

TOWN OF COEYMANS PLANNING/ZONING BOARD MEETING
May 26, 2021

Attendees

Members Present: Mr. Schmitt, Mr. Nolan, Ms. Hopkins, Ms. Tutay, Mr. Boomer, Mr. Collins, Mr. Harris, Mr. Gonzalez

Members Absent:

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

Public Present:

Call to Order/Pledge of Allegiance

Meeting was called to order at 7:00 p.m. There was a quorum – all members present (one remotely). Mr. Schmitt led the Pledge of Allegiance. Mr. Schmitt read the public notices for the public hearings.

Approval of Minutes

Mr. Schmitt made motion to approve the minutes of May 10, 2021; seconded by Mr. Nolan; all in favor.

Report of the Building Inspector - None

Public Hearings – Mr. Schmitt opened the public hearings and provided the phone number for the public to call in.

Peter Clouse 21-003 ZAV: An application for an area variance on property owned by him located at 13 Einie Drive, Ravena, NY, Tax Map #168.11-6-24. He was denied approval of a building permit application for a 10'x14' prefabricated shed. He is requesting a 14 foot variance to his side lot line for placement of the shed.

Mr. Clouse was present. He has spoken to the neighbor who has no concerns with it; back lot line is not affected.

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

Mr. Nolan made motion to approve the 14 foot variance; seconded by Mr. Collins; all in favor.

Michael O'Brien 20-011SD: An application for a minor subdivision on property owned by him on 17 Ringwald Road, Tax Map #178-1-11.1. The 18 acre parcel is to be subdivided into two lots: Lot #1 to be 7.5 plus or minus acres and Lot #2 to be 10.5 plus or minus acres.

Recommendation has been received from Albany County Planning Board. Their recommendation: Disapprove – (1) The Albany County Planning Board found the site plan map to be unacceptable for review purposes. The site plan does not show the periphery of Lot #2. The lot dimensions on the site plan and SEAF does not match; (2) Notification of the publication should be sent to Greene County, including all required notices pursuant to GML Section 239-nn.

Mr. Cashin has spoken with Mr. Hite (who did the site plan map). This site plan map was prepared in the same manner as he has done for years. Re lot dimensions, it is unclear what ACPB is referring to. Notification had been given to the adjacent town – not required to notify the adjacent County.

Planning/Zoning Board has the necessary information to make a decision.

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

Mr. Nolan made motion to approve the two lot minor subdivision; seconded by Mr. Gonzalez; all in favor. ACPB's recommendation was over-ridden by a vote of 7 - 0.

Area Variance

Daniel Therrien 21-005ZAV: An application for an area variance on property owned by him located at 125 Alcove Road, Alcove NY, Tax Map #166.-1-52. He is requesting a 10 foot variance to the lot line for the placement of a storage shed.

Mr. Therrien was present. He explained that the storage shed will be used to store old machinery which he has restored. The shed will be rough cut lumber; he will build everything except the trusses and roof. The property abuts parcels in the AG District – application needs to be sent to the Albany County Planning Board for their review. A public hearing will need to be held.

Mr. Nolan made motion to schedule public hearing for June 23, 2021; seconded by Ms. Tutay; all in favor.

Area Variance/Use Variance/Site Review

Coeymans Recycling Center LLC 21-004 ZAV: An application for an area variance on property owned by them located at 1642 River Road, Selkirk NY, Tax Map #145.-1-6. They are requesting a five foot variance to the side lot line for a commercial warehouse.

Coeymans Recycling Center LLC 21-001 ZUV: An application for a use variance on property owned by them located at 1642 River Road, Selkirk, NY, Tax Map #145.-1-6. They are requesting a variance for a commercial warehouse in a residential zoning district.

Coeymans Recycling Center LLC 21-003 SPR: An application for site plan review on property owned by them located at 1642 River Road, Selkirk, NY, Tax Map #145.-1-6. They are requesting a site plan review for the placement of a warehouse storage building.

