



Columbia County, New York
Planning Board

Meeting Minutes – 19 November 2013

Members Present

Cheryl Gilbert (arrived after CTO)
 Arthur Koweek, *Vice - Chair*
 Alice Platt
 Larry Saulpaugh
 Steve J. Savarese
 Deborah Shakotko
 Timothy Stalker, *Chair*

Staff Present

Patrice O. Perry, *Senior Planner*

Guests

David Everett, Esquire

Members absent-Notified

John V. Florio, Jr.
 George Super

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 15 October 2013 meeting minutes. Larry Saulpaugh motioned to approve. Arthur Koweek seconded. Vote: All in favor.

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

1. #13-042R– Town of Livingston Town Board

Resubmission Proposed Local Law No.5 of 2013

The proposed action is a revised version of *Local Law No. 5 of the year 2013 to amend the Zoning Law of the Town of Livingston to regulate Commercial Event Venues.*

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

Comment: None

Motion: Arthur Koweek Second: Larry Saulpaugh

Vote: #13-042R

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	6	0	0	3

2. #13-043– Town of Austerlitz Planning Board

Austerlitz Volunteer Fire Company – Site Plan Review, Special Use Permit

The proposed action is to construct a firehouse. The parcel is located near the intersection of West Hill Road and NYS Route 22 in the Town of Austerlitz, NY.

Recommendation: Approval

The CCPB finds that this proposed action will likely result in county-wide or intercommunity impacts. The basis for this recommendation are the following considerations set forth in New York State General Municipal

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Law (NYSGML), Article 12B § 239-1. Coordination of certain municipal zoning and planning actions: legislative intent and policy:

(f) community facilities

(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

Austerlitz Volunteer Fire Company (AVFC) has served the community since 1937 and is a First Responder Company. AVFC is a member of Battalion 5 and the network of Columbia County fire companies that provide mutual aid coverage in Columbia County. AVFC plays a vital role in providing emergency services in the Town of Austerlitz and Columbia County. Battalion Five is comprised of Austerlitz, Spencertown, Canaan, East Chatham, Lebanon Valley Protective Association, Red Rock, Tri-Village, North Chatham, and Niverville fire companies.

The proposed construction of a new fire house on this centrally located site in the Town is advantageous as New York State Route 22 is a major artery and provides easy access to other Town, County and State roads effecting response times in the fire district. Constructing the firehouse next to its current location will allow for the continuance of emergency services at the current level of efficiency. Furthermore, the CCPB also recognizes the importance of this facility as a public gathering space for community events. Therefore, the CCPB recommends that the Town of Austerlitz Planning Board approve this application for Site Plan Review and Special Use Permit. The Town of Austerlitz Planning Board may take final action on this proposed action with a simple majority vote.

Motion: Arthur Koweek Second: Alice Platt

Vote: #13-043

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	7	0	0	2

3. #13-044 – Town of Austerlitz Town Board

Town of Austerlitz - Proposed Local Law Ridgeline Protection

The proposed action is the adoption of the proposed local law which would amend the Town of Austerlitz Zoning Law by establishing a ridgeline protection overlay zoning and associated regulations.

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

Comments:

1. Definitions: The CCPB suggests that a definition for the term “Commercial Use” be included as these provisions would “... apply to all commercial uses in the overlay district...” see §1.2. Applicability. Alternatively, the categories established in the Town of Austerlitz Zoning Law §195-13 Allowable Use Groups Chart might be incorporated.

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2. Permitted Uses: The CCPB suggests that the proposed zoning overlay district, Ridgeline Protection Overlay Zone (RPOZ), be incorporated into the §195-13 Allowable Use Groups Chart.
3. Development Standards: The proposed §1.5 Development Standards, 2, reads, *Development shall not result in an undue adverse impact on fragile environments, including designated wetlands, wildlife habitats, streams and steep slopes.*
It is suggest that a definition of “wildlife habitats” be included.
4. Building Height: The proposed §1.6 Ridgeline Standards 1, sets forth a maximum building height of forty (40) feet. It was noted that the building height is established for each zoning district in the Town of Austerlitz Zoning Law §195-15 Establishment of dimensional requirements.
5. Vantage Points: A submission requirement established in the proposed §1.8 Ridgeline Applications 1.b) is to include photographs of the proposed development from the Vantage Points found on the map available in the Town Hall. It is unclear if the applicant is responsible to provide photographs from all the established Vantage Points. Consider establishing the specific Vantage Points from which an applicant must photograph, e.g. within a specific radius from the development site.
6. Permitted Uses: The proposed local law sets forth the uses that the RPOZ regulations apply to in §1.2 Applicability. In addition the following sections are included, §1.4 Permitted Uses, §1.5. 4 Uses Permitted, and §1.5. 5 Exempt Uses. It is suggest that these sections be reviewed for consistency. Consider simplifying or combining these provisions in order to clarify which uses are subject to this proposed local law.

