



Columbia County, New York
Planning Board

Meeting Minutes – 17 April 2012

Members Present

John V. Florio, Jr.
Cheryl Gilbert
Arthur Koweek, *Vice - Chair*
Larry Saulpaugh
Timothy Stalker, *Chair*

Staff Present

Patrice O. Perry, *Senior Planner*

Guests

Peter Paden, Columbia Land
Conservancy

Members absent – Notified

Alice Platt
Steve J. Savarese
George Super

CALL TO ORDER and APPROVAL OF MINUTES

Chairman Timothy Stalker called the meeting to order at 6:50 PM. Chairman Stalker opened the floor to the CCPB for any changes to the 20 March 2012 meeting minutes. John V. Florio, Jr. motioned to approve. Larry Saulpaugh seconded. Vote: All in favor.

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

1. **#12-011– Town of Kinderhook Planning Board**

Marcel St. Onge, Site Plan Review

The proposed action is the conversion of a portion of an existing structure to senior apartments. The site is located on Herrick Road in the Town of Kinderhook, NY.

Recommendation: None

Five (5) members of the CCPB were present at the meeting, satisfying the quorum requirements to hold a meeting of this nine (9) member board. One CCPB member present also sits on the Kinderhook Planning Board and as such is required to abstain from voting on this proposed action, pursuant to NYSGML Section 239-c,

A member of a county planning board shall excuse himself or herself from any deliberation or vote relating to a matter or proposal before such county planning board which is or has been the subject of a proposal, application or vote before the municipal board of which he or she is a member.

Under NYSGML Section 239-c,

Every motion or resolution of a county planning board shall require for its adoption the affirmative vote of a majority of all the members of the county planning board

The CCPB is a nine (9) member Board and therefore five (5) votes would be majority. Only four (4) of the CCPB members present could vote on this proposed action, consequently, the CCPB had insufficient votes to pass the motion for a recommendation on this proposed action.

Motion: Timothy Stalker **Second:** John V. Florio, Jr.

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Vote: #12-011

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert			X	
2	Timothy Stalker	X			
3	OPEN				
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	4	0	1	3

2. #12-012 – Town of Greenport Planning Board

Columbia Land Conservancy, Site Plan Review

The proposed action is the driveway relocation and modifications to the parking for the Greenport Conservation Area, located on Joslen Boulevard in the Town of Greenport, NY.

Recommendation: None

Five (5) members of the CCPB were present at the meeting, satisfying the quorum requirements to hold a meeting of this nine (9) member board. One member of the CCPB serves in the capacity of Building Inspector and Code Enforcement Officer in the Town of Greenport, and as such must recuse himself from voting.

Under NYS GML Section 239-c,

Every motion or resolution of a county planning board shall require for its adoption the affirmative vote of a majority of all the members of the county planning board

The CCPB is a nine (9) member Board and therefore five (5) votes would be majority. Only four (4) of the CCPB members present could vote on this proposed action, consequently, the CCPB had insufficient votes to pass the motion for a recommendation on this proposed action.

Motion: Timothy Stalker Second: Larry Saulpaugh

Vote: #12-012

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert	X			
2	Timothy Stalker	X			
3	OPEN				
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	4	0	1	3

3. #12-013 – Town of Greenport Planning Board

Dominic Conte/Bubba Bean Inc, Site Plan Review

The proposed action is the addition of an overhang on an existing structure, Bubba Beans restaurant, located on Ten Broeck Avenue in the Town of Greenport, NY.

Recommendation: None

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Under NYSGML Section 239-c,

Every motion or resolution of a county planning board shall require for its adoption the affirmative vote of a majority of all the members of the county planning board

The CCPB is a nine (9) member Board and therefore five (5) votes would be majority. Only four (4) of the CCPB members present could vote on this proposed action, consequently, the CCPB had insufficient votes to pass the motion for a recommendation on this proposed action.

Motion: Cheryl Gilbert Second: John V. Florio, Jr.

Vote: #12-013

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert	X			
2	Timothy Stalker	X			
3	OPEN				
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	4	0	1	3

4. #12-014 – Town of Claverack Zoning Board of Appeals

Claverack Free Library, Site Plan Review

The proposed action is to convert an existing structure, previously occupied by A.B. Shaw Fire Company, to a public library. The site is located at 9 NYS Route 9H in the Town of Claverack, NY.

Recommendation: APPROVAL

The CCPB finds that this proposed action, the establishment of a public library, will likely result in significant county-wide and intercommunity impacts. The recommendation of Approval is based on the following considerations set forth in NYSGML Section 239 (1):

(f) community facilities

(g) official municipal and county development policies, as may be expressed through comprehensive plans, capital programs or regulatory measures; and

(h) such other matters as may relate to the public convenience, to governmental efficiency, and to the achieving and maintaining of a satisfactory community environment.

