Town of Ghent Planning Board

Meeting of 2/5/20

Chairman French, Member Barufaldi, Member Machiz, Member Groom, Member Stoner, Member Ocean, Member Lazar and Attorney Mitchell Khosrova.

Called to order 7:00PM by Chairman French.

Chairman French introduces New Planning Board Member Stephanie Lazar and welcomes her to the Board.

Member Stoner and Attorney Mitch Khosrova recuse themselves as parties involved in the Application.

New Business:

Marian Dunbar
–Application for a Lot Line Adjustment
1347 County Rte. 22, Ghent, NY 12075
Tax Parcel ID# 74.-1-45.1

Dan Russell, the Land Surveyor representing the Applicant explains the maps, they are merging 4.23 acres between Streeter and Stoner and no new parcels will be created. Chairman French states all setbacks are met, and that the Application is signed by Marion Dunbar and needs to be signed by a Trustee or Mr. Russell, who has been authorized by a trustee in a separate document, Mr. Russell signs the application. Mr. Ocean asks how far the leach field is from the property line, Mr. Russell states approximately 40ft, but records are not clear. Mr. Russell further states the water from the house serves everything on the remaining parcel, and the pole barn on the transferred parcel has no water or electric. Chairman French states this is a Type II action for SEQRA and there is no new development.

Motion to waive the Public Hearing, as the line adjustment does not have any material impact on neighboring plots or the community, was made by Mr. Barufaldi, seconded by Mr. Groom, all in favor, motion carried.

Motion to approve the Application for a Lot Line Adjustment as it meets the Town Zoning Code and Master Plan, is made by Mr. Machiz, seconded by Mr. Barufaldi, all in favor motion carried.

Member Stoner and Attorney Mitch Khosrova return to the Board.

Board reviewed the January 8th meeting minutes. Motion to approve the minutes as amended was made by Mr. Machiz, seconded by Mr. Barufaldi, motion carried. Member Ocean and Lazar Abstain.

Old Business:

ELP Ghent Solar LLC
–Application for Special Use Permit
Route 66, Ghent, NY 12075
Tax Parcel ID# 101.-1-4

Ms. DeWolf presents the Board with the final decommissioning plan, Mr. Khosrova states the issue has been resolved, Mr. Barufaldi requests tightening language in Decommissioning Plan regarding the triggering event, which currently states facility will not be decommissioned if it produces and unspecified amount of electricity. After discussion, it is agreed the Decommissioning Plan will be amended to state if the site is not producing at least 50% of capacity for a period of 12 months it is considered non-operational, Ms. DeWolf states she will correct that. Chairman French states they have a
resolution and the Board reads through. Mr. Groom suggests tying the resolution to a specific set of plans, Mr. Khosrova states all documents are part of the record, the final set of plans are dated August and Revised November 26th, 2019.

Motion to approve the Resolution as written was made by Mr. Ocean, seconded by Mr. Barufaldi, all in favor motion carried.

Public Hearing:

Pin Oak, LLC
-Application for a Minor Subdivision
Connacher Rd., Ghent, NY 12075
Tax Parcel ID# 83-3-1.111

Mr. Kneller presents the Board with the maps and driveway approval letters, Mr. Matuzeck states the pin letter was turned in as well. Chairman French states that, based on survey submitted by the applicant’s professional, the Town ownership of the road ends where the pins are and Garee Coons has access to his property through the accessway by way of an easement which the two parties have agreed to solidify. Mr. Machiz asks if anyone is currently using the accessway, Mr. Matuzeck states there is a chain there (where the accessway heads up into the woods) and can only be accessed by foot now. Member Lazar asks about the state of the driveway, Mr. Kneller states it is shale stone.

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

Public Member Loraine Rizzi states she is at 104 Connacher Road and presents the Board with hand drawn maps from 1999 indicating proposed subdivisions, and states the 40ft of road shown on Mr. Matuzeck’s survey is not a Town Road and the Town does not maintain it. She further states the original development plan listed the Applicant’s driveway as the future site of a road to become a Town road. Chairman French states the properties she is referring to from 1999 map both have the required road frontage on Connacher Road, and the Board must consider the current survey done by a professional licensed surveyor, in the absence of any credible rebuttal information. Mr. Matuzeck adds that he has an email from Ben Perry, the Highway Superintendent explaining where the road ends, which corroborates his survey findings. Public Member Scott Townsend states his mother is at Lot 32 and presents a letter from his architectural firm stating the driveway is in a bad location and would like to reconfigure it at some point, and believed the 1999 development was to have extended the Town road along his property line and would have permitted him to reconfigure the driveway to enter the Town road further down. The survey of Mr. Matuzeck indicates where he would like to move the driveway would put him entering/exiting onto Applicant’s driveway. Chairman French and Attorney Khosrova inform Mr. Townsend that the Board cannot involve itself in whether one private party grants access to another. Mr. Townsend is also concerned the survey pins used by Mr. Matuzeck are misplaced and are on his property. Mr. Khosrova explains that the Planning Board is not allowed to use private covenants as part of their considerations and the Board could continue the public hearing if another surveyor were to dispute this one. Ms. Rizzi asks if she can enter in another picture of the ditch and the run-off, Chairman French states that run off and issues associated with maintaining existing Town road needs to be addressed with the Highway Department, all the Board can do is assure the drainage is not made worse.
Motion to close the Public Hearing was made by Mr. Barufaldi, seconded by Mr. Groom, all in favor, motion carried.

