

Chair Walters called the meeting to order at 7:03 pm. In attendance were Co-Chair J. Aaron Groom, Geoff French, Pete Nelson Jr., Martin Silver, Frank Mendelson and Larry Machiz.

Also in attendance were Chair Steve Gitto and member Robert Travallier of the Village of Chatham Planning Board, Town of Ghent Engineering consultant Ray Jurkowski, Principal, Morris Associates, Greenport, NY and Ghent Zoning Enforcement Officer Gil Raab.

APPLICATION FOR MINOR SUBDIVISION

TAX PARCEL 91.00-01-68.00

CESTERNINO CONSTRUCTION CO., INC.

950 STATE ROUTE 9-H, GHENT, NEW YORK

Zoning Enforcement Officer (ZEO) Gil Raab was invited to participate. Mr. Cesternino was in attendance. When queried, Mr. Cesternino acknowledged that his wife is operating an unlicensed business on the property. This is in addition to an existing, licensed business. ZEO Raab suggested that Mr. Cesternino make a request to the Zoning Board of Appeals (ZBA) to operate two (2) businesses on one lot.

Due to the existing violation, it was determined that the Public Hearing be continued to next month, February 2009. Chair Walters noted that if/when the request for Minor Subdivision is approved, the Planning Board may require an Application for Site Plan Review.

A motion to continue the Public Hearing to the February 2009 meeting was made by Mr. Mendelson, seconded by Co-Chair Groom and unanimously approved.

APPLICATION FOR MINOR SUBDIVISION

TAX PARCEL 82.00-01-28.00

JOSEPH & DIANE CARDINALE, dba J.D. HANDLING SYSTEMS, INC.

1346 STATE ROUTE 9-H, GHENT, NEW YORK

Mr. Joe Cardinale appeared before the Planning Board, with his Application for Minor Subdivision. Chair Walters referred to an 07January 2009 letter from ZEO Raab, detailing his inspection of the business location earlier in the day. ZEO Raab noted the site 'more closely conforms to the approved Site Plan than it has in the near past.' Mr.

Cardinale verbally committed to completing plantings requested by the Planning Board, during the coming spring.

The Public Hearing was opened. When questioned, ZEO Rabb said that he recently visited the site and observed improvements over and above the last time he had been there. He also said that the area between the west wall of the building and State Route 9-H had been cleared. The inventory of open, flatbed trailers and snow removers was now neatly displayed. Mr. Cardinale noted that he is in the process of removing the last row of box trailers. ZEO Raab will visit the J. D. Handling Systems, Inc. site this coming spring, to ensure conditions of approval are met. He will make follow-up visits to the site thereafter.

Mr. Cardinale suggested that the number of rows, versus a square footage value, be used to quantify the display area.

A motion was made, and approved, to close the Public Hearing.

Board members conducted a New York State Department of Environmental Conservation (NYS-DEC) short-form State Environmental Quality Review (SEQR). All Planning Board members made negative declarations.

A motion, to approve the Application for Minor Subdivision of Tax Parcel 82.00-01-28.00, was made by Mr. French and seconded by Mr. Nelson, who noted that the site appears to be in conformance with the Board's requests. Board members conducted a Finding of Fact.

- o Mr. Machiz approved.
- o Mr. Mendelson approved and stated his appreciation of the efforts made by Mr. Cardinale to conform. He also noted that there is a balance between Code requirements and running a business.
- o Mr. Nelson approved, noting that Mr. Cardinale had worked with the Board and everyone was able to move forward. He said that the Application meets the requirements of the Town's in-place Master Plan.
- o Mr. Silver approved, noting the previously stated reasons.
- o Mr. French approved and stated that he appreciated the applicant's efforts.
- o Co-Chair Groom approved and observed that the Application meets the Town of Ghent's Zoning Code and Master Plan.
- o Chair Walters approved and commented that the Application will have zero impact on the area.

