Subdivision waiver, Mr. Young states he doesn't feel the Conservation Subdivision Law applies to this application, Mr. Ocean votes to waive on the advice of counsel, Mr. Groom agrees this doesn't trigger a Conservation Subdivision and Mr. Machiz and Mr. Barufaldi state if counsel agrees they agree. Mr. Barufaldi asks why the proposed subdivision map presented by the applicant does not reflect the entire parcel to be subdivided. Mr. Kneller states only one side was surveyed. Mr. Barufaldi requests the Applicant provide a complete map to be considered for approval. A discussion ensues regarding whether this has historically been required, without definitive conclusion.

Motion to deem the Application complete, waive the Conservation Subdivision Law and schedule the Public Hearing for December 19th, 2018 is made by Mr. Groom, seconded by Mr. Ocean, majority in favor, motion carried, Mr. Barufaldi voted against, as the application is deemed incomplete without a fully surveyed map.

Justin Madsen
–Application for Site Plan Review
1972 State Rte. 203, Chatham, NY 12037
Tax Parcel ID# 65.-1-22

Justin Madsen, the Applicant states he is adding a shed addition on the back of the building to store sand and materials which will have a wall only on the side facing the neighbors. Mr. Barufaldi asks if it is 20' by 20', Mr. Madsen states that it is. Mr. Simonsmeier states this is a residential zone, but that it is a permitted commercial use. Mr. Barufaldi asks if it meets the set-back, Chairman French confirms it does and adds SEQRA is not needed. Mr. Madsen adds he is not adding any lighting or parking with the addition.

Motion to deem the Application complete and schedule the Public Hearing for December 19th, 2018 is made by Mr. Groom, seconded by Mr. Barufaldi, all in favor, motion carried.

Mark Cheffo/Liberty Farms
–Application for Site Plan Review
60 Ostrander Rd., Ghent, NY 12075
Tax Parcel ID# 92.-2-49

Pat Prendergast, the Engineer representing the Applicant states Mark Cheffo the Land Owner is here as well and they are proposing the use of a barn as a wedding venue. Mr. Machiz asks if the barn is existing, Mr. Prendergast states it is and is a stud barn. Mark Cheffo adds the property is agricultural and certified organic and there are two horse barns, one is for boarding and the other one is for the wedding venue and that he was unaware that a permit was needed for the use. Mr. Cheffo states there is no outdoor

lighting and sound is always off by 11pm. Mr. Khosrova questions if this is a Site Plan or should it be a Special Use Permit, Mr. Simonsmeier states under Section 190-21 of the Ghent Town Code it requires a Site Plan review as an accessory use to the farm, and as Zoning Enforcement Officer, it is his responsibility to determine the type of permit or review they are required to seek from the Board, which can then be Appealed by the Zoning Board of Appeals. The Board discusses further information it requires from the Applicant, such as; hours of operation, number of cars in parking area, map of overall property, number and frequency of events, a maximum number of people per event, lighting and noise and to return December 19th with a revised Site Plan.

Old Business:

Mr. Khosrova states the Board needs to finalize the recommendations for revisions to the Conservation Subdivision Law. Mr. Machiz states that the code performs two functions: First, handling cluster subdivisions, and second, addressing open land conservation, and whatever revisions we adopt should provide guidance in both areas.

Chairman French states the Planning Board Application Forms need to be reviewed and distributed to him for review.

Meeting adjourned at 9:45PM.

Respectfully submitted,

Erin Costa

Secretary