

MINUTES BOOKTOWN OF COEYMANS
October 15, 2020 –Town Board Workshop – 7:00pm**

A Town Board Workshop was held Thursday, October 15, 2020 at 7:00pm 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

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

Public Announcements

Santa Claus at the Coeymans Landing – Supervisor McHugh announced that on November 28th at 1pm there would be tree trimming, refreshments and wrapped presents for the children. Santa would be there to give out gifts and say hello.

Town/Village Holiday Parade – Supervisor McHugh announced that the Holiday Parade would be held on December 5th, starting down at Coeymans Landing at 6pm and then the parade will go up to the hill to the Village Veterans Park for their tree lighting.

Presentation

Champlain Hudson Power Express – Rick Chase of Transmission Developers, Inc. gave a presentation on the proposed Champlain Hudson Power Express transmission line project, a buried cable that will be 60% underwater and 40% underground from Quebec down to New York City. The section that would come through Coeymans would be underground and would need to go under Old Ravena Rd. It would also go through the Village of Ravena. It would be entirely within the CSX right-of-way. This would bring affordable power from a hydroelectric dam, solar and wind farms in Canada and will help meet New York’s goal of achieving clean energy. The construction would begin in 2020 and take place over a 4 year time span. There would be statewide benefits of lower electricity prices, cleaner air and a more resilient electric grid. The local direct benefits would be that the project will be paying taxes once the project becomes operational. Mr. Chase stated that they will be seeking a 30 year PILOT in the future. The cable is expected to last 60 years or more. Mr. Chase asked the Town Board to consider doing a resolution at the next meeting in support of the project. This resolution would authorize them to install the cable under Old Ravena Rd. and it would also authorize the Supervisor to enter into a Road Use and Crossing agreement that contains items to protect the Town during construction, and it would provide a fund to the Town that can be used for incremental costs that the Town might incur for review of the project. There was discussion with the Town Board about

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some of the specifics of the project. Supervisor McHugh stated that he would have the Town Attorney look over the resolution and consider passing it on the 22nd if approved.

Old Business

2021 Preliminary Budget and Budget Hearing – Supervisor McHugh stated that the 2021 Preliminary Budget is available. The public hearing will be on November 5th at 6pm. People will be able to come in the building one at a time but he is asking that people send messages by e-mail, letter or phone call. There will also be a phone for those who would prefer to call in.

Motion to Provide Copy Free of Charge

Supervisor McHugh made a motion to provide copies of the 2021 Preliminary Budget free of charge to the public, seconded by Councilman LeFevre.

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

COVID-19 Protocols – Town Hall Operations – Supervisor McHugh went over the COVID-19 timeline and the procedures that have been put in place at Town Hall. He stated that he does not see anything changing before January 1st unless things get worse. He stated that they have contacted surrounding Towns and the Town of Coeymans procedures are consistent with those of the other Towns. He stated that the Emergency Management Committee has been involved from the beginning and that they have not had to implement many of the plans that were made. He stated that if we need the support of the committee we can pull it together.

New Business

Sewer/Water District Expansion – Supervisor McHugh stated that he had met that day with the Mayor, Trustee Ganley, the Village Attorney and various other interested parties. He stated that the Village has the water supply and everyone is on board with expanding the water district up the Route 144 corridor to the Lafarge property. He stated that this is very preliminary and that the Village is looking to add in an industrial use category for their water.

Councilman Burns asked why they did not go farther and Supervisor McHugh stated that since you have to pass the cost on to the users it is not feasible to go to North Coeymans. They may look at expanding down to North Coeymans from Bethlehem in the future.

SEQRA Review of Proposed Law – “Farm Animals/Fowl in the Hamlet” – Supervisor McHugh stated that he had received the recommendation back from Albany County Planning Board which was to defer to local consideration as this would have no significant countywide or intermunicipal impact.

The Town Board then proceeded to complete the Short Environmental Assessment Form with the Town Attorney on conference call. After this was complete Supervisor McHugh made the following motion.

