TOWN OF COEYMANS PLANNING/ZONING BOARD MEETING

June 26, 2024

Attendees

Members Present: Ms. Grogan, Mr. Boomer, Mr. Cronin, Mr. McGuire, Mr. Collins

Members Absent: Mr. teRiele, Mr. Nolan, 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 - two board members and alternate absent. Ms. Grogan led the Pledge of Allegiance.

Approval of Minutes

Motion was made by Mr. McGuire to approve the meeting minutes of May 22, 2024; seconded by Mr. Boomer; all in favor; Mr. McGuire abstained.

Public Hearings

Ms. Grogan made motion to open the public hearing for Andrew Schauffer area variance; seconded by Mr. Boomer; all in favor.

Ms. Grogan made motion to open the public hearing for NY USLE Miller Road I LLC site plan review; seconded by Mr. Cronin; all in favor.

Ms. Grogan made motion to open the public hearing for NY USLE Miller Road I LLC Special Use Permit; seconded by Mr. McGuire; all in favor.

**Andrew Schauffert (24-001 ZAV**): An application for an area variance on property owned by Donald Smith. Property is located at 96 Deyo Road, Tax Map #165.-2-19.

Mr. James Smith was present representing his brother Donald. He explained his brother bought the property and was thinking about putting a trailer to rent on the property or re-sell it. It’s vacant and – won’t be able to do anything with it.

No one from the public spoke.

Ms. Grogan made motion to close the public hearing; seconded by Mr. Collins; all in favor.

Ms. Grogan made motion to approve the area variance; seconded by Mr. McGuire; all in favor.

**NY USLE Miller Road I LLC (24-001 SPR):** An application for a Site Plan Review on the property owned by Vagnini Properties, LLC. Property is located on Miller Road, Tax Map #144.-1-4.5.

**NY USLE Miller Road I LLC (24-001 SUP)**: An application for a Special Use Permit on the property owned by Vagnini Properties, LLC. Property is located on Miller Road, Tax Map #144.-1-4.5

Martin Schmidt, engineer from CT Male was present.

Notice of the public hearing was sent to the nine owners of adjacent properties.

The following residents spoke/asked questions:

Brian Cotter, 234 Miller Road: Is concerned about sight lines, location of the panels.

Donald Zinzow, 24 Kruger Road: Had concerns about water run-off – where will it go; doesn’t want additional runoff on his property; said he is experiencing run off/flooding from the solar projects located on Route 101; doesn’t want the see the solar panels and doesn’t want the solar project at this location.

Mildred Kotter, 234 Miller Road mentioned there are bears in the area.

Mr. Schmidt addressed their concerns and provided additional details of the project which included: grading, storm water, wetlands, sight line profiles had been completed – does not anticipate a lot of visual effect; plantings, ground cover. He also stated that the solar panels are located on five acres. Property values are not considered part of the process and is not under process perview. There are minimum set back requirements. A full grading plan will be done. A level spreader defuses the water – run off will be reduced. Mr. Cotter should will not be able to see the panels from his house. Solar panels are only 13% of the parcel.

Ms. Grogan stated that the Planning/Zoning Board had done a site visit of the property.

Ms. Grogan stated that Jenny Lippmann had sent an e-mail with three recommendations: (1) Applicant shall provide environmental permitting work within waters of the US Army of Engineers (ACOE permitting); (2) A copy of the five acre waiver from DEC needs to be provided to the Town; and (3) A written statement from the fire department regarding their acceptance of the site layout for fire apparatus should be provided to the Town. Mr. Keniry asked Mr. Schmidt to make sure the Town gets a copy of the Notice of Intent. Mr. Schmidt stated he could not get the waiver from DEC until they file their Notice of Intent.

Much discussion was held between Mr. Keniry, Mr. Schmidt and the Board concerning the decommissioning plan. Board to consider if there would be conditions re decommissioning plan. Mr. Keniry recommended the Board members look at the two letters and the decommissioning plan for discussion at the next meeting. There are three items of concern: Cash bond, two vs. three utility poles, and escalator. They should take calculations to heart; the Board could have the Town designated engineer make recommendations to the Town.

A member from the audience asked if a wind study had been done; wind is very strong in that area. Engineers will take that into consideration.

Ms. Grogan made motion to close the public hearing; seconded by Mr. Collins; all in favor.

Old Business:

**Christina DiPerro:** Proposed four lot subdivision on property owned by Christina DePierro located at 65 Fox Street, Tax Map #145.-2-36.1

Ms. DePierro and her Attorney Andrew Gilcrest were present. Updated map was distributed to the Board. Mr. Gilcrest reviewed the updates, including:

* Lot width of proposed flag lots: lots are in excess of the minimum
* Proposed lot line adjustment for Schwartz – two consents
* Plan shows the required turn radius for fire apparatus
* Plan proposes lot line adjustment for Schwartz.

One other issue discussed last month was private road maintenance agreement. He did a further review of that and revised the agreement. He proposed a declaration of record that would be binding on the four subdivision plat to be filed at the time the plat is filed in the County Clerk’s Office; it would run with the title to each one of the new lots; all future owners of those lots would then be subject to those requirements. He had e-mailed that information to the Board.

Mr. Gilcrest asked Board to consider tonight to make determination that the application is complete for purpose of setting a date for public hearing.

The Board will send road maintenance agreement to the Town engineer for her recommendations.

Mr. Keniry asked Mr. Chmielewski if he had received the turn radius information; he did and had given a copy to the applicant and Planning/Zoning Board members.

Old Business

Carver/Wind Blade Project

Public Hearing had been scheduled for July 8; Ms. Grogan heard from Stephanie Ferradino requesting postponement of public hearing to August. Ms. Grogan made motion to adjourn public hearing for the Carver special use permit and area variance until August 28, 2024; seconded by Mr. Boomer; all in favor.

Adjournment

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