

## LIVINGSTON PLANNING BOARD

September 07 2022

In attendance were Chairman Phil Schmidt, Robert Bellinger, Bernie Stickles, Chip Keil, Stephen Thibault, John Ross and Martin Nayowith. Attorney Ted Hilscher and Engineer Michelle Mormile.

Absent: Brian Molinski.

Correspondence: None

A motion to accept the minutes of the September 07, 2022 meeting was made by Chip Keil and 2<sup>nd</sup> by Martin Nayowith. All in favor.

The Public hearing opened at 7:09 for Kasselmann representing Sondra Loring. There was no comment from the public or written correspondence received. Public hearing closed at 7:10.

Ted Hilscher read the eleven questions found at Section 2 of the SEQRA short form. The answer to each questions being no, a motion for a negative declaration made by Bernie Stickles and 2<sup>nd</sup> by John Ross. All in favor.

A Motion to approve the Kasselmann Solar site plan made by Robert Bellinger and 2<sup>nd</sup> by Stephen Thibault. All in favor.

The Public hearing continued on application by Kenneth and Amy Unson-Bendix regarding 40 Bingham Mills Road. Comments were received from neighbors:

- a) Was a 239 m review held?
- b) Applicant has diesel storage on site which in not indicated on site plan. Mr. Bendix indicated two 300-gallon tanks were on site.
- c) Neighbors indicated improvements have been made to property.
- d) Does building comply with setbacks?
- e) Can applicant provide screening?

Nicole Keegan:

- a) Can applicant keep pine trees that are along Bingham? Mr. Bendix indicated he would.
- b) Public hearing closed. Motion made by John Ross 2<sup>nd</sup> by Bernie Stickles. All in favor.

- c) Mr. Bendix was directed to resubmit site plan with location of fuel storage indicated, and location of pine trees which are to remain also indicated.
- d) The application is being submitted to the county for 239 in review.

Correspondence was also received from Patricia A Hinkein Realty, which will become part of the record.

Public hearing closed. Motion by Chip Keil 2nd by Robert Bellinger. All in favor.

Mr. Bendix was directed to resubmit site plan with location of fuel storage indicated, and location of pine trees which are to remain also indicated.

The application is being submitted to the county for 239 in review.

Gates application for subdivision at 102 Blackbridge Road accepted as complete. Public hearing scheduled for October 05 2022 at 7:02.

Decker application for subdivision reviewed. Proposed subdivision plan indicates road frontage of 27 feet instead of 50 feet as required. Applicant directed to Zoning Board Appeals to seek an area variance.

Linc's Winery. Applicant will be operating a vineyard and make and bottling wine for off premises sales. Agriculture with no animals, including storage of product, is a permitted use. No action by Planning Board necessary.

Hudson River Renewables, Robert Baerga representing Peter Rowe with application for residential solar panels for 412 Cold Spring Road. Application was accepted as complete. Public hearing set for October 05, 2022 at 7:04.

Natural Energy Solutions Eric Maskell representing Steve Couse with an application for residential pole mounted tracker system for 35 Mahnikan Drive. Application was accepted as complete. Public hearing set for October 05, 2022 at 7:06.

Application for lot line adjustment for 1117 County Route 9. John Chinelli, Lauren Peacher and Paul Chinelli, Leslee Chinelli property owners. All 4 property owners in attendance.

Ted Hilscher read the eleven questions found at Section 2 of the SEQRA short form. The answer to each question being no, a motion for negative declaration made by Bernie Stickles and 2<sup>nd</sup> by John Ross. All in favor.

John Chinelli, Lauren Peacher and Paul Chinelli, Leslee Chinelli property owners, Lot line adjustment was approved with a motion by Martin Nayowith and 2<sup>nd</sup> by John Ross. All in favor.

Applicants directed to prepare deed or boundary line agreement for recordation at the County Clerk's Office, in accordance with Section 4.40 of the Town Code.

Ron Fortune on behalf of Global Partners at the corner of Route 9/9W/23 submitted an amended site plan for the operation of an outside BBQ on the patio indicated on the east side of the building.

Ted Hilscher read the eleven questions found at Section 2 of the SEQRA short form. The answer to each question being no, a motion for negative declaration was made by Stephen Thiebault 2<sup>nd</sup> by Chip Keil. All in favor.

Motion to accept Global Partners amended site plan, made by Robert Bellinger 2<sup>nd</sup> by Martin Nayowith. All in favor.

Jon and Katie Hardy appeared with plans for operation of retail store and office space at former Bill Pond X-Mart Site. Site previously had two commercial uses within the past year, so site is grandfathered for two commercial uses. Applicants to return with site plan meeting parking requirements – one per 150 square feet – and providing screening, lighting, ingress and egress and signage details for Planning Board review. Proposal is for three storefronts – one retail, two for office space.

Planning Board directed Ted Hilscher to request \$2,000 to be held in escrow for engineer's review of improvements at Tarpan Tower. Motion made by Robert Bellinger and 2<sup>nd</sup> by Stephen Thibault. All in favor.

Ted Hilscher received a question from Richard Livingston of Oak Hill Road about building a new addition to an existing barn to be used as an accessory apartment. Planning Board has allowed accessory apartments to be added to an existing

garage at least twice in the past. The board indicated Mr. Livingston's parcel of over six acres is suitable for accessory apartment.

There being no further business.

Motion to close the meeting was made by John Ross and 2<sup>nd</sup> by Martin Nayowith. All in favor.

Next scheduled meeting will be held October 05 2022.

Meeting closed at 8:45.

Respectfully submitted,

Eileen Yandik