



Columbia County, New York Planning Board

Meeting Minutes – 19 June 2012

Members Present

Cheryl Gilbert
 John V. Florio, Jr. (*Arrived after CTO*)
 Arthur Koweek, *Vice - Chair*
 Alice Platt
 Larry Saulpaugh
 Steve J. Savarese
 Deborah Shakotko
 Timothy Stalker, *Chair*
 George Super

Staff Present

Patrice O. Perry, *Senior Planner*

Guests

Ed Tuczynski

Members absent

none

Notified

CALL TO ORDER and APPROVAL OF MINUTES

Chairman Timothy Stalker called the meeting to order at 6:30 PM. Chairman Stalker opened the floor to the CCPB for any changes to the 15 May 2012 meeting minutes. Steve J. Savarese motioned to approve. Deborah Shakotko seconded. Vote: All in favor.

NYS GENERAL MUNICIPAL LAW §239-1, §239-m REFERRALS

1. #12-030– Town of Kinderhook Planning Board

Tierra Farm, Inc./Nut Biz LLC, Site Plan Review

The proposed action is modification to a previously approved site plan for an existing food processing facility, which includes a 2,600 square foot addition and the establishment of retail space within the existing structure. The site is located at 2424 NYS Route 203 in the Town of Kinderhook, NY.

Recommendation: no apparent significant county wide or inter-community impact

Comments: none

Motion: Arthur Koweek Second: Larry Saulpaugh

Vote: #12-030

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert			X	
2	Timothy Stalker	X			
3	Deborah Shakotko	X			
4	John V. Florio, Jr.				X
5	Arthur Koweek	X			
6	Larry Saulpaugh	X			
7	Alice Platt	X			
8	Steve J. Savarese	X			
At Large	George Super	X			
	TOTAL	7	0	1	1

2. #12-031 – Town of Hillsdale Zoning Board of Appeals

James Draves, Special Use Permit and Area Variance

The proposed action is to establish an “ice creamery” in an existing structure, with an addition of a deck to the rear of the structure within the required setback. The parcel is located at 9261 Route 22 in the Town of Hillsdale, NY.

Recommendation: no apparent significant county wide or inter-community impact

Comments:

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1. The CCPB suggests the applicant contact the Columbia County Department of Health regarding any necessary reviews and/or permits that would be necessary to operate.

Motion: Cheryl Gilbert Second: Deborah Shakotko

Vote: #12-031

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert	X			
2	Timothy Stalker	X			
3	Deborah Shakotko	X			
4	John V. Florio, Jr.				X
5	Arthur Koweek	X			
6	Larry Saulpaugh	X			
7	Alice Platt	X			
8	Steve J. Savarese	X			
At Large	George Super	X			
	TOTAL	8	0	0	1

3. #12-032 – Town of Stockport Zoning Board of Appeals

Richard Dunsbaugh, Special Use Permit

The proposed action is placement of a mobile home on a site located at 244 NYS Route 9J in the Town of Stockport, NY.

Recommendation: no apparent significant county wide or inter-community impact

Comments: none

Motion: George Super Second: Alice Platt

Vote: #12-032

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert	X			
2	Timothy Stalker	X			
3	Deborah Shakotko	X			
4	John V. Florio, Jr.			X	
5	Arthur Koweek	X			
6	Larry Saulpaugh	X			
7	Alice Platt	X			
8	Steve J. Savarese	X			
At Large	George Super	X			
	TOTAL	8	0	1	0

NOTE of Clarification and Correction: During discussion, Patrice Perry, staff, stated that the application would also require Site Plan Review by the Town of Stockport Planning Board. John Florio stated this was not the case. Upon further review of the Town of Stockport Zoning Law, regarding site plan review of special use permits, Staff found that the site plan review standards must be complied with but the ZBA has that authority through the Special Use Permit process and that site plan review by the Town of Stockport Planning Board is not required. The Code of the Town of Stockport, Chapter 120 Zoning, Article V Special Permit Uses, Section 120-39 - Specific standards for certain uses, reads, "In addition to the general standards stated above and the site plan review considerations stated in Section 120-48, the following specific standards shall be complied with for the particular special permit uses cited below...". Section 120-48 Planning Board Review sets forth the general considerations for site plan review. However, Section 120-45 Site plan required, excludes one- and two-family dwellings from site plan review.

