

Town of Ghent Planning Board Meeting, Wednesday, September 1, 2010

Board Members Present: Groom, Machiz, Nelson, Rosenstreich and Chair Walters

Public Hearings

Ghent Volunteer Fire Company #1

Tax ID# 75.4-1-35 Application for Site Plan Review (Chair Walter recused himself from this discussion.)

Discussion of lighting changes – sensitivity and timing of motion sensors. Applicant researched down-cast lighting. Board member Machiz is happy with proposed lighting. Board member Nelson likes new fixtures and new front on building. Reviewed maps – discussed inside ceiling and roof heights. Board member Rosenstreich asked about lighting on sign. Applicant assured Board that Fire Department would review the hours for lighting the grounds. Applicant said he would discuss at fire department meeting.

Motion to open public hearing made by Nelson, seconded by Machiz. All agreed. No one present to comment.

Motion to close public hearing made by Machiz, seconded by Nelson. All agreed.

Motion made by Machiz, seconded by Rosenstreich to approve site plan with two conditions: 1) Addition will incorporate downcast barn-style lighting as per spec sheet provided by applicant; and 2) Five (5) existing lights on the northern-most eastern gable are on motion detectors set on short times (not to exceed 10 minutes) and low sensitivity.

Machiz: approve; in accordance with Town of Ghent Master Plan and a nice addition for the fire department.

Nelson: approve; in accordance with Town of Ghent Master Plan.

Rosenstreich: approve; in accordance with Town of Ghent Master Plan.

Groom: approve; addition in accordance with Town of Ghent Master Plan and will be good for service to the community.

Maps were stamped for approval.

Richies Sales LLC dba Mountain View Masonry and Landscaping

Tax Parcel ID# 73-1-12 Application for Site Plan Review

Applicant explained property use and maps were shown to Board members. Applicant stated that business will only be masonry and landscaping, they will no longer have auto sales.

Motion made by Machiz, seconded by Nelson to open public hearing. No comments from the public.

Motion made by Nelson, seconded by Rosenstreich to close public hearing.

SEQR Short form was completed. Negative declarations by Machiz, Nelson, Rosenstreich, Groom and Chair Walters.

Gil Raab inspected the signage on the property – it meets all requirements. Lighting was also inspected – meets all requirements.

Hours of Operation: retail portion will operate 8am to 6pm, Monday thru Saturday. Material processing/brick hours will be 8am to 4pm, Monday thru Friday.

Board member Machiz commented on how neat and orderly the brick portion of the property is.

It was noted that If this applicant ever returns, they will need a professional map of the property done.

Motion made by Machiz, seconded by Nelson to approve the site plan on map based on letter by Chair Walters and the following conditions: 1) no additional lighting to be added to the property; 2) existing sign only; 3) retail hours 8am to 6pm, Monday thru Saturday; 4) processing hours 8am to 4pm, Monday thru Friday; and 5) all items on display will be neat and orderly at all times.

Machiz: approve; in accordance with Town of Ghent Master Plan.

Nelson: approve.

Rosenstreich: approve; in line with Town of Ghent Zoning and in accordance with Town of Ghent Master Plan.

Groom: no approval; need clear documentation in the future, great job cleaning up the site.

Chair Walters: approve; Mr. Schumann has proven to be a responsible property and business owner in the past.

Old Business

Camphill Village

Letter from NYSDOT states that the existing driveway will be closed; a new driveway will be constructed to the south. Discussion of entrance to property. Applicant is still trying to get NYSDOT to keep the existing entrance. Existing entrance will be used during construction period. Applicant will appear before this Board again if the entrance will change. NYSDEC asked NYSDOT to modify new driveway to save more wetland areas.

Ray Jurkowski submitted a draft Resolution to the Board for their review. Discussed and reviewed – and copied here:

WHEREAS, a formal application was submitted to the Planning Board by Camphill Ghent Inc., on December 17, 2009, for the approval of a Site Plan entitled Camp Hill Eldercare Initiative, for a 62 unit independent, assisted living, adult care living facility; and commercial buildings, on a 112.15-acre parcel (TMP76.0-1-60, 75.01-1-18, 76.0-1-42) located on New York State Route 66, is wholly in the Residential Agriculture (RA-1) District, and,

WHEREAS, the project consists of 62 residential units, including independent living, assisted living, assisted living with care givers in a co-housing setting, and adult care living. The proposed campus will include 7 buildings consisting of 82,378 building gross square footage, with 54 offstreet parking spaces.

WHEREAS, the Planning Board has previously conducted an environmental review of the project in accordance with Environmental Conservation Law and Title 6 NYCRR Part 617, the Implementing Regulations pertaining to said Article, together known as the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, the Planning Board of the Town of Ghent, on July 7, 2010 had determined that the proposed action will not have any potential significant adverse effects on the environment and, therefore, issued a Negative Declaration deeming a Draft Environmental Impact Statement to not be required and further stating such will not be prepared, and

WHEREAS, a Public Hearing was held on the said Site Plan at the Town Hall in Ghent, New York on August 18, 2010, and

WHEREAS, the minimum requirements of the Site Plan Regulations of the Town of Ghent have been met by said Site Plan, Site Plan Map dated May 19, 2010 latest revision date September 1, 2010, Final Site Plan.

NOW, therefore be it resolved, that said Final Site Plan be approved and signed by the Chairman after compliance by the applicant with such conditions as noted below,

AND, further be it resolved, that the conditional approval shall be valid for a period not to exceed 180 days from this date, and can be extended for additional periods not to exceed 90 days each upon request by the applicant and approval by the Planning Board.

