TOWN OF COEYMANS PLANNING/ZONING BOARD MEETING

July 10, 2023

Attendees

Members Present: Mr. Collins, Ms. Stanton, Mr. Pietropaoli, Ms. Grogan

Members Absent: Mr. Nolan, Mr. Boomer, Mr. teRiele, 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; three board members and alternate were absent. Mr. Collins led the Pledge of Allegiance.

Approval of Minutes

Approval of the minutes of June 28th meeting was deferred to the next meeting (only two members who attended that meeting were present tonight).

New Business

Area Variance and Subdivision

**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.

Applicant (Mike Stanton) was present. Discussion was held, including:

As a point of order, Mr. Keniry explained that Ms. Stanton has a family connection to the owner of this property - her husband and Mr. Stanton are cousins; she has no financial interest in the project and she feels she can be fair. Applicant had no objection to Ms. Stanton’s participation.

Short form of the Environmental Assessment form was submitted. Board members may be interested in having the long form completed to assist in making the classification. Mr. Stanton will complete the form and submit it to Mr. Chmielewski who will provide it to the Board. Board will review the form and make a decision to classify the project; they will not make classification tonight. Only one SEQRA determination will be made for the entire project (area variance and the subdivision).

Ms. Grogan made motion to accept the area variance application; seconded by Ms. Stanton; all in favor.

Mr. Pietroapoli made motion to accept the subdivision application; seconded by Ms. Grogan; all in favor.

Mr. Keniry asked for clarification regarding amount of relief needed; code is 100 feet – needs 20.13 feet.

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

Applicant and Mr. Chris Boyeau from Bohler Engineering were present. Jenny Lippmann from MJ Engineering was also present.

Discussion was held:

Mr. Boyeau stated that at the last meeting they were hopeful to have the application accepted and a public hearing scheduled. They were asked to address MJ Engineering concerns and they submitted all of that information and received a letter from MJ, who did not have enough time to complete the stormwater review. He asked if the Board had any questions or comments. They are not looking for an approval tonight; would like to Board to accept the application.

Ms. Lippmann: MJ did receive the modified site plan; applicant had addressed the majority of the comments. MJ did not have enough time to complete their review; we provide those comments

Mr. Boyeau: Today they received a letter from MJ Engineering; did not have enough time to complete their review of the letter before tonight’s meeting.

Ms. Lippman summarized the four observations/potential deficiencies identified in that July 10, 2023 letter. Mr. Boyeau provided comments on them.

* Existing containers are very close to the property line and are considered accessory structures and require a 30 foot side lot setback:

Comment: can be relocated 30 feet from the property line.

* Applicant is now proposing to utilize existing on-site well for water service; water connection is proposed to be routed from the existing building on the parcel; proposed building is likely to require fire suppression system; require additional information to determine the well’s ability to provide sufficient flow and capacity. Ms. Lippmann stated they do want to validate if the building needs to be sprinklered or not. Applicant did provide a letter today that they will validate the building classification, the use classification and confirm the need or lack of need thereof for fire suppression.

Comment: It would be more efficient for them to build 100,000 square foot which is their application overall but they broke it up into small buildings to avoid the need for fire suppression, cost, and it would take some time in order to do that. They are not against doing it in the future at some point but for this first building it is not required per the code. They had their architect write a letter that says for the building code it is not required.

* Endangered bat habitat; Applicant had provided a letter from Ecological Solutions. Consultation with NYS DEC and USFW is required and a letter issued from those departments is required indicating non-jurisdiction for the project.
* Stormwater Pollution Prevention Plan was submitted and is currently being reviewed by MJ Engineering who will provide comments under separate cover.

Discussion:

Mr. Collins asked if the building is 17,700 square feet. Mr. Boyeau stated that the site plan says 19,000 sq. ft.; they are putting an open air roof over the loading dock; when they do square footage for things imperious they are counting that area - that is the differencce19000 and 17,000 sq. ft.

Mr. Keniry made suggestion that the Board question of Ms. Lippmann as it relates to SEQRA and what is likely in terms of the Board making a SEQRA determination. Ms. Lippmannn provided information relating to SEQRA, including: the need for fire suppression and the impact on water; Not clear if the building occupancy specs would determine the need for fire suppression; Building Department has to make the determination.

Mr. Boyeau: There is access all the way around the building; fire trucks can get within 300 feet of the building and will have access on all sides.

Mr. Boyeau: Regardless of the water, it won’t change the site plan; no impact on the layout, no impact on circulation. If they need a tank that would be the only change to the plan.

Mr. Pietropaoli made motion to accept the application; seconded by Mr. Collins; all in favor; no opposed.

Additional discussion was held and included:

Purpose of the structure: business, low hazard storage. Mr. Chmielewski/Building Department would be involved in the building project.

Mr. Boyeau: the use was clarified in the application; water use – 15 gallons pe person, 270 gallons per day which is lower than a house; County will review the septic system.

Ms. Lippmann: wetlands are not jurisdictional.

Motion was made by Ms. Stanton to schedule the public hearing for July 26, 2023; seconded by Ms. Grogan; all in favor; no opposed. Mr. Keniry will send notice to the Town of Bethlehem.

Mr. Collins: The County responded and applicant responded to the County’s comments; recommendations are in the file.

Adjournment

Motion was made by Mr. Pietropaoli to adjourn the meeting; seconded by Ms. Grogan; all in favor.