

Jeffery Schmitt, Planning Board Chair
Dale Warner, Town Planner
Melissa Deffer, Clerk
Terresa Bakner, Board Attorney



TOWN OF DUANESBURG
SCHENECTADY COUNTY

Elizabeth Novak, Board Member
Martin Williams, Board Member
Thomas Rulison, Board Member
Michael Harris, Board Member
Joshua Houghton, Board Member
Christopher Shoemaker, Alternate Board Member

Town of Duanesburg
Planning Board Minutes
May 21st, 2020
Final Copy

MEMBERS PRESENT: Jeffery Schmitt Chairman, Joshua Houghton, Michael Harris and Martin Williams. Also, in attending Planning Board Attorney Terresa Bakner, Dale Warner Town Planner, and Melissa Deffer Clerk.

INTRODUCTION: Chairman Jeffery Schmitt opened the meeting at 7:05pm. Jeffery welcomed everyone to tonight's Planning Board meeting.

OPEN FORUM:

Schmitt/Houghton made a motion to open the open forum at 7:06
Schmitt yes, Houghton yes, Harris yes, Williams yes. **Approved.**

Clerk Deffer stated that she received a letter from Lynn Bruning that was forwarded by email to the Planning Board members with some questions, comments, and concerns. Also, she forwarded by email two communication from the public sharing concerns regarding the Perog application.

Christina Loukides at 1320 Alexander Rd would like to thank the board for everything that they do. Mrs. Loukides wanted to make sure her letter was received and sent to the board regarding the Perog application. Mrs. Loukides has a concern with the Rhoades project on Alexander Road, there has been blasting and a road has been made to go back to the 47 acers parcel in the back.

Schmitt/Harris made a motion to close the open forum at 7:10
Schmitt yes, Harris yes, Williams yes, Houghton yes. **Approved.**

PUBLIC HEARINGS:

Schmitt/Houghton made a motion to open the Public Hearing for **#19-17 James, John** application at 7:11
Schmitt yes, Houghton yes, Harris yes, Williams yes. **Approved.**

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Over➡

#19-17 James, John: SBL# 76.00-1-12.3, (R-2) located at Schoharie Tpke is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. Mr. James gave his presentation to the board. John explained to the public that Lot 2 is 9.39 acres with 250 feet of road frontage and lot 3 will be 5.82 acres with 225 feet road frontage on Schoharie Turnpike and 220 on Chadwick Road. There is a pond on lot 2 which is the reason lot 2 or bigger than lot 3.

No public comments were received on the application during or preceding the public hearing.

Schmitt/Houghton made a motion to close the public hearing for the **#19-17 James, John** application.

Schmitt yes, Houghton yes, Williams yes, Harris yes. **Approved.**

Houghton/Schmitt made a motion to reaffirm the Negative Declaration for the **#19-17 James, John** application as amended with the acreage changes to lot 2 from 8.04 to 9.39 acres and lot 3 from 6.2 to 5.82 acres.

Houghton yes, Schmitt yes, Williams yes, Harris yes. **Approved.**

Harris/ Schmitt made a motion to approve the major subdivision for the **#19-17 James, John** application.

Harris yes, Schmitt yes, Williams yes, Houghton yes. **Approved.**

NEW BUSINESS:

#20-02 Ayers, Jacob: SBL#67.00-3-1.33,(C-2) Located at 5544 Duanesburg Rd is seeking a Special Use Permit under section 12.4(11) of the Town of Duanesburg Zoning ordinance to construct a single family home in a (C-2) manufacturing and light industrial zoning district. Joe Bianchine from ABD Engineers, LLP is representing Jacob Ayers. Mr. Bianchine explained that Mr. Ayers would like to build a single-family home. He owns 6.3 acres on route 7 east of I88. The property is in a C-2 zone, but the property is not usable for commercial or manufacturing. A driveway is already in place. The house will have a raise bed septic system and a well is already drilled.

Schmitt/Houghton made a motion to **hold a Public Hearing for the Special use permit application for #20-02 Ayers, Jacob June 18, 2020 at 7:00 p.m.**

Schmitt yes, Houghton yes, Williams yes, Harris yes. **Approved.**

#20-03 Stewarts Shops Corp: SBL#64.00-2-26.1, (C-1) located at 4032 State Highway 30 is seeking a Special Use Permit under section 11.4(7) of the Town of Duanesburg Zoning ordinance for a convenience store with motor vehicle fuel sales and retail business. Jim Gillespie representing Stewarts gave his presentation to the board. Stewarts is proposing to demolish the existing Stewarts and to replace it with a new Stewarts building and gas pump plaza on the adjacent parcel of land. The two parcels will then be consolidated. The adjoining parcel already has had the restaurant and dwelling demolished although some foundation remains to be removed and disposed of. The new Shop will be a 3,975 square foot building with a fuel canopy

with access from NYS route 20 and from NYS route 30. They are trying to move the access to NYS route 30 back further from the intersection to provide smooth circulation in and out of the site. The new shop will be a colonial style building with a gable roof that has variation in the roof height. There will outdoor seating as well. A new wastewater treatment system will be installed in along with new underground tanks adding kerosene and diesel, new lighting, and landscaping. The Board would like to see a lighting plan showing that the light will not spill of of the site and generally following the approach used by Hannaford.