Motion: Deborah Shakotko Second: Steve Savarese

Vote: #13-044

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	6	0	1	2

4. #13-045 – Town of Claverack Town Board

Proposed Local Law No. 3 of the year 2013

The proposed action is the adoption of the Proposed Local Law No. 3 of the year 2013, adopting zoning regulations for Concerts, Exhibitions and Festivals for the Town of Claverack.

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

Comments: None

Motion: Timothy Stalker Second: Steve Savarese

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Vote: #13-045

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	7	0	0	2

5. #13-046 – Town of Canaan Planning Board and Zoning Board of Appeals

Love’s Travel Stops and County Stores - Special Use Permit/Site Plan Review

The proposed action is to construct a new travel center which includes: Love's Country Store, visitor's center, Subway restaurant, Wendy’s restaurant with drive thru, a tire shop, passenger car and tractor trailer fueling dispensers. The site is located near the intersection of NYS Route 22 and Peaceful Valley Road at the B-3 Interchange of the I-90, NYS Thruway in the Town of Canaan, NY

Recommendation: APPROVAL

The CCPB finds that this proposed action will likely result in county-wide or intercommunity impacts. The basis for this recommendation are the following considerations set forth in New York State General Municipal Law (NYSGML), Article 12B § 239-1. Coordination of certain municipal zoning and planning actions; legislative intent and policy:

(a) compatibility of various land uses with one another

(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 proposed commercial development is a permitted use in the Town of Canaan C-3 Light Industrial zoning district, subject to site plan approval and issuance of a special use permit. The establishment of a new business resulting in the creation of jobs is consistent with Columbia County economic development policies.

The proposed travel center with visitor’s center is situated in close proximity to the B-3 interchange of the NYS Thruway I-90 Berkshire Spur and the New York State /Massachusetts border. The products and services offered will attract motorists and truckers traveling along the interstate as well as provide offerings to the general traveling public in Canaan, Columbia County, NY, and Berkshire County, MA. The construction of the travel center will result in an increase in the commercial tax base in the Town of Canaan. It is projected by Love’s Travel Stops and Country Stores that the development will generate \$1.5M in annual sales tax revenues. In addition it has been estimated that the proposed development will result in the creation of fifty (50) jobs during construction, and fifty (50) jobs post construction. The CCPB finds that this proposed development will have a positive impact to the Town of Canaan and Columbia County in terms of economic development and tourism.

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The CCPB recommends that the Town of Canaan Planning Board grant approval of the Site Plan and that the Town of Canaan Zoning Board of Appeals issue the Special Use Permit.

The following comment is offered for consideration.

Comment:

1. Traffic Impact Analysis: The CCPB is supportive of the proposed recommendations for improvements to NYS Route 22 which may include additional signage and the construction of turn lanes.

Motion: Alice Platt Second: Deborah Shakotko

Vote: #13-046

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	7	0	0	2

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

OLD BUSINESS

1. **Membership:** Patrice Perry stated that the resolution requests for nominations for the CCPB Region 6, 7 and the At-Large seat will be presented to the Columbia County Board of Supervisors County Government Committee on 11/26/2013. Larry Saulpaugh, Alice Platt, and George Super are nominated for reappointment to the CCPB. Nomination for Region 5, City of Hudson, has not yet been received. This seat is held by Arthur Koweek who is interested in reappointment.

NEW BUSINESS none

ADJOURNMENT

Chairman Stalker adjourned the meeting at 7:53 PM. The next scheduled meeting is

Tuesday, 17 December 2013, 6:30 PM
1st Floor Committee Room, Columbia County Offices
401 State St, Hudson, NY