



# Columbia County, New York Planning Board

## Meeting Minutes – 15 January 2013

### Members Present

Cheryl Gilbert  
 John V. Florio, Jr.  
 Arthur Koweek, *Vice - Chair*  
 Larry Saulpaugh  
 Timothy Stalker, *Chair*  
 Steve J. Savarese  
 Deborah Shakotko  
 George Super

### Staff Present

Patrice O. Perry, *Senior Planner*

### Guests

None

### Members absent-Notified

Alice Platt

### 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 18 December 2012 meeting minutes. George Super motioned to approve. John Florio, Jr. seconded. Vote: All in favor.

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

#### 1. #13-001– Town of Livingston Planning Board

#### **FumBo Realty, Special Use Permit, Site Plan Review, Area Variance**

The proposed action is the establishment of a seasonal roadside stand, Feather Ridge Farms and conversion of an existing commercial structure to multi-family residential. The existing United States Post Office located on the parcel will continue operation. The site is located at 677-679 County Route 2/19 in the Town of Livingston, NY.

Recommendation: no apparent significant county wide or inter-community impacts.

#### Comments:

1. Access: The CCPB notes that four (4) points of access off CR 2/19 are proposed for the multiple uses on this parcel. The CCPB suggests that the applicant contact the Columbia County Engineering and Highway Departments for review and approval of these proposed access locations.
2. Water Supply and Wastewater Treatment: The CCPB suggests that the applicant contact Columbia County Department of Health regarding necessary the review and approvals for the proposed on-lot septic system.

Motion: Deborah Shakotko Second: Larry Saulpaugh

**Vote: #13-001**

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			
	<b>TOTAL</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

#### 2. #13-002– Town of Livingston Town Board

Adoption of Proposed Local Law No. 1 of 2013 amending the zoning law of The Town of Livingston in regards

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to exploration for or extraction of natural gas and/or petroleum (including but not limited to hydraulic fracturing a/k/a, hydrofracking)

Recommendation: The CCPB notes that the 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 has been in process, and a revised Draft Supplemental Generic Environmental Impact Statement (SGEIS) addressing over 13,000 public comments was prepared. <http://www.dec.ny.gov/energy/75370.html>

As a result of this review process, the NYSDEC prepared new draft regulations as well as proposed modifications to existing regulations to address the production of natural gas from wells permitted by NYSDEC. The public comment period on the HVHF Proposed Regulations closed on January 11, 2013. Further action is pending the completion of the NYSDOH review of the Draft SGEIS.

The CCPB also notes that the U.S. Environmental Protection Agency (EPA) continues the national study of any potential impacts of hydraulic fracturing on drinking water resources. The U.S. Congress directed the EPA to complete the study, and the draft results are expected in 2014. (EPA Releases Update on Ongoing Hydraulic Fracturing Study Release Date: 12/21/2012), <http://1.usa.gov/R92CJw>.

The CCPB anticipates further guidance from the NYSDEC regarding hydrofracking and the regulation of these activities. At the present time Columbia County has not developed policy regarding hydrofracking and as a result the CCPB offers no recommendation on this proposed local law. Therefore, the Town of Livingston Town Board may take final action on this proposed local law with a simple majority vote.

Motion: Arthur Koweek Second: Timothy Stalker

**Vote: #13-002**

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			
	<b>TOTAL</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

### 3. #13-003– City of Hudson Common Council

City of Hudson Local Law of 2013 amending the City Code to regulate the operation of taxicab operators in the City of Hudson.

Recommendation: no apparent significant county wide or inter-community impacts.

Comments: None

Motion: Deborah Shakotko Second: Cheryl Gilbert

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**Vote: #13-003**

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			
	<b>TOTAL</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

**4. #13-004– Town of Gallatin**

*Local Law of 2013 Establishing an Event Barn Floating Commercial Industrial (FCID)* as requested by Pond Lily Inc. The local law would amend the zoning and create the FCID which would allow for the establishment of an event barn use. The proposed FCID would encompass five (5) acres of a 246 acre parcel located off Pond Lily Road in the Town of Gallatin, NY.

Recommendation: no apparent significant county wide or inter-community impacts.

Comments: None

Motion: Timothy Stalker Second: Steve Savarese

**Vote: #13-004**

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			
	<b>TOTAL</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

**5. #13-005– Town of Livingston**

**David Birch/Livingston Colonial Mall for Site Plan Review**

The proposed action is the establishment of a commercial retail development, Livingston Colonial Mall. The proposed mall would be constructed adjacent to an existing self storage facility located on the 62+ acre parcel. There site is accessed off US Route 9, south of Orchard Road in the Town of Livingston, NY.

Recommendation: no apparent significant county wide or inter-community impacts.

Comments:

- Wastewater Treatment: The CCPB suggests that the applicant contact Columbia County Department of Health regarding necessary review and approvals for the proposed on-lot septic system.
- Stormwater: Construction activities that will involve soil disturbance of one or more acres must obtain coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity. The CCPB notes that this may apply to the proposed development as the site plan submitted includes a note indicating that the proposed development will result in 1.97 acres of disturbed area.

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

**Vote: #13-005**

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			
	<b>TOTAL</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

### 6. **#13-006– Town of Gallatin**

#### **Carmelite Sisters for the Aged & Infirm, Special Use Permit, Site Plan Review**

The proposed action is to construct the Mother Angeline Center, which will serve as a chapel and visitor's center. The site is located at 600 Woods Road/Columbia County Route 35 in the Town of Clermont, NY.

Recommendation: no apparent significant county wide or inter-community impacts.

Comments: None

Motion: Arthur Koweek Second: John V. Florio, Jr.

**Vote: #13-006**

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			
	<b>TOTAL</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

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

### **OLD BUSINESS**

#### **CCPB NOMINATIONS**

Although the term of the At-Large seat ended 31 December 2012, George Super may continue to serve in that capacity until such time either he is reappointed or his successor is appointed to serve as the At-Large member (NYS Public Officers Law Article 2). A nomination has yet to be received for that seat and Mr. Super is interested in reappointment. Patrice Perry will follow-up.

### **NEW BUSINESS**

#### **NEW YORK PLANNING FEDERATION (NYPF) CONFERNECE**

The annual conference is scheduled for April 21-23, 2013 at the Gideon Putnam Resort & Hotel. Early registration is through April 9, 2013. Members will need to decide by the February CCPB meeting if they are interested in attending as Committee approval is necessary in order to fund attendance.

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### **AGRICULTURE AND FARMLAND PROTECTION PLAN (AFPP)**

The draft version of the Columbia County AFPP is now open for public input. Information sessions where public input is being solicited are scheduled. The plan may be accessed on the County website, <http://www.columbiacountyny.com/CCAFPB/index.html>. A Board of Supervisors public hearing on the final plan will be in March/April 2013. CCPB members may review for discussion of the plan at the CCPB February 2013 meeting.

### **ADJOURNMENT**

Chairman Stalker adjourned the meeting at 7:40PM. The next scheduled meeting is

***Tuesday***

***19 February 2013, 6:30 PM***

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