A COPY OF THE MAPPING ENTITLED 'SUBDIVISION OF LANDS BY: JOSEPH P. CARDINALE AND DIANE K. CARDINALE', PREPARED BY ROBERT J. IHLENBURG, LS, HUDSON, NY, DATED 28 AUGUST 2008, REVISED 24 NOVEMBER 2008 WAS STAMPED AND PLACED IN THE GPB FILES.

ZEO Raab left the meeting.

APPLICATION FOR MINOR SUBDIVISION  
and  
APPLICATION FOR SITE PLAN REVIEW  
PARCEL 65.00-01-68.110  
HOUSING RESOURCES OF  
COLUMBIA COUNTY, INC.

HIGH POINTE AT CHATHAM SENIOR APARTMENTS PHASE II  
DARDESS DRIVE, GHENT, NY

Mr. Nick Costa of L. Sipperly & Associates, Latham, NY, along with Mr. Kevin O'Neill, Executive Director and an associate, of Housing Resources of Columbia County, Inc., Hudson, NY appeared before the Board.

Town of Ghent engineering consultant Ray Jurkowski joined the meeting. Village of Chatham Planning Board Chair Gitto was invited to participate. It was noted that the Public Hearing was for concurrent Applications for Minor Subdivision and Site Plan Review.

The Public Hearing was opened. There being no inquiries regarding the Applications, the Public Hearing was closed.

Mr. Jurkowski reviewed recent correspondence relating to the requests.

- o 06 January 2009 letter from Paul Boehme, Mayor, Village of Chatham, stating that the Village of Chatham will provide water and sewer services to the proposed High Pointe II development
- o 17 December 2008 letter from Andrew Dangler, Western Permits Section, US Army Engineer District – New York, Upstate Regulatory Field Office, Department of the Army (aka 'Army Corps of Engineers') stating that 'a Department of the Army permit is not required....'
- o 19 December 2008 letter from Nicholas Costa, PE, L. Sipperly & Associates to Village of Chatham Mayor Boehme that provided, in part, water and sanitary sewer information (including average daily sewer loading, average hourly flow and peak hourly flow).

Mr. Jurkowski led a review of the required long-form SEQR. During the review, it was noted that the Applicant still requires approval from NYS-DEC. This will be one of the Planning Board's conditions of approval. The applicant also requires a State Pollutant Discharge Elimination System (SPDES) discharge permit and an NYS-DEC Solid Waste Facility (SWF) permit. There was a general discussion relating to the term 'liquid effluent'. It was noted that in addition to the NYS permits, the applicant will require Columbia County Department of Health (CC-DOH) approval, as well as approval by the Village of Chatham. Members completed the review.

A motion was made by Mr. Machiz and seconded by Mr. Mendelson, to approve the negative declaration of a single long-form SEQR, Part II that applies to both applications. Planning Board members unanimously voted

in favor of the negative declaration, noting it conforms to Town of Ghent Zoning Code. All Board members made negative declarations.

There was a general discussion of issues relating to the proposed High Pointe II development, including conditions of potential approval.

- o Mr. Machiz inquired about the roadway being built for this development, and its potential importance
- o apparently there is a 'right of way' easement across the parcel for to parcel owner Francis Greenburger
- o the proposed roadway meets Village of Chatham specifications, including width requirements
- o the development is setback from the road by more than 500', therefore, the application does require Columbia County Planning Board approval
- o there is an Inter-Municipal Agreement in place between the Town of Ghent and the Village of Chatham
- o Village of Chatham Planning Board Chair Steve Gitto raised questions about drainage for the project
- o the proposal will reduce the volume of water heading towards the Columbia County Fairgrounds
- o captured run-off will be directed towards the existing wetlands (Gray Swamp)
- o there will be off-road parking for visitors
- o the roadway within the development will be 24' wide (2-12' wide lanes)
- o there will be one central dumpster for the project
- o landscaping and lighting plans have been developed
- o the tallest street light fixtures in the development will be 12' high, and use an 'up and in' lens that does not protrude down – a spec sheet was provided
- o according to representatives, none of the proposed development will be visible from State Route 66 - only the existing buildings of High Pointe I can be seen
- o Chair Walters requested a 'basic' set of Site Plan Review drawings, that include the placement of fire hydrants - he will 'walk over' drawings to the Chatham Village Fire Department
- o Mr. Jurkowski inquired if the Planning Board had received the previously requested copies of the easement and easement agreement
- o it was noted that High Pointe II is a separate corporation from High Pointe I

