

Town of New Scotland Planning Board

Minutes

June 7, 2016

Charles Voss, *Chairman*

Planning Board Members:

Jo Ann Davies, Thomas Hart, Dan Leinung

Justin Perry (Alternate)

Lori Saba, *Planning Board Secretary*, Jeremy Cramer, *Building Inspector*,

Jeffrey Baker, *Planning Board Attorney*, Dave Hansen, *Town Engineer (Stantec Engineering)*

Absent: Justin Perry

PLEASE NOTE: All developers, consultants and members of the public wishing to address the Board during the meeting must sign in on the “Sign In Sheet” located on the back table.

7:00 pm:

Public Hearings:

- 1) Special Use Permit Application # 582:** Application submitted by Rebecca Culhane on behalf of the Farlin Corporation to allow for a public garage to be operated on a site housing an existing structure which received a site plan approval April 4th, 2012. The property is owned by the Farlin Corporation, is located in the Industrial District at 129 School Road and is identified as tax parcel # 61.-3-16.1. This application is a special use of Article II, Section 190-18 (E) (6) of the Town of New Scotland Zoning Law.

Mr. Voss motioned to open the meeting to the public. No public comments. Mr. Voss moved to close the public hearing; Ms. Davies seconded the motion; all in favor; motion so carried.

Albany County review:

- Any necessary permits or license from NYS DMV for a public garage.
- The Town should ensure the protection of underground water resources (aquifer) located, in part, on this parcel by requiring the storage of vehicles on an impervious surface designed to catch spills from fuel oil and gasoline.

Ms. Davies moved to approve special use permit application #582 with the following conditions:

- Hours of operation Monday – Friday 8:00 a.m. – 5:00 p.m.; Saturday 8:00 a.m. – 12:00 p.m.
- No more than six cars stored on the lot
- Unlit signage on the building and/or out by the street.
- No vehicles sales
- All tires and equipment must be stored inside.

Mr. Leinung seconded the motion; all in favor; motion so carried.

Vote: 4-0-0

- 2) **Site Plan Application # 113:** Application submitted by Daniel Plummer for an expansion of an existing residential agricultural use to allow for commercial sales of products grown or raised on site in a newly constructed barn located on 33.2 acres. The property is located in the RA District, at 542 Rowe Rd, and is identified as New Scotland Tax Id # 119.-2-18.11. This application is made pursuant to Article V, Section 190-52 of the zoning law for the Town of New Scotland.

Albany County review:

- The Town should ensure that the property owner is aware of the regulations for construction activities that disturb land greater than one acre.
- Any necessary permits from NYS Agricultural and Markets for the sale of produce.

Mr. Voss opened the meeting to the public:

Mr. Scott Wallant, 553 Rowe Rd., is in favor of the application; only concern is the constant barking of the sheep dog.

Ms. Wallant, neighbor, cannot sleep with the continuous barking of the dog.

Ms. Snyder asked if the applicant could explain to the public their business.

Mr. Voss closed the public hearing; all in favor; motion so carried.

Mr. Voss moved to approve site plan application #113 with the following conditions:

- If you go beyond the 1,000 bird threshold and the business expands and needs New York State or Federal certification for slaughtering must come back to the Board;
- Hours of operation - Monday and Wednesday 1:00 to 5:00 p.m.
- No pigs or hogs allowed under current application

Ms. Davies seconded the motion; all in favor; motion so carried.

Vote: 4-0-0

Old Business: Discussion items:

- 1) **Site Plan Application # 111:** Application submitted by Charles Shufelt for a site plan review to allow for a 60' x 60' accessory structure to be used as a Public Garage. The proposed site is owned by the applicant, is located in the RA zoning district at 173 North Road, and is identified as New Scotland Tax Parcel # 105.-3-6.10. This application is a for a permitted use as granted by the Town of New Scotland's Zoning Board of Appeals and is made pursuant to Article V, Section 190-52 of the Zoning Law for the Town Of New Scotland.

Mr. Voss moved to schedule a public hearing for July 5, 2016. Mr. Hart seconded the motion; all in favor; motion so carried.

- 2) **Special Use Permit Application # 568:** Application Submitted by Tim Albright for Indian Ladder Farms to request a special use permit to allow for a mobile concession trailer to be set on site as a snack bar. The parcel is located within the RF district on Thatcher park Road, contains 10 +/- acres, and is identified as New Scotland tax parcel # 71.-1-38. This application is a Special Use of Article II, Section 190-11(D) (13) of the Town of New Scotland Zoning Law.

Mr. Voss moved to schedule a public hearing for July 5, 2016; Ms. Davies seconded the motion; all in favor; motion so carried.

Mr. Steve Boice, spoke in favor of reducing the speed of the road.

Mr. Voss asked Mr. Boice to address his concerns that he has to the Town Board and the town Supervisor Mr. LaGrange.

Ms. Boice opposed a food trailer across the street from her house. Not in favor of this application.

New Business:

- 1) **Special Use Permit #583:** Application submitted by Ron Kay requesting approval to allow for a mixed use development to be constructed on a parcel. The applicant would like to incorporate retail sales and residential apartments. The proposed site is located within the Commercial district on Maple Rd. (Route 85A) and is identified as New Scotland tax parcel # 73.-4-17.1 This application is for a permitted use and a special use as per Article II, Section 190-17 (D)(12) & (E)(3) of the town of New Scotland Zoning Law.

Discussion items:

- 1) **Minutes** for May 3, 2016. Mr. Voss moved to approve the May 3, 2016 minutes, and Ms. Davies seconded the motion; all in favor; motion so carried.
- 2) **Minor Subdivisions** for the month of May 2016:
 - Scot Macomber, New Scotland South Road.

Anything else that may come before the board -Open Discussion (2-minute limit per person)

- Tom McCann would like an update on Ms. Elliott's application.
- Chet Boehlke, how do we get the 500-foot notification law changed?
 - o Advised to discuss this with the Town Board.
- Sharon Boehlke concerned with special use permit #583; unsafe corner, traffic flows very fast in that area. Does not like the idea of taking business away from Stonewell Plaza. Applicant proposed to have the same type of business as Stonewell, for example, pizza parlor, hair salon, and restaurant.
- Mr. Dearstyne asked about ILF sound study. Any results?
- Mr. Stanton, clarification on the Agricultural Law and the Right to Farm Law. Recommends that the Planning Board review the NYS Agricultural website and review their guidelines.
- Andrew Saga, 225 Union Feura Bush Rd., has concerns with Cindy Elliott's application that proposed a banquet facility; is in favor of the tree farm. Everyday there are large excavators doing work on the property. Work is being performed before 7:00 a.m.

Adjournment: At 9:15 Mr. Voss moved to adjourn and Ms. Davies seconded the motion; all in favor; motion so carried.

Respectfully submitted,

Lori Saba