

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teresa Bakner, Board Attorney
Chris Parslow, Town Planner
Carol Sowycz, Clerk



Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

Town of Duanesburg
Planning Board Agenda
July 20, 2023

AGENDA ITEMS MAY BE ADDED, DELETED, OR ORDER CHANGED WITHOUT NOTICE

The Town of Duanesburg offers Planning Board Meetings via zoom if you are unable to attend the meeting in person:

Town of Duanesburg is inviting you to a scheduled Zoom meeting.

Topic: Town of Duanesburg's Planning Board Zoom Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

Meeting ID: 858 7403 2498

Passcode: 848175

Dial in by Phone: 1-646-558-8656

Meeting ID: 858 7403 2498

Passcode: 848175

INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT:

OPEN FORUM: One presentation per individual **MAXIMUM 4 minutes** on items not on the agenda.

PUBLIC HEARINGS:

#22-10 Kagas, Spiro: SBL#53.00-1-29.21, (c-1) located at 9938 Western Turnpike is seeking a special use permit for the accessory parking under section 5.2.2 of the Town of Duanesburg Zoning Ordinance.

Comments: _____

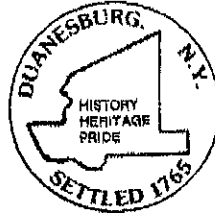
#23-11 The DDS Companies: SBL#68.00-2-41.1, (C-1) located at 2261 Western Turnpike is seeking a Special Use Permit/Site Plan Approval for use of existing building & property as an office and storage for utility construction company.

Comments: _____

#22-20 Whipple, Henry: SBL PT/O#64.00-1-4.3, (C-1) located at Youngs Rd and St Hwy 30 is seeking a Major Subdivision under Section 3.5 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

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Michael Harris, Vice Chairperson
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Chris Parslow, Town Planner
Carol Sowycz, Clerk



Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

OLD BUSINESS:

#23-08P Chandler Jr., Robert: SBL#44.00-1-8.21, (R-2) located at 2978 Duanesburg Churches Rd is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

**SKETCH PLAN REVIEW:
NONE**

NEW BUSINESS:

#23-13 Northern Clearing Inc.: SBL#67.00-3-19.21, (C-2) located at 3851 Western Turnpike is seeking an amendment to a special use permit to allow accessory parking to accommodate 35 cars instead of the current 15, under Section 3.5.2(1) accessory structure or use.

Comments: _____

Other:

Kruger Energy Inc. – Pre-Application Meeting/ Alexander Road Solar

Dollar General – Accidental Protected Tree Removal

Minute Approval:

June 15, 2023, PLANNING BOARD MEETING MINUTES:

Approved: Yes _____ No: _____

Comments: _____

ADJOURNMENT

Jeffrey Schmitt, Planning Board Chair
Chris Parslow, Town Planner
Carol Sowycz, Clerk
Terresa Bakner, Board Attorney



Michael Harris, Vice Chairperson
Elizabeth Novak, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member
Joshua Houghton, Board Member

TOWN OF DUANESBURG
SCHENECTADY COUNTY

NOTICE OF PUBLIC HEARING

LEGAL NOTICE NOTICE OF PUBLIC HEARING PLANNING BOARD TOWN OF DUANESBURG

PLEASE TAKE NOTICE, THAT THE PLANNING BOARD OF THE TOWN OF
DUANESBURG, NEW YORK, WILL MEET AT THE TOWN HALL IN THE TOWN
OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **July 20, 2023 AT**
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE

APPLICATION OF:

#22-10 Kagas.Spiro: SBL#53.00-1-29.21, (c-1) located at 9938 Western Turnpike
is seeking a special use permit for the accessory parking under section 5.2.2 of the
Town of Duanesburg Zoning Ordinance.

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS

BY ORDER OF THE CHAIRPERSON
PLANNING BOARD
TOWN OF DUANESBURG
CHAIRPERSON

Join Zoom Meeting <https://us02web.zoom.us/j/86499746075> Meeting ID: 864 9974 6075

Passcode: 130214 Dial in by Phone: 1-646-558-8656 Meeting ID: 864 9974 6075

Passcode: 13021

Town Hall • 5853 Western Turnpike • Duanesburg, NY 12056 • (518) 895-8920

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APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS

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PLANNING BOARD
TOWN OF DUANESBURG
CHAIRPERSON

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Passcode: 130214 Dial in by Phone: 1-646-558-8656 Meeting ID: 864 9974 6075

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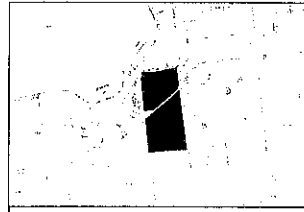
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TOWN OF DUANESBURG
CHAIRPERSON