- o It was agreed that Mr. Jurkowski will develop a contingent approval which can be finalized at the next Board meeting.

#### NEW BUSINESS

Chair Walters noted that this is an informal presentation. In attendance were representatives of Infinigy Engineering, Schyuler Companies and Price Chopper (Golub Corporation). Chair Walters informed the Board that several months ago, he and Town Supervisor Andrews had held a preliminary, informal meeting with representatives to review zoning issues and procedures.

Mr. Mike Tucker, PE, Principal, Director of Land Development, Infinigy Engineering, Latham, NY spoke to the Board. The consortium is looking to develop 7-acres of a 21-acre parcel currently owned by Fairpoint Communications. The acreage in question is located north of the Fairpoint facility and across from the Bank of Greene County. It is the consortium's intent to build a 45,000 square foot Price Chopper grocery store. According to the preliminary site plan drawing Mr. Tucker provided, parking would be located between the front of the building and State Route 66. The sketch also included two (2) ingresses/egresses to the site and loading facilities at the back of the building. Mr. Tucker noted that the site plan conforms to Town of Ghent Zoning 'Business, Industrial, Commercial' (BIC) requirements. The group is awaiting response from DEC and the Army Corps of Engineers as to who holds jurisdiction over the wetlands situated on the proposed site. Additionally, there is a question as to whether the proposed building will be located within the perimeters of the Town of Ghent, or the Village of Chatham. When asked, Mr. Tucker said that the development will require municipal sewer and water systems. Board members voiced concern about the visual impact of a 'sea of parking' and questioned if the building could be 'twisted' on the lot. It was suggested that the developers consider exteriors that would be in keeping with those of the Bank of Greene Country facility located across the road. Mr. Chuck Chissom, a representative of Price Chopper, spoke. Apparently, the size of the existing 23,000 square foot building and the depth of the lot on which it is located, limit the company's expansion. He said that there are (10) years remaining on the lease of the present facility, plus options past that. Price Chopper will be responsible to find someone to finish out the lease.

Another Price Chopper representative spoke about the presented elevation drawings and the physical plant. He informed Board members that Price Chopper designers have been working with New York State

Energy Research and Development Authority (NYSERDA) and the federal Environmental Protection Agency's (EPA) 'Green Building Program' to design a 'green' structure. Board members suggested that the exterior/facade/aesthetics of the building should reflect its 'rural' location. Mr. Mendelson noted that the Town's proposed Comprehensive Plan supports sustainable businesses coming to Ghent. Potential benefits to the Town of Ghent were discussed. Mr. French inquired about traffic. The consortium has yet to develop a traffic study. Mr. Jurkowski suggested that ingress/egress be reduced to a single access point, as usually required by NYS Department of Transportation (NYS-DOT). Given the need for municipal water supplies and sewer system, the issue of annexation was raised.

The representatives will return at a later date with additional information, including landscaping drawings.

#### MINUTES

A motion to approve the October 2008, November 2008 and December 2008 minutes was made by Mr. French, seconded by Mr. Silver and unanimously approved.

#### APPLICATION NIGHT

It was agreed that Co-Chair Groom and Mr. French will attend.

There being no further business, the meeting adjourned at 8:52 pm.

[REFERENCED CORRESPONDENCE IS FILED ACCORDING TO THE APPLICABLE GPB TAX PARCEL IDENTIFICATION NUMBER]