Mr. Nick Laraway was present. At the last meeting there was discussion about whether or not what they were proposing would meet the definitions of allowed uses under code. Mr. Brick and Mr. Cashin had met to review additional information provided to them by Mr. Laraway but they could not determine a use which is allowable.

Mr. Cashin explained that the Albany County Planning Board is holding a special meeting tomorrow; all of the CRC applications will be reviewed by them at that time.

Mr. Schmitt made motion to declare the site plan application full and complete and schedule public hearing for June 14, 2021; seconded by Mr. Gonzalez; all in favor.

Mr. Nolan made motion to schedule public hearing for the use variance and area variance on June 14, 2021; seconded by Mr. Collins; all in favor.

Residents from North Coeymans were present; they thought there was a public hearing for this property on the agenda for tonight's meeting. They wanted to voice their concerns tonight. They were allowed to do so. Speed limit, traffic and accidents were the major issues. The residents will return for the public hearing on June 14, 2021. Those who cannot attend will be able to call in their comments during the public hearing.

Subdivision

Coeymans Recycling Center LLC 21-004 SD: An application for a minor subdivision on property owned by them located at 167 Coeymans Industrial Park Lane, Coeymans, New York, Tax Map #156.4-6.13. The 8.2 acre parcel is to be subdivided into two lots: Lot #1B is to be 3.4 plus or minus acres and the remaining lands will be 4.8 plus or minus acres and will be merged with Tax Map #156.-4-6.171 (Lot #1F) for the expansion of the Curaleaf Building.

Ms. Tutay made motion to schedule public hearing on June 14, 2021; seconded by Mr. Nolan; all in favor.

Informational – Discussion

Hidden Hollow Farms, LLC, Jacob Lane: “Sketch Plan Conference – operating a hunting preserve in the R/A (Residential/Agricultural) zoning district.

Mr. and Mrs. Proper and their attorney Mark Wagner were present. Discussion was held and included:

Mr. Proper stated they have no plans to file for a variance or anything like that. Part of what he wants to get out of this tonight is to get a clear understanding of what they are doing; there is a lot of misinformation; wants status of his pole barn permit. He is prepared to address any questions the Board has.

Ms. Tutay asked Mr. Proper about his Facebook/website posting. He explained that it was a marketing ploy to see if there was business for a hunting preserve. The posting has been taken down at the request of the Town. He stated he is certified to be a preserve for family and friends; no money changes hands.

Mr. Schmitt explained that we are here tonight because of an appeal filed regarding the building permit that was issued by the Building Department with regard to the pole barn.

William Horton 21-0001 INT: An application for an appeal for the issuance of a building permit for a pole barn on property owned by **Dylan and Kara Proper** on Jacob Lane, Coeymans Hollow, NY, parcel #141-2-13.

Mr. Brick explained that there were multiple appeals which were all substantially similar so they can be combined into one overall appeal and one fee was paid. It is his understanding that neighbors/adjacent property owners are challenging the building permit application and the issuance of a building permit for a pole barn.

Some of the applicants alleged it was improper to check the box that it was for residential use and are appealing Mr. Cashin’s issuance of the building permit, which is primarily an administrative function and there is a presumption of validity in the information provided by the applicant. The appeal fee was paid and they have the right to be heard.

The Propers have the right to be present at the public hearing but are under no obligation to state anything at the hearing. The burden of the appeal is on the people who filed the appeal. Mr. Cashing will provide Mr. Wagner with copies of the appeal applications.

Mr. Cashin stated the pole barn will be on the 5 or 6 plus or minus acres owned by the Propers; they purchased the pole barn in September and in March they applied for the permit; work has not been started yet on the pole barn; materials won’t be delivered until the end of June.

Mr. Collins asked if there is a tower on the property. Mr. Proper stated they there is no tower to release the birds.

Motion was made by Mr. Schmitt to put the application of the appeal on the agenda for a public hearing on June 14, 2021; seconded by Mr. Nolan; all in favor. Decision would have to be made within 62 days after the public hearing.

Adjournment

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