

TOWN OF TAGHKANIC PLANNING BOARD

MINUTES OF THE APRIL 3, 2018 REGULAR MEETING

A regular meeting of the Town of Taghkanic Planning was held on Tuesday, April 3, 2018 at the Town Hall.

**Those present were:**

Planning Board:

Katherine Bainer – Chair, John Roberts, Kent Sammons, Josh Plass, James Alvarez Stephen Kling, Raymond Keyser, Anna Kadish – Alternate

Approved on May 1, 2018

**Also present:**

Andy Howard, Counsel to the Planning Board

**Public Hearing –**

Three Beaux LLC – Sub-division

Mr. Alvarez makes a motion to reopen the Public Hearing, seconded by Mr. Roberts and approved by those present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**

**0 Nays**

**0 Absent**

Mr. Russell gives a brief summary on where things are with the application. The Towns Engineer, Morris and Associates submitted a letter with some concerns and or comments that the applicant has satisfied at this time.

At this time Ms. Bainer opens up the floor for comments and or concerns from the public.

Comment/Concerns:

Robert Stout- Attorney for multiple entities adjacent or immediate vicinity of said property. Mr. Stout provided a copy of a letter he wrote to the Board with all their concerns and or comments.

1. Lot 3 does not meet set back requirements.
2. Town of Copake failed to do an adequate review.
3. Failure to provide adequate Agricultural Data Statement.
4. Failure to consider an archeologically sensitive area.
5. Failure to obtain a jurisdictional determination from the U.S. Army Corps of Engineers
6. Failure to depict the location of Federal wetlands on the plan.
7. Failure to provide specific information relative to the location and size of improvements.

Answers/Comments:

The Board members, the applicant’s surveyor and Mr. Howard take the time to address each issue brought up.

1. The lot does meet frontage but not width setback. The Zoning Code allows for one Flag Lot in a minor subdivision.
2. Town of Copake felt like nothing was happening on their side so no need to come before the Board. At that time they sent it to Taghkanic for their review.
3. The applicant’s surveyor has the information for the Agricultural Data Statement and will provide that to the Board.
4. The applicant’s surveyor has done research using the Cultural Resource Information System and will provide that also.

5. The surveyor will show put in the map all required information in required to the wetlands.
6. The surveyor will put the stream/creek on the map.
7. The surveyor will put a mark for all proposed locations on the map.

The applicant is asking the Board for a conditional approval tonight.

The applicant informs the board that he has not heard anything from anybody about possible buying any part of the land that is involved with the sub-division.

Audience member asked for the definition of disturbance?

The definition of disturbance is any land disturbed by farming and or digging of any kind.

Audience member asks about the driveway disturbance on lot 3. How close will it be to the creek?

The driveway will stay where it is and silk fence will be used to stop run off in to the creek.

The Board takes the time to complete part two (2) of the SEQR at this time.

Mr. Alvarez makes a motion for a Negative Declaration under SEQR, seconded by Mr. Kling and approved by those present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**  
**0 Nays**  
**0 Absent**

Mr. Sammons makes a motion to close the Public Hearing at this time, seconded by Mr. Alvarez and approved by those present. Mr. Sammons makes a motion to approve the application, subject to notes being put on the map providing that there will be no tree cutting on the 3 lots with the exception of cutting needed for construction of residences, a note on the map that all construction activity will comply with the NYSDEC Erosion and Sediment Control Practices and Storm water Prevention, a note providing that all building envelopes meet the required setbacks, and that a tax map be provided to be attached to the Ag Data Statement.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**  
**0 Nays**  
**0 Absent**

House of Worship – Site plan/Lot line

Mr. Sammons makes a motion to open the Public Hearing, seconded by Mr. Plass and approved by all those present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**  
**0 Nays**  
**0 Absent**

Mr. Prendergast gives a brief summary of the application to the Board at this time.

At this time Ms. Bainer opens up the floor for comments and or concerns from the public.

Comments/Concerns:

Mr. Mr. Keyser makes a motion to close the Public Hearing at this time, seconded by Mr. Kling and approved by those present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**  
**0 Nays**  
**0 Absent**

Ms. Bainer opens the regular meeting at this time 8:10 p.m.

Three Beaux LLC – Sub-division

The Board asks for the following notes to be added to the map:

- Disturbance of land
- No tree clearing
- Agricultural land noted.
- Utilities to be under ground
- Show area of proposed building meeting setbacks.

Mr. Kling makes a motion for a conditional approval at this time, seconded by Mr. Alvarez and approved by those present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**  
**0 Nays**  
**0 Absent**

House of Worship – Site plan/Lot line

At this time the Board completes part two (2) of the SEQR form.

Mr. Keyser makes a motion for a Negative Declaration under SEQR, seconded by Mr. Sammons and approved by those present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**  
**0 Nays**  
**0 Absent**

Mr. Howard recommends a conditional approval due to Col. Cty. Planning Board not being able to get a majority vote at their last meeting.

Mr. Howard reads the resolution at this time for the Board to approve.

Mr. Alvarez makes a motion for a conditional approval at this time, seconded by Mr. Keyser and approved by those present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**  
**0 Nays**  
**0 Absent**

**New Business –**

Sam Pratt – Information only

Mr. Pratt has four lots at this time that he wants to combine in some way. They are two (2) large lots and two (2) small lots all connected together. He Board informs him it sounds like a minor sub-division and he has to go to the Town Building inspector with a completed application first.

Skoda Farm- Signage

Mr. Skoda would like to put up a sign for the farm. At this time the Building inspector denied the application. The sign will be with in spec. of no larger than a 4x8 sign. There will be no lighting for the sign. The sign will be at the entrance of Skoda Farm Lane. The Board reviewed the information and believes the sign should be allowed.

Mr. Sammons makes a motion approving the sign, seconded by Mr. Kling and approved by those

present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**

**0 Nays**

**0 Absent**

**Minutes –**

**Jan. 2, 2018**

Mr. Alvarez makes a motion to approve the minutes, seconded by Mr. Roberts and approved by those present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**

**0 Nays**

**0 Absent**

**Feb. 6, 2018**

Mr. Keyser makes a motion to approve the minutes, seconded by Mr. Alvarez and approved by those present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**

**0 Nays**

**0 Absent**

**Mar. 6, 2018**

Mr. Plass makes a motion to approve the minutes, seconded by Mr. Roberts and approved by those present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**

**0 Nays**

**0 Absent**

Ms. Bainer takes the time to talk about training for the Board with both Mr. Skoda and Ms. Thompson. The Board would like training on solar and wind.

An update on Gasland is still waiting on DOT.

Mr. Alvarez moved to adjourn the meeting at 9:15 p.m., seconded by Mr. Keyser and approved by all present.

**Approved 7 Aye (Bainer, Roberts, Sammons, Plass, Alvarez, Kling, Keyser)**

**0 Nays**

**0 Absent**

Respectfully submitted,

Jean-Adele Howard

Secretary, Town of Taghkanic Planning Board

Next Regular Meeting Scheduled: April 3, 2018, with a public Hearing – Three Beaux LLC at 7:00 p.m. and House of Worship at 7:15p.m.

Accepted by: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_