The Claverack Free Library has been in existence for 182 years and is a member of the Mid-Hudson Library System which serves Columbia, Dutchess, Greene, Putnam and Ulster Counties. The size of the current library facility is no longer adequate to accommodate all the services and collections desired. The new library will

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provide facilities which will allow programs to continue, and to expand and enhance the educational and community role of the current library albeit within a facility with adequate space.

The site of the proposed library is in very close proximity to the existing Claverack Public Library, and as such will continue to maintain a presence within the Hamlet which is consistent with recommendations in the Town Comprehensive Plan. The proposed improvements and adaptive reuse of the existing structure is positive. The CCPB recommends that the Town of Claverack Zoning Board of Appeals approve this application for Site Plan Review.

Motion: Cheryl Gilbert Second: John V. Florio, Jr.

Vote: #12-014

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert	X			
2	Timothy Stalker	X			
3	OPEN				
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	5	0	0	3

5. #12-015 – Town of Claverack Zoning Board of Appeals

Common Hands Farm, Site Plan Review

The proposed action is to establish an organic farming use as Community Supported Agriculture (CSA), growing specialty produce. The proposal includes constructing a processing shed for offsite sales and erecting a temporary greenhouse. The site is located in the Town of Claverack with frontage on Webb Road and NYS Route 23B.

Recommendation: APPROVAL

Recommendation: APPROVAL

The CCPB finds that this proposed action, the establishment of an organic CSA, will likely result in significant county-wide and intercommunity impacts. The recommendation of Approval is based on the following considerations set forth in NYSGML Section 239 (1):

(g) official municipal and county development policies, as may be expressed through comprehensive plans, capital programs or regulatory measures; and

(h) such other matters as may relate to the public convenience, to governmental efficiency, and to the achieving and maintaining of a satisfactory community environment.

One boundary of the parcel is also part the municipal boundary line between the Town of Claverack and the Town of Greenport. It is also located within the New York State Department of Agriculture and Markets Certified, Columbia County Agricultural District #3.

In 1993 Columbia County Board of Supervisors adopted a Right to Farm Law, setting forth the importance of agriculture. Farming has historically been a major land use in the Town of Claverack, and a key part of the County economy and continues to be an important industry segment. The Common Hands Farm project supports the goals of the Columbia County development policies towards agriculture. The development of new business in support of agricultural uses has been identified as a key area of economic development for the County. The CCPB finds that the economic impacts of this farming operation will be positive. Agriculture is identified in the Town of Claverack Comprehensive plan as an important component of the Town.

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Motion: John V. Florio, Jr. Second: Larry Saulpaugh

Vote: #12-015

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert	X			
2	Timothy Stalker	X			
3	OPEN				
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	5	0	0	3

6. #12-016 – Town of New Lebanon Planning Board

Lebanon Valley Speedway Campgrounds, Site Plan Review

The site plan review is required as part of the process to license the existing campgrounds located on US Route 20 in the Town of New Lebanon, NY.

Recommendation: APPROVAL

The CCPB finds that this proposed action, site plan review of the existing campgrounds at Lebanon Valley Speedway, will likely result in significant county-wide and intercommunity impacts. The recommendation of Approval is based on the following considerations set forth in NYSGML Section 239 (l):

(g) official municipal and county development policies, as may be expressed through comprehensive plans, capital programs or regulatory measures; and

(h) such other matters as may relate to the public convenience, to governmental efficiency, and to the achieving and maintaining of a satisfactory community environment.

The CCPB notes that the applicant is in the site plan review process in order to bring the existing camping operation into compliance with the Town of New Lebanon's current regulatory framework, Town of New Lebanon Code Chapter 88 Camping Ground Ordinances, which was revised and subsequently adopted in August 2011. In order to maintain and continue this existing use the Lebanon Valley Speedway is required to undergo review and obtain a license to operate the campgrounds. The CCPB notes that the applicant has obtained variances and approval from Columbia County Department of Health for the campground use.

The campgrounds have been in existence for a number of years and are an established part of the speedway operation. The Lebanon Valley Speedway provides employment and recreation opportunities. The Town of New Lebanon Comprehensive Plan, Section V Profile of New Lebanon in 2004, cites that the Lebanon Valley Speedway has been in continuous operation since 1952, and is estimated the operation involves one-half million people annually including fans, drivers and staff, drawing “visitors from throughout the Northeast, from New Jersey to Montreal”. The continuation of this existing use is beneficial to the Lebanon Valley Speedway and the tourism industry in the County, and the region. Lebanon Valley Speedway is a major attraction in Columbia County and is promoted by Columbia County Tourism, <http://www.columbiacountytourism.org/index.php/attractions/>. In addition the Lebanon Valley Speedway is also listed and promoted on the NYS "I Love New York" website, <http://www.iloveny.com/What-To-Do/See-And-Do/Lebanon-Valley-Speedway/2581.aspx>.

