

**MINUTES BOOK\*\*TOWN OF COEYMANS  
May 28, 2020 – Public Hearings – 6:00pm & 6:30pm**

**Two Public Hearings were held Thursday, May 28<sup>th</sup>, 2020 at 6:00pm & 6:30pm at Town Hall, 18 Russell Avenue, Ravena, New York**

**PRESENT:** George D. McHugh, Supervisor  
Daniel D. Baker, Councilman  
Kenneth C. Burns, Councilman  
Zachary S. Collins, Councilman  
Brandon L. LeFevre, Councilman

**ALSO PRESENT:** Cindy L. Rowzee, Town Clerk

**PRESENT BY CONFERENCE CALL:**  
James Peluso, Attorney to the Town

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Supervisor McHugh opened the meeting at approximately 6:20pm and led the Pledge of Allegiance. He stated that a full board was present. He apologized for the delay and stated that it was due to technical difficulties.

Supervisor McHugh stated that there would be two public hearings that evening, one on the Monroe Analysis of placing a building on the Highway Garage property and the other on Proposed Local Law #4, the Solar Law. He stated that people would be able to call in to the meeting at Town Hall in order to comment. He then asked Town Clerk Rowzee to read the Notice of Public Hearing for the Monroe Analysis.

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**NOTICE  
OF  
PUBLIC HEARING  
MONROE ANALYSIS OF STORAGE STRUCTURE**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans will hold a Public Hearing on May 28, 2020 beginning at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, NY concerning a Monroe Analysis to prove governmental immunity from specific zoning laws in the case of a storage structure being placed within the current boundaries of the Town of Coeymans Highway Garage.

Due to the ongoing COVID pandemic, the Town Hall is closed to the general public until further notice. Pursuant to Executive Order No. 202.1, issued by Governor Cuomo, and advisories issued by Federal, State and Local officials related to the COVID-19 virus, the public will not be permitted to attend in person. The public may view and listen to the proceedings live, via the Town of Coeymans Facebook page and Mid-Hudson Cable channel 901. Pursuant to Executive Order No. 202.1, this meeting will be recorded and transcribed.

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More information about this process can be obtained from the Town Clerk’s Office or on the Town website.

PLEASE TAKE FURTHER NOTICE that all interested persons may comment on this matter by submitting a letter, email or by a telephone call to the Town Clerk’s Office at [townclerk@coeymans.org](mailto:townclerk@coeymans.org) or 518-756-6006, Ext. 3 until 4:00 p.m. the date of the meeting. They may also call 518-756-6006, Ext. 3 during the public comment portion of the meeting to make a comment.

**By Order of the Town Board  
of the Town of Coeymans  
Cindy L. Rowzee  
Town Clerk**

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Supervisor McHugh spoke about the Monroe Analysis, stating that the need for it arose from the matter of the County of Monroe vs. the City of Rochester. He then stated that as a Town we are immune from zoning requirements but still need to have some type of a public hearing in order to make sure that the project complies with the public good. He then read about the Monroe Analysis and stated the factors they would be looking at.

Supervisor McHugh then described the project, stating that the Town was planning on placing a 30’ x 50’ garage, made of steel construction on the Highway Garage property. This building would be used for the Parks and Beautification Department to store equipment that is currently being stored at the old firehouse on Main St. in Coeymans. This would pool together all of the employees that are currently being supervised by the Highway Superintendent. The current property setback is 30’ but this garage would only be 19’ from the property line. This would typically call for a variance but as this is a Town building the Town Board will use the Monroe Analysis to see if the project is in the public good and worthy of a variance.

Supervisor McHugh stated that he has talked with the one neighbor whose property was 19’ away and his only concern was run-off from the building and the pad. They are going to work with the neighbor and make sure that the drainage goes in the creek which is between the two properties. They then proceeded to weight the factors put forth in the Monroe Analysis.

- It was stated that the Town Board was the “nature and scope of the instrumentality seeking immunity”.
- In reference to the encroaching government’s legislative grant of authority, it was stated that the Town is granted this authority through state law.
- The function or land use involved is the Highway garage property which is zoned for another garage to be there.
- The effect of local land use regulation would have upon the enterprise concerned is that the garage cannot be placed 30’ off the property line without encroaching upon another garage and so they are looking for a 19’ setback.

