TOWN OF COEYMANS PLANNING/ZONING BOARD MEETING

August 23, 2023

Attendees

Members Present: Mr. Nolan, Mr. Collins, Mr. Pietropaoli, Mr. Boomer Mr. teRiele

Members Absent: Ms. Grogan, Mr. Cinque

Also Present: Mr. Keniry, Mr. Chmielewski, Ms. Ziegler

Public Present:

Call to Order/Pledge of Allegiance

Meeting was called to order at 7:00 p.m. There was a quorum; one board member and alternate absent. Mr. Nolan led the Pledge of Allegiance.

Approval of Minutes

Mr. Nolan made motion to approve the minutes of August 14, 2023; seconded by Mr. Collins; all in favor with one abstaining (Mr. Boomer).

Public Hearing:

**Tompkins Road Properties, LLC (23-003 ZAV)**: An application for a 20.13 foot road frontage area variance on the property owned by Tompkins Road Properties, LLC. Property located on Tompkins Road, Tax Map #166.-2-32.1; and

**Thompkins Road Properties, LLC (23-002 SD):** An application for a three lot subdivision on the property owned by Tompkins Road Properties, LLC. Property is located on Tompkins Road, Tax Map #166.-2-32.l.

The public hearing had remained open pending receipt of the 239.

Notice was received from the Albany County Planning Board stating that the property is located more than 500 feet from County Route 106 (Thompkins Road); there are no other jurisdictional determinant that would trigger ACPB review. Therefore, the project does not require ACPB review.

Discussion was held and included:

Mr. Nolan stated that Mr. Stanton reached out to the buyer to ask if he was interested in a deed restriction; the buyer was not interested.

Mr. Keniry stated that it is hard for the Board to impose deed restrictions on a future project without third party in agreement. The approval tonight does not open the gateway or floodgates. This approval is based on a representation that there will be one house. There would have to be subsequent applications and other projects.

The Board always has the power to impose conditions which would be reasonable and also have to be based on the circumstances. You have an application for a subdivision and an area variance; It could be a conditional approval, but conditions must be reasonable and must relate to circumstances or conditions that will present on the application that you are looking at to mitigate or reduce harms associated with it. We don’t have an application for additional houses or additional development. This application is based on the premise of one house.

Mr. Mackie (resident on Blossom Hill) was present and commented that he is only concerned about the property next to him; he asked about setbacks for driveway.

Motion was made by Mr. Boomer to close the public hearing; seconded by Mr. Collins; all in favor, no opposed.

Motion was made by Mr. Boomer to approve the application for the area variance; seconded by Mr. Collins; all in favor.

Mr. Pietropaoli made motion to approve the three lot minor subdivision; seconded by Mr. Boomer; all in favor.

Maps will be signed tonight.

New Business

**Keith Flach (23-003 SD):** An application for a lot line adjustment of three lots on property owned by Keith Flach. Property is located at 197 Tompkins Road, Tax Map #155.-1-7.31

Mr. Flach was present.

Discussion was held, including: Per new law Chapter 144, no non-conforming conditions are going to be created; will not create a new lot nor a non conforming lot. Both lots are still buildable.

Mr. Nolan made motion for the Planning/Zoning Board to be lead agency; seconded by Mr. Collins; all in favor.

Mr. Boomer made motion that this is a Type 2 under SEQRA; seconded by Mr. teRiele; all in favor.

Mr. Pietropaoli made motion to approve the application on the condition that the 239 comes back from the Albany County Planning Board without any recommendations; seconded by Mr. Boomer; all in favor.

Mr. Nolan will reach out to Mr. Flach when the 239 comes back.

Site Plan Review

**Finke Enterprises LLC (23-001 SPR)**: An application for a Site Plan Review on the property owned by Finke Enterprises, LLC. Property is located at 1597 US Route 9W, Tax Map #144.-1-5.21

Deferred to September 27th meeting. Mr. Nolan suggested that Board Members should review the Code Enforcement Officer’s definition before the meeting. He also commended Mr. Chmielewski for taking the time to address it.

Adjournment

Motion was made by Mr. Collins to adjourn the meeting; seconded by Mr. Boomer all in favor.