

LIVINGSTON PLANNING BOARD

June 07 2023

The regular meeting of the Livingston Planning Board was held June 07 2023 and opened at 7:00 with the Pledge of Allegiance.

In attendance:

Chairman Martin Nayowith

Stephen Thibault

Bernie Stickles

Robert Bellinger

Chip Keil

Rebecca Harcleroad

Attorney Andy Howard

Michelle Mormile

Absent:

John Ross

Brian Molinski

A motion to accept the minutes of the May 03, 2023 meeting was made by Bernie Stickles and 2nd by Bob Bellinger. All in favor.

Correspondence: None:

A motion to open the hearing for a 4 Lot Subdivision application for Edward Klein and Debra Knudsen was made by Bob Bellinger and 2nd by Stephen Thibault. All in favor.

7:0 the Public Hearing opened for Edward Klein and Debra Knudsen to subdivide 187 acres into 4 parcels 260-299 Schuderhook Road. Received notification of neighbors. The Board reviewed the application. There were no comments from the public or written correspondence.

A motion to close the hearing at 7:06 was made by Bob Bellinger and 2nd by Stephen Thibault. All in favor.

Attorney Howard read the 11 questions found at Section 2 of the SEQRA short form. The answer to each question being no a motion for a negative declaration was made by Bernie stickles and 2nd by Chip Keil. All in favor.

Attorney Howard prepared the following Resolution

**Resolution of the Town of Livingston Planning Board
Granting Minor Subdivision Approval
to Edward Klein and Debra Knudsen Revocable Trust No 1 of 2014**

Date: June 7, 2023
Applicant: Edward Klein and Debra Knudsen Revocable Trust No 1 of 2014
Matter: Subdivision Application
Property: 260-299 Schuderhook Road, Livingston, New York
Property ID: Tax Parcel No. 171-1-18

WHEREAS:

1. On May 3, 2023, the Town of Livingston Planning Board ("Planning Board") received an application for minor subdivision approval regarding property located at 260-299 Schuderhook Road, Livingston, NY, said real property bearing tax map number 171-1-18.
2. The Property is located within the LDR-2 Zoning District pursuant to the Town of Livingston Zoning Law. Currently the property is +-187.40 acres in size.
3. As proposed, the Property will be subdivided into four (4) lots: Lot 1 will be 40.00 acres in size, Parcel 2 will be 41.90 acres in size, Lot 3 will be 32.09 acres in size and Lot 4 will be 73.41 acres in size.
4. In accordance with Article II of the Land Subdivision Regulations for the Town of Livingston (hereinafter "Subdivision Regulations") the subdivision is properly classified as a "minor subdivision" because it will create four (4) lots or less.
5. The Applicant has submitted the following documents as part of their application: (a) an application for minor subdivision approval; (b) a Short Environmental Assessment Form [EAF]; (c) a full-size contour map showing the configuration of the proposed lots.
6. At its May 3, 2023 meeting, the Planning Board deemed the application substantially complete and set the Public Hearing for June 7, 2023.
7. On June 7, 2023, the Town of Livingston Planning Board opened the public hearing and received public comment on the proposed minor subdivision application.

8. The Applicant provided proof of having delivered notice of the public hearing by certified mail, return-receipt-requested, as required by 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 minor subdivision 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 Minor Subdivision Application submitted by Edward Klein and Debra Knudsen for four (4) parcels, as set forth on the survey map entitled "Lands of Edward Klein & Debra Knudsen Revocable Trust No., 1 of 2014 260 & 279 Schuderhook Road, Livingston, New York Minor 4 Lot Subdivision Plan" prepared by Frederick Haley, N.Y.S. Licensed Surveyor, License Number 049953, dated March 2, 2023, together with and pursuant to the notes, conditions and requirements set forth on said survey map, and all other notes and conditions on said survey map, and upon the following conditions:

and authorizes the Chairperson to stamp the maps approved upon any such listed conditions being satisfied.

Motion to approve made by: Stephen Thibault

Seconded by: Bob Bellinger

Roll Call Vote on Resolution: Aye Nay Absent/Abstain

Martin Nayowith, Chairperson	<u>✓</u>	<u> </u>	<u> </u>
Stephen Thibault	<u>✓</u>	<u> </u>	<u> </u>
John Ross	<u> </u>	<u> </u>	<u>✓</u>
Bernie Stickle	<u>✓</u>	<u> </u>	<u> </u>
Brian Molinski	<u> </u>	<u> </u>	<u>✓</u>
Chip Keil	<u>✓</u>	<u> </u>	<u> </u>
Rebecca Harclerod	<u>✓</u>	<u> </u>	<u> </u>
Robert Bellinger	<u>✓</u>	<u> </u>	<u> </u>

SO APPROVED

Martin Nayowith

Martin Nayowith
Planning Board Chairperson

Dated: June 7, 2023
Livingston, New York

A motion to accept the Minor Subdivision Resolution as presented was made by Stephen Thibault and 2nd by Bob Bellinger. All in favor.

A motion to open the public hearing a Special Use Permit for Oakwood Fencing was made by Chip Keil and 2nd by Stephen Thibault. All in favor.

7:13 the Public hearing opened for 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. To store fencing and equipment. The Board reviewed the application.