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- In reference to alternative locations for the facility it was stated that it makes more sense to have all employees under the supervision of the Highway Superintendent in one location but that it would be beneficial to have a separate building for the Beautification Department equipment. This would also leave the old firehouse for the Sheriff's Department to have for their substation. It was stated that they currently have to bring equipment out to the Highway Department for repairs and so this will help in that regards as well. It was also stated that it was not cost effective to buy another piece of property to place this building on. This is also a centrally located point for one of our parks and three of our cemeteries.
- For the extent of the public interest to be served by the improvement, it was stated that this would help the Beautification and Parks to have what they need to be successful in their jobs. The public would be served by their maintaining our parks, cemeteries and Town Hall.
- In regards to intergovernmental participation, Supervisor McHugh stated that we were not trying to do this on a piece of property owned by another municipality so there is really no intergovernmental participation.
- As for the development process and the opportunity to be heard, that is the purpose of the public hearing.

At this point it was again stated that people could call Town Hall at any time during the meeting to comment on this project.

There was some discussion about the storage of Beautification equipment.

At 6:33, as there was no comment from the public regarding the Monroe Analysis, Supervisor McHugh asked Town Clerk Rowzee to read the Notice of Public Hearing on Proposed Local Law 4 in order to open that hearing.

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**NOTICE  
OF  
PUBLIC HEARING  
ON PROPOSED LOCAL LAW # 4 OF 2020**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans will hold a Public Hearing on May 28, 2020 beginning at 6:30pm at Town Hall, 18 Russell Avenue, Ravena, NY concerning Proposed Local Law # 4 of 2020 as described below. Due to the ongoing COVID pandemic, the Town Hall is closed to the general public until further notice. Pursuant to Executive Order No. 202.1, issued by Governor Cuomo, and advisories issued by Federal, State and Local officials related to the COVID-19 virus, the public will not be permitted to attend in person. The public may view and listen to the proceedings live, via the Town of Coeymans Facebook page and Mid-Hudson Cable channel 901. Pursuant to Executive Order No. 202.1, this meeting will be recorded and transcribed.

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May 28, 2020 – Public Hearings – 6:00pm & 6:30pm**

A Local Law to advance and protect the public health, safety, and welfare of the Town of Coeymans by creating regulations for the installation and use of solar energy generating systems and equipment.

A copy of the Proposed Local Law is on file in the Town Clerk's Office and is available on the Town website.

PLEASE TAKE FURTHER NOTICE that all interested persons may comment on this matter by submitting a letter, email or by a telephone call to the Town Clerk's Office at [townclerk@coeymans.org](mailto:townclerk@coeymans.org) or 518-756-6006, Ext. 3 until 4:00 p.m. the date of the meeting. They may also call 518-756-6006, Ext. 3 during the public comment portion of the meeting to make a comment.

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Town Clerk**

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Town Clerk Rowzee stated that she had received no e-mails, letters or phone calls commenting on either of these issues.

Supervisor McHugh read the statement of purpose for Proposed Local Law #4 of 2020:

This Solar Energy Local Law is adopted to advance and protect the public health, safety, and welfare of the Town of Coeymans by creating regulations for the installation and use of solar energy generating systems and equipment, with the following objectives:

- 1) To take advantage of a safe, abundant, renewable and non-polluting energy resource;
- 2) To decrease the cost of electricity to the owners of residential and commercial properties, including single-family houses;
- 3) To increase employment and business development in the Town of Coeymans, to the extent reasonably practical, by furthering the installation of Solar Energy Systems;
- 4) To mitigate the impacts of Solar Energy Systems on environmental resources and;
- 5) To create synergy between solar and other stated goals of the community pursuant to its Comprehensive Plan.

He then stated that there is no solar law on the Town's books to help guide the Planning Board/Zoning Board of Appeals through the application process for solar farms and that is what this law is about. Several Town Board members stated that they thought the law looked good.

Supervisor McHugh again stated that anyone who had a comment on either the Monroe Analysis or Proposed Local Law #4 could call into the Town Board meeting.

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There were no calls pertaining to either of these issues. Supervisor McHugh stated that they would leave the public hearings open for anyone to call in during the regularly scheduled meeting.

As there were no public comments during the meeting, Supervisor McHugh asked for a motion to close the public hearing on the Monroe Analysis prior to passing a resolution regarding said analysis.

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**Motion to Close Public Hearing on Monroe Analysis**

At approximately 8:14, on motion of Councilman Collins, seconded by Councilman Burns, the Public Hearing on the Monroe Analysis was closed.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

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**Motion to Adjourn Public Hearing on Proposed Local Law #4 of 2020**

On motion of Supervisor McHugh, seconded by Councilman LeFevre, the Public Hearing on Proposed Local Law #4 of 2020 was adjourned to the following month when they would hopefully have feedback from Albany County Planning Board. The public was told they were free to send in their comments regarding this law.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Time – 8:27pm

*Respectfully Submitted,*



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*Cindy L. Rowzee, Town Clerk*