**TOWN OF POESTENKILL**

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12150

**PLANNING BOARD**

**Planning Board**

**February 7, 2023 @ 7:00 PM**

**Poestenkill Town Hall**

**(DRAFT)**

**Attendees; Non-Voting:**

Tom Russell, Chairperson Andy Gilchrist, ESQ.

Don Heckelman Stephanie Volkmann, Clerk

Harvey Teal

William Daniel **Absent:**

Laura Burzesi Jeff Briggs

Vicki Spring Lawrence Howard, ESQ.

Steve Valente

7:09 PM call to order: Pledge of Allegiance

**Minutes:**

Meeting minutes from January 3, 2023 were reviewed. Motion to accept the minutes was made by Member Daniel and seconded by Member Teal and approved with a vote of (7) yays, (0) nays and (0) abstentions.

Meeting minutes from Special Meeting held on January 18, 2023 were reviewed. Motion to accept the minutes as written was made by Member Heckelman and seconded by Member Burzesi with a vote of (6) yays, (0) nays and (1) abstentions (Member Spring).

**Public Hearings:**

PatrickAli:

Stephanie Volkmann, Clerk read the Public Hearing Notice and Chairperson Russell read the Environmental Assessment Form.

Mr. Ali had submitted a Special Use Permit for renting out the apartment attached to the house which was a garage on the property previously to him purchasing the home. A site plan was submitted at the January 6, 2023 meeting so there could be an A and a B address for 911 purposes. There is a letter on file at the Town Hall from Tracy Church, Poestenkill Town Code Enforcer Officer, stating that Mr. Ali is in compliance with the Town codes and there is also a letter on file stating an electrical inspection was done.

Public Comments: There was no comments.

7:17 pm public hearing was closed.

A motion to issue a Negative Declaration was accepted by Member Teal and seconded by Heckelman with a vote of (7) yays, (0) nays and (0) abstentions.

Motion was made by Member Daniel and seconded by Member Teal to approve Mr. Ali’s Special Use Permit for an accessory apartment with a vote of (7) yays, (0) nays and (0) abstentions.

Steve and Jana Russo:

Stephanie Volkmann, Clerk read the Public Hearing Notice and Chairperson Russell read the Environmental Assessment Form.

The Russo’s submitted a minor subdivision application to split off 1 acre of their property to give to their son. A new map survey was done and presented to the Planning Board. It was revised for February’s meeting to show where the septic for their home was on the property. There will be a permanent easement of record for that 1-acre lot from their property.

Public Comments: There was no public comments

7:25 pm public hearing was closed

A motion to issue a Negative Declaration was accepted by Member Teal and seconded by Member Daniel with a vote of (7) yays, (0) nays, (0) abstentions.

Motion to approve a 2-lot minor subdivision for Russo’s was made by Member Burzesi and seconded by Member Valente with a vote of (7) yays, (0) nays and (0) abstentions.

**Applicants:**

Rensselaer Plateau Alliance:

Rensselaer Plateau Alliance submitted an application for a 5-year extension on 200 Legenbauer Road.

A special meeting was held to collaborate on ways with The Planning Board, Manny Dunham and Mike Defillips, adjacent property owners, to work out the trespassing, privacy and other concerns that had been mentioned during the public hearing at the regular Planning Board Meeting.

Manny Dunham and Mike Defillips met with Rensselaer Plateau Alliance on the properties to discuss how they would accommodate the concerns. Manny and Mike have no issues with the accommodations that Rensselaer Plateau Alliance is putting into effect if the concerns are addressed as Rensselaer Plateau Alliance has agreed upon. If there are further issues for Manny Dunham or Mike Defillips, they are to contact the Town of Poestenkill or the Rensselaer Plateau Alliance.

A.Gilchrist, Town Attorney, had drawn up a draft Resolution for the Rensselaer Plateau Alliance and shared it with Ms. Albano, the attorney for the Rensselaer Plateau Alliance so the draft could be reviewed during the meeting and the Planning Board could set up the conditions on the Special Use Permit Extension.

A.Gilchrist, Town Attorney, spoke with the attorney, Ms. Albano, for Rensselaer Plateau Alliance to have a Short Form of the Environmental Assessment Form filled out due to the added property.

Chairperson Russell reviewed the letter from the Rensselaer Plateau Alliance on the conditions proposed and the draft Resolution. A copy of the Resolution is on file at the Poestenkill Town Hall and may be requested to be reviewed.

SEQRA was read by Chairperson Russell and reviewed by the Planning Board.

A motion to issue a Negative Declaration was accepted by Member Daniel and seconded by Chairperson Russell with a vote of (7) yays, (0) nays and (0) abstentions.

There were no other comments from the Board.

A motion to approve the Special Use Permit Extension for 5 years for The Rensselaer Plateau Alliance subject to conditions was made by Member Teal and seconded by Member Daniel with a vote of (7) yays, (0) nays, and (0) abstentions.

Ken Voland:

Mr. Voland is proposing 4 duplex units on an 8.03-acre lot in a RA Zone on McKinley Way. The roadway will be 20 feet wide with 4 feet of shoulder on each side. The road to the duplexes will be private and maintained and plowed by Ken Voland. Jake Keasbey, Engineeer with J. Keasbey Consulting, LLC, mentioned the property is private property so there is no Town Law to have a setback requirement from the easement. Jake referenced the easement and the 1 dwelling unit per acre was part of the phone meeting that took place on January 24, 2023 with Planning Board Attorney, Lawrence Howard.

Jake also referenced they staked out the project and offered the Planning Board to come view the property and the layout so the Board could get a better look at the project setting.

Member Daniel and Member Teal mention concerns that the #4 duplex is too close to the easement road recommending that Ken Voland try to move the #4 duplex. Member Daniel is suggesting that the easement road be moved over to give move room for the #4 duplex. A.Gilchrist, Town Attorney, mentioned that the road to the storm water pond is being dedicated to the Town of the Poestenkill soon and the Town of Poestenkill will be taking over the easement.

Jake spoke with the assistant Poestenkill Fire Chief to possibly add another fire hydrant.

Ken Voland offered the Board to go out and look at where they have the project staked on the parcel.

Chairperson Russell confirmed that Member Teal was attending the Town Board meeting for February and Member Burzesi will not be able to attend the March Planning Board Meeting.

There was no other Planning Board business to be discussed.

9:14 pm motion was made by Member Daniel and seconded by Member Spring to adjourn the meeting with a vote of (7) yays, (0) nays and (0) abstentions.

Respectfully Submitted,

Stephanie Volkmann

Planning and Zoning Clerk