

## TOWN OF COEYMANS PLANNING/ZONING BOARD MEETING

April 13, 2020

### Attendees

Members Present: Mr. Schmitt, Mr. Collins, Ms. Hopkins, Mr. Gonzalez, Mr. Harris  
Ms. Kunz, Mr. Nolan, Ms. Tutay (alternate)

Members Absent:

Also Present: Mr. Cashin; Mr. Brick; Ms. Ziegler

Public Present: Nick Laraway; Dave Ingalls

### Call to Order/Pledge of Allegiance

Due to the COVID-19 pandemic this meeting was a virtual meeting. Meeting was called to order by Mr. Schmitt at 7:00 p.m. There was a quorum – full board present. Mr. Schmitt led the Pledge of Allegiance. Reading of the public notices was waived.

### Approval of Minutes

Mr. Schmitt made motion to approve the minutes of March 9, 2020; seconded by Ms. Kunz; all in favor.

Report of the Building Inspector – None

### Public Hearing

**Coeymans Recycling Center:** (Site Plan Review) Warehouse Storage Buildings, Coeymans Industrial Park, Tax Map #156-4-6.11, 156-4-5, 156-4-6.15, and 156-4-6.171

Mr. Schmitt explained that there had been an issue with getting the public hearing for March 9, 2020 noticed in the paper; notice had been posted in various locations. The public hearing was opened at the March 9, 2020 and was kept open. A phone number had been provided on the Town of Coeymans website for anyone who wanted to make a public comment related to tonight's public hearing.

Mr. Nick Laraway and Mr. Ingalls were present. Applicant wants to build four new buildings: (1) former Baroni site, 160x550 for storage; (2) Giamundo parcel, 400x450 for salt storage; (3) 500x500 for salt storage; and (4) 250x400 building. Discussion was held.

Ms. Kunz asked if the applicant had completed and provided a copy of the site plan checklist. Mr. Ingalls indicated that the checklist had been completed and was supplied to the Building Department. Mr. Cashin confirmed receipt of the list.

The application had been sent to the Albany County Planning Board for their review prior to their scheduled meeting. ACPB then cancelled their meeting due to COVID-19. Mr. Cashin reached out to ACPB to see what they were going to do – they responded that they needed some additional information which Mr. Ingalls provided. ACPB contacted Mr. Cashin and told him that 24 hours wasn't enough time; ACPB removed the application from their meeting agenda.

No one from the public was present at the last meeting and no one called in with any input tonight. Mr. Schmitt made motion to close the public hearing; seconded by Mr. Collins; all in favor.

Further discussion was held which included: General Municipal Law (239M, Subsection B) – ACPB had 30 days to review the application; overriding ACPB's recommendation by supermajority; what does the Planning/Zoning Board have to do to move forward; Board has to consider the applicant and the application and has to decide if it is necessary to delay the application because ACPB took it off their agenda or does the board wait on ACPB's recommendation. Mr. Schmitt felt that it is unfair to the Town of Coeymans and the applicant for the ACPB to remove the application from their agenda and provide no reason why.

Mr. Schmitt made motion that the Board utilize the law and move forward without the recommendation/decision of ACPB; seconded by Mr. Nolan; all in favor.

SEQRA form and process were discussed. Mr. Nolan made motion for negative declaration pursuant to SEQRA; seconded by Mr. Collins; all in favor.

Mr. Schmitt made motion to approve the site plan for CRC for warehouse storage; Mr. Gonzalez seconded the motion; all were in favor.

## Site Plan Review

**TenEyck B. Powell III, 20-002 SPR:** An application for a site plan review regarding Powell Solar located at 87 Bronk Road, Selkirk, New York, Tax Map #156.-3-1.1

Applicant was not present for this initial meeting. A representative from the Solar Company was holding on the telephone in case Board members had questions. Mr. Cashin provided information: solar display will be located on each side of River Road; property is 224 acres, actual coverage will be 44.5 acres. The Board had no questions for the representative. Mr. Schmitt read the project overview.

Mr. Schmitt made motion to declare Planning/Zoning Board the lead agency re SEQRA process; seconded by Mr. Harris; all in favor. Mr. Collins commented that the Town has a hold on solar projects. Clarification was provided – there is a proposed law pending, no final decision has been yet, public hearing to be held. Mr. Collins also commented that owner of adjacent property was listed as Atlantic Cement instead of current company name. The application will be on agenda for meeting scheduled on April 22, 2020.