Conditions of said Site Plan Approval shall be as follows:

- 1. Satisfaction of all technical comments set forth in the Town Engineer's review letters and documentation thereof to be presented by the Town Engineer in the form of a 'sign-off' letter.*
- 2. Approval of the Planned Residential Development Zone (PRD) by the Town of Ghent Town Board.*
- 3. Approval by the Village of Chatham for the connection into the Village of Chatham Water Main and entering into an agreement with the Village of Chatham so that the Village may supply the project with potable water, as an out of district user.*
- 4. Securing of NYSDOT approval (Highway Work Permit) for intended new access road driveway improvement and as may be required for closure of existing access driveway.*
- 5. Securing of NYSDEC approval for the following permits:*

- a. *Stormwater SPDES General Permit.*
- b. *Wastewater SPDES Permit and approval of wastewater collection and treatment systems.*
- c. *Wetlands and Wetlands Buffer Disturbance Permit.*
- d. *Stream Disturbance Permit.*
- e. *Water Supply Application.*
6. *Securing approval from the NYSDEC prior to disturbing more than five (5) acres in gross area.*
7. *Securing approval from the Army Corps of Engineers under the Nationwide Permit, regarding disturbance of Federal Wetlands.*
8. *Securing of NYSDOH approval for the water supply and distribution systems.*
9. *Securing a letter of no impact upon cultural resources from the New York State Office of Parks, Recreation and Historic Preservation.*
10. *Obtain comments from and satisfaction of all technical comments from the Columbia County Department of Health regarding the water supply and distribution system; and the wastewater collection and treatment facility. Documentation to be presented by the Health Department in the form of a 'sign-off' letter.*
11. *Obtaining comments from and satisfaction from the Department in 14 days.*
12. *Payment of any outstanding fees or reimbursable amounts due the Town of Ghent in review and processing of this Application.*
13. *Establishment of \$5,000 escrow for the purposes of final site plan inspections to be conducted by the Town Engineer, to confirm compliance with the approved site plan. Prior to the Building Inspector issuing a Certificate of Occupancy, the building inspector shall be provided with documentation to be presented by the Town Engineer in the form of a 'sign-off' letter.*
14. *Based on representation made by the applicant during the site plan review, the applicant agrees to provide an easement or fee of interest to a future party for the construction of a future rail trail along such area of the project site that currently contains the existing rail road bed. Such easement or fee of interest shall be made continuous through the parcel extending from the southerly property line to the northerly property line.*

The applicant is responsible to meet the above conditions within the time frame of this resolution. There will be no written or verbal notification from the Planning Board Office that the time has expired.

If information presented by the applicant or his representative either written or verbal, be found to be erroneous, the approval granted herein will be subject to invalidation by the Planning Board.

Motion was made by Machiz, seconded by Rosenstreich to accept Resolution with noted amendments and revision.

Machiz: approve; Great project for the Town of Ghent, good effort by applicant, hopes Town Board will grant PRD status.

Nelson: approve; in accordance with Town of Ghent Master Plan; good luck to the applicant.

Rosenstreich: approve; high expectations, thinks we can be proud of Camphill property, glad Camphill will work with the Rail Trail, in accordance with the Town of Ghent Master Plan.

Groom: approve; in accordance with the Town of Ghent Master Plan, excellent applicant, Planning Board would be happy to help with NYSDOT and entrance issues.

Chair Walters: approve; agrees with everything said by other Board members.

New Business

Ryder Truck Rental, Inc.

Tax Parcel ID# 101.1.14, Application for Special Use Permit

Present for the applicant were: Kevin McCarthy, Ryder Truck Director of Sales; Timothy Burton, Ryder Truck Senior Service Manager; Adam Dreher, Property Owner; and John Brusie, COO, Ginsberg's Food Distributors.

Applicant explained the change of property use – would like to lease building to Ryder Trucks. Ryder leases vehicles to Ginsbergs. Would like to use this building as a repair shop for the trucks. There will be no changes made to the building. There is no sign on the property now. If Ryder would like to install a sign, it must be approved by this Board first. Ryder will only work on their own trucks. Ryder would have a lease for five (5) years, with an option to extend at the end of that time. Property owner currently has a contractor use permit for the property. Gil Raab has stated that this is a non-nuisance business. If the lease with Ryder expires after five (5) years, the property owner can go back to his own business and use of building as already permitted. Landscaping – screening on building is needed. Property owner has agreed to add landscaping. Board member Machiz asked about lighting. Property owner stated that the outside of the building is lit by photocell lights from dusk to dawn and there are hooded lights on the building. Board member Nelson stated that this building is great and is nicely maintained. Proposed hours of operation are 3pm to midnight, Monday thru Friday. This could change in case of emergency. There will be 2 employees on site, and 2-3 vehicles parked in the lot.

Motion was made by Rosenstreich, seconded by Nelson to hold a Public Hearing on Wednesday, October 6, 2010. All approved.

Gary & Janet Rossman

Tax Parcel ID# 83-1-99, Application for Minor Subdivision

Potential applicants discussed the possibility of submitting an application for a minor subdivision for tax parcel 83-1-99. No official application had been submitted; however the Board discussed the hypothetical subdivision. Board members reviewed the survey and found that there appeared to be the

necessary frontage on the property and that the subdivision would not require a shared driving. Board also discussed with the potential applicants that the Town of Ghent Zoning Board of Appeals. The Board indicated that once an official application was submitted, the Board would provide an official determination at that time.

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