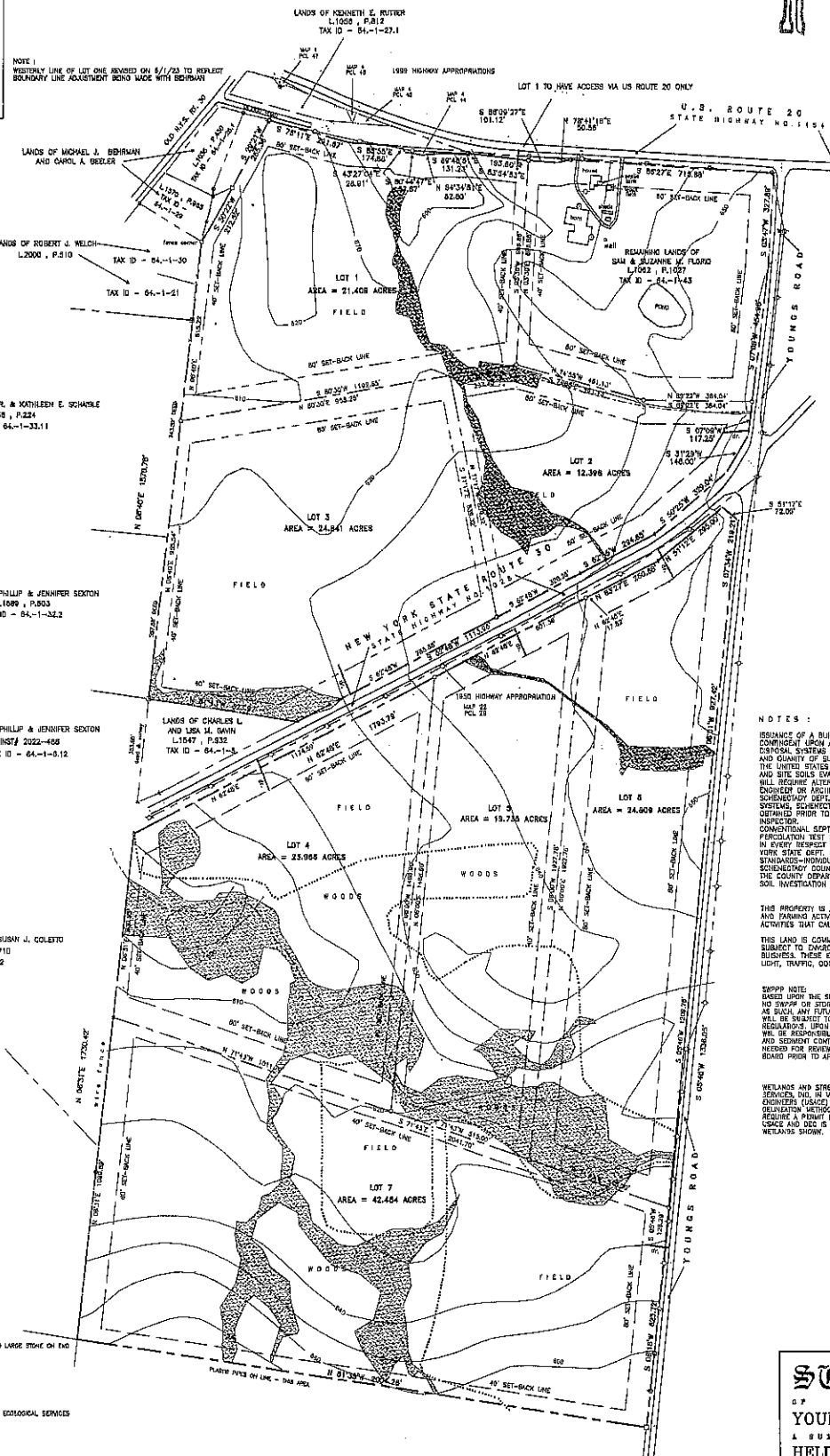
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Passcode: 130214 Dial in by Phone: 1-646-558-8656 Meeting ID: 864 9974 6075

Passcode: 13021



PROJECT LOCATION MAP - NO SCALE



TOTAL AREA = 185.113 ACRES
INST# 2023-85
TAX ID - 64-1-4.3

LANDS OF MARK R. & KATHLEEN E. SCHWALE
L1930, P.224
TAX ID - 64-1-33.11

LANDS OF PHILIP & JENNIFER SEIDON
L1089, P.603
TAX ID - 64-1-32.2

LANDS OF PHILIP & JENNIFER SEIDON
INST# 2022-488
TAX ID - 64-1-5.12

LANDS OF FRANCIS & SUSAN J. COLETO
L2043, P.710
64-1-8.112

LANDS OF JAMES BARTON
L1247, P.309
TAX ID - 64-1-8.3

LANDS OF DANIEL NASTI & MARA SIME
L2038, P.822
64-1-28

NOTES:
ISSUANCE OF A BUILDING PERMIT FOR EACH LOT AS SHOWN WILL BE CONTINGENT UPON APPROVAL BY THE BUILDING INSPECTOR OF SANITARY DISPOSAL SYSTEMS AND WATER SUPPLY SYSTEMS FOR LOCATION, QUALITY AND QUANTITY OF SUPPLY, BASED UPON SOIL SURVEY DATA OBTAINED BY THE UNITED STATES DEPT. OF AGRICULTURE, SOIL CONSERVATION SERVICE AND SOILS EVALUATION. IT IS EXPECTED THAT SOME, IF NOT ALL LOTS, WILL REQUIRE ALTERNATIVE SEPTIC SYSTEMS, AS DESIGNED BY A LICENSED ENGINEER OR ARCHITECT AND REVIEWED AND APPROVED BY THE SHERMANTON COUNTY DEPT. OF HEALTH ON LOTS REQUIRING ALTERNATIVE SEPTIC SYSTEMS. SHERMANTON COUNTY HEALTH DEPT. APPROVAL SHALL BE OBTAINED PRIOR TO ISSUANCE OF A BUILDING PERMIT BY THE BUILDING INSPECTOR.
CONVENTIONAL SEPTIC SYSTEMS WILL BE ALLOWED ONLY WHEN AND WHERE PERCOLATION TEST RESULTS AND SOIL EVALUATION ARE IN CONFORMANCE IN EVERY RESPECT WITH THE STANDARDS SET FORTH IN THE CURRENT NEW YORK STATE DEPT. OF HEALTH PUBLICATION "WASTE TREATMENT STANDARDS-INDIVIDUAL HOUSEHOLD SYSTEMS" AND APPROVED BY THE SHERMANTON COUNTY DEPT. OF HEALTH. FOR CONVENTIONAL SYSTEMS THE COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH MUST WITNESS THE SOIL INVESTIGATION AND PERCOLATION TESTS.

