

Chair Walters opened the meeting at 7:04 pm. In attendance were members Larry Machiz, Frank Mendelson, Pete Nelson Jr., Geoff French and Co-chair Aaron Groom. Member Martin Silver was absent.

Also in attendance were Town Engineering Consultant Ray Jurkowski of Morris Associates, Greenport, NY, Pat Prendergast, PE, Consulting Engineer of Valatie, NY, Steve Hart, PE, Hart Engineering of Rensselaer, NY, Ghent resident Paul Calagano, and Tom Hawley, Berry Builders of Catskill, NY.

Town of Ghent Building Inspector Walt Simonsmeier and Town of Ghent Zoning Enforcement Officer (ZEO) Gil Raab joined the meeting.

#### CONTINUING BUSINESS

##### TAX PARCEL UNK

##### APPLICATION FOR SPECIAL USE PERMIT AND

##### APPLICATION FOR SITE PLAN REVIEW

##### LONG OIL HEAT, INC, dba LONG HEATING & COOLING

The Board members were apprised of the current status of the Long Heating & Cooling application for Site Plan Review and Special Use Permit. At the August 2008 meeting, the Planning Board conditionally approved the Long Heating & Cooling application. Terms included:

- o completion and submission of a single-sheet site plan with latest submitted materials
- o completion of all conditions listed on the approval of the minor subdivision that includes the Long lot \*\*\*
- o fire company easement to the fire pond, approved by the Town's Attorney
- o placement of a pond marker that will readily indicate if the fire pond drops below 5,000 gallons
- o should the pond volume drop below 5,000 the applicant will be responsible for a increasing the volume to no less than minimum requirements, in a timely fashion
- o Duck Harbor Energy Consultants of Equinunk, PA and/or Long Heating & Cooling, Inc. to provide West Ghent Fire Company with training relating to the propane storage system

\*\*\* conditions of approval of Summit minor subdivision (to include Long Heating & Cooling site)

- o receipt of final NYS DOT approval for the entrance to the parcel
- o receipt of updated hydrology report
- o include the approved lots in the existing road maintenance agreement

- o the updated road maintenance agreement must be approved by Town Attorney Ted Guterman
- o designate a manager who is responsible for the roadway
- o Town Attorney Ted Guterman and William Better to arrange letter of credit, or cash to be held against the meeting of conditions, with value of letter of credit, or cash to be determined by Carl Matuzsek
- o Carl Matuzsek to sign-off on the conditions discussed this evening

At the April 2008 Board meeting, Andrew Auban of Crawford & Associates, Hudson, NY inquired whether the Applicant could store empty propane storage tanks on the proposed lot. The Board noted that was a question for Long Heating & Cooling to put to the owner of the property, Summit Development Group, LLC.

It was recently learned that the site in question had been developed, without the necessary permits.

Building Inspector Simonsmeier and Engineering Consultant Jurkowski had visited the site earlier in the week. They stated there were signs of truck traffic, concrete cradles had been poured, propane storage tanks, complete with piping and valves, had gauges indicating the tanks were 60% full. In addition, there was a generator on site. (electric utilities were not in place) Board members were informed that the fire pond, as a condition of operation, was to maintain a specified capacity at all time. Observed watermarks indicated that the pond level was 18-24" below the minimum requirement. Town Engineering Consultant Jurkowski recommended that the Town's ZEO and Attorney Ted Guterman prepare a 'stop work order' and a 'cease and desist order.' In accordance with Town of Ghent Code, either the operator or the owner can be cited. Chair Walters was requested to locate a letter, he had written to Long Heating & Cooling, that outlined the conditions of approval. Board member French noted that this is a 'life safety issue.'

Town of Ghent Building Inspector Walt Simonsmeier and Town of Ghent Zoning Enforcement Officer (ZEO) Gil Raab left the meeting.

TAX PARCEL 66.00-01-28.00

APPLICATION FOR LOT LINE ADJUSTMENT

BANK OF GREENE COUNTY

2631 STATE ROUTE 66, GHENT

Applicant representatives Steve Hart, PE, Hart Engineering of Rensselaer and Tom Hawley, Berry Builders of Catskill, NY appeared before the Board.