Harris/Schmitt made a motion for Dave Ingalls for Town Designated Engineer and Declared the Town of Duanesburg Lead Agency.

Harris yes, Schmitt yes, Williams yes, Houghton yes. **Approved.**

OLD BUSINESS:

#19-14 Perog, Steven and Cheryl: SBL#43.00-2-28, (R-2) located at 21 Lea Drive is seeking a Special Use Permit for a multi- family dwelling under the Town of Duanesburg Zoning Ordinance adopted 6/11/15 under section 15.4(I); section 8.4(7); section 13.2.1; section 3.5.60.

The Board was unable to act on Mr.Perog’s application because it lacked a quorum, as Mr. Williams has recused himself from the review of the project the #19-14 Perog, Steven and Cheryl: will be tabled until June 18th meeting

Schmitt yes, Houghton yes, Williams yes, Harris yes. The motion to table until the next morning was approved.

SKETCH PLAN REVIEW:

#20-01 Whittaker, Lisa: SBL# 75.00-3-11.3, (H) located at 10534 Duanesburg Rd is seeking a 4 lot Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. Luigi Palleschi from ABD engineers, LLP is representing Mrs. Whittaker. Mr. Palleschi explained to the board that the front portion of the property is zoned (H) hamlet about 170 feet back from Duanesburg Rd is zoned (R-2) agricultural and Residential. The parcel is approximal 32.45 acres. There are already several homes on the parcel. On the east side is proposed lot 1 with 14.89 which has an existing single-family home with a well and sewer system. If you move to the west there will be lot 2 will which is 1.5 acres with an existing single-family home and garage with a private well and connected to the sewer. The applicant Lisa Whittaker lives there currently. Further to the west lot 3 is about 6.3 acres and has and preexisting apartment duplex on top of a garage. The duplex is also hooked into the town sewer system and has its own well. Lot 4 will be 9.67 acres which is vacant and open fields it does have access to the sewer system and a new well must be drilled. Lisa’s son is interested in building a single-family home on the lot. Each of the new lots have a curb and driveway already in place. The town planning board members commented on the need for a variance if one of the lot lines is not changed. Mr. Palleschi indicated that his client would consider moving the line to comply with the setbacks in the zoning code. The Planning Board also needs to hear from SHPO on the impact if any to the Quaker Street Historic District and the Planning Board will continue to review Part 1 of the EAF. Mr. Palleschi is going to submit the application for a major subdivision plan for the review of the Planning Board at the next meeting.

#20-05 Fish, Debra: SBL# 24.00-1-3, (R-2) located at 307 Bernie Smith Rd is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. Joe Bianchine from ABD Engineers, LLP is representing Debra Fish. Mr. Bianchine explained to the board that Debra owns 318 acres that she would like to subdivide land off for her son to build a single-family home. Debra would like to keep 208 acres for herself and her son will receive 109 acres. On the 109 acres there is an existing well, but a new septic system will need to be installed per Schenectady County Health Department specification.

Houghton/Harris made a motion to refer the application of **#20-05 Fish, Debra** to Dale Warner for administrative action/subdivision plat review approval. Houghton yes, Harris yes, Williams yes, Schmitt yes. **Approved.**

#20-04 Frost Subdivision: SBL# 45.00-2-6.11, (R-2) located at 286 Tidball Rd is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. Luigi Palleschi from ABD engineer, LLP is representing Robert Frost. Mr. Palleschi gave his presentation to the board. Luigi explained that Bob would like to subdivide about 3 acres from his 17.8 acres for his daughter to build a single-family home. There is an existing well. Bob will have to install a raised bed septic system that meets the requirements of the Schenectady County Health Department. The lot complies with the requirements of the zoning code.

Schmitt/Williams made a motion to refer the application of **#20-04 Frost Subdivision** to Dale Warner for administrative action/ subdivision plat review and approval. Schmitt yes, Williams yes, Houghton yes, Harris yes. **Approved.**

MINUTES APPROVAL:

Schmitt/Houghton made the motion to approve the February 20th, 2020 Planning Board minutes. Schmitt yes, Houghton yes, Harris yes, Williams yes. **Approved.**

OTHER:

The Planning Board received a letter from the County on the proposed 911 Schenectady County Communication Tower proposed to be constructed at 7745 Western Turnpike. SBL# 66.00-2-1 on land owned by the Village of Delanson and leased to the County. The County invited Town of Duanesburg Planning Board to share any questions or concerns that they have regarding the cell tower and the Planning Board decided to have a letter drafted to the county regarding the tower. The letter from the County Attorney also confirmed that the County is not seeking any approvals from the Town of Duanesburg for the cell tower.

ADJOURNMENT:

Williams/Harris made the motion to adjourn at 8:59pm.

Williams yes, Harris yes, Houghton yes, Schmitt yes **Approved.**