**TOWN OF POESTENKILL**

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12150

**PLANNING BOARD**

 **Planning Board Minutes**

 **June 7, 2022 @ 7:00 PM**

 **(**Distributed before Approval)

**Attendees: Non-Voting**

Tom Russell, Chairperson Bob Ryan, Esq.

Laura Burzesi, Vice Chairperson Stephanie Volkmann, Clerk

Vicky Spring

Steve Valente

William Daniel **Absent:**

Don Heckelman Harvey Teal

Jeff Briggs

 Chairman Russell called the meeting to order at 7:02pm with the Pledge of Allegiance and introduced the members of the Board.

**Minutes:**

The minutes of the Board meeting on May 3, 2022 were reviewed. Motion to accept was made by Member Briggs and Seconded by Vice Chairperson Burzesi and approved by a vote of (4) Yays, (0) Nays and (3) abstentions. (Member Spring, Member Heckelman and Member Daniel).

**Public comments:** no comments from audience

**Applicants:**

Nancie Orsini and Wilbert Langley Additonal Information

Tax Map # 125-4-7.111 278-282 Blue Factory Rd

Chairman Russell had a concern with making a parking lot, the driveway and road work. Disturbing 1 or more acres needs to have a SWPPP. He also is concerned about the economics of the venue. Stating how much do you want to put into this Venue to get it up and running.

Orsini asked if it could be classified as a Class 2 so they could do a Special Use Permit instead of a Site Plan. Attorney Bob Ryan stated it must be a permanent structure such as a barn or garage to be classified as Class 2.

Vice Chairman Burzesi has concerns with the safety of the windy roads and the drinking. Also, the noise from the Venue disturbing the neighbors. Langley stated he used a Noise Measuring Decibel Meter, setting it at an ear deafening level and set it by where the Venue will be and then as he went closer to the creek the meter shut down. Up on the hill was at 0.

 The Board discussed what to classify the Venue as. The Venue is in a RR2 Zone. Attorney Bob Ryan gave his opinion to the Board to classify it as Commercial, Retail Services. The Board needed to look at the codes and make a determination.

 Orsini and Langley will need to return to the July meeting with a thorough Site Plan and there will be future discussion.

Member Heckelman made motion, Member Briggs Seconded, to accept the definition of Retail Services for the Proposed Venue with a vote of (5) Yays, (2) Nays (Member Valente and Member Spring) (0) Abstentions.

Patrick Fink 2 Lot Minor Subdivision Application

Tax Map # 126-4-10.3 32 The Gate Way

Fink is looking to do a 2 Lot minor subdivision.

Fink will return to the July meeting with a more detailed survey. The lot will share a driveway over a bridge.

Member Briggs made motion, Chairman Russell seconded, to accept a 2 Lot Minor subdivision based on a more detailed survey map with a vote of (7) Yays, (0) Nays and (0) Abstentions.

Michael Casale 2 Lot Minor Subdivision Application

Tax Map # 125.-10-17.1 92 Macha Lane

Michael was absent, he was represented by his father, Charles Casale. Casale is looking to do a 2 Lot Minor Subdivision. Splitting the lot from 15+ acres into Lot 1 5+ acres and Lot 2 10+ acres. He wants to sell his sister Lot 2 with access of route 66.

There is an easement on the property for access to the underground water line that will be crossing route 66.

There is a letter on file in the Town Office from The Department of the Army Corp of Engineers stating there was fill placed into the wetlands on the Northside of State Route 66. “ During the course of the inspection it was noted that fill had been placed in waters of the Unites States, including wet-lands, without prior authorization from this office such impacts are considered in violation of the statues and regulations within the jurisdiction of the office.” Casale mentioned that Jersen was dumping debris on the corner of the property. Casale received a letter from the Army Corp of Engineers to Cease and Desist any future work in waters of the United States. Casale said that what was put there has been removed. Chairman Russell has put out a few phones calls to get clarification. Member Briggs asked Casale if he has received a letter from The Army Corp saying it was satisfied. Casale responded, no.

Casale will be returning to the July meeting with an updated Plat showing the wetland on the property. If there is not sufficient uplands (non-wetlands) for house and septic system in either lot, it is not buildable and they cannot subdivide without changing the proposed subdivision line.

Member Briggs made motion, Member Heckelman Seconded, to a 2 Lot Minor Subdivision with the conditions of having an updated Plat with the Wetlands on it, revised application and the Board hearing back from The Army Corp of Engineers with a vote of (7) Yays, (0) Nays and (0) Abstentions.

Warren Fane Trucking SUP/Mining Renewal

Tax Map# 135-7-10.3 62 Leversee Road

Jeff Lang from Griggs-Lang Consulting was representing Warren Fane Trucking, Inc. for a mining renewal permit. The renewal is with no changes for 5 yrs.

This was first approved 5yrs ago with 9.958 acres with access thru the Callanan property off route 66. Owned by Perry Bros. Sand and Gravel. The Special Use Permit timeline matches the DEC’s mining permit timeline.

Lang stated that the berm on Snyders Corner Road was still being maintained, there is no changes in the hours, no issues on the water well monitoring (there’s been no complaints), well testing quality is done upon request of DEC or residents in the area. No complaints on the dust control since back in March when it was addressed. No processing is done here on the 9.958 acres.

Chairman Russell asked about the reclamation. Final grade has not been met therefore, nothing in the area.

The permit will be from May 24, 2022 up to May 23, 2027. 5 years matching the DEC permit. Member Valente asked if they had a letter from DEC stating they are in good standing? Lang said they could get one.

Public Hearing for Special Use Permit at the July meeting and SEQRA will be required.

Callanan Industries, Inc SUP/Mining Renewal

Tax Map# 124-12-.2.1, 124-12-1.2, 124-11-14 P.O. Box 15097

124-11-15,124-11-16 and 124-11-26.22

Jeff Lang from Griggs-Lang represented Callanan Industries, Inc. for a mining renewal permit. The renewal is with no changes. There are 18 months left going to December 19, 2023. The Special Use Permit timeline matches with DEC’s mining permit timeline.

Parts of the mine are finalized. Ponds are reclaimed areas, once they reach the depth of mining it’s claimed to ponds and reclaimed. 3 ponds are on Poestenkill line and 2 are on North Greenbush line. Ponds will remain with ground fed water.

Depth of the ponds on the Poestenkill line are a couple feet deep at shore and can go to 30-40 ft at the deepest.

There is no change in hours, the dust control is maintained with water trucks running every day except when it rains, and the noise abatement still continues. There are leaves from municipalities that are blended with soil material to generate quality topsoil, some stone continues to be imported from the Cropseyville Quarry for product inventory as permitted by DEC,

Member Burzesi asked how much of the property has been affected? 85%-90% has been affected approximately.

Public Hearing for Special Use Permit at the July meeting and SEQRA will be required.

**Comprehensive plan:**

Contract with GSI and are ready for the figures. We need to get them the figures.

Shuharts project – they are working with DOT and the Engineer and going to be returning to the Board. The driveway proposed location has been revised to allow increased sight distance view.

Motion to adjourn the meeting at 9:13 pm was made by Member Daniel and seconded by Member Heckelman with a vote of (7) Yays, (0) Nays and (0) absentions.

Respectfully submitted,

Stephanie H. Volkmann

Planning/Zoning Clerk