THIS PROPERTY IS ADJACENT TO LANDS IN THE AGRICULTURAL DISTRICT AND PARKING ACTIVITIES MAY INCLUDE, BUT ARE NOT LIMITED TO, ACTIVITIES THAT CAUSE NOISE, DUST AND ODORS.
THIS LAND IS COMMERCIAL ZONED (C-1) AND MAY ON OCCASION BE SUBJECT TO ENVIRONMENTAL CONDITIONS ASSOCIATED WITH A POTENTIAL BUSINESS. THESE ENVIRONMENTAL CONDITIONS MAY INCLUDE NOISE, LIGHT, TRAFFIC, ODORS, ETC.

SEPPP NOTE:
BASED UPON THE SIZE OF THE 7 LOTS PROPOSED FOR THIS SUBDIVISION, NO SEPPP OF SUPERVISOR REVIEW WAS PREPARED AT THE TIME OF FILING AS SUCH, ANY FUTURE DEVELOPMENT WITHIN ONE OF THE PROPOSED LOTS WILL BE SUBJECT TO ALL AND ALL SEPPP AND SUPERVISOR COMPLIANCE REGULATIONS. UPON REVIEW OF ANY PROPOSED DEVELOPMENT THE APPLICANT WILL BE RESPONSIBLE FOR PROVIDING THE REQUIRED LAND USE, DESIGN AND SEPPP CONTROL PLANS, SEPPP AND SEPPP NARRATIVE AS NEEDED FOR REVIEW AND APPROVAL BY THE TOWN OF SHARPSBURG PLANNING BOARD PRIOR TO APPROVAL AND CONSTRUCTION.

WETLANDS AND STREAMS WERE DELINEATED BY NORTH COUNTRY ECOLOGICAL SERVICES, INC. IN MAY OF 2022 USING THE CURRENT U.S. ARMY CORPS OF ENGINEERS (ACEC) AND ITS DEPT. OF ENVIRONMENTAL CONSTRUCTION (DEC) DELINEATION METHODOLOGIES. ANY DISTURBANCE TO THE WETLANDS WOULD REQUIRE A PERMIT FROM THE USACE AND/OR DEC. CONSULTATION WITH THE USACE AND DEC IS REQUIRED PRIOR TO ANY TYPE OF DISTURBANCE TO THE WETLANDS SHOWN.

- LEGEND**
- = UTILITY POLE
 - = CONCRETE HIGHWAY MONUMENT
 - = DAPPED REBAR HIGHWAY MONUMENT
 - = FOUND CAPPED RE-ROD
 - = FOUND IRON PIPE
 - = SET RE-ROD
 - = CENTER OF STREAM
 - - - = PROPOSED DRIVEWAY
 - = EDGE OF WOODS
 - = WETLANDS AS FLAGGED - 5/11/23 BY NORTH COUNTY ECOLOGICAL SERVICES

NOTES:
THIS SURVEY PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.
IT IS A VIOLATION OF THE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER THIS MAP IN ANY WAY.
THIS PROPERTY IS NOT LOCATED IN THE FEMA 100 YEAR FLOOD PLAIN.
THIS PROPERTY IS LOCATED IN THE FOLLOWING DISTRICTS:
SHERMANTON ARE DISTRICT
DUANEBSBURG SCHOOL DISTRICT
AGRICULTURAL DISTRICT 10A
ZONING CODE C-1

SURVEY MAP
OF
YOUNGS ROAD SUBDIVISION
A SURVEY FOR
HELDERBERG REALTY LLC
U.S. ROUTE 20, N.Y.S. ROUTE 30 AND YOUNGS ROAD
TOWN OF SHARPSBURG COUNTY OF SHERMANTON
SCALE: 1" = 200' DATE: JANUARY 2, 2023
200 0 200 400 800
GRAPHIC SCALE - FEET

PREPARED BY:
WILLIAM J. SMOULDER, JR.
LAND SURVEYOR
LICENSE NUMBER 49864
202 WASHINGTON STREET
SHARPSBURG SPRINGS, NEW YORK 12884
518-258-7035

REVISED: 8/20/23 - WETLANDS NOTE
REVISED: 8/1/23 - WESTERLY LINE OF LOT 1
REVISED: 2/3/23

Robert Chandler Jr.

