

Phillip Sexton, Planning Board Chair
Dale Warner, Town Planner
Melissa Deffer, Clerk
Terresa Bakner, Board Attorney



TOWN OF DUANESBURG
SCHENECTADY COUNTY

Jeffrey Schmitt, Vice Chairperson
Elizabeth Novak, Board Member
Martin Williams, Board Member
Thomas Rulison, Board Member
Michael Harris, Board Member
Joshua Houghton, Board Member

Town of Duanesburg
Planning Board Minutes
September 19, 2019
Final Copy

MEMBERS PRESENT: Phillip Sexton Chairman, Jeffery Schmitt Vice Chairman, Elizabeth Novak, Martin Williams, Joshua Houghton, Thomas Rulison and Michael Harris. Also attending Terresa Bakner Board Attorney, Dale Warner Town Planner, and Melissa Deffer Clerk.

INTRODUCTION: Chairman Phillip Sexton opened the meeting at 6:58pm. Phillip welcomed everyone to tonight's Planning Board meeting.

PLEDGE OF ALLEGIANCE:

OPEN FORUM: Chairman Sexton opened the forum and no member of the public spoke

Sexton/Schmitt made the motion to close the open forum at 7:00.
Sexton yes, Schmitt yes, Novak yes, Williams yes, Houghton yes, Rulison yes, Harris yes.
Approved.

Sexton/Williams made a motion to alter the agenda by moving the sketch review application of **#19-14 Linda Balfour, Emilie Cashdollar, Jeannette Coppolo, Louise Healey, and Claude Hebert** to the beginning of the agenda.
Sexton yes, Williams yes, Houghton yes, Rulison yes, Harris yes, Schmitt yes, Novak yes.
Approved.

SKETCH PLAN REVIEW:

#19-14 Linda Balfour, Emilie Cashdollar, Jeannette Coppolo, Louise Healey, and Claude Hebert: SBL#43.00-2-17.31 (R-2) located at 518 Hillman Rd is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. Emilie Cashdollar who lives on Skyline Drive gave her presentation to the board. Emilie informed

the board that there is 157 Acres that the family would like to subdivide into 4 lots. On the East side of Hillman Rd is approximately 86 acres that they would like to make into 2 parcels. One of the parcels will be 2.3 acres (lot 4) and the other will be 83 acres (lot 1). Lot 1 will have approximately 83 acre and have a pole barn which is already preexisting on the property. Lot 4 consisting of 2.3 acres has a preexisting house which is 518 Hillman Road. The West side of Hillman Rd they have approximately 68 acres that will be split into 2 parcels as well. Lot 3 will be 3.2 acres there are 2 buildings already on the parcel which are considered 243 and 247 Hillman Road. The residences on the North side of the property are interested in having approximately 2 acres merged with their adjacent property. Lot 2 will have approximately 53 acres. All 4 of the lots have frontage and meet the acreage requirements. Lot 1 will need an area variance for the pole barn that's behind lot 4. In all they are looking to create 4 lots and have 1 lot line adjustment.

PUBLIC HEARINGS:

None

New Business:

#19-13 Lucks Andrew: SBL#66.00-3-4.1, (H) located at 5456 Western Turnpike is seeking a Special Use Permit for a retail business under the Town of Duanesburg Zoning Ordinance adopted 6/11/15 under section 9.4.(15). Andrew Lucks gave his presentation to the board. Andrew is looking to relocate his business Outlander Survival from 6721 Duanesburg Rd to 5456 Western Turnpike. They will be in the same zone as they are in now. Andrew explained to the board how he will up grade the building with security, fix the parking lot and even reface the building eventually. Andrew is leasing for now from Bruce O'Day who will be going to have the property subdivided. Once the property is subdivided Andrew will be purchasing.

Novak/Schmitt made a motion based on the discussion of the Planning Board the action is a Type II action pursuant to SEQRA and exempt from further review.

Novak yes, Schmitt yes, Sexton yes, Harris yes, Rulison yes, Houghton yes, Williams yes.

Approved.

Novak/Sexton made a motion to hold a Public Hearing for the **Lucks Andrew:** SBL#66.00-3-4.1, application for the amendment of his Special Use Permit and to show improvements that will be made to the building on **October 17, 2019.**

Novak yes, Sexton yes, Harris yes, Rulison yes, Houghton yes, Williams yes, Schmitt yes.

