

LIVINGSTON PLANNING BOARD

August 05, 2020

The regular meeting of the Livingston Planning Board was held August 05 2020 and opened at 7:00.

In attendance were Chairman Phil Schmidt, Robert Bellinger, Bernie Stickles, John Ross, Chip Keil, Stephen Thibault and Martin Nayowith.

Engineer Michelle Mormile.

Attorney Ted Hilscher.

Absent: Brian Molinski.

Correspondence: CEO Sam Harkins and Columbia County Planning Board.

A motion to accept the minutes of the June 03, 2020 meeting was made by Stephen Thiebault and 2nd by Bob Bellinger. All voted AYE. Motion passed unanimously.

A motion to approve the minutes of the July 01, 2020 meeting was made by Martin Nayowith and 2nd by John Ross. All voted AYE. Motion passed unanimously.

Luckless Enterprises LLC (Figment Hudson Valley) and Joyce Collier a Special Use (Inn and Hotel) and Site Plan also a Subdivision application to be able to divide existing parcel into t parcels and the construction of six small rental units together with site parking, onsite parking, onsite sewerage disposal and on site potable water source. Property located Cold Spring Road.

Luckless has asked to be postponed to September in order to have a paperwork in order.

The applicant has agreed to extend the time for the Planning Board to review his application.

Andrew Feuerstein, RA representing Chie Hammons with a Special Use Permit for an Accessory Structure #2 as per 3.2 Schedule of Permitted Use. Proposed structure a single story + cellar mediation pavilion on an existing 50 acre parcel in LDR 2. Structure is 3,640 square feet. Property located 786 Church Road.

Received 10 copies of an updated site plan and new maps.

A letter dated August 03 2020 from CEO Sam Harkins reports conducting a visit to the site, walking the majority of the property and determined that there are only two buildings on the property, therefore, 511.1 through 511.25 of the Fire Code would apply. Section 511.2.6 Driveways serving more than four buildings of the Fire Code does not apply in this instance.

A letter dated July 22 2020 from the Columbia County Planning Board recommending that this proposed action has no significant county-wide or intercommunity impacts associated with it. Therefore, the Town of Livingston Planning Board may take final action with a simple majority vote.

Attorney Ted Hilscher completed the Short Form EAF.

A motion to approve the EAF with negative declaration was made by Stephen Thibault and 2nd by Bernie Stickles. All voted AYE. Motion passed unanimously.

A motion to approve the Chie Hammons Special Use Application as presented was made by Bob Bellinger 2nd by Chip Keil. All voted AYE. Motion passed unanimously.

Attorney Bill Better appeared on behalf of Hudson Park LLC and LBS Group Inc., seeking approval for lot line adjustments of lands on Route 9. Tax Map Number 140.-1-8 (LBS Group Inc.) will now be 1.50 acres. Tax Map Number 140.-1-6 (Hudson Park LLC) will now be 9.47 acres. A new lot located between 140.-1-8 and 140.-1-6 (owned by Hudson Park LLC) will be 1.85 acres and front on Route 9. The western half of what once was 14.-1-7 will be absorbed into 140.-1-4 (owned by Hudson Park LLC). No new parcels are created. This is as indicated on map entitled Lot Line Adjustment for Hudson Park, LLC/LBS Group, by Ryan Gibbs Clark Davis Engineering and Surveying, dated February 19, 2020. Lot Line Adjustment approved, motion by Bernie Stickles and 2nd by Chip Keil. Motion passed unanimously.

Gloria Valdez a Special Use permit to have chickens in a building on 41 Keil Court. A denial letter was received from CEO Harkins citing Zoning Law 3.2 Schedule of permitted Uses. Agricultural including animals requires a special permit in CH-2 zone. No show.

Patricia Decker/Duane Whittaker Lot line / Subdivision 10 acres. Property located 34 Lynk Road. No Show.

ELP Livingston Solar LLC. A community solar photovoltaic facility on 3289 Route 9. Submitted a Special Use Application, Site Plan Approval Application and a Subdivision Application. EPL Livingston Solar is leasing a portion of 151.-1-4.200 from Gcard LLC (David Birch) requesting a minor subdivision of the solar projects lease area.

Wendy De Wolf is representing ELP Livingston and gave a presentation on the project.

1. Located in C-1
2. Located in a lot with the minimum lot size of 10 acres.
3. Enclosed by fencing.
4. Adheres to the height requirements.
5. Warning signs with contact information.
6. Screened view.
7. 16,000 solar panels.
8. The subdivision will require a variance from the ZBA.

The Board advised the applicant that the variance must be done before they can hear this application. They will need an escrow of \$7,500.00.

There is a question is this property still listed as agriculture. That will have to be addressed.

Planning Board Engineer Michelle Mormile will be recusing herself as her firm Crawford Associates will be representing ELP Livingston Solar. Attorney Hilscher will assign another Engineer to represent the Planning Board.

There being no further business a motion to adjourn was made by Robert Bellinger and 2nd by Chip Keil.

All present voted AYE. Motion carried.

Next scheduled meeting will be held September 02, 2020 at 7:00.P M.

Meeting closed at 7:41.

Respectfully submitted,

Eileen Yandik
Secretary Livingston Planning Board.