BLACKSTONE LAND SURVEYORS

1150 Fort Hunter Road
SCHENECTADY, NY 12303
(518) 355-1791

JOB _____

SHEET NO. _____ OF _____

CALCULATED BY _____ DATE _____

CHECKED BY _____ DATE 07.10.23

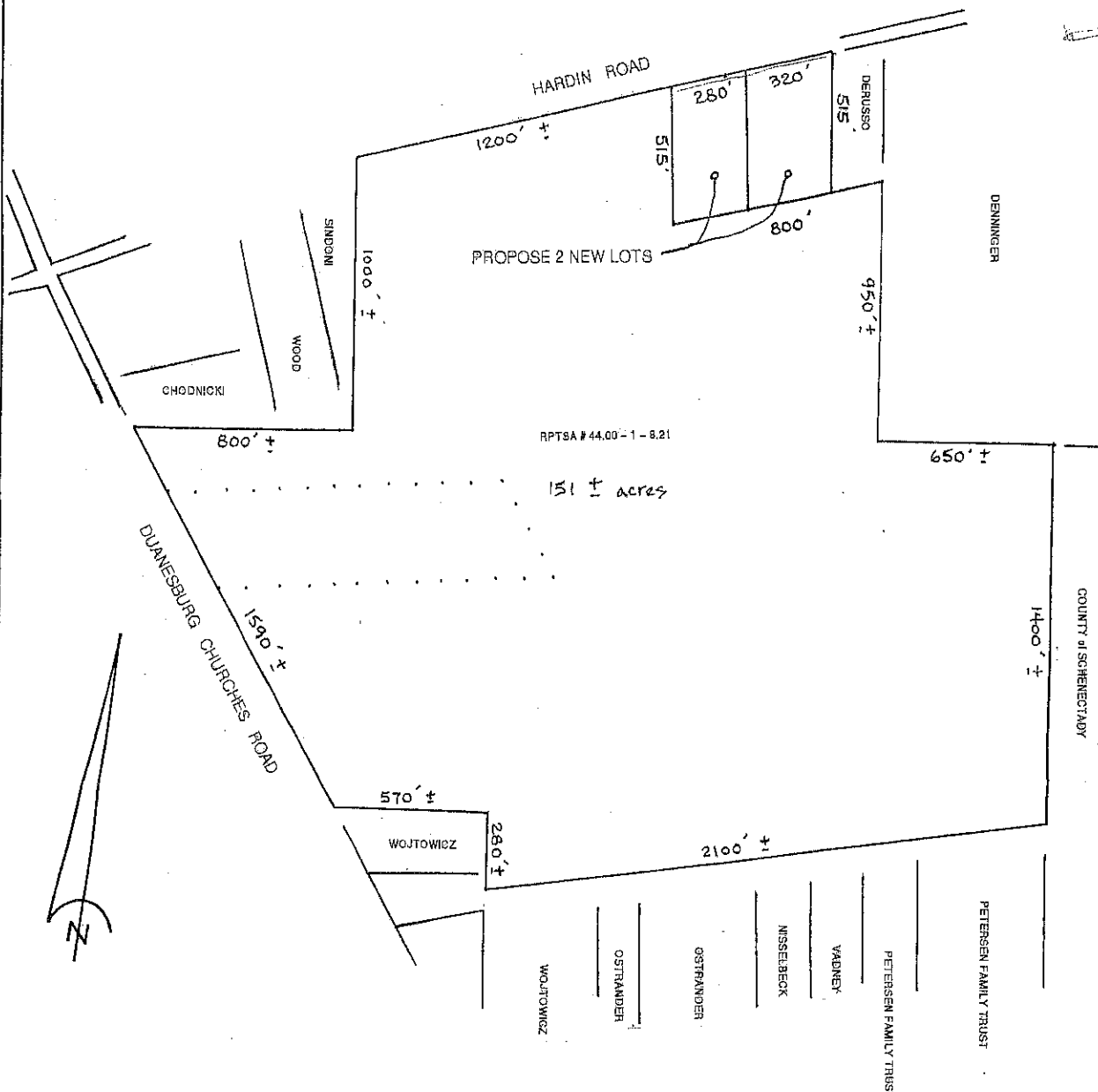
SCALE _____

RECEIVED
JUL 10 2023

Wetland delineation located the impacted area closer to the road - reducing the new lots from 3 to 2. The proposed lots now are 3.22 and 3.68 acres each. Limits of disturbance are still 12,000 sq.ft. for each lot, but with only 2 lots the total disturbance area will only be 0.55 acres.

Mark Blackstone

ORIGINAL



RPTSA #44.00-1-8.21

15.1 ± acres

AGRICULTURAL DISTRICT DISCLOSURE NOTE

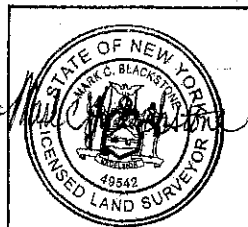
THIS PROPERTY IS ADJACENT TO OR WITHIN 500' OF LANDS IN THE AGRICULTURAL DISTRICT AND FARMING ACTIVITIES MAY INCLUDE, BUT NOT LIMITED TO, ACTIVITIES THAT CAUSE NOISE, DUST & ODORS.