Members were informed that Bank of Greene County representatives had last appeared before the Board on 06 June 2007 when the Site Plan Review was approved.

The applicant wishes to convey .517± acres, in the form of an 174.26' x 128.30' piece of land located in the southeastern corner of the property, to abutting neighbor Whiteman Cargill, tax parcel 66.00-01-29.00. The Applicant stated the existing 20' easement between the two properties will be relinquished to the Bank of Greene County and replaced with a 20' wide buffer. This information is included as an annotation on the presented mapping. As a result, Bank of Greene County parcel 66.00-01-28.00 size will be 1.38± acres, of which approximately 47% will remain as green space. Chair Walters noted this is a NYS Department of Environmental Conservation (DEC) Type II Action and as such, does not require a State Environmental Quality Review (SEQR).

The Public Hearing was opened. There being no questions from members of the Public, the Public Hearing was closed.

Mr. French made a motion to approve the request for Lot Line Adjustment. The motion was seconded by Mr. Mendelson. Board members conducted a Finding of Fact.

Mr. Mendelson noted the application will have no discernable impact.

Mr. Nelson noted that additional acreage will improve the abutting property

Mr. French said the request meets Zoning requirements and will not have a negative effect.

Co-Chair Groom approved.

Chair Walters approved and noted there is no discernable impact at this time.

Mr. Machiz voted against the request and noted he did not wish to rush a decision.

The motion was carried.

The Applicant noted that NY Professional Licensed Surveyor Carl Matuzsek has yet to sign and stamp the presented mapping.

Co-Chair Groom made a motion to allow Chair Walters to stamp the mapping, when supplied, on behalf of the Ghent Planning Board. The motion was seconded by Mr. Nelson and unanimously approved.

Mapping, entitled 'Proposed Lot Line Adjustment, Lands of Bank of Greene County, 2631 Route 66,' prepared by Carl S. Matuzsek PE, LS, of Chatham, NY and dated 09 March 2009, was stamped by Chair Walters on 15 April 2009 and placed in the GPB files.

TAX PARCEL 74.00-01-18.112  
APPLICATION FOR LOT LINE ADJUSTMENT  
WITHERELL, ALICE  
154 FOWLER LAKE ROAD, GHENT

Mr. Machiz presented a motion to continue the Public Hearing to the May 2009 meeting. The motion was seconded by Mr. French and unanimously approved.

PARCEL 83.00-01-56.00  
APPLICATION FOR MINOR SUBDIVISION  
GIBSON, DAN & SUSAN dba GRAZIN' ANGUS ACRES  
176 BARTEL ROAD, GHENT

The Applicants were represented by Cindi Elliott, NYS PLS. She provided copies of mapping dated 12 August 2007, revised 31 March 2008 and revised 24 March 2009 and now include land identified as lot #3. The lot includes an existing driveway cut, trailer, potable water supply and septic system. The Applicant wishes to subdivide the property for their daughter. The proposed lot 3 is 1.5-acres in size and meets average density code requirements. A short-form SEQR was included with the application. Board members reviewed the Application.

Mr. French made a motion to take the request for minor subdivision to Public Hearing at the May 2009 meeting. The motion was seconded by Mr. Machiz and unanimously approved.

TAX PARCEL 101.00-01-11.00  
APPLICATION FOR SITE PLAN REVIEW  
NIELSEN, MARK & LISA dba NIELSEN CONCRETE FOUNDATION  
7 GRANDINETTI DRIVE, GHENT

Representative Cindi Elliott NYS PLS informed the members that she is awaiting input from the Applicants.

Mr. French made a motion to continue the Public Hearing to the May 2009 meeting. The motion was seconded by Co-Chair Groom and unanimously approved.

PARCEL 92.00-01-35.00

APPLICATION FOR MINOR SUBDIVISION

ACKERMAN, DEBRA

527 TALERICO ROAD, GHENT

Ms Ackerman did not appear.

Mr. Nelson made a motion to continue the Public Hearing to the May 2009 meeting. The motion was seconded by Mr. French and unanimously approved.

