

**TOWN OF GHENT PLANNING BOARD  
MEETING MINUTES  
February 3, 2016**

**PRESENT:** French, Groom, Machiz, Ocean, Rosenstreich and Walters

**OTHERS PRESENT:** Mallory Mort, Mitchell Khosrova

***MINUTES***

Motion made by Groom, seconded by French to accept January 6, 2016 minutes as amended. Five approved; Rosenstreich abstained. Motion passed.

***PUBLIC HEARING***

**Henry Witz  
Application for Lot Line Adjustment  
Tax Parcel ID# 91-1-82.11 and 82.2**

Would like to sell two 0.2 acre to neighbor so that shed near property line is in conformance with Town regulations. Frontage is good all around parcel even when these two small areas are sold.

SEQRA is not required for a Lot Line Adjustment application.

Motion made by French, seconded by Ocean to open Public Hearing. All approved.

No comments from the public.

Motion made by Rosenstreich, seconded by French to close Public Hearing. All approved.

Motion made by French, seconded by Ocean to approve application for Lot Line Adjustment as presented.

French: approve. Meets code requirements, and no impact.

Groom: approve. No impact.

Walters: approve. No impact.

Ocean: approve. No impact.

Rosenstreich: approve. Meets code and master plan requirements.

*Board member Machiz arrived at this time.*

**Skate 9H Realty Corp / Steve and Mary Gazzola**  
**Application for Site Plan Review**  
**Tax Parcel ID# 91-1-33.110**

Applicant submitted definition of use for this property and a SEQRA application.

*Condition:* Outside storage is not allowed on this property. Owner only can keep registered vehicles and construction trailers outside on this site. There will be no paid storage outside of the building on this property. Customers are allowed to park in the lot when they are visiting.

Motion made by Ocean, seconded by Machiz to open Public Hearing. All approved.

No comments from the public.

Motion made by Rosenstreich, seconded by Machiz to close Public Hearing. All approved.

SEQRA Part 2 was completed. Negative declaration by all board members present.

Motion made by French, seconded by Ocean to approve application with condition (above) and use as presented by applicant.

French: approve. Meets code and detailed plan of use submitted by applicant is thorough.

Groom: approve. Less impact than previous use. Meets master plan and code requirements.

Walters: approve. With conditions listed and lower impact. Building Inspector Simonsmeier must determine if all building codes are met.

Ocean: approve. Approves of change of use as presented, and meets zoning requirements.

Rosenstreich: approve. Good narrative submitted by applicant.

Machiz: approve. Agrees with all previous comments.

**NEW BUSINESS**

**Charles Silberstein**  
**Applications for Site Plan Review and Special Use Permit**  
**Tax Parcel ID# 93-1-22.2**

Presented by Diego Gutierrez, Architect

Applicant would like to convert a portion of one existing barn into migrant housing for up to eight (8) persons. Property is over 100 acres total in size. Showed drawings. There will be one kitchen area and one bathroom on the first floor. The second floor will be a loft style/dorm room area. Eventually would like to add a bathroom to the second floor. The owner has recently planted some fruit trees on the property and would maybe like to start growing hops at some point in the future. Workers will be needed. Proposed space could accommodate living

quarters for up to eight people. Showed existing parking (existing asphalt driveway) and existing structures on the property. The main house has its own septic. Guest house has its own septic. New housing in existing barn structure will also have its own septic. Working with County Department of Health to determine requirements for “migrant housing” – owner will conduct all necessary due diligence. Chair Walter stated that ZEO Simonsmeier may be able to help figure out what requirements will be need to be met.

Board member Machiz asked if room for eight people is needed.

Mr. Gutierrez answered that he believes only two to three people will initially be hired, but the applicant would like to allow room for expansion of his work force in the future.

Discussion of definition for “housing for migrant workers” in town code.

Mr. Machiz pointed out that part of the structure identified as “Barn” is not a barn but is a long-standing guest residence on the property and the site plan should be corrected so as to be identified correctly.

Board member French stated that since such a small portion of this parcel will be disturbed that SWPP and SPDES permits will not be necessary.