MAP SHOWING PROPOSED SUBDIVISION OF

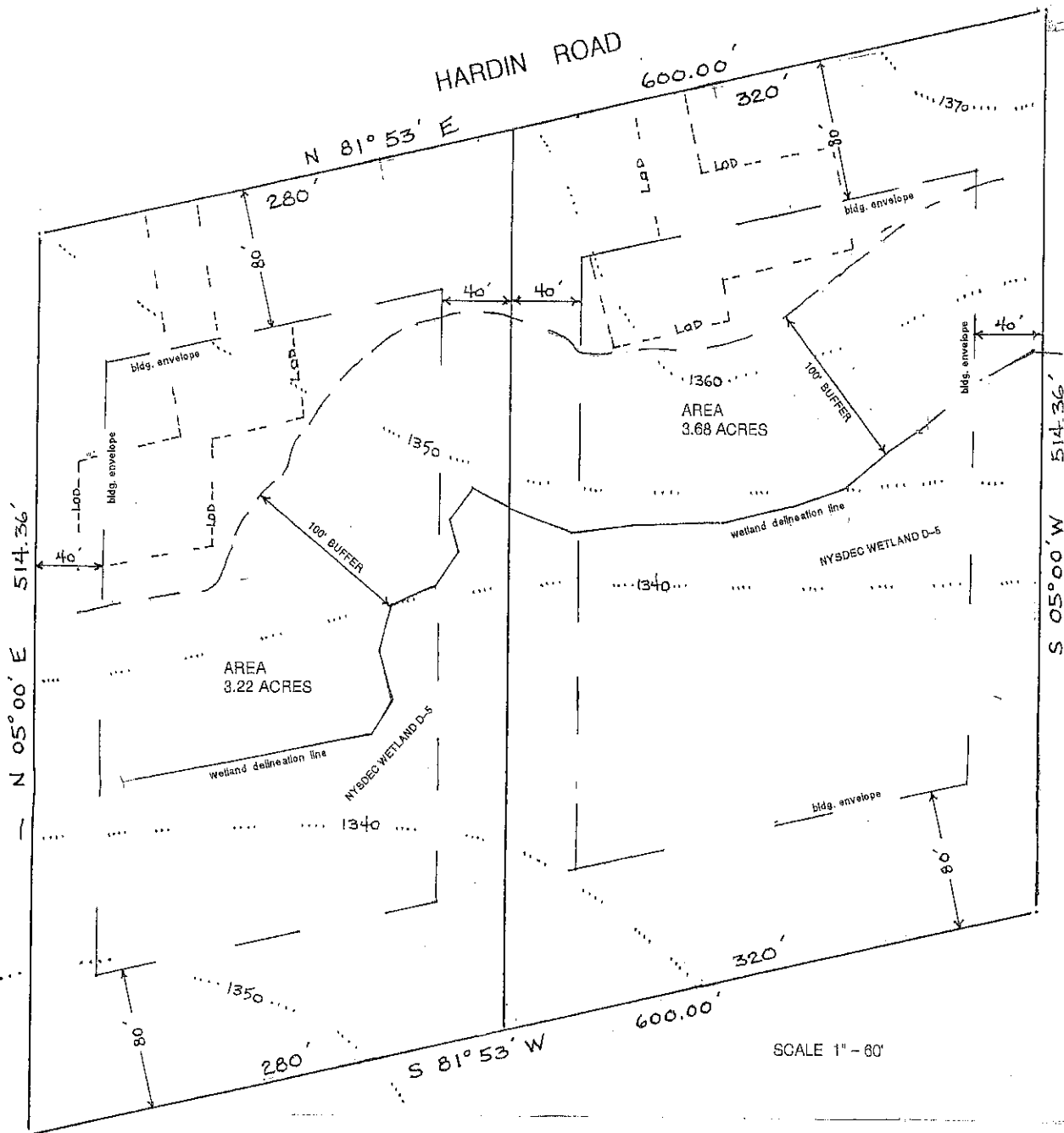
LANDS OF CHANDLER

TOWN OF DUANESBURG
SCHENECTADY COUNTY, N.Y.

SCALE 1" = 400'
MARCH 30, 2023



BLACKSTONE LAND SURVEYORS
1152 FORT HUNTER RD. SCHENECTADY, NY 12306



SEPTIC DISCLOSURE NOTE

ISSUANCE OF A BLDG PERMIT FOR NEW LOTS AS SHOWN WILL BE CONTINGENT UPON APPROVAL BY THE BLDG INSPECTOR OF SANITARY DISPOSAL SYSTEMS & WATER SUPPLY WELLS FOR LOCATION, QUALITY & QUANTITY OF SUPPLY. BASED UPON SOIL SURVEY DATA OBTAINED FROM U.S. DEPT. OF AGRICULTURE / SOIL CONSERVATION SERVICE & SITE SOILS EVALUATION, IT IS EXPECTED THAT SOME, IF NOT ALL LOTS, WILL REQUIRE ALTERNATIVE SEPTIC SYSTEMS, AS DESIGNED BY A LICENSED ENGINEER & REVIEWED & APPROVED BY THE SCHENECTADY COUNTY DEPT. OF HEALTH. ON LOTS REQUIRING ALTERNATIVE SEPTIC SYSTEMS, SCH'DY COUNTY HEALTH DEPT. APPROVAL SHALL BE OBTAINED PRIOR TO ISSUANCE OF A BLDG. PERMIT. CONVENTIONAL SYSTEMS WILL BE ALLOWED ONLY WHEN & WHERE PERCOLATION TEST RESULTS & SOIL EVALUATION ARE IN CONFORMANCE, IN EVERY RESPECT, WITH THE STANDARDS SET FORTH IN THE CURRENT N.Y.S. DEPT OF HEALTH PUBLICATION "WASTE TREATMENT STANDARDS - INDIVIDUAL HOUSEHOLD SYSTEMS" & ARE APPROVED BY THE SCH'DY COUNTY DEPT OF HEALTH. FOR CONVENTIONAL SYSTEMS, THE SCH'DY COUNTY DEPT OF ENVIRONMENTAL HEALTH MUST WITNESS THE SOILS INVESTIGATION & PERC TESTS.

