

## TOWN OF COEYMANS PLANNING/ZONING BOARD MEETING

April 22, 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: Mr. Liotta

### 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 April 13, 2020; seconded by Ms. Kunz; all in favor.

### Report of the Building Inspector – None

### 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 165-10R - Excavations

Applicant was present. Mr. Liotta wants to construct a berm 20' wide, 15' high and 220] foot long on the property line of LaCosta. Applicant had started working on the berm without applying for a Special Use Permit. Mr. Cashin issued Mr. Liotta a cease and desist order. Lengthy discussion was held. The discussion included:

- Mr. Liotta had previously come before the Planning Board in 2018 to discuss an application for a Special Use Permit to store trucks, building products, stone, soil and sand. Application was not finalized.
- Dumping had been done on the property before Mr. Liotta purchased it. He has been trying to clean it up, starting from the front of the property and working his way to the back.
- Stone driveway has been installed to allow access to the property.
- Berm will consist of pure topsoil mixed with compost and will be seeded. Applicant sent Mr. Cashin information on the soil testing.
- Applicant wants to construct the berm because his neighbor was concerned about seeing the Thruway.
- When asked about his future plans for the property applicant responded that he may want to build a house on the property but he is not moving forward with any future plans other than to continue cleaning up the property. He wants to install the berm and then before he moves forward he would meet with the Board again.
- Applicant is not looking for a change in use right now. Cleaning up the property and removing demolition has taken him two years.
- Chapter 165.10R (excavations) was discussed; grade change more than two feet requires a Special Use Permit. Applicant stated he is not doing excavation. Applicant has the right to appeal Mr. Cashin's cease and desist order. Site plan review would be required and SEQRA process would have to be done for the Special Use Permit.
- Two options: Does applicant want to appeal Mr. Cashin's determination or does he want to proceed with the Special Use Permit for the berm. Applicant said he does not want to fight with the Board; wants to give Mr. Cashin what he needs to move forward with the Special Use Permit process for the berm. Mr. Cashin lifted the stop work order for the berm only; applicant can continue to clean up the property.
- Next steps: Public hearing will have to be held; 239 to be sent to Albany County Planning Board.

Mr. Schmitt made motion to declare Planning/Zoning Board lead agency under SEQRA; Mr. Cashing to contact NYS Thruway Authority and DEC to advise them and to give them 30 day timeline to provide their input or indicate they want lead agency status; seconded by Mr. Gonzalez; all in favor. Public hearing will be held on May 27, 2020.

#### Site Plan Review

**TenEyck B. Powell III - Summit Ridge Energy 20-002 SPR:** An application for a site plan review regarding Powell Solar located at 87 Bronk Road, Selkirk, Tax Map #156.3-1.1

Applicant was not present. He has submitted the Site Plan Checklist; no map available yet. The Town Board has scheduled a public hearing tomorrow night re solar moratorium. Discussion was held and included:

- the option of independent reviews: applicants retain independent attorney and independent engineering firm and the funds are deposited into an escrow account; two quotes were obtained by Mr. Cashin: \$8000 engineering firm and \$2400 attorney.
- Mr. Cashin to get drawings for the board to review.
- Would need to notify NYS Thruway and DOT re Town as lead agency
- Wait to see what happens at the Town Board meeting re moratorium.

### 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. A finalized map has been provided for review. Discussion was held, including:

- Mr. Cashin had done some overlays – did not see any wetlands or flood zones.
- Shared driveway: would be better if each parcel had its own driveway. Could go back to the applicants and ask them to talk to surveyor and Albany County DPW to determine driveway for each parcel or have them create a road maintenance agreement now rather than after the subdivision.
- Fire company should look at the shared driveway
- Not ready for a public hearing yet – need to explore independent driveways, road management agreement and input from Fire Company
- Site review
- Independent attorney and engineering firm review: speak to applicant first then obtain estimates

Mr. Cashin will reach out to applicant and application will be placed on agenda for May 11 meeting.

**Dylan and Kara Proper 20-004 SD:** An application for a minor subdivision on property owned by them located on Joanna Circle, Coeymans Hollow, Tax Map #141-2-14.3. The 1.90 plus or minus acres will be subdivided into two parcels: Parcel A to be 0.745 plus or minus acres and will be merged with Tax Map 141-2-24.2 (lands of Mahaffey); Parcel B to be 0.745 acres and will be merged with Tax Map #141-2-14.2 (Proper's "Jacob Lane" property) totaling acreage to be 5.72 plus or minus acres.

Applicants were not present. Map was presented for review. Mr. Cashin explained that they are moving a lot line – it is treated as a subdivision. Parcel A and B are one piece now; if merged it will fit the requirements of the Town of Coeymans. They are giving some property to Mahaffrey to enlarge his side yard.

Mr. Schmitt made motion to declare Planning/Zoning Board lead agency under SEQRE; seconded by Mr. Harris; all in favor.

Mr. Schmitt made motion that this is a minor subdivision; seconded by Mr. Harris; all in favor.

#### Adjournment

Mr. Schmitt made motion to adjourn; seconded by Mrs. Kunz; all in favor.