



Columbia County, New York Planning Board

Meeting Minutes – 15 October 2013

Members Present

Arthur Koweek, *Vice - Chair*
 Alice Platt
 Larry Saulpaugh
 Timothy Stalker, *Chair*
 George Super

Staff Present

Patrice O. Perry, *Senior Planner*

Guests

None

Members absent-Notified

John V. Florio, Jr.
 Cheryl Gilbert
 Steve J. Savarese
 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 17 September 2013 meeting minutes. George Super motioned to approve. Alice Platt seconded. Vote: All in favor.

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

1. #13-040– Town of Kinderhook Planning Board

Expert Interiors & Exteriors, Inc., Site Plan Review

The proposed action is a change in use to establish a business office and storage use in an existing structure. The site is located on 3340 US Route 9 in the Town of Kinderhook, NY.

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

Comment:

1. Access: Applicant may wish to contact New York State Department of Transportation (NYSDOT) regarding any necessary improvements to the access off US 9 as a result of the change in use.

Motion: Arthur Koweek Second: Larry Saulpaugh

Vote: #13-040

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. #13-041– Town of Chatham Planning Board

Questaterra LLC-PS/21, Special Use Permit Modifications and Site Plan Review

The proposed action is modification to a previously issued Special Use Permit. The use is Performance Space for the 21st Century (PS/21), a performing arts facility located at 2980 NYS Route 66 in the Town of Chatham, NY. The proposed modification for Phase II will include construction of a three-sided 8,200 square foot, open-air pavilion with seating for 300, stage, storage, and restrooms. This phase will also include the driveway with drop off circle, lighting, electric utilities, septic system, drainage and landscaping. The modifications include: a

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smaller pavilion footprint; change in the orientation of the structure; change from an enclosed structure to an open air pavilion; a decrease in the amount of seating and parking; and a decrease in overall site disturbance. The performing arts center will continue operating on a seasonal basis.

Recommendation: Approval

The CCPB finds that the proposed modifications will likely result in county-wide and inter-community impacts. The basis for the recommendation is related to the following NYS GML §239-1 considerations:

(b) Traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities;

(d) Protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas;

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

(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 this is a coordinated review between the Town of Chatham Zoning Board of Appeals and the Town of Chatham Planning Board. The CCPB recommendation therefore shall serve as the recommendation for the coordinated review of PS 21 by both boards for the modifications to previously granted special use permit and site plan approval.

The CCPB recognizes that PS21 is a unique performing arts facility which attracts visitors to Columbia County. Since its establishment this venue has hosted a variety of performances ranging from music to dance to film, attracting many different segments of the population residing in and around Columbia County. The construction of a modified Phase II facility may result in a positive economic impact to the Tourism industry in Columbia County.

The CCPB finds that the proposed modifications will result in a decreased impact in terms of site disturbance and water/sewage usage. In addition the amount of parking and the driveway length has been decreased. Also, as fewer seats are now planned for the pavilion, a decrease in the previously projected traffic generating characteristics of the facility will likely result.

The change in design from an enclosed structure to an open air pavilion will result in an increase in sound and noise generated. The CCPB notes that while the change is significant, the information submitted indicates that the projected calculated noise level is within the ranges established for the temporary tent, and standards set forth in the Zoning Law of the Town of Chatham. The CCPB recognizes that the monitoring and testing conducted over the past seasons during productions in the temporary tent indicates that PS21 has been operating within the required limits established through previous review and approval processes. However, because of the projected increase in noise levels resulting from the modifications to the structure continued monitoring of the site noise levels may be warranted and prudent.

The recommendation of Approval is contingent upon the applicants complying with all necessary reviews and approvals from the State and County agencies having jurisdiction, including but not limited to access, water supply, sewage system, stormwater, emergency services, food service/handling, and alcohol sales/consumption.

Motion: George Super Second: Alice Platt

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Vote: #13-041

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

3. #13-042 – Town of Livingston Town Board

4. Town of Livingston - Adoption of Proposed Local Law

The proposed action is the adoption of the proposed local Law of 2013 amending the Zoning Law of the Town of Livingston in regards to Commercial Event Venue.

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

Comment:

1. Fee Schedule: Consider establishing the fees for the Commercial Event Venue in the form of a separate fee schedule adopted by the Town Board rather than incorporating into the local law. The reasoning is that if the fees are part of the zoning, any change would require adoption of a local law as an amendment to the zoning law. As such it will require the same approval process that is currently being undertaken to adopt this local law which includes, public hearing, referral to CCPB, etc.

Motion: Larry Saulpaugh Second: Alice Platt

Vote: #13-042

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	0	0	4

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

OLD BUSINESS

1. **Membership:** Chairman Stalker stated that Chairman of the Columbia County Board of Supervisors, Patrick Grattan nominated George Super for the At Large Member. Patrice Perry stated that the resolution request is ready County Government Committee.

Patrice Perry forwarded memos requesting nominations to the Region 5, 6 and 7 Supervisors. The terms of Arthur Koweek, Alice Platt, and Larry Saulpaugh expire on 31 December 2013. All are interested in

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reappointment

- 2. Training:** New York State Department of State Land Use Training Specialists conducted training sessions on Monday 7 October 2013, 5:00 pm to 9:00 pm at Columbia Greene Community College, Room #202. The topics were *Stormwater for Local Review Boards*, and *SEQR: New EAF's*. The sessions were hosted by Columbia County Planning and Economic Development, CCPB, Greene County Economic Development Tourism and Planning, and Greene County Planning Board. Nearly seventy (70) people registered.

NEW BUSINESS none

ADJOURNMENT

Chairman Stalker adjourned the meeting at 7:06 PM. The next scheduled meeting is

Tuesday, 19 November 2013, 6:30 PM
1st Floor Committee Room, Columbia County Offices
401 State St, Hudson, NY