Approved.

Old Business:

#19-09 Hoelzli, Andrew: SBL#53.00-1-19.1 (R-2) located at 9276 Western Turnpike is seeking a Minor subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. Andrew gave his presentation to the board explaining that the campers have been removed and the debris been mostly cleaned up and still in the process.

Sexton/Rulison made a motion to approve the minor subdivision of **#19-09 Hoelzli, Andrew**: SBL#53.00-1-19.1 (R-2) located at 9276 Western Turnpike conditioned upon the cleanup of the debris that was left from the campground site, along with receiving the mylar.

Sexton yes, Rulison yes, Williams yes, Novak yes, Schmitt yes, Harris yes, Houghton yes.
Approved.

#19-06 Miner, Bill: SBL# 68.00-2-25.4(C-2) located 2054 Western Turnpike is seeking a Minor subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance and Amendment to an Existing Special Use Permit to add additional storage Units. Eric has received the permit from Army Corp. DEC is still reviewing the application and has not yet issued a permit.

Williams/Novak made a motion to approve the Special Use Permit for additional storage units **#19-06 Miner, Bill**: SBL# 68.00-2-25.4(C-2) application contingent upon getting the DEC permit and using the existing access through the storage facility.

Williams yes, Novak yes, Schmitt yes, Sexton yes, Harris yes, Rulison yes, Houghton yes.
Approved.

#19-12 Murray, Richard/Eden Renewables: SBL# 74.00-2-5, (R-2) located 1206 Oak Hill Rd is seeking a Special Use Permit under Local Law # 1-2016 of the Town of Duanesburg Zoning Ordinance. Doug Cole from Prime AD Group of New York introduced himself and explained that he has been working on this project for over a year now as the Town Planning Board's designated engineer for this project and he reviewed the glare study and it met all the requirements of the Local Law. Doug also reviewed the decommissioning study and in his professional judgement the decommissioning study satisfies the requirements of the solar law and is reasonable in the amount of money. In addition, Doug reviewed the Stormwater Pollution Prevention Plan to ensure it met all DEC requirements.

Esperance Volunteer Fire Chief Mr. Deffer responded and reconfirmed that the access driveway is okay to use. The Vacant house that Richard Murray owns that is on the property will be taken down, but the barn and silo will be staying that's a crossed the road. Construction working hours will be from 7am to 5 pm. For evergreen visual screening the board would like:

1. Trees will be planted 20 feet on center staggered.
2. A mix of Spruce and Fir.
3. A targeted height of roughly about 6-8 feet.
4. 1600 feet to the end of the property line long.

A maintenance agreement if the trees die, they must replace them.

The Planning board re-reviewed the Negative Declaration with a few additions offered by Elizabeth Novak and a draft copy of the resolution re-affirming and re-approving the negative declaration and the Project was read aloud for the record and was revised by the

Town Planning Board as shown in the attached final resolution which has been filed in the Town Clerk's Office.

The resolution was moved by Sexton and seconded by Harris and Sexton yes, Harris yes, Houghton yes, Williams yes, Novak yes, Schmitt yes, Rulison yes. **APPROVED**

MINUTES APPROVAL:

Harris/Houghton made the motion to approve the August 15th, 2019 Planning Board minutes with one minor correction.

Harris yes, Houghton yes, Williams yes, Novak abstained, Schmitt yes, Sexton abstained, Rulison abstained. **APPROVED.**

Sexton/Harris made a motion to go into **executive session to seek advice of counsel in connection with potential litigation associated with a subdivision approved back in 1999.**

Sexton yes, Harris yes, Rulison yes, Houghton yes, Williams yes, Novak yes, Schmitt yes. **Approved.**

Sexton/Harris made a motion to come out of **executive session.**

Sexton yes, Harris yes, Rulison yes, Houghton yes, Williams yes, Novak yes, Schmitt yes. **Approved. NO ACTION WAS TAKEN BY THE BOARD DURING OR AFTER the EXECUTIVE Session.**

ADJOURNMENT:

Harris/Novak made the motion **to adjourn at 9:46pm.**

Harris yes, Novak yes, Schmitt yes, Sexton yes, Rulison yes, Houghton yes, Williams yes. **APPROVED.**