Motion of Negative Declaration

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Supervisor McHugh made a motion of negative declaration of environmental impact regarding Proposed Law – “Farm Animals/Fowl in the Hamlet”, seconded by Councilman Collins. APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Resolutions

Resolution #165-20 – Adopt Local Law 12 of 2020 – Farm Animals/Fowl in the Hamlet

On motion of Councilman Baker, seconded by Councilman LeFevre, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans has introduced a proposed local law entitled “ Town of Coeymans Farm Animal and Fowl Law” which is to regulate the conditions for the keeping of farm animals or fowl so as to protect the residents of the Town of Coeymans from nuisance and to maintain compatibility with suburban life; and

WHEREAS, a public hearing upon proper notice was held on September 10th,2020, at 6:30p.m. at Coeymans Town Hall, 18 Russell Ave., Ravena, N.Y.12143 and said public hearing was continued to September 24th, 2020 at 6:30p.m. and October 8th, 2020 at 6:30 p.m.; and

WHEREAS, The Town Board acting as Lead Agency pursuant to the NYS Environmental Quality Review ACT (SEQRA) has determined that enactment of the proposed Local Law #12 of 2020 will not create the potential for any adverse environmental impacts and has adopted a Negative Declaration pursuant to SEQRA and its accompanying regulations,

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby enact the proposed local law attached hereto and made a part hereof, which shall be numbered local law # 12 of the year 2020, entitled “Town of Coeymans Farm Animal and Fowl Law”.

Supervisor McHugh stated that he felt that they had taken their time with this law and had received a lot of constructive comments. He stated that there were a lot of changes made from when they started with the law. He thanked Sara Pruiksma for her help and suggestions.

**TOWN OF COEYMANS
LOCAL LAW 12 OF 2020
CHAPTER 90 - “FARM ANIMAL AND FOWL”**

Purpose.

The purpose of this article is to regulate the conditions for the keeping of farm animals or fowl so as to protect the residents of the Town of Coeymans from nuisance and to maintain compatibility with suburban life.

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Keeping of farm animals or fowl prohibited.

It shall be unlawful for any person except as provided herein, to keep or maintain any farm animal or fowl within the residential zoning districts located within the Hamlet of Coeymans, which includes all properties located within the Town of Coeymans west of the Hudson River, and north of the Albany County/Greene County boundary line, and south of Industrial Park Drive, and east of the Village of Ravena boundary line. For purposes of this article, farm animal or fowl shall include cows, cattle, horses, ponies, donkeys, mules, pigs, goats, sheep, chickens, roosters, ducks, geese, or other animals or fowl usually known as "farm animals" but not solely limited to the aforementioned and not including common household pets.

Keeping of hens.

The owner or primary occupant of any dwelling may be permitted to keep on the lot containing the dwelling a maximum of six hens, provided that:

A.

The property has 200 square feet of total lot area exclusive of buildings for the keeping of two hens, with an additional 100 square feet for every additional hen up to the maximum of six hens permitted;

B.

No person shall keep any rooster (male chicken);

C.

The hens shall be provided with a clean, covered, well-ventilated enclosure that is secure from predators and is cleaned regularly to prevent the accumulation of animal waste, feathers, and uneaten food;

D.

The hens must be kept in the covered enclosure or within a fenced area at all times;

E.

No enclosure for the hens shall be located closer than 25 feet to an occupied residential dwelling and located no closer than 15 feet from any lot line of an adjoining lot; provided, however, such setback can be reduced upon submission of written permission from the owner of any adjoining lot that is closer than 15 feet from the lot line to the planned location of the hen enclosure;

F.

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The total area of all coops or enclosures on a lot shall not be greater than 200 square feet for up to six hens. Coops or enclosures shall not exceed seven feet in height, and coops shall be subject to any and all permits deemed necessary by the Building Department;

G.

All coops or enclosures shall provide a minimum of four square feet per hen, and a run shall have a minimum of eight square feet;

H.

No part of the enclosure or coop for hens shall be located in front of the front wall plane of a building or side wall plane of a building facing a street.

I.

Hens shall be fed only from a trough or appropriate container. Scattering of food on the ground is prohibited. Any feed not in use shall be kept in a sealed ratproof container;

J.

The person has obtained a coop permit from the Town Building Department and maintains a facility for keeping hens in compliance with the issuance criteria;

K.

There shall be no outdoor slaughtering of hens;

L.

All hens are subject to the unnecessary and unusual noises provisions set forth in the Code of the Town of Coeymans; and

M.

