

Nelson Gage, Zoning Board Chair
Dale Warner, Town Planner
Jennifer Friello, Clerk
Teresa Bakner, Board Attorney



TOWN OF DUANESBURG
SCHENECTADY COUNTY

Kathleen Kosinski, Vice Chair Member
Robert Payst, Board Member
William Wenzel, Board Member
LeRoy Colby, Board Member
Jonathan Lack, Board Member
Paul Reveal, Board Member

Town of Duanesburg
Zoning Board Minutes
July 15, 2014
Final Copy

MEMBERS PRESENT: Nelson Gage Chairman, Kathleen Kosinski Vice Chairperson, Pat Payst, William Wenzel, Jonathan Lack, LeRoy Colby and Paul Reveal. Also attending: Jennifer Friello Clerk, Teresa Bakner Board Attorney, and Dave Ingalls Town Engineer.

INTRODUCTION:

Chairperson Nelson Gage opened the meeting at 7:31 pm. Nelson welcomed everyone to tonight's Zoning Board meeting. Nelson has informed the Board members that Ken Chrinian has resigned from the Zoning Board of Appeals. All members were informed of the upcoming October Town workshop and were encouraged to RSVP as soon as possible.

OPEN FORUM:

Open Forum was opened and closed @ 7:33pm.

PUBLIC HEARINGS:

#14-05 Norris, Matthew & Christine: SBL# 54.00-2-55 (R-2) Located at 5967 Scotch Ridge Rd are seeking an Area Variance as per section 14.5.2 (b) of the Town of Duanesburg Zoning Ordinance. Mr. Norris gave the presentation to the audience requesting a 20 foot West side yard reduction to construct a 30 by 40 foot three car garage. The County referral has deferred to local consideration. There were no comments from the audience and public hearing was closed at 7:35pm. The Board approves of the application with the contingency that a Building permit is obtained within six months.

Lack/ Payst made the motion to declare the Town of Duanesburg as Lead Agency for the Norris, Matthew & Christine application.

Lack aye, Payst aye, Wenzel aye, Reveal aye, Colby aye, Kosinski aye, Gage aye. **Approved**

Gage reaffirmed the application a Type II action. The requirements of SEQRA are satisfied.

Payst/Wenzel made a motion **to approve the Norris, Matthew & Christine application**. Payst aye, Wenzel aye, Lack aye, Reveal aye, Colby aye, Kosinski abstained, Gage aye.

OLD BUSINESS:

#13-18 **Clean Energy**: SBL# 74.00-1-11.2 (R-2) located at Duanesburg Rd is seeking a Use Variance Request as per section 14.5.2 (a) of the Town of Duanesburg Zoning Ordinance. Mary Elizabeth Slevin was present on behalf of NG advantage and Clean Energy. Also present were Scott Smith and Troy Paionk from Clean Energy, Shelby Moore and Eric Schuler from MJ Engineers. Mary Beth Slevin gave an update to the changes of the project that have occurred since the last meeting regarding the request for the Use Variance. NG Advantage currently has a contract on the property and no other offers have been made to purchase the property. With the current gas line running through the property makes this property a good fit for Clean Energy and creates a hardship for any other uses permitted.

Scott Smith gave a presentation on behalf of Clean Energy giving a brief background on the company. The Clean Energy site will not be open to the public.

Shelby Moore gave a presentation regarding the site plan. The site plan foot print was shifted to the East to create a lesser disturbance. The Noise level at the boundary line was 57 dbs and not to exceed the Town's limitation. Shelby Moore confirmed that the additional traffic will not have a significant impact on the current traffic flow. There will be a 45 load per 24 hour period maximum for traffic. Shelby Moore informed the Board that the property next to the site is currently vacant.

Terresa Bakner recommended a condition of maintaining vegetation to keep noise levels maintained. Dave Ingalls recommended strategically placed plantings at the entrance and confirmed that maintenance of vegetation would be preferred. A NYS DOT highway permit will need to be obtained for the driveway. Dave Ingalls also requested the routine determination data sheets.

Troy Paionk addressed the Emergency Response plan that was conducted. The site will have 24 hour monitoring both onsite and offsite.

Teressa Bakner reviewed the criteria for a Use Variance and verified the permitted uses allowed and the hardship that has been created to warrant the Use Variance for Clean Energy.

The Board has requested that Clean Energy verify the address of the vacant home neighboring the site. The Board also requests the standard Corp data sheets, a financial report. The Board requests that all documentation be submitted prior to August 8th 2014 for adequate time to review. Payst addressed a discrepancy in the wording of the application stating fleet vehicles, Mary Beth Slevin confirmed and would address the wording that the only vehicles would be Clean Energy's vehicles permitted on the premises.

Kosinski/Reveal made a motion **to approve holding a Public Hearing for the Clean Energy application on August 19th, 2014**.

Kosinski aye, Reveal aye, Wenzel aye, Payst aye, Gage aye, Colby aye.

NEW BUSINESS:

None

OTHER:

None

MINUTES APPROVAL:

Lack/Colby made a motion to Approve the June 17, 2014 Zoning Board Meeting minutes.

Lack aye, Colby aye, Kosinski abstained, Gage aye, Payst aye, Wenzel aye, Reveal aye.

Approved

ADJOURNMENT:

Gage/Reveal made a motion to adjourn at 9:15 pm.

Gage aye, Reveal aye, Lack aye, Wenzel aye, Payst aye, Kosinski, aye, Colby aye. **Approved.**