

MINUTES BOOKTOWN OF COEYMANS**

June 25, 2020 –Public Hearing – 6:30pm

A Public Hearing was held Thursday, June 25th, 2020 at 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
James Peluso, Attorney to the Town
John Cashin, Code Enforcement Officer
Daniel Contento, Chief of Police

Supervisor McHugh opened the meeting and led the Pledge of Allegiance. He stated that all Town Board members were present.

Supervisor McHugh stated that the first order of business was a Public Hearing on the proposed Solar Law and a few other proposed laws. He then asked the Town Clerk to read the notices.

**NOTICE
OF
PUBLIC HEARING
ON PROPOSED LOCAL LAW # 5, 6, 7, 8, 9 OF 2020**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans will hold a Public Hearing on June 25, 2020 beginning at 6:30pm at Town Hall, 18 Russell Avenue, Ravena, NY concerning Proposed Local Laws # 5, 6, 7, 8, 9 of 2020 as described below:

Proposed Local Law 5 of 2020 – Peace and Good Order
Proposed Local Law 6 of 2020 – Property Maintenance Law
Proposed Local Law 7 of 2020 – Unsafe Building Law
Proposed Local Law 8 of 2020 – Amend Garbage/Garbage Receptacle Law
Proposed Local Law 9 of 2020 – Abandoned Vehicles in R-1/R-2 Zones

A copy of the Proposed Local Laws are on file in the Town Clerk’s Office and are available on the Town website.

PLEASE TAKE FURTHER NOTICE, at this point in time the Town Board anticipates Town Hall will be open for this meeting at a limited capacity. All interested persons may attend the meeting to comment if they wish. Due to limited space the Town Board

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encourages you to submit your comments on this matter beforehand by submitting a letter, email or telephone call to the Town Clerk’s Office at townclerk@coeymans.org or 518-756-6006, Ext. 3 until 4:00pm the date of the meeting.

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

Town Clerk Rowzee then stated that she had received two comments by e-mail to be read at some point in the meeting.

Supervisor McHugh read the purpose of the proposed Solar Energy Law. He then stated that the Town had nothing in their Code Book dealing with Solar and that this law would give the Planning/Zoning Board of Appeals and solar companies’ guidance in order to ensure that solar projects were being done with purpose, rules and guidance. This public hearing has been open since last month and the Town has not yet received any comments from the public.

Supervisor McHugh went through each of the other proposed laws and spoke briefly about each one.

- The proposed Peace and Good Order law has to do with outdoor fires, garbage, encroachments upon public streets and grounds, hydrants and interfering with hydrants, nails, glass and other injurious substances in streets, riotous assemblies, noise and enforcement of these sections.
- The proposed Property Maintenance law is regarding maintenance standards and the exterior of premises, notices of violation and unsafe structures.
- The proposed Unsafe Buildings law is to replace a law already on the books but this is a better law that has more “teeth” in it.
- The proposed amendment to the Garbage/Garbage Receptacle law is to put an annual permit option for dumpsters in certain zones and to define dumpsters and roll-off dumpsters.
- The proposed Abandoned Vehicle law is to ban having junk, abandoned or unregistered vehicles on properties in R-1 and R-2 zones. Supervisor McHugh then stated that according to the Town Zoning Code, any property in an R-1 or R-2 zone that has well and septic is treated as an R-A zone. This law is really tailored more towards the Hamlet, as one junk vehicle on a quarter acre lot is a lot of junk vehicle.

Supervisor McHugh stated that these last five proposed laws would not be acted upon tonight and that the public hearing would continue to July 9th. He stated that people could send in any comments before the next meeting.

Councilman Burns stated that they had received input from the fire departments and the police to help in creating these laws. They are a result of an issue that was happening in Coeymans. He then stated that if anyone has anything that will help make these laws better to call in and they will change them.

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Public Comment

Stephen Flach of Coeymans Hollow stood and spoke about his concerns with all of the proposed laws except the one on Garbage and Garbage Receptacles. He spoke about the difficulty when he was the Supervisor to create an ATV law that worked for the Hamlet and out in the Hollow as they are two very different areas. He suggested adding in a description for fire pits into the Proposed Law on Peace and Good Order. Mr. Flach spoke about the section on unreasonable noise. He recommended that they put in a decibel level from the road and add in times of the day. He asked who made the determination on if something was unreasonable.

Chief Contento stated that it was open to interpretation. There was discussion about putting a time frame back in.

