

TOWN OF COEYMANS PLANNING/ZONING BOARD MEETING
July 22, 2020

Attendees

Members Present: Mr. Schmitt, Ms. Hopkins, Mr. Collins, Mr. Nolan, Ms. Kunz,
Tutay

Members Absent: Mr. Harris, Mr. Gonzalez

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

Public Present:

Call to Order/Pledge of Allegiance

Meeting was called to order by Mr. Schmitt at 7:00 p.m. There was a quorum – two board members absent. Mr. Schmitt led the Pledge of Allegiance. Mr. Schmitt read into the record the public notice for the Palange public hearing.

Approval of Minutes

Mr. Schmitt made motion to approve the minutes of July 13, 2020; seconded by Ms. Kunz; all in favor.

Report of the Building Inspector – None

Public Hearing

Zata Palange 20-003SD: An application for a minor subdivision on property owned by her located on 508 Biers Road, Coeymans NY, Tax Map #131-3-5.2. The 154.20 acre parcel is to be subdivided into three lots: Lot #1 is to be 7.6 plus or minus acres; Lot #2 is to be 11.6 plus or minus acres; and Lot #3 is to be 135 plus or minus acres.

Mr. Nolan made motion to open the public hearing; seconded by Mr. Collins. Mr. Schmitt had proceeded to the next item on the agenda to allow time for members of the public to call in. No one from the public had called in.

Mr. Schmitt made motion to close the public hearing; seconded by Mr. Collins; all in favor.

Mr. Schmitt read the Albany County Planning Board's recommendation: Modify local approval to include (1) Notification of the application should be sent to the Town of New Scotland, including all required notices pursuant to GML Section 239-nn; (2) Town should make sure the property owner is aware that any future driveway construction, drainage and public utility connections within the county right of way will require a highway work permit from the Albany

County Dept. of Public Works; (3) Town should make sure the property owner is aware that the location of new wells and septic should be evaluated by Albany County Dept. of Health as part of the subdivision of the land; (4) Any wetlands disturbance will require notification to and review by the US Army Corps of Engineers for permits under Section 404 of the Clean Water Act.

Mr. Schmitt made motion to declare this as an unlisted action and negative declaration; seconded by Mr. Nolan; all in favor.

Mr. Nolan made motion to approve the subdivision with the four Albany County Planning Board recommendations; seconded by Ms. Kunz; all in favor.

Site Plan Review

Willilam Biers 20-001 SPR: An application for a site plan review on property owned by him located at River Road, Coeymans NY, Tax Map #156-4-8.2. Leveling land and filling in slopes on the property as well as proposed additional warehouses.

Mr. Biers was present.

Mr. Schmitt read the notification from the Albany County Planning Board. "Albany County recommendation is disapproval and resubmit: (1) ACPB found referral material unacceptable for review purposes and (2) Insufficient construction documents were provided. Advisory: (1) ACPB did not receive the updated SWPPP for a very substantial (35 acres) project near the Coeymans Creek/floodplain and a NY Highway. There was also a lack of explanation of existing conditions, infiltration basins, truck traffic details, etc. Staff could not rely on previous submittals. All previous submittals are void due to the fact the nature of operations with this new application has significantly changed, A proposed C/D transfer station in the new application is an area that was originally not going to be disturbed. (2) A geotechnical report for existing soil and new fill proposed to go in should be included in the application."

Discussion was held and included:

- ACPB had been provided with the documentation.
- What does the ACPB consider "unacceptable for review purposes"?
- It's unclear what the ACPB wants; they are overstepping and over reaching
- Building Inspector is involved with construction documents
- A member of the ACPB contacted Mr. Biers at 12:15 p.m. on the day of their meeting and asked him to withdraw the application.
- A member of the ACPB contacted Mr. Cashin at 10:30 a.m. on the day of their meeting and asked him to pull the application.
- Town Board is holding a public hearing tomorrow night to amend Chapter 165 for C&D.

Long form Environmental Assessment Form was reviewed. Mr. Brick asked the Board for their responses to the questions on Part 2 of the Form: (no/small impact or moderate/large impact. Their response to all eleven questions: no/small impact.

Mr. Schmitt made motion to declare this application as a negative declaration; seconded by Mr. Nolan; all in favor.

Mr. Schmitt made a motion to override Albany County Planning Board's recommendation; seconded by Mr. Nolan; all in favor.

Ms. Tutay made motion to approve Mr. Biers' application; seconded by Mr. Nolan; all in favor. M. Schmitt noted that as of right now, at 7:31 p.m. on July 22, 2020, Town Code is C&D for Town of Coeymans residents only.

Subdivision – Preliminary

Mark Flach 20-006SD: An application for a minor subdivision on property owned by him located at 408 CR 101, Ravena NY Tax Map #143.-2-19.1. The 102.64 acre parcel is to be subdivided into two lots: Lot #` is to be 5.415 plus or minus acres and the remaining lands to be 97.22 plus or minus acres

Mr. Flach was present and explained that one apartment building is on its own 1.4 acre deed; another apartment and the other structures are on the other deed. The well is on the 100 acre deed. He wants to square up the buildings – have the buildings and well on its own deed (lot line adjustment). Discussion was held, including: there is proper frontage and lot size; meets zoning setbacks; 239 needs to be submitted to Albany County Planning Board; would need public hearing.

Mr. Schmitt made motion to declare this a minor subdivision and declare Planning/Zoning Board lead agency under SEQRA; seconded by Mr. Collins; all in favor.

Public hearing will be held at the August 10, 2020 meeting. Mr. Cashin will notice it and will send 239 to ACPB.

Informational – Discussion

John Canning: Use Variance/Special Use Permit – auto repair at 5 Copeland Hill Road.

Mr. Canning was present and explained that he wants to relocate to the area from Syracuse in a few years (he grew up in Rensselaerville). He owns an auto dealership. He is interested in purchasing the parcel with the barn from Mrs. Palange; wanted to explore all of his options before moving forward. Discussion was held regarding options, including:

- Mr. Canning wants to operate an auto repair business which would need a use variance.
- Property is located in an RA district.
- He could make the application for use variance, pay the fee, make purchase offer contingent on approval, and be put on agenda for second meeting in August.
- An alternative/possible avenue: he could contact the Town Board; they have the ability to change the zoning code – can make auto repair an allowed use in the RA district by Special Use Permit.
- Mrs. Palange could submit application for a use variance

1717 River Road: Variance and sub division

Mr. Cashin had identified a possible heir and relayed that information to Mr. Kaplan. Mr. Brick spoke to Mr. Kaplan. Mr. Kaplan confirmed he has located the son of the deceased property owner (Mr. MacDonald) and that the son wants to sign on to the subdivision application and wanted to retain the property with his name; does not want to sell it, wants to keep the small sliver.

They are proposing to come in and apply for variances to create the smaller lot with the understanding/condition that no structures would be built on the small lot; wants to keep it because he is running his dad's business using that as the address. They need to present their case to the Board with justification for the substandard lot; need a formal application.

Adjournment

Mr. Schmitt made motion to adjourn; seconded by Ms. Tutay; all in favor.