**TOWN OF POESTENKILL**

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12150

**PLANNING BOARD**

**Planning Board**

**October 4, 2022 @ 7:00 PM**

**Poestenkill Town Hall**

**(Distributed before Approval)**

**Attendees: Non-voting:**

Tom Russell, Chairperson Lawrence Howard, Esq.

Laura Burzesi, Vice Chairperson Stephanie Volkmann, Clerk

Steve Valente

Harvey Teal

Jeff Briggs

Vicky Spring **Absent:**

Don Heckelman Bill Daniel

Chairperson Russell called the meeting to order at 7:02 PM with the Pledge of Allegiance and introduced the members of the board.

**Minutes:**

Meeting Minutes of September 6, 2022 were reviewed. Motion to accept the minutes was made by Member Valente and seconded by Member Heckelman.

**Applicants:**

Orsini/Langley Additional Information

Tax Map # 125-4-7.11 278-282 Blue Factory Rd.

There was no one in attendance representing the Orsini’s or Langley’s. Town of Poestenkill Planning Board Attorney, Lawrence Howard and Attorney, Katherine Dell, representing the Orsini’s and Langley’s are communicating via email. Town of Poestenkill Planning Board Attorney, Lawrence Howard, spoke with Attorney, Katherine Dell, she is suggesting it be a Home Occupation as the Land Use. The venue does not fall under the Land Use she is suggesting, and a Site Plan Review is still required. Tracy Church, Town Code Enforcer/Building Inspector, ultimately makes the call on the Land Use and does not overrule the Planning Board. Anything that is commercial use needs a Site Plan Review.

Rensselaer Plateau Alliance Special Use Permit Extension

Tax Map #127.00-1-57 & 128.00-1-14 PO Box 790

Rensselaer Plateau Alliance is looking to extend their Special Use Permit on the Poestenkill Community Forest at the Legenbauer Road. At the August meeting, the Board asked to have the Rensselaer Plateau Alliance bring a letter to the October meeting showing approval from DEC that the foot bridges they had built over the streams were permitted and approved.

A letter from DEC was provided by Rensselaer Plateau Alliance and distributed to all the Planning Board Members for review.

Member Valente asked how they acquired the property, how long ago and at the time of the original Special Use Permit application was submitted, the Rensselaer Plateau Alliance agreed to pay full taxes on the property. Jim, representing Rensselaer Plateau Alliance, stated they bought the property about 6 years ago and did not recall what the tax payment amount is. It was mentioned that just Poestenkill property taxes are being paid.

Member Burzesi was concerned that if there is going to be any big changes to the property that they inform the town and if over and acre of property if going to be disturbed they are to get a SWPP. Follow the same protocol as any other town resident. Chairperson Russell suggested this could be put in as a condition on the Special Use Permit Extension.

Chairperson Russell asked to postpone the vote for One (1) month. Chairperson Russell will research the numbers for the taxes and find the minutes from the original Special Use Permit and also share the minutes with Rensselaer Plateau Alliance.

Member Burzesi made motion, Member Spring seconded to postpone the vote on the Special Use Permit Extension on Legenabuer Road for 5 years and grant Rensselaer Plateau Alliance a temporary extension expiring on December 31,2022 with a vote of (6) yays, (0) nays, (1) abstention ( Member Briggs).

**Old Business:**

Chairperson Russell previously spoke with Casale and he is awaiting an engineer’s signature on a buildable lot on each parcel. Have heard nothing from Casale.

Member Heckelman and Member Briggs made a site visit to Shuhart’s Senior Housing Project while DEC, Mr. Hart and the Army Corp of Engineers were there. There were three (3) alternatives for getting over the wetlands and DEC decided on the shorter of the three (3). Norbert Quenzer came out to the site and staked the wetlands. Ten (10) more additional feet were found that Shuhart’s owned towards the trailer side near the tree line, facing Route 355. The tree line by the trailer is now part of Shuhart’s property. A mitigation plan will be provided for the area impacted. It is allowed if Shuhart’s follow all the necessary steps. DEC is asking Shuhart’s to have everything done so they can issue one permit. The Board is welcome to go visit the site and see where the stakes have been placed and where the wetlands boundaries are now.

Russo’s are getting their map and survey done and will return in November. Mr. Fink is also awaiting his map and returning to the November meeting.

**New Business:**

No New business at this time.

**Comprehensive Plan:**

The mapping is finished, and the survey is waiting to go out to the residents. Three quarters of the document is finished and still waiting for professional help to finish. The volunteers have helped as much as they can and now Member Briggs has reached out for professional help and hasn’t had much success. Reaching out to the consultants that helped with the last plan is an option. Town Attorney, Lawrence Howard, suggested reaching out to the State and they can give you a list of up to Ten (10) consultants.

Motion to adjourn the meeting at 7:55 PM was made by Member Valente and seconded by Chairperson Russell with a vote of (7) yays, (0) nays and (0) abstentions.

Respectfully submitted,

Stephanie H. Volkmann

Planning/Zoning Clerk