

LIVINGSTON PLANNING BOARD

May 03 2023

The regular meeting of the Livingston Planning Board was held May 03, 2023 and opened at 7:00 with the Pledge of Allegiance.

In attendance were Chairman Martin Nayowith, Stephen Thibault, John Ross, Bernie Stickles, Robert Bellinger, Brian Molinski, John Ross, Chip Keil and Rebecca Harclerod.

Attorney Andy Howard.

Absent: NONE:

A motion to accept the minutes of the April 05, 2023 meeting was made by Stephen Thibault and 2nd by Bernie Stickles. All in favor.

Correspondence:

Received a letter from DOT re: Hardy.

Received a letter from CC Planning Board re: Hardy.

A motion to open the hearing for a Special Use and Site Plan application for Jon and Katie Hardy was made by Chip Keil and 2nd by John Ross. All in favor.

7:03 the Public Hearing opened for Jon and Katie Hardy for a Special Use Permit and a Site Plan application. Property located Route 9 & 82. To be able to have a retail store and 2 office spaces.

Jon Hardy gave an overview of the project to be able to divide the interior from 2 retail spaces to three spaces. Retail and 2 offices. The Board and the Public were able to view the maps on the overhead screen. Notification of neighbors were received and reviewed by Attorney Howard. Received a letter from DOT approving the proposed site plan exits, received a letter from C. County Planning Board reporting this is a local decision.

Comments from the public. Richard Peterson in favor. No written comments were received.

A motion to close the hearing was made by Brian Molinski and 2nd by Chip Keil. All in favor.

Attorney Howard read the SEAF Part 2 questions. All answers NO.
A motion to declare a negative declaration for the SEAF Part 2 was made by Stephen Thibault and 2nd by Bernie Stickles. All in favor.

Attorney Howard presented the Resolution for Jon and Katie Hardy Special Use and site Plan.

SEE ATTACHED RESOLUTION

A motion to accept the Resolution as presented was made by Robert Bellinger and 2nd by John Ross. All in favor.

Edward Klein and Debra Knudsen a 4 lot Subdivision application 260-299 Schuderhook Road #171-1-18. 187.40 acres into 40.9 with house, 40. with house 32.9 and 73.41 acres. The Board reviewed the application.

A motion to receive the application as complete was made by Chip Keil 2nd by Stephen Thibault. All in favor.

A motion to schedule a public hearing June 07 2023 was made by Robert Bellinger 2nd by Brian Molinski. All in favor. To be advertised.

Oakwood Fencing Richard Peterson 41 County Route 19. Building a barn to store belongings. Mr. Peterson gave an over view of the project and answered questions. This is a home business. The Board reviewed the application.

A motion to accept the application was made by Stephen Thibault 2nd by Bernie Stickles. All in favor.

A motion to schedule a public hearing June 7 2023 was made by Robert Bellinger 2nd by Stephen Thibault. All in favor. Applicant advised to notify his neighbors. To be advertised.

Robert Ihlenburg represented Black Bridge LLC. A Subdivision application to construct an access road. Lot 1 3.068 acres, Lot 2 4.770 acres, Lot 3 6.282 acres and Lot 4 45.765 acres. Property located Black Bridge Road. 182.00-1-18. Mr. Ihlenburg presented updated maps and answered questions from Fire Chief Jahns the Board reviewed the application and Attorney Howard recommended to have the private driveway matched to the Town private road specs. Applicant advised to return to the July 07 2023 meeting.

Amrod Enterprises LLC. A Site Plan Application for 1637 Blue Hill Road. Rebuild a bus garage and 2 residential apartments.

Ike Amrod presented to the Board he had originally submitted a building permit and was denied by CEO Callahan. He will require that a new site plan application be done as the rebuild clause has expired (2years ago). He explained difficulty to get materials due to Covid. There is a temporary building that would have to be removed when the new one is built. His plan is to have the same uses. There were question about the septic and water, setbacks, location of all buildings. Applicant to return to the July 7 2023 meeting with a new site plan showing:

1. HD approval for water and septic.
2. Setbacks.
3. Location of all buildings.
4. Attorney Howard will contact him with all the requirements.

