

Town of Ghent Planning Board

Meeting of 3/4/20

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

Called to order 7:00PM by Chairman French.

Board reviewed the February 5<sup>th</sup> meeting minutes. Motion to approve the minutes as amended was made by Mr. Barufaldi, seconded by Ms. Lazar, motion carried.

**New Business:**

Member Lazar recuses herself.

Bruce & Carolyn Blake  
–Application for a Lot Line Adjustment  
411 Ostrander Rd., Ghent, NY 12075  
Tax Parcel ID# 102.-1-13

Dan Russell, the Land Surveyor representing the Applicant explains the maps, stating this is for access to a field and they are not creating any new lots or buildings. Mr. Russell states they are taking 16 acres and merging it to the 70 acre parcel. Mr. Barufaldi asks about the farm lane, Mr. Russell states only 4-wheelers are able to access it. Chairman French states this is a Type II Action and SEQRA is not necessary.

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

Motion to approve the Application for a Lot Line Adjustment, contingent on the Letter of Authorization for Blake is signed, is made by Mr. Barufaldi, seconded by Ms. Stoner, all in favor motion carried.

Member Lazar returns to the Board.

Adam & Hannah Martin  
–Application for a Modified Site Plan Review  
300 County Route 9, Ghent, NY 12075  
Tax Parcel ID# 102.-1-30.1

Chairman French explains a Modified Site Plan and this is the first of this type of application and it is for a farm market to sell vegetables. Adam Martin states it will be a pre-fab shed with wooden floors. Mr. Machiz asks if it will be for shopping purposes, Mr. Martin states it will be. Mr. Barufaldi asks if it will have water or power, Mr. Martin states not at this time. Ms. Stoner asks when during the year would it be open, Mr. Martin states it wouldn't be before Easter or after Thanksgiving and they currently operate with a picnic table and want to move to a shed. Chairman French suggests getting approval for year round so they don't have to come back to the Board, Mr. Martin agrees and adds hours dusk to dawn so lights won't be needed. Chairman French states if they decide to add lights they will have to come back. Mr. Machiz asks about the signage, Mr. Martin states they don't have a plan for that yet, but was advised that if an applicant does want a sign, the sign should be shown on a revised site plan. Also discussed was a concern about a "blind spot". Ms. Stoner asks what they sell, Mr. Martin states beef, eggs, fruits and vegetables. Mr. Barufaldi requests they add No Illumination, 12 months of the year, no water or plumbing and they produce 90% of the products sold to the narrative.

Motion to determine the Application complete subject to timely receiving a new narrative and schedule the Public Hearing for April 1<sup>st</sup> was made by Mr. Groom, seconded by Ms. Stoner, all in favor motion carried. A referral must be made to the County Planning Board since it is located on County Route 9.

LCK Charm LLC  
–Application for a Major Subdivision  
132 Letter S Rd., Ghent, NY 12075  
Tax Parcel ID# 74.-1-2

Cindy Elliott, the Land Surveyor representing the property owner explains the maps and why it is a Major Subdivision instead of a Minor Subdivision and Lot 1 may be subdivided again at a later date. Ms. Elliott states the parcel was actually split in two and because of that they are making 5 parcels instead of 4, they are taking the 28 acre portion and splitting into four parcels and there are currently 2 dwellings there. Ms. Elliott adds that lots 4 and 5 each have 60ft of road frontage, the house sites are outside the 100ft buffer from the wetlands and they are willing to add a note that no new lots will be created on the 28 acre parcel. Mr. Groom asks what the wetland percentage is, Ms. Elliott states around 20% but will get the exact percentage. Chairman French states they need to look at the conservation subdivision and need to know how many more lots may come later, Ms. Elliott states three more, but probably not for 4/5 years. Mr. Barufaldi states to waive the conservation subdivision the Board needs to understand the future subdivisions, Mr. Khosrova states it is also important for SEQRA.

Motion to determine the Application complete and schedule the Public Hearing for April 1<sup>st</sup> was made by Mr. Barufaldi, contingent on the maps noting the Conservation Subdivision; that subdivision is being made for seven lots that will be shown on revised map and the wetlands calculation, seconded by Ms. Stoner, all in favor motion carried. Mr. Khosrova clarifies the applicant is aware that a Conservation Subdivision may be necessary.