Motion made by Rosenstreich, seconded by Groom to accept this application as complete and have public hearing at March 2 meeting. All approved.

### **OLD BUSINESS**

#### **John Sheerin / JDS Properties Application for Site Plan Review Tax Parcel ID# 82-1-28.12**

Mr. Khosrova read a letter of determination from the ZBA granting approval for a special use permit granted in September 2013, and explained that the ZBA’s intent was no outside storage of equipment but operational equipment were okay to be outside on a temporary basis.

Chair Walters thinks the way Mr. Sheerin currently operates his business on this property meets those requirements. Mr. Sheerin has neatened up the property and operational usage left outside is minimal.

Board member French stated that he would consider outside storage to be a permanent fixture, which is not the case with how Mr. Sheerin operates on this property. Thinks moving containers on and off the property is acceptable.

Board member Machiz stated that because this Planning Board was never given a site plan for this property, that it should not be approved. He would like specific conditions set for current and future use, as a site plan stays with the property.

The following conditions were discussed for this property, and will be formally prepared by attorney Khosrova (he will include, if he deems it advisable, a condition relating to removal of snow at the property, which the board questioned whether such condition was lawful/appropriate) and such conditions will be voted on at March meeting:

- 1) Owners contracting business plus a maximum of five (5) inside self-storage rental units. Owner's Contracting Business consists of roll-off, non-hazardous waste hauling, and transfer. Collection of waste incidental to the transfer of waste is included.
- 2) No wholesale or retail activities are to be conducted on the premises. No part of the premises may be used for the sale of boats, automobiles, equipment or other goods.
- 3) The owner shall provide a copy of these approved conditions and the site plan to every current and future tenant or licensee so as to facilitate their compliance with these conditions.
- 4) Hours of outside business activity will be: 7:00 am to 7:30 pm, seven days a week.
- 5) Signs: no business signs are proposed or approved. Any future signs must comply with and be permitted in accordance with Town Code.
- 6) Lights: any lights used to illuminate the site shall be completely cut off (hooded) designed so as to reflect away from adjoining properties and public thoroughfares.
- 7) General conditions: all on-site operations shall comply with the conditions set forth in the Town of Ghent's general standards for 190-19(i) Contractor Facility.
- 8) Yard restrictions:
  - a) Roll off dumpsters may be located outside on the property only temporarily. Dumpsters may remain at the property for no more than two days at a time.
  - b) Front yard (State Route 66): no permanent dumpsters. One roll off dumpster may be placed temporarily as in (a).
  - c) Side yard (Water Street): no permanent dumpsters. One roll off dumpster may be placed temporarily as in (a).
  - d) Rear yard (abutting neighbors property on Water Street): Two roll off dumpsters may be placed temporarily as in (a).
- 9) Specific Additional Provisions re Dumpsters:
  - a) The term "dumpster" as used herein shall include but not be limited to a large trash receptacle designed to be hoisted and emptied into a truck or hauled away on a truck.
  - b) Dumpsters shall not be placed closer than 30 feet from the intersection of Route 66 and Water Street.
  - c) A placard or decal shall be affixed to each dumpster until such time as the dumpster is removed. Such placard or decal shall have one or more warning signs of a contrasting color to identify that the contents may be dangerous, that children should be kept away, that playing in, on or about the dumpsters are prohibited.
  - d) No dumpster shall be emptied or sorted on the property.

- e) A tarpaulin or other secured material shall completely cover any dumpster at all times that it is on the property.
- f) No hazardous material shall be placed in a dumpster. It shall be the responsibility of the Owner to maintain the dumpster rodent, vermin and insect free.

Board member Machiz would like more consideration for including snow removal condition to this list.

**Brakman**

**Tax Parcel ID# 76-01-49.01**

It was decided that undoing restrictions set on applications could be bad and the owner of this property was told there could be no further subdivisions as set forth previously.

Town Board: has appointed Jonathan Walters as Chair of the Planning Board for 2016. After discussion it was decided that Geoff French will be Vice Chair and Aaron Groom will be Assistant Vice Chair.

Motion made and seconded to adjourn. All approved.

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