## Special Use Permit

**Victor Liotta 20-001 SUP:** Construction of a berm located at 1616 River Road, Tax Map #145-1-5.1, Zoning Chapter 165-10<sup>®</sup> Excavations

Applicant was not present. Mr. Cashin explained that applicant wants to construct a berm 20' wide, 15' high, 220' long on the property line of LaCosta and also hook around the front of Liotta's property; there are no services (water, electric) on the property; Mr. Ingalls put together the plan. Discussion was held, including: what is the final use of the property; this application is only for a berm and has nothing to do with the previous application he had submitted for material storage (which is on hold); what is the reason for the berm; answers are needed – cannot proceed without Mr. Liotta being present to answer questions. Mr. Gonzalez noted that the application is not signed. It was Mr. Cashin's intention to have it signed by applicant at tonight's meeting.

Application was tabled until next meeting (4/22). Mr. Cashin will contact applicant and request he appear before the Board.

## Subdivision

**Joan Mahoney 20-001 SD:** An application for a major subdivision on property owned by her located on Copeland Hill Road, Coeymans Hollow, Tax Map #130-2-20. The 93.60 acre parcel is to be subdivided into five lots: Lot A to be 2.00 plus or minus acres; Lot B to be 2.04 plus or minus acres; Lot C to be 2.45 plus or minus acres; Lot D to be 3.37 plus or minus acres. Remaining lands to be 83.74 plus or minus acres.

Applicant was not present - is not ready to proceed.

**Leslie and Jacqueline Morse 20-002 SD:** An application for a minor subdivision on property owned by them located on Tompkins and Star Road, Ravena, Tax Map #155.-1-25.1. The 96.80 acre parcel is to be subdivided into two lots: Lot #1 to be 2.00 plus or minus acres; remaining lands to be 94.80 plus or minus acres

Applicants were not present. Mr. Cashin has letter on file allowing him to speak on their behalf. Mr. Cashin explained that the applicant wants the two acre parcel for a family member to build a house on; application is pretty straightforward – he doesn't see any problems with it.

Discussion included:

- Mr. Hite is the surveyor – a map had been provided; entire acreage is vacant;
- Some clearing has been done;
- 239 was sent to Albany County Planning Board for review at their April 16 meeting; should have a response back by our April 22 meeting;
- They were given a 911 address so they can get some utilities; there is some urgency because a modular home had to be ordered;
- Meets the 80,000 square feet requirement for a subdivision;
- There is a driveway – won't be shared, it's on its own parcel.

Mr. Nolan made motion to declare this a minor subdivision based upon our zoning code and the fact that it is two lot subdivision; seconded by Mr. Collins; all in favor.

Mr. Schmitt made motion to declare the Planning/Zoning Board as lead agency under SEQRA; seconded by Mr. Gonzalez; all in favor.

Discussion was held on doing a site review before scheduling a public hearing. In light of COVID-19, a site review will not be necessary.

Mr. Schmitt made motion that the Board deem this application as complete and to schedule public hearing for May 11, 2020; seconded by Mr. Collins; all in favor.

**Zata Palange 20-003 SD:** Sketch plan for a subdivision located at 508 Biers Road, Tax Map #131-3-5.21

Applicant was not present. Mr. Cashin was authorized to act on her behalf. Mr. Cashin explained that a map had been prepared by Mr. Hite. Applicant wants to do a three lot subdivision: one lot to be 9 plus or minus acres, one to be 7.6 plus or minus acres, remaining lot to be 156.1 plus or minus acres. Discussion included: there is a house and small barn on the 9 acres; there is a garage on the 7.6 acres; move forward with next meeting and have applicant finalize the plans.

Mr. Schmitt made motion to declare this a minor subdivision (three lots); seconded by Mr. Collins; all in favor.

Mr. Schmitt made motion to declare Planning/Zoning Board as lead agency; seconded by Ms. Kunz; all in favor.

Mr. Cashin will contact Mrs. Palange to inform her she can finalize her plans and to appear at the next meeting.

#### Adjournment

Mr. Schmitt thanked everyone for appearing remotely and thanks all who had a part in setting it up. Mr. Schmitt made motion to adjourn; seconded by Mr. Nolan; all in favor.