Lot Line adjustment Old Mud Creek Farm LLC. Dustin H. James to represent the owner. 67 Pine Wood Road. Seeking to adjust 2 interior lot lines between contiguous lands owned by Old Mud Creek Farms to be in harmony with existing utilization roads and natural boundaries. No changes to the use of buildings. The Board reviewed the application.

Attorney Howard asked the questions for SEAF part 2. All questions were NO.

A motion to declare a negative declaration for the SEAF Part 2 was made by Chip Keil and 2nd by Bernie Stickles. All in favor.

A motion to accept the Lot Line application as presented was made by Chip Keil 2nd by Stephen Thibault. All in favor.

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

Next scheduled meeting will be held June 07 2023.
Meeting closed at 9:08

Respectfully submitted,

Eileen Yandik
Secretary Livingston Planning Board.

**Resolution of the Town of Livingston Planning Board
Granting Special Use Permit/Site Plan Approval
to Jon Hardy and Katie Hardy**

Date: Wednesday, May 3, 2023

Applicant: Jon Hardy and Katie Hardy

Matter: Site Plan Application

Property: State Route 9H and State Route 82, Livingston, New York

Property ID: Tax Parcel No. 140-1-27

WHEREAS:

1. On April 5, 2023, the Town of Livingston Planning Board ("Planning Board") received an application for a special permit and site plan approval regarding property located at the intersection of State Route 9 & State Route 82, Livingston, NY, said real property bearing tax map number 140-1-27.
2. The Property is located within the C-1 Zoning District pursuant to the Town of Livingston Zoning Law.
3. The application seeks to modify the use of the existing building on the premises from a convenience store/restaurant to 3 retail/office spaces, which are permitted uses under the Town of Livingston Zoning Code.
4. The Applicant has submitted the following documents as part of their application: (a) an application for special use permit/site plan approval; (b) a Short Environmental Assessment Form [EAF]; (c) sketch of the site plan showing the changes to the configuration of the interior of the building, and; (d) the deed to the property.
5. At its April 5, 2023 meeting, the Planning Board deemed the application substantially complete and set the Public Hearing for May 3, 2023.
6. The Planning Board duly referred the application to the Columbia County Planning and Economic Development Department in accordance with §239-l and §239-m of the General Municipal Law. The Columbia County Planning Board advised in correspondence dated April 18, 2023 that the application does not have any county-wide impacts and is rather a local planning decision to be made by the Livingston Planning Board.
7. On May 3, 2023, the Town of Livingston Planning Board opened the public hearing and received public comment on the proposed special use permit/site plan application.

8. The Applicant provided proof of having delivered notice of the public hearing by certified mail, return-receipt-requested, as required by Section 6.6 of the Livingston Zoning Law, to the adjoining property owners.
9. The Planning Board reviewed the application with the Applicant and made the requisite determinations under SEQRA.

NOW, THEREFORE,

BE IT RESOLVED AND DETERMINED:

A. That the proposed site plan application will result in no significant adverse impacts on the environment and that a negative declaration should be issued. The Planning Board has executed the Short Form SEQRA Part II for this application accordingly;

B. That the Town of Livingston Planning Board hereby approves the instant Site Plan Application as submitted and upon the following conditions: _____

and authorizes the Chairperson to stamp the maps approved.

Motion to approve made by: Robert Bellinger

Seconded by: John Ross

Roll Call Vote on Resolution:	Aye	Nay	Absent/Abstain
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Martin Nayowith, Chairperson	<u>AYE</u>	_____	_____
Stephen Thibault	<u>AYE</u>	_____	_____
John Ross	<u>AYE</u>	_____	_____
Bernie Stickles	<u>AYE</u>	_____	_____
Brian Molinski	<u>AYE</u>	_____	_____
Chip Keil	<u>AYE</u>	_____	_____
Rebecca Harcleroad	<u>X</u>	_____	_____
Robert Bellinger	<u>AYE</u>	_____	_____

SO APPROVED

Martin Nayowith
Planning Board Chairperson
Dated: May 3, 2023
Livingston, New York