STORMWATER POLLUTION PREVENTION PLAN NOTE

NEW LOTS INCLUDE AREAS FOR PROPOSED HOUSE, PROPOSED SEPTIC AND PROPOSED DRIVEWAY. AREA OF DISTURBANCE FOR EACH LOT = 12,000 +/- SQ.FT. RESULTING IN A TOTAL PROJECT DISTURBANCE OF 24,000 +/- SQ.FT. OR 0.55 ACRE. PROJECT DISTURBANCE OF ONE OR MORE ACRES REQUIRES COMPLIANCE WITH NYSDEC STORMWATER POLLUTION PREVENTION PLAN REGULATIONS.

Agricultural Data Statement

Date: 7/10/23



ORIGINAL

Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

<p style="text-align: center;">Applicant</p> Name: <u>MCJ</u> Address: <u>3851 Western Turnpike Duanesburg, NY 12056</u>	<p style="text-align: center;">Owner if Different from Applicant</p> Name: _____ _____ _____
---	--

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:
Amend Current Accessory Parking from 15 units to 35 units for day use temporary parking
3. Location of project: Address: 3851 Western Turnpike Duanesburg NY 12056
Tax Map Number (TMP) 67-02-3-19.21
4. Is this parcel within an Agricultural District? YES NO
5. If YES, Agricultural District Number _____ (Check with your local assessor if you do not know.)
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO

[Signature]
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: [Signature]
Dale R. Warner
CRIS PARSONS

7/10/23
Date

Revised 4/4/17

FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.



*****FOR OFFICE USE ONLY*****

CHECKLIST OF REQUIRED INFORMATION:

- Title of drawing.
 - Tax Map ID #
 - Zoning district
 - Current Original Deed
 - NYS Survey (L.S. & P.E.)
 - North Arrow, scale (1"=100')
 - Boundaries of the property plotted and labeled to scale.
 - School District/Fire District
 - Green area/ landscaping
 - Existing watercourses, wetlands, etc.
 - Contour Lines (increments of 10ft.)
 - Easements & Right of ways
 - Abutting Properties Wells/ Sewer Systems within 100ft.
 - Well/ Water system
 - Septic system: Soil Investigation completed?
 - Sewer System: Which district?
 - Basic SWPPP (1≥ & <5)
 - Full Storm Water Control Plan (5acres or more)
 - Storm Water Control Plan
 - Short or long EAF www.dec.ny.gov/eafmapper/
 - Street pattern: Traffic study needed?
 - All property Mergers REQUIRE both owners Signatures on the Application
- Additional Requirements for Special Use Application:
- New or existing building
 - Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage Parking, Handicap Spaces, & Lighting plan

Date 7/10/23

Application type: Major Subdv Minor Subdv Special Use Permit Site/ Sketch Plan Review LotLine Adjust

Proposal: Amended Current Accessory Parking from 15 units to 35 units for day use temporary parking

Section _____ of _____ Ordinance.

Present Owner: Howard Deagle (AS APPEARS ON DEED!!)

Address: 229 Vischers Ferry Rd Road NY Zip code: 12148

Phone # (required) _____

Applicants Name (if different): NCI Phone# (required) 715 209-1579 (Scott Breschke)

Location of Property (if different from owners) _____

Tax Map # 67.00-3-19.21 Zoning District C-2

Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS) _____

Signature of receiving Property Owner _____ (AS APPEARS ON DEED!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.

Scott Breschke

Date 7/10/23

Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

(For office use only)