Mark Cheffo  
–Application for a Special Use Permit  
60 Ostrander Rd., Ghent, NY 12075  
Tax Parcel ID# 92.-2-49

Chairman French begins by stating this application will need a Multi-Board review by the Zoning and Planning Boards. Mr. Khosrova states there are two applications for a Special Use Permit and a Variance for set-backs for an event venue and for the SEQRA review the Planning Board should request lead agency and the Zoning Board can join. Chairman French states the Board would like to see a narrative. Pat Prendergast, the Engineer representing the Applicants introduces Bev Cheffo, the Land owner and Bill Wallace, the Architect. Mr. Prendergast explains the areal maps which show they have close to 300 acres and Ms. Cheffo adds that she believed that the wedding venue had been in operation legally for three years under a permit from Walt. Chairman French states that no enforcement action taken indicated there was no enforcement because the applicant had an application before the Board, and the applicant would come before the Board after the Code was amended. (Code Enforcement Officer Keefe confirmed a permit had not been issued as no code existed at the time for a wedding venue) Mr. Prendergast adds by the Town Code they are only regulated to have 30-40 parking spots and they have 75, they already have a well and septic and the variance is needed because they have 27 events per year the building needs to be 1,500ft from the property line. Ms. Lazar asks how many events they have per year, Mr. Prendergast states they had 27 last year. Ms. Cheffo states they have 23 events booked for this year. Chairman French states the Board will need them to put together a narrative with everything

that is listed in the Towns Local Law and include hours of operation, lighting, etc... Mr. Khosrova suggests adding the noise mitigation that the applicant states is already in use as well. Mr. Machiz adds to include the whole parcel on the maps and any adjoining parcels they own. Mr. Khosrova states they should also locate all houses within the 1,500ft set-back and identify all neighbors (after discussion it was agreed that 10 neighbors exist within 1500 foot setback) or interested parties and that applicant request letters from each neighbor approving their application since this would be very important factor for planning board to consider. Chairman French adds that the Board will need this information prior to the next meeting.

Motion to request the Planning Board as lead agency from the Zoning Board was made by Mr. Barufaldi, seconded by Ms. Stoner, all in favor, motion carried.

**Public Hearing:**

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

Chairman French states the Board had requested a revised narrative and lighting and it had been received.

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

Chairman French asks if there is any comments from the Public – No response.

Motion to close the Public Hearing was made by Ms. Stoner, seconded by Mr. Barufaldi, all in favor motion carried.

Ms. Stoner asks how big is the outdoor area the dogs will use, Ms. Zincio states it is 1.1 acres. Chairman French asks how many overnight attendees will there be, Ms. Zincio states she has one staff member per 15 dogs but most likely it will be one overnight unless there is more than 15 dogs. Mr. Groom states he is satisfied with the sound mitigation with the close proximity to 9H, Mr. Barufaldi asks about the criteria for a sound complaint and Mr. Khosrova states that is the reason for the Public Hearing. Mr. Machiz adds the sign lights should be as close to the sign as possible.

Chairman French reads through SEQRA, the Board declares a negative declaration.

Motion to approve the with the light that is highlighted in the application be used and the narrative incorporated and that it meets the Town Zoning Code was made by Mr. Groom, seconded by Mr. Barufaldi, all in favor motion carried.

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

Mr. Prendergast gives a brief explanation of the application to the Public, Chairman French suggests giving the information from the traffic study, Ken Worstead, the Traffic Engineer explains the information and how it was gathered.

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

Chairman French states that each person will have a limit of 3 minutes to speak. Public Member Streeter asks what the Board is evaluating for the permit, Chairman French states it is all parcels that are involved, events and they have a narrative as part of the Application. Ms. Adams explains each parcel and the use. Public Member Nancy Ramp states she is concerned about adding more events and they have seen extra traffic since the start and would encourage a limit on events. Public Member Doug Godley states he is concerned about lights at night and the use of the building on Letter S Road. Public Member Dan Bozik suggests a limit on the number of cars per event, Mr. Barufaldi states they have included a table with the parking areas and numbers. Public Member Jackie Dunbar asks how the number of events would be monitored and Cindy Bozik asks what the number of events are per year. Public Member Steven Himmel asks about the access road, Chairman French states it is only for deliveries not for visitors. Public Member Melinda Mackioli states the camp and kids programs have been wonderful for the kids, Chairman French states the Board has received numerous emails in support of Art OMI which have been entered into the record. Public Member Kathy Allen states she is concerned about the growth of the program and traffic. Public Member Loraine Rizzi states she feels it is a positive part of the community but is concerned about the traffic and safety of the pedestrians. Public Member Loren Lundy states she has lived here since the 90's and has never walked on CR22. Public Member Malory Mort states he believes traffic has increased county-wide in general over the years and it's not just from Art OMI. Public Member Lew Streeter asks how the traffic study was done, Mr. Worstead explains the study. Chairman French adds that the Board also had Ray Jurkowski review the traffic study and give input as well. Public Member Peter Coan states it has been a great positive impact to the community. Ms. Bozik asks if the Board could review illuminated art work, Ms. Adams states it is only lit from 9am-5pm. Mr. Groom states he feels the public may not have had sufficient access to the information from Art OMI, and suggests it may be prudent to keep the public hearing open. Chairman French suggests keeping the Public Hearing open till April.

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

Mr. Barufaldi suggests figuring out how many cars travel CR22 vs how many enter Art OMI. Mr. Khosrova states the modification of the Special Use Permit needs to be explained to the public and the Board needs a maximum of intended events and how many people visit and when to be used as a baseline for the permit as well as for consideration for SEQRA review.

Meeting adjourned at 10:06PM.

Respectfully submitted,

Erin Reis

Secretary