Any person who keeps hens under this section shall comply with all Town and New York State laws, ordinances, and regulations regarding care, shelter, sanitation, health, noise, cruelty, neglect, reasonable control, and any other requirements pertaining to the adequate care and control of animals in the Town.

N.

Any person with pre-existing hens and/or Coops shall have up to 180 days to become compliant with the terms and conditions of this local law.

O.

Any person with pre-existing roosters shall have up to 30 days to become compliant with the terms and conditions of this local law.

P.

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Any person may make application to the Town Code Enforcement Officer for a special permit allowing up to 12 hens on the property, provided that the application includes a signed statement from each adjoining or adjacent property owner of their approval of the application. Each application shall be subject to review and approval by the Town Code Enforcement Officer in their sole discretion.

Hen coop permit issuance.

A.

The Town Building Department is hereby authorized and directed to establish an application and permit for the construction of a coop for the keeping of hens consistent with the provisions of this article;

B.

The application for such permit shall be at no charge, but must be accompanied by the following information and documentation;

(1)

The name, phone number and property address of the applicant and the property owner, if different;

(2)

The location of the subject property;

(3)

The number of hens the applicant seeks to keep on the property;

(4)

A description of any coops or cages that will house the hens, together with a description of any fencing, barriers or enclosures surrounding the boundaries of the property;

(5)

A scaled drawing of the property showing the precise location of cages, coops, enclosures, fences and barriers in relation to property lines and to structures on adjacent properties;

(6)

A signed statement from the property owner, if the applicant is not the property owner, granting the applicant permission to engage in the keeping of hens as described in the license application;

(7)

Any additional information the Town Building Department may require to determine whether the application and proposed keeping of hens will comply with the requirements of this article.

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C.

No more than one license may be issued for each parcel of property;

D.

The Town Building Department shall issue a permit upon determining that the application is complete and that the information provided reasonably demonstrates that the proposed structure and keeping of hens will be consistent with the provisions of this article. The Town Building Department may impose such conditions as he or she may deem necessary to ensure compliance with this article;

E.

Permits shall be effective only for the calendar year in which they are issued. A permit shall renew upon satisfactory annual inspection of the structure by the Building Inspector.

F.

The Town Building Inspector may, in his discretion, approve pre-existing Coops as long as they substantially comply with the provisions of this local law.

Unsanitary facilities; penalties for offenses; revocation of permit.

A.

All facilities for keeping hens shall be open for inspection with 48 hours prior notice by an Animal Control Officer, the Building Department, any Police Department with jurisdiction, or an agent thereof. If an inspection reveals that any provision in this article is violated, the Building Inspector shall give written notice to the keeper of the hens, specifying the violation and requiring that the violation be corrected within 48 hours, or within such reasonable time period as determined by the Building Department or an agent thereof and as set forth in written correspondence. If the violation is not corrected within the period specified, the Building Department or an agent thereof shall issue a fine or may revoke the specified permit in accordance with this article.

B.

If, after 48 hours or such reasonable time period as determined by the Building Department or an agent thereof, the violation persists, the Building Department or an agent thereof shall issue a letter stating the violation and shall issue a fine of \$150 per violation for a first offense, and provide an additional fifteen-day period from the date of the letter to correct such violation. If a person or entity is found to be in violation of this article beyond the initial fifteen-day period or found to be in violation for a second or subsequent time, the Building Department or an agent thereof shall issue a letter stating the violation and impose a fine of \$300 per violation, and

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provide a fifteen-day period from the date of the letter within which to correct the violation. A person or entity being found in violation of this article for a third offense shall have their permit revoked.

C.

The Town Building Department may revoke any permit upon determining that the facility for keeping hens no longer meets the conditions required for the issuance of a permit or that the permit was issued upon fraudulent or untrue representations or that the person holding the permit has violated any of the foregoing provisions.

D.

Any fines levied under this article shall be in addition to any other provisions for enforcement contained in this Code.

Upcoming Meetings

Town Board Meeting – October 22, 2020 at 7pm

Town Planning Board/Zoning Board of Appeals Meeting – October 28, 2020 at 7pm

Motion to Adjourn

On motion of Councilman Collins, seconded by Councilman Burns, the Town Board meeting was adjourned.

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

Time – 7:46pm

Respectfully Submitted,



Cindy L. Rowzee, Town Clerk