



Columbia County, New York Planning Board

Meeting Minutes – 25 September 2012

Members Present

Alice Platt
Larry Saulpaugh
Deborah Shakotko
Timothy Stalker, *Chair*
George Super

Staff Present

Patrice O. Perry, *Senior Planner*

Guests

None

Members absent-Notified

Cheryl Gilbert
John V. Florio, Jr.
Arthur Koweek, *Vice - Chair*
Steve J. Savarese

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 21 August 2012 meeting minutes. Larry Saulpaugh motioned to approve. Deborah Shakotko seconded. Vote: All in favor.

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

1. #12-042– Town of Copake Town Board

Adoption of Proposed Local Law amending zoning

Town of Copake Local Law No. 2 of 2012, Town of Copake Natural Gas Mining Moratorium

Intent: "... addresses zoning and planning regulations only, and does not regulate or attempt to regulate the actual operations of the oil, gas and solution mining industries or interfere in any manner with the extractive mining process for natural gas

Recommendation: For the purpose of the proposed moratorium, natural gas mining is defined as,

"the extraction from the earth of natural or petroleum gas in a nonliquid or gaseous state, whether under pressure or otherwise contained, and whether or not the product of conversion from liquefied natural gas or liquefied petroleum gas".

The CCPB notes that New York State Department of Environmental Conservation (NYSDEC) in its authority as a regulatory agency for mining in New York State has been evaluating natural gas mining, in particular the process of High-Volume Hydraulic Fracturing (HVHF), often referred to as hydrofracking. HVHF is an extractive mining process for natural gas which involves the use of large quantities of water, sand and chemicals injected deep underground to fracture shale formations, to release natural gas. The NYSDEC study of potential impacts of HVHF and the development of proposed regulations have been in process. A revised Draft Supplemental Generic Environmental Impact Statement (SGEIS) addressing over 13,000 public comments has been prepared.

As a result of their review process, the NYSDEC proposes new regulations as well as modification to existing regulations to address the production of natural gas from wells permitted by NYSDEC. <http://www.dec.ny.gov/energy/47554.html>. It was recently announced that the findings of NYSDEC will be reviewed by the New York State Department of Health in consultation with an outside independent entity.

The CCPB notes that the process of natural gas mining through hydrofracking may result in significant impacts at the county or intercommunity level. However, the adoption of a local law enacting a moratorium on natural gas mining to study the issues related to it in terms of local land use laws will have no apparent

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significant county wide or inter-community impacts. Therefore, the Copake Town Board may take final action on this Local Law with a simple majority vote.

Motion: Alice Platt Second: Deborah Shakotko

Vote: #12-042

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	5	1	0	4

EXEMPT ACTIONS - proposed actions exempt from mandatory referral **NYSGML §239-m.3. (c)**
Town of Ghent Ronald A. Fredericks/Fredericks Performance LLC -- Proposed Area Variance to expand an existing non-conforming use.

OLD BUSINESS

CCPB NOMINATIONS

Member terms expiring 12/31/12 are: Cheryl Gilbert, Timothy Stalker and George Super. Patrice Perry sent out memos to Supervisors seeking nominations and Chairman Stalker intends to follow-up with supervisors. Nominations for Cheryl Gilbert for reappointment were received and will be sent to County Government Committee.

NYSDOS TRAINING:

Patrice Perry, working in cooperation with Greene County and NYSDOS, scheduled a Fall 2012 land use training session for 1 November 2012 at Columbia Greene Community College from 5:00 pm to 9:00 pm. The topics that NYSDOS will present are: 1. Zoning Board of Appeals Overview and 2. Site Plan Review.

EXEMPT ACTIONS

The discussion of reviewing and potentially updating the "Sample Resolution" of exempt actions continued with the suggestion that reviews associated with residential wind powered facilities, solar panels and driveways be added. Discussion to resume at future meetings.

NEW BUSINESS – N/A

ADJOURNMENT

Chairman Stalker adjourned the meeting at 6:55PM. The next scheduled meeting is

Tuesday 16 October 2012, 6:30 PM

***1st Floor Committee Room, Columbia County Offices
401 State Street, Hudson, NY***