Mr. Flach then spoke about the proposed local law on Property Maintenance. He stated that he felt that the law was too broad and that if someone had a problem with him they could submit complaints about different things. He asked if the proposed Unsafe Buildings law had to do with sheds and barns. Mr. Flach recommended additions to the proposed local law regarding abandoned vehicles to add the definition of a motor vehicle. He felt the law could be more specific in regards to motorcycles and boats. He also voiced his concern over treating R-1 zoned properties as R-A if they have a well and septic not being written into the law.

John Cashin stated that this was in the R-1 Table of the Town Code.

Patrick Farrell of the Hamlet of Coeymans stood and spoke about some of the concerns he had seen in the hamlet. He suggested adding dimensions to the fire pit size. He spoke about his concerns of people living in a 5th wheel in the Hamlet. He spoke in favor of all of the proposed laws.

Bill Tryon of Coeymans Hollow stood and stated that he feels sorry for what Mr. Farrell is going through but that it is an R-1 problem. He stated that he didn't feel that those that live out in the country should be bound to the same laws as those who live in R-1/R-2 districts and that the people who live out there moved out there to be free.

George Langdon of Coeymans stood and stated that he wanted to reiterate what Bill Tryon and Stephen Flach had said. He stated his concern about the laws not being specific and that when you create a law you have to think about how a lawyer can abuse the law and how it can be used against the public or the property owners. He stated that it was difficult to bring laws from one region to another and that the Hamlet does need some guidelines.

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There was discussion with the Town Board about what would be considered country and which issues should be specific to a particular zone. There was discussion about creating laws for every area that are very different.

Will Tryon of Coeymans Hollow stood and stated that there wasn't much to add from what had been said. He stated that he has grown up here and watched the Town down here come apart. He feels that they shouldn't be penalized out in the country for things that don't pertain to them.

As there were no other in-person comments the following e-mails were read into the record:

Suzanne Tuscano of the Hamlet wrote that she was not in favor of any of the laws and stated her displeasure with the current Town Board. She also recommended a stop sign on Route 144 at the bottom of Westerlo St.

Rick Connell of the Coeymans Hollow wrote the following:

The amended proposals to be heard by the public June 25, 2020 appear on the surface to have been modified such as to appease the public. Most everything that could be considered objectionable has been removed.

One item of concern is the actions may be legally challenged due to either spot zoning or amendments to the Comprehensive Plan if it is deemed not current. As we are in the process of updating the plan, maybe that should be completed first.

If challenges are brought then we would incur the cost to defend them.

I am pleased that this Board had the foresight to modify these proposals based on Public and Department input prior to the public hearing. I trust we will continue on the path to ensure the public good and increase the prosperity of our Town.

Alisha Piper of Ravena wrote that she agrees with the proposed laws regarding Peace and Good Order, Property Maintenance and Garbage and Garbage Receptacles. She suggested in regards to the proposed Unsafe Building law and the 30 day requirement to begin demolition after notice being served to add "a statement of consideration/acknowledgement be included for any properties that may have damage due to an insurable accident. In some cases, complicated insurance claims cannot be closed and/or repairs cannot be completed within the suggested timeframe (fire, flood, etc.)." She also suggested to allow more time in regards to notice for a hearing and stated that the "Owners in such situations...may be displaced due to said damage and therefore will not likely receive timely notice for a hearing." In regards to the proposed law on Abandoned Vehicles, Ms. Piper suggested adding in consideration for active projects, vehicles acquired in advance for soon to be licensed drivers, vehicles used only in the summer, antique or vintage vehicles and vehicles for sale.

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Supervisor McHugh stated that he had spoken with Mr. Tracey in the Hamlet and he is in favor of the laws.

Supervisor McHugh called for a short break at 7:43pm.

At 7:50pm Supervisor McHugh reconvened the meeting and stated that there had been no comments for or against the proposed Solar Law and asked for a motion to close that public hearing.

Motion to Close Public Hearing

On motion of Councilman Collins, seconded by Councilman Burns, the Public Hearing on the Proposed Solar Law was closed.

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

Supervisor McHugh then asked for a motion to adjourn the Public Hearing on the following Proposed Local Laws, Peace and Good Order, Property Maintenance, Unsafe Building, Amend Garbage/Garbage Receptacle, and Abandoned Vehicles to July 9th at 6:30pm. The public hearing would remain open for people to send in comments.

Motion to Adjourn

On motion of Councilman LeFevre, seconded by Councilman Baker, the Town Board adjourned the Public Hearing on the other five proposed local laws to July 9th.

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

Time – 7:51pm

Respectfully Submitted,

Cindy L. Rowzee, Town Clerk