Mr. Machiz suggested that the survey be revised to clarify that the driveway encs at the Town road before final stamping, Chairman French adds a copy of the final easement with Garee Coons be added to the record.

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

Motion to approve the Application for Minor Subdivision contingent on: 1)Driveway access for Garee Coons is solidified by way of easement on the newly formed lot of Applicant, to be reviewed by Attorney Khosrova, 2) A driveway maintenance agreement between Applicant and Mr. Coon is submitted to the Board, and 3) the Survey is amended to indicate the precise end of Connacher Road: and that it meets the Town Zoning Code and Master Plan was made by Mr. Barufaldi, seconded by Ms. Lazar, all in favor motion carried.

Old Business:

OMI International
Application for Special Use Permit
1405 County Rte. 22, Ghent NY 12075
Tax Parcel ID# 74-1-24.122

Chairman French states they have the traffic study and the Long EAF Form. Mr. Prendergast introduces Ken Creighton the traffic engineer, Mr. Creighton explains how the study was conducted. Mr. Barufaldi asks if the 85 percentile number used for sight distance is the average industry speeds used for sight distances, Mr. Creighton states it is. Mr. Barufaldi confirms the traffic impact is minimal, Mr. Creighton states it is. Ms. Stoner asks if 60% of traffic arrives East by Letter S Road, Mr. Creighton states it is when calculated by GPS routes. Mr. Creighton acknowledges this may exaggerate the number, as people who know the area may not use that route. Mr. Machiz asks if he has seen the narrative for the expansion center and Ms. Adams states it is the same as the Board has. Ms. Lazar asks about overflow parking, Ms. Adams states it is in the field to the east of the barn located at the corner of Letter S Road and County Route 22. Mr. Ocean asks if they have a maximum for cars on site, Mr. Creighton states they do not since the lot is not lined, Mr. Prendergast states it is 136 spots and there is a chart on the maps.

Chairman French states that the Town Engineer has reviewed the traffic study and sent a letter. Mr. Jurkowski states he agrees with the information provided and adds that it is important to look at the different types of events and number of participants. Mr. Jurkowski adds that he also reviewed the Long SEQRA and SWPPP permit and is fine with it. Mr. Barufaldi asks about excavation on page two of the EAF, Mr. Prendergast states they will dig out for the foundation and a little grading for the storm water beds. Mr. Barufaldi asks about 5C and the new demand for water, Mr. Prendergast states it is for a total of 400gal per day. Mr. Barufaldi asks about lighting, Mr. Prendergast states they are adding bollard lights that are low and next to the ground. Mr. Barufaldi asks about letter P for the source of heat, Mr. Prendergast states it will be geothermal heat.

Motion to determine the application complete and schedule the Public Hearing for March 4, 2020 was made by Mr. Barufaldi, seconded by Mr. Groom, all in favor motion carried.

Kera Zincio
Application for Special Use Permit
1959 Rte. 9H, Ghent NY 12075
Tax Parcel ID# 73.-1-91

Mr. Khosrova reviews the Boards requests from the last meeting, Chairman French states it has been reviewed, reads through the narrative and adds that 78 dogs are the maximum and the barking ranges from 80-90 decibels and they will be reducing it to 40. Mr. Barufaldi adds the lighting for the signage needs to be added to the signage page. Mr. Keefe adds that they are replacing a sign that is already there with one the same size. Mr. Barufaldi asks about the dogs outside, Ms. Zincio states it will only be 5-10 (with a maximum of 10 outside at any time) at a time throughout the day, Mr. Barufaldi asks to add that to the narrative. Ms. Lazar asks if a noise threshold can be set for requiring the addition of acoustical panels, Ms. Zincio states they can be added if determined needed where the dogs are housed. Chairman French states the Board can establish that with the approval, Ms. Zincio states they won’t be any louder than traffic on a normal day. Mr. Khosrova states they have had sound experts that can come and analyze sound for residential zones, Mr. Barufaldi adds they are also out by the road. Mr. Machiz asks to show the lighting for the sign and how it is fixed to the sign as well as Dark Sky compliant.

Motion to determine the application complete and schedule the Public Hearing for March 4, 2020 contingent on the revised narrative with the dogs outside and sign lighting was made by Mr. Barufaldi, seconded by Mr. Ocean, all in favor motion carried.

Meeting adjourned at 9:48PM.

Respectfully submitted,

Erin Reis
Secretary