

LIVINGSTON PLANNING BOARD

October 05, 2022

In attendance were Chairman Phil Schmidt, Robert Bellinger, Chip Keil, John Ross, Brian Molinski and Martin Nayowith. Attorney Ted Hilscher.

Absent: Stephen Thibault, Bernie Stickles, Michelle Mormile.

Correspondence: None

A motion to accept the minutes of the September 07, 2022 meeting was made by Chip Keil and 2nd by John Ross. All in favor.

The Public hearing opened at 7:02 for Andrew and Mary Gates a subdivision application three parcels from 28.6 acres. Property located 102 Blackbridge road. There was no comment from the public or written correspondence received. Public hearing closed at 7:03.

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 Martin Nayowith and 2nd by Robert Bellinger. All in favor.

A Motion to approve the Andrew and Mary Gates Subdivision as presented made by John Ross and 2nd by Brian Molinski. All in favor.

The Public hearing opened at 7:05 for Hudson River Renewables, Robert Baerga representing Peter Rowe with application for residential solar panels for 412 Cold Spring Road. There was no comment from the public or written correspondence received. Public hearing closed at 7:06.

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 Robert Bellinger and 2nd by Martin Nayowith. All in favor.

A Motion to approve the Peter Rowe Solar application as presented made by John Ross and 2nd by Brian Molinski. All in favor.

The Public hearing opened at 7:08 for Natural Energy Solutions Eric Maskell representing Steve Couse with an application for residential pole mounted tracker system for 35 Manikin Drive. There was a comment as to where it will be located. Answer in the back of the house. No written correspondence received. Public hearing closed at 7:09.

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 Chip Keil and 2nd by John Ross. All in favor.

A Motion to approve the Steve Couse Solar application as presented made by Robert Bellinger and 2nd by Chip Keil. All in favor.

Kenneth and Mary Bendix a Special Use application 40 Bingham Mills Road returned.

Attorney Ted Hilscher:

- Whereas Bendix and Son Excavation has made an application for a storage building on Bingham Mill Road, and
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Whereas, the proposed site is located in the C-1 (commercial) zone, and

Whereas, the operation of a storage yard/contractor's yard in the C-1 zone requires a special use permit, and

Whereas, a public hearing on the proposed use was held in accordance with the Livingston Town Code, and said public hearing was opened on August 3,2022 and closed on September 7, 2022, and the applicant presented the proposed use and public input was received at said public hearing, and

Whereas, the current land use including and surrounding the proposed site is rural and single family residential on a dead end road, and adjacent to the Roe Jan Kill, and

Whereas, the proposed use would include the travel of large commercial trucks and equipment to and from the site through the current rural and residential district, and

Whereas, the proposed use would further include the construction of a 3200 square foot metal building with additional outdoor bays of 2560 square feet, and

Whereas, the proposed use would further include the storage of certain trucks and equipment outside of the contemplated storage facility, and

Whereas, the proposed use will be in harmony with the appropriate and orderly development of the district, and

Whereas, the proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings, and

Whereas, the proposed will not be potentially destructive of property values and basic environmental characteristics, and objectionable to nearby properties,

Now be it hereby resolved, the application of Bendix and Son Excavation is hereby approved.

Motion by Brian Molinski

Second by Chip Keil

Vote (by rollcall)

John Ross Abstain

Martin Nayowith NO

Robert Bellinger NO

Philip Schmidt NO

Chip Keil YES

Brian Molinski YES

An application requires four votes for approval.

Application is denied.

Kevin D. Sweet a Site Plan Application for an outdoor wood boiler. Property located 10 Hill Road. A letter was received from the building inspector requiring a site Plan approval. The ZBA approved an Area Variance of 73 feet for this application at their October 04 2022 meeting.

The Board reviewed the application.

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 Robert Bellinger and 2nd by John Ross. All in favor.

A Motion to approve the Kevin Sweet Site Plan application as presented made by Martin Nayowith and 2nd by Robert Bellinger. All in favor.

There being no further business.

Motion to close the meeting was made by Robert Bellinger and 2nd by Brian Molinski. All in favor.

Next scheduled meeting will be held November 02 2022.

Meeting closed at 7:29.

Respectfully submitted,

Eileen Yandik

Secretary