



Columbia County, New York Planning Board

Meeting Minutes – 19 March 2013

Members Present

Arthur Koweek, *Vice - Chair*
 Steve J. Savarese
 Timothy Stalker, *Chair*
 Cheryl Gilbert
 George Super

Staff Present

Patrice O. Perry, *Senior Planner*

Guests

None

Members absent-Notified

John V. Florio, Jr.
 Alice Platt
 Larry Saulpaugh
 Deborah Shakotko

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 19 February 2013 meeting minutes. George Super motioned to approve. Cheryl Gilbert seconded. Vote: All in favor.

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

1. #13-010– Town of Chatham Town Board

Proposed Local Law of 2013 Mass Gathering Law

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

Comments: None

Motion: Cheryl Gilbert Second: George Super

Vote: #13-010

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	0	0	4

2. #13-011– Town of Kinderhook Planning Board

The proposed action is the application for a Special Use Permit for Mile Hill Bed & Breakfast. The site is located 2461 County Route 21/Mile Hill Road in the Town of Kinderhook, NY, submitted on 25 February 2013.

Recommendation: No action

Comments: 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,

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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. The next scheduled meeting of the CCPB is 16 April 2013 if Town wishes to resubmit this proposed action for consideration at that meeting, please notify the Columbia County Planning and Economic Development.

Motion: Timothy Stalker **Second:** George Super

Vote: #13-011

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	4	0	1	4

3. **#13-012– City of Hudson Common Council**

City of Hudson - Adoption of Proposed Local Law

Proposed Local Law of 2013 amending the City Code to ban oil, gas, and solution mining or drilling in the City of Hudson and for other purposes

Recommendation: No action

Comments: Pursuant to NYSGML §239-l and §239-m, the CCPB reviews proposed actions for inter-community or county-wide considerations and shall recommend Approval, Modification or Disapproval of the proposed action, or report that the proposed action has no significant county-wide or intercommunity impact. Upon recommendation of Modification or Disapproval, "...the referring body shall not act contrary to such recommendation except by a vote of majority plus one of all the members thereof." The CCPB may make informal comments to the referring body on the proposed action with any of the recommendations made. The CCPB shall have thirty days after receipt of a full statement of such proposed action, or such longer period as may have been agreed upon by CCPB and the referring body, to report its recommendations to the referring body.

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

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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 City of Hudson Common Council may take final action on this proposed local law with a simple majority vote.

Motion: Steve Savarese Second: Cheryl Gilbert

Vote: #13-012

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	0	0	4

4. **#13-013– Town of Canaan Town Board**

Proposed Local Law No. 1 of the year 2013, amending Town of Canaan Zoning Law, Article IV (G), Sign and Poster Control.

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

Comments:

1. Non-Conforming Signs: The proposed amendment includes two (2) sections pertaining to “Non-Conforming Signs”, number G. 4, and G. 14. Clarification is necessary.
2. Map: The CCPB notes that this proposed revision involves an amendment to the zoning map. Please submit a copy of the amended map which was not included with this submission.

Motion: Arthur Koweek Second: Steve Saverese

Vote: #13-013

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	0	0	4

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5. #13-014– Town of Claverack Town Board

Proposed Local Law No. 1 of the year 2013, adopting a revised official town zoning map for the Town of Claverack.

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

Comments: None

Motion: George Super Second: Cheryl Gilbert

Vote: #13-014

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	0	0	4

EXEMPT ACTIONS - proposed actions exempt from mandatory referral NYSGML §239-m.3. (c) – none

OLD BUSINESS

NEW YORK PLANNING FEDERATION (NYPF) CONFERNECE

The annual conference is scheduled for April 21-23, 2013 at the Gideon Putnam Resort & Hotel, Saratoga Springs, NY. Early registration is through April 9, 2013. All members expressed interest in attending. The conference request was brought to the County Government Committee to request approval for five (5) members to attend as that is the funding available in the Planning Department budget. This was approved by the County Government Committee, who is supportive of members attending and are cognizant of the fact that they are unpaid volunteers and must meet the mandatory four (4) hour training requirement. Timothy Stalker stated that he has received funding from the Town of Austerlitz to attend. George Super and Cheryl Gilbert offered to pass on attending this year as they have gone in previous years, in order to allow newer members to attend. Arthur Koweek stated that the members are unpaid volunteers and all members interested in attending the NYPF Conference should be able to receive County funding to attend. He stated that the members volunteer their time and are not reimbursed for their mileage to travel to and from meetings. Patrice Perry stated that the Department budget is very small and tight and that department budget cuts have been required over the past few years.

NEW BUSINESS - NA

ADJOURNMENT

Chairman Stalker adjourned the meeting at 7:20PM. The next scheduled meeting is

Tuesday, 16 April 2013, 6:30 PM

1st Floor Committee Room, Columbia County Offices

401 State St, Hudson, NY