Application fee paid: _____ Check# _____ Reviewed By _____ Date _____

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson

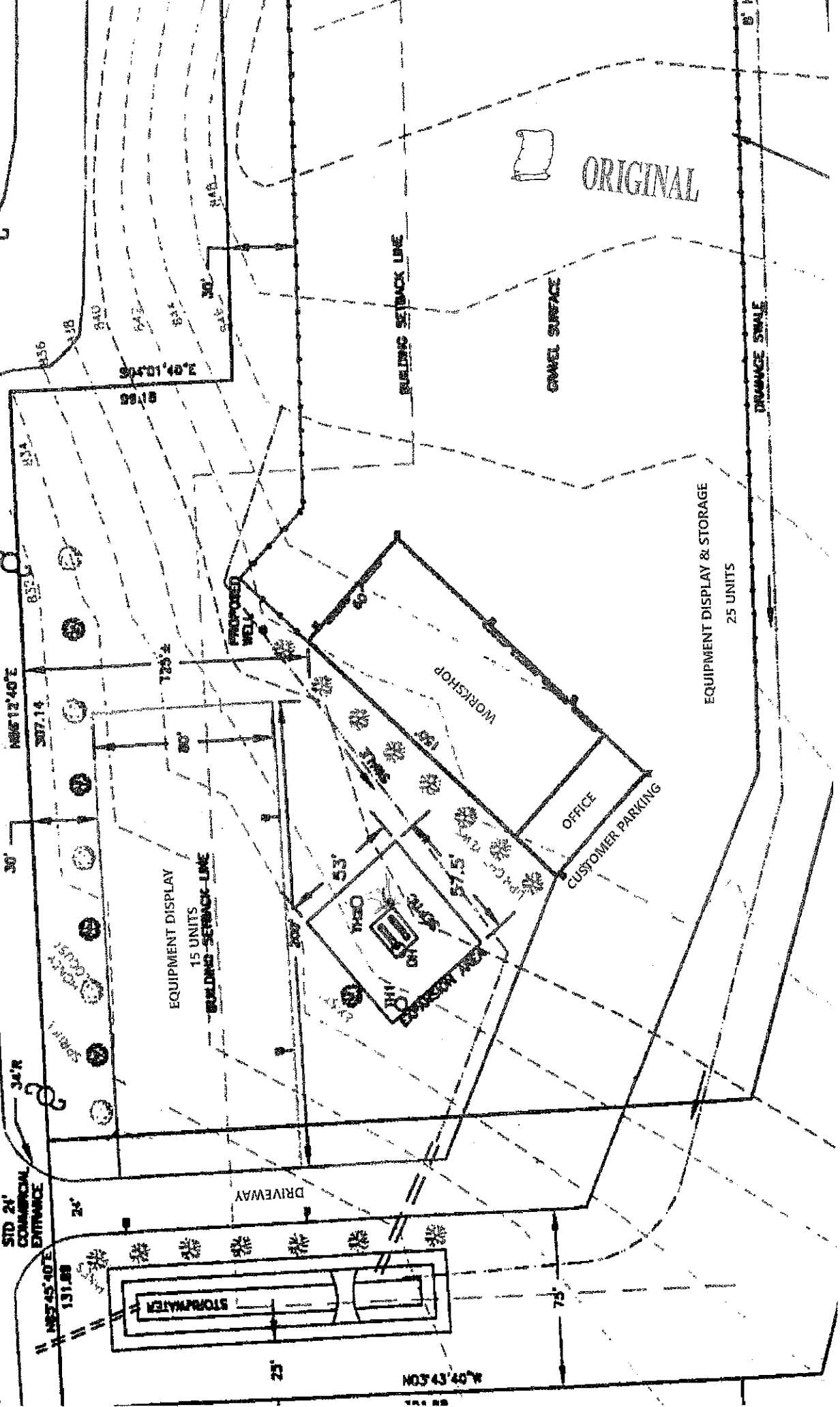
Date

Code Enforcement

Date

3851 WESTERN TURNPIKE, DUANESBURG FLOOR PLAN

WESTERN TURNPIKE US ROUTE 20



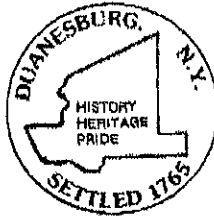
Other:

Kruger Energy Inc.
- Alexander Road Solar

Other:

Dollar General
- Accidental Protected Tree Removal

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TOWN OF DUANESBURG
SCHENECTADY COUNTY

Town of Duanesburg
Planning Board Minutes
June 15, 2023
Draft Copy

MEMBERS PRESENT:

Jeffery Schmitt- Chairperson, Elizabeth Novak, Joshua Houghton, Michael Walpole, Teresa Bakner- Planning Board Attorney, Chris Parslow- Town Planner and Clerk Carol Sowycz.

INTRODUCTION:

Chairperson Jeffery Schmitt opened the meeting and welcomed everyone to the June 15, 2023, Planning Board meeting and stated the agenda for the night's meeting. Chairman Schmitt stated that members Mike Harris and Matt Hoffman are absent.

OPEN FORUM:

Schmitt/Novak made a motion to open the open forum at 7:02 pm.

Schmitt yes, Novak yes, Houghton yes, Walpole yes. **Approved.**

No comment.

Schmitt/Novak made a motion to close the open forum at 7:03 pm.

Schmitt yes, Novak yes, Houghton yes, Walpole yes, **Approved.**

PUBLIC HEARINGS:

Schmitt/Walpole made a motion to reopen the public hearing for Spiro Kagas Special Use Permit, accessory parking, expansion of the Wishy Wash Car Wash to include a third bay. Schmitt yes, Walpole yes, Houghton yes, Novak yes. **Approved.**

#22-10 Kagas.Spiro: SBL#53.00-1-29.21, (c-1) located at 9938 Western Turnpike is seeking a site plan approval for the accessory parking under section 5.2.2 of the Town of Duanesburg Zoning Ordinance. Chairman Schmitt asked Joe Bianchine PE to give an update on what's happening with the project. Mr. Bianchine stated that they finally have a meeting scheduled for next Friday at 9:00 AM at the DEC. He explains that the meeting is to discuss the latest plan and the addition, what will be needed for the addition and the permit renewal. He also said that the owner had done a few things at the site such as: put up a "No Parking Overnight" sign, added some millings to keep the dust under control, and moved the equipment away from the boundary line. Chairman Schmitt said that until DEC gives an affirmative position on this

project the board will table the application. Attorney Bakner noted that at the meeting with DEC, Board Member Matt Hoffman and Doug Cole, Town PE will be in attendance. Chairman Schmitt stated that the direction of the DEC is a key component to the town moving forward. **Schmitt/Houghton** made a motion to table the public hearing until the July 20th planning board meeting.

Schmitt yes, Houghton yes, Novak yes, Walpole yes. **Approved.**

SKETCH PLAN REVIEW:

#23-11 The DDS Companies: SBL#68.00-2-41.1, (C-1) located at 2261 Western Turnpike is seeking a Special Use Permit/Site Plan Approval for use of existing building & property as an office and storage for utility construction company. David Raber outlined what the company would like to use the site for. He explained the company is a utility contractor needing storage and office space to facilitate the operation of the business. He stated that they would use the site as it is, however, they would do a little maintenance/cleanup. They would use the site for equipment storage such as skid steers and excavating machines, parking for the office staff consisting of 4 to 5 people. He also noted that there would be no new construction on the site. The board asked if there would be any storage of chemicals. Mr. Raber said there would be NO bulk storage. Chairman Schmitt stated that this is a Type 2 action and no SEQRA is required.

Novak/ Houghton made a motion to schedule the public hearing for DDS Companies Special Use Permit for July 20, 2023.