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4. **#EXEMPT ACTIONS** - proposed actions exempt from mandatory referral NYSGML §239-m.3. (c)
None

OLD BUSINESS

NYSDOS TRAINING:

The latest training session was conducted by the New York State Department of State (NYSDOS) for Columbia and Greene Counties, on 23 May 2012 at the Greene County Emergency Services Training Center in Cairo. Four (4) hours of training were provided in the areas of Subdivision Review and Land Use Tools For Walkable Communities.

OATH OF OFFICE:

Deborah Shakotko recently sought clarification from Patrice Perry on the Oath of Office, which is required of all members within 30 days of the commencement of each term. Staff, sought advice from Columbia County Attorney, Robert J. Fitzsimmons, Esquire, who provided the following, "... The oath can be administered by a judge of the court of appeals, the attorney general, or by any officer authorized to take, within the state, the acknowledgment of the execution of a deed of real property, or by an officer in whose office the oath is required to be filed or by his duly designated assistant, or may be administered to any member of a body of officers, by a presiding officer or clerk, thereof, who shall have taken an oath of office. An oath of office may be administered to any state or local officer who is a member of the armed forces of the United States by any commissioned officer, in active service, of the armed forces of the United States."

Mckinney's Consolidated Laws of New York Annotated [Currentness](#)
Public Officers Law ([Refs & Annos](#)), [Chapter 47](#). Of the Consolidated Laws
[Article 2](#). Appointment and Qualification of Public Officers ([Refs & Annos](#))
§ 10. Official oaths

Every officer shall take and file the oath of office required by law, and every judicial officer of the unified court system, in addition, shall file a copy of said oath in the office of court administration, before he shall be entitled to enter upon the discharge of any of his official duties. An oath of office may be administered by a judge of the court of appeals, the attorney general, or by any officer authorized to take, within the state, the acknowledgment of the execution of a deed of real property, or by an officer in whose office the oath is required to be filed or by his duly designated assistant, or may be administered to any member of a body of officers, by a presiding officer or clerk, thereof, who shall have taken an oath of office. An oath of office may be administered to any state or local officer who is a member of the armed forces of the United States by any commissioned officer, in active service, of the armed forces of the United States. In addition to the requirements of any other law, the certificate of the officer in the armed forces administering the oath of office under this section shall state (a) the rank of the officer administering the oath, and (b) that the person taking the oath was at the time, enlisted, inducted, ordered or commissioned in or serving with, attached to or accompanying the armed forces of the United States. The fact that the officer administering the oath was at the time duly commissioned and in active service with the armed forces, shall be certified by the secretary of the army, secretary of the air force or by the secretary of the navy, as the case may be, of the United States, or by a person designated by him to make such certifications, but the place where such oath was administered need not be disclosed. The oath of office of a notary public or commissioner of deeds shall be filed in the office of the clerk of the county in which he shall reside. The oath of office of every state officer shall be filed in the office of the secretary of state; of every officer of a municipal corporation, including a school district, with the clerk thereof; and of every other officer, including the trustees and officers of a public library and the officers of boards of cooperative educational services, in the office of the clerk of the county in which he shall reside, if no place be otherwise provided by law for the filing thereof.

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The County practice, usually, is to send people to the County Clerk, who has a record book where the oaths are recorded, with signature. This is in order to keep a record of county personnel who have taken the oath of office.

For those members who are unable to take the Oath of Office at the office of the Columbia County Clerk, they may have another qualified individual administer the Oath, and provide Patrice Perry with the signed Oath and she will file with the County Clerk.

ADJOURNMENT

Chairman Stalker adjourned the meeting at 7:00PM. The next scheduled meeting is

Tuesday 17 July 2012, 6:30 PM

1st Floor Committee Room, Columbia County Offices

401 State Street, Hudson, NY