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Motion: Timothy Stalker Second: John V. Florio, Jr.

Vote: #12-016

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert	X			
2	Timothy Stalker	X			
3	OPEN				
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	5	0	0	3

7. #12-017 – Town of Hillsdale Town Board

Proposed Comprehensive Plan Amendment

Adoption of proposed Local Law No. 1 of the year 2012 Amending the Town of Hillsdale Comprehensive Plan.

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

Motion: Cheryl Gilbert Second: John V. Florio, Jr.

Vote: #12-017

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert	X			
2	Timothy Stalker	X			
3	OPEN				
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	5	0	0	3

8. #12-018 – Town of Hillsdale Town Board

Proposed Zoning Amendment

Local Law No. 2 of the year 2012 Amending the Zoning and Land Use Control Law of the Town of Hillsdale.

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

Motion: Arthur Koweek Second: Cheryl Gilbert

Vote: #12-018

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert	X			
2	Timothy Stalker	X			
3	OPEN				
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	5	0	0	3

9. #12-019 – Village of Chatham Village Board of Trustees

Proposed Zoning Amendment

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Village of Chatham's proposed Local Law No. 1 – 2012

Change the Village's Table of Use Regulations to require a special permit for retail business uses and restaurant businesses located in the Village's C-3 Zoning District.

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

Motion: Timothy Stalker Second: John V. Florio, Jr.

Vote: #12-019

REGION	MEMBER	AYE	NAY	ABST.	NOT PRESENT
1	Cheryl Gilbert	X			
2	Timothy Stalker	X			
3	OPEN				
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	5	0	0	3

10. #EXEMPT ACTIONS - proposed actions exempt from mandatory referral NYSGML §239-m.3. (c)

- Village of Philmont: Laura and Stuart Summer/Nathaniel Williams -- Special Use Permit establish a home occupation
- Town of Greenport: Rick Cummings/Mulhern Gas -- Site Plan Review – expansion of an existing business

OLD BUSINESS

MEMBER TERMS

Chairman Stalker stated that supervisors from Region #3 Towns of Claverack and Ghent submitted a Nomination, Deborah Shakotko. This nomination will be presented to the County Government Committee on 24 April 2012.

NEW YORK PLANNING FEDERATION ANNUAL CONFERENCE

Chairman Stalker stated that the conference went very well and noted that 18 people were there from Columbia County. The NYPF will be issuing a press release. Arthur Koweek stated that this conference was one of the best ever, and that the sessions were excellent. He said the conference was run very professionally. Members attended the full day of session on Monday, 4/16, and included: Arthur Koweek, Steve Savarese, and Timothy Stalker, along with staff with Patrice Perry. The conference was held Sunday April 15 – 17, 2012 at the Saratoga Hilton, Saratoga Springs, NY. The speaker for the Plenary Session is Robert Freeman, Committee on Open Government.

NYSDOS TRAINING:

The latest training session is being conducted by the New York State Department of State. Columbia and Greene Counties are coordinating the session. The (4) hour session is on 23 May 2012 at the Greene County Emergency Services Training Center in Cairo. Each session of the sessions are (2) hours and will include, Subdivision Review and Land Use Tools For Walkable Communities. The sessions will begin at 5:00 pm and end at 9:15 pm. The 4 hour session will allow individuals to obtain 4 hours of land use training.

NY SEQRA EAF REVISION:

The NYSDEC has adopted an amended Environmental Assessment Form (EAF)

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<http://www.dec.ny.gov/permits/70293.html> which, which will go into effect on 25 October 2012. A training session will be presented by David Everett of Whiteman Osterman and Hanna at Columbia-Greene Community College on 10 May 2012. The notice will be e-mailed this week.

4. NEW BUSINESS

TRAINING

Chairman Stalker discussed the potential for a fall training session which might include presentations from various entities involved in the land use review and decision making process. These could include the role of the CCPB, including exempt actions, NYSDOT access permitting, Columbia County Departments: Health, Highway, Real Property. More discussion on specific topics will continue.

ADJOURNMENT

Chairman Stalker adjourned the meeting at 8: 00PM. The next scheduled meeting is

Tuesday 15 May 2012, 6:30 PM

1st Floor Committee Room, Columbia County Offices

401 State Street, Hudson, NY