Novak yes, Houghton yes, Schmitt yes, Walpole yes. **Approved.**

OLD BUSINESS:

#23-05 Hewitt, Tyler: SBL#43.11-1-12(R-2) located at 8554 Route 30 Delanson NY is seeking a Special Use Permit under 8.4(10) of the Town of Duanesburg Ordinance. Chairman Schmitt noted that at the last meeting the planning board had asked Mr. Hewitt to revise his business plan. He also stated that the Town Attorney had prepared a resolution. Member Novak read the resolution. See attached.

Novak/Houghton made a motion to adopt the resolution which will be conditions of the special use permit for the Hewitt Garage.

Novak yes, Houghton yes, Schmitt yes, Walpole yes. **Approved.**

#23-06 Fusco, Salvatore: SBL#25.00-1-6.11, (R-2) located at 756 Wells Road is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. The board members went over where the Fusco application was left at. Member Novak noted that at the last meeting they had made a SEQRA negative declaration and approved the preliminary plat plans. She also said that the final plat was complete. Chairman Schmitt stated that himself and the town planner will review and sign the final plat.

Novak/ Houghton made a motion to approve the Fusco final plat for the major subdivision at 756 Wells Road.

Novak yes, Houghton yes, Schmitt yes, Walpole yes. **Approved.**

#22-20 Whipple, Henry: SBL PT/O#64.00-1-4.3, (C-1) located at Youngs Rd and St Hwy 30 is seeking a Major Subdivision under Section 3.5 of the Town of Duanesburg Subdivision Ordinance. Chairman Schmitt noted the board was waiting on a note to be attached to the final plat to deal with storm water. Also stated that Matt Hoffman had prepared the note. Joanne Crum Darcy, representative for Mr. Whipple, stated that the wetlands on the property were delineated, the notes were put on the plat, a lot line adjustment was done with the neighbor, and Mr. Whipple had submitted correspondence from Schenectady County concerning the driveway. Darcy Crum noted that Mr. Whipple's surveyors put a note on the plot plan. See attached. Member Novak reads the Preliminary Negative Declaration for the Whipple subdivision. **Novak/Walpole** made a motion for negative declaration and to set the public hearing for July 20, 2023, for the Henry Whipple Major subdivision. Novak yes, Walpole yes, Schmitt yes, Houghton yes. **Approved.**

#23-08P Chandler Jr., Robert: SBL#44.00-1-8.21, (R-2) located at 2978 Duanesburg Churches Rd is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. Chairman Schmitt said that no one had heard from Mr. Chandler, and we can table until the next meeting.

Schmitt/Houghton made a motion to table and further review the Robert Chandler application until the next meeting.

Schmitt yes, Houghton yes, Novak yes, Walpole yes. **Approved.**

NEW BUSINESS:

#23-12 C-TEC Solar LLC: SBL#64.00-2-8, (R-2) is seeking a pre-submission conference with the Planning Board in the manner set forth in the Town Zoning Code Section 14.6.2.2. Sonya Torpey with Tetra Tech Inc. a consulting firm representing C-Tec Solar is proposing a solar facility in the Town of Duanesburg. She stated that the proposed facility would be located at 10516 Western Turnpike on the property of Martin & Donna Hebert. Ms. Torpey detailed:

- 1.- The facility would be in the Northwest corner of the 90+- acre property.
- 2.- It would be a community solar facility as it is under 5 megawatts.
- 3.- Under the New York Sun Project the company would be looking for subscribers.
- 4.- The facility would be on 8 acres out of the 90 acres.
- 5.- There would be 5000 solar panels which would generate approximately 2.1 megawatts of alternating current.
- 6.- They company had also done a wetlands delineation and there is wetlands in the Northwest corner, but the facility will not be impacted by them. It is not a NYS regulated wetlands.
- 7.- The access road is from Western Turnpike. It will wind through the property, be a geo-tech style covered by a couple of inches of gravel/ crusher run and solely be used for transporting equipment.
- 8.- The facility would be surrounded by a 7-foot fence.
- 9.- There would be an equipment pad for inverters.

10- Any cabling for the collection system would be underground, as well as the transmission line to the point of connection at the road.

The board members asked:

- 1.- How many poles?
- 2.- Does the company have an interconnect agreement with National Grid?
- 3.- Is there open fields in the back of the property?
- 4.- Are there stationary poles or mounted ones?
- 5.- Is there battery storage?
- 6.- From Route 20, will the panels be visible?
- 7.- Company would design and construct on site?
- 8.- Does the company have any community solar in NYS?
- 9.- Is NYSERDA involved with the funding?

Representatives answered:

- 1.- Several poles.
- 2.- We don't have an agreement with National Grid currently.
- 3.- Fields are open in the back.
- 4.- Fixed ground mount poles.
- 5.- No battery storage.
- 6.- Don't believe panels will be visible from Route 20.
- 7.- Correct, Design & construct.
- 8.- No, not that we operate.
- 9.- New York Sun program.

Town Attorney, Terresa Bakner informed the applicant that they should be thorough in their application to avoid delays.

Minute Approval:

May 18,2023, PLANNING BOARD MEETING MINUTES:

Novak/Houghton made a motion to approve the May 18, 2023, Planning Board minutes with changes, concerning the Salvatore Fusco Major Subdivision, a motion was made to approve the preliminary plat and a SEQRA type 1 negative declaration was determined. Novak yes, Houghton yes, Schmitt yes, Walpole yes. **Approved.**

ADJOURNMENT:

Walpole/Schmitt made the motion to adjourn.8:15PM

Walpole yes, Schmitt yes, Novak yes, Houghton yes. **Approved.**