A motion to close the hearing was made by Bob Bellinger and 2nd by Stephen Thibault. All in favor.

Attorney Howard read the 11 questions found at Section 2 of the SEQRA short form. The answer to each question being no a motion for a negative declaration was made by Bernie stickles and 2nd by Chip Keil. All in favor.

Attorney Howard prepared the following Resolution

**Resolution of the Town of Livingston Planning Board
Granting Special Use Permit Approval
to Richard Petersen**

Date: Wednesday, June 7, 2023
Applicant: Richard Petersen
Matter: Special Use Permit Application
Property: 41 County Route 19, Livingston, New York
Property ID: Tax Parcel No. 61.1-1-35

WHEREAS:

1. On May 3, 2023, the Town of Livingston Planning Board ("Planning Board") received an application for a special permit and site plan approval regarding property located at 41 county Route 19, Livingston, NY, said real property bearing tax map number 61.1-1-35.
2. The Property is located within the CH-2 Zoning District pursuant to the Town of Livingston Zoning Law. The property is +- 7 acres in size.
3. The application seeks to construct a storage building on the subject premises, which is a specially permitted use 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 approval; (b) a Short Environmental Assessment Form [EAF]; (c) sketch of the site plan showing the location and type of building being proposed.
5. At its May 3, 2023 meeting, the Planning Board deemed the application substantially complete and set the Public Hearing for June 7, 2023.
6. On June 7, 2023, the Town of Livingston Planning Board opened the public hearing and received public comment on the proposed special use permit/site plan application.
7. 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.
8. 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 Special Use Permit Application as submitted and upon the following conditions:

and authorizes the Chairperson to stamp the maps approved.

Motion to approve made by: Bob Bellinger
Seconded by: Stephen Thibault

Roll Call Vote on Resolution:	Aye	Nay	Absent/Abstain
Martin Nayowith, Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Thibault	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Ross	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bernie Stickle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Molinski	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chip Keil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rebecca Harcleroad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Bellinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SO APPROVED
Martin Nayowith
Martin Nayowith
Planning Board Chairperson
Dated: June 7, 2023
Livingston, New York

A motion to accept the Oakwood Fencing Richard Peterson Resolution was made by Bob Bellinger and 2nd by Stephen Thibault. All in favor.

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. A The Board reviewed the application and Attorney Howard recommended to have the private driveway matched to the Town private road specs. The road maintenance is on the map Attorney Howard recommends that Mr. Ihlenburg should file a declaration for the title report so if someone is to buy a lot they know the restrictions/agreement.

A motion to deem the application complete and set a public hearing July 05 2023 at 7:00 was made by Bernie Stickles and Bob Bellinger. All in favor. To be advertised.

Amrod Enterprises LLC. A Site Plan Application for 1637 Blue Hill Road. Rebuild a bus garage and 2 residential apartments. This is a required new application as the time has expired for the old one. Mr. Amrod submitted new maps. He states that this operation has continued since the fire. The building that burned down was one large building now they will be two.

Michelle stated her concerns.

1. Development South of parking area.
2. Trees removed. Part of condition will be to replace them,
3. Show on map areas to be restored.
4. Dirt pile? Will be used to backfill new buildings.
5. Fire Chief concerned with distance between new buildings. Will get the law for us and the applicant,
6. Heavy buses will go over the leach fields.
7. Need the % of coverage on the lot.
8. Size of septic and place on map.
9. New maps showing the requested items.

The Board deemed the application incomplete. Once a completed application is submitted Attorney Howard will send to the Columbia County Planning Board. Applicant to return to the July 05 2023 meeting.

Dan Suarez / Tylor Cocalis a Site Plan application. Suarez Family Tasting Room 2278 Route 9. Re-use of existing storage garage and turn into a tasting room. The main original tasting room will be used for production space. The garage (to be rehabilitated) not used as of now will become the new tasting room. There is existing water, sewage and electric. Will use existing leach fields. Occupancy will not change. Setbacks will remain same as they are using existing buildings.

A motion to deem the application complete and set a Public Hearing for July 05, 2023 was made by Bob Bellinger and 2nd by Stephen Thibault. All in favor. To be advertised.

A motion to have Attorney Howard send the application to the Columbia County Planning Board was made by Stephen Thibault and 2nd by Bob Bellinger. All in Favor.

Wyatt Lucas (owner Ronald Messena). A Special Use Permit application. State Route 9 and Orchard Road. Construction of a small warehouse with adjoin office. A distribution facility to operate 24-7.

Mr., Lucas presented the application to build a 4,500 square foot warehouse on 4.8 acres on the corner of Orchard Road and State Route 9 (C-1) a distribution center for snacks. Use will be 24/7. Tractor trailer delivery 12 to 4 AM in the morning box trucks will deliver to stores during the day. Concerns from the public attendees were about noise level and volume of traffic and using Orchard Road. The Board has asked Engineer Mormile to follow up with the applicant. Applicant to return July 05 2023.

A motion to close the meeting was made by Bernie Stickles and 2nd by Chip Keil. All in favor.

Next scheduled meeting will be held July 05 2023.

Meeting closed at 8:48

Respectfully submitted,
Eileen Yandik
Secretary Livingston Planning Board.