PARCEL 82.00-01-04.111

APPLICATION FOR MINOR SUBDIVISION

COON, RICHARD

STOCKPORT ROAD AND COUNTY ROUTE 9-H, GHENT

Mr. Coon appeared before the Board. He wishes to subdivide the land into two (2) lots – one lot for a house for his son, and the other lot for a house for himself. It was noted that the parcel in question includes both residential and commercially zoned land. The presented mapping indicates the use of a shared driveway running up along the western edge of the parcel. The applicant was requested to provide a shared driveway maintenance agreement, and to have mapping annotated to include information relating to subdivision of the parcel since January 1990.

Mr. Nelson made a motion to take the request to Public Hearing at the May 2009 meeting. The motion was seconded by Mr. French and unanimously approved.

PARCEL101.00-01-08.00

APPLICATION FOR SITE PLAN REVIEW

TWIN COUNTIES dba COLUMBIA GREENE DIALYSIS CENTER

SHERMAN POTTS ROAD, GHENT

Applicants Vinod ('Fred') Anand, MD and Ed Fournier, RN, CNN, appeared before the Board. Also in attendance was Pat Prendergast, PE, Valatie, NY. According to the Applicants, they are required by NYS Department of Health Code to enlarge the dialysis facility. The original, approved Site Plan did not include any parking at the back of the building. A general discussion took place. Mr. Machiz requested that the applicant provide elevations before the Board will issue a letter approving the changes. Mr. Nelson made a motion to approve the 10' x 80' addition on the north side, contingent upon receipt of building elevations.

Mr. Prendergast noted that he had spoke with Ed Stiffler, IDA approximately a month ago regarding the addition of some parking. The present parcel

lay out is too tight to provide the necessary parking slots. Apparently Mr. Prendergast, on behalf of his client, and Mr. Stiffler, on behalf of Columbia County, had discussed the possibility of the Applicant continue the development of Sherman Potts Road, in exchange for increasing the Applicant's land holdings by approximately 1.0-acre. Questions of legality were raised. It was noted that reallocation of land would require Application for Minor Subdivision to the Ghent Planning Board.

Additionally, questions relating to DEC storm water management requirements were discussed. Mr. Jurkowski offered comments on the technical calculations provided by the Applicant. He also questioned power line easements and county easements. Additionally, there were discrepancies for grading into defined wetland areas.

Mr. Prendergast will develop maps identifying the lot line adjustment, review DEC storm water requirements, including necessary management and pond redesign, including enlargement, setbacks from federally identified wetlands and outlets.

It was noted that the second floor of the building will be used by the applicant for their offices. It was agreed Ghent Planning Board will act as lead agency. It was also agreed that Mr. Prendergast will respond to the questions raised by Mr. Jurkowski in his letter 30 April 2009 letter to Chair Walters. Mr. Machiz questioned the effects of increased road development on amounts of runoff and the necessary detention basin. It was suggested that updated mapping include the *cul de sac*.

Chair Walters reviewed required actions.

- o Mr. Prendergast needs to respond to Mr. Jurkowski's 30 March 2009 letter addressed to Chair Walters
- o the Applicant needs to make formal application for Site Plan Review and Lot Line Adjustment
- o storm water requirements need to reflect proposed road expansion and grading.

In addition, Chair Walters noted that the Board will be closely examining site landscaping. It was agreed that Board members will arrange to meet with Mr. Prendergast and walk the site. Chair Walters, Mr. Jurkowski and Mr. Prendergast will keep in touch. The need for escrow fees was also raised. It was agreed that Mr. Jurkowski will determine the necessary funds.

#### MINUTES

A motion to approve the March 2009 minutes, as corrected, was made by Mr. Mendelson, seconded by Mr. Machiz and unanimously approved.

APPLICATION NIGHT

Co-Chair Groom and Mr. Nelson will attend Application Night on Wednesday, 08 April 2009.

There being no further business, the meeting was adjourned at 8:25 pm.

SUBMITTED BY  
BARBARA BARRIE  
RECORDING SECRETARY