Town of New Scotland Planning Board
Minutes
April 2, 2019

Planning Board Members:
Charles Voss, Chairman
Thomas Hart, Amy Schallop, Peter Richards, Christine Galvin, Robert Davis (Alt)
Lori Saba, Planning Board Secretary, Jeremy Cramer, Building Inspector,
Crystal Peck, Planning Board Attorney, Garrett Frueh, Town Engineer (Stantec Engineering)

Absent: Mr. Hart, Mr. Frueh

Public Hearing: 7:00 p.m.

Mr. Voss explained to the members of the audience that there was a publication issue with the Altamont Enterprise so the following public hearings were not noticed. The Planning Board will hold another meeting on Wednesday, April 17, 2019 at 7:00 p.m.

1) Adjourned: Special Use Permit Application #608: Application submitted Frank Desorbo for a Special Use Permit to allow for a parcel he owns to be used for “farming activity, personal”. The parcel is located within the RA district at 156 Maple Rod, contains approximately 2.3 acres, and is identified as New Scotland tax parcel #73.-4-2. This application is a Special Use of Article II, Section 190-12(D)(5) of the Town of New Scotland Zoning Law and local law #2 of 2016, Section 3e(3).

2) Adjourned: Site Plan Application #118: Application submitted by Anthony Buscema for a site plan review to allow for a 13.2 KW Ground mounted solar PV system. The site contains approximately 16.4 acres, and is located within the RF Zoning district. The property is located at 20 Countryman Lane and is identified as New Scotland tax parcel i.d.#93.-1-11. This application is made pursuant to Section II, Part 1 C(6)b of Local Law #5 of 2007.

3) Adjourned: Special Use Permit Application #609: Application submitted Kim Newell and Eldrid Andres for a Special Use Permit to allow for a parcel they own to be used for “Agricultural uses, less than 7 acres”. The parcel is located within the RH district at 44 New Salem South Road, contains approximately 3.5 acres, and is identified as New Scotland tax parcel #83.-1-25. This application is a Special Use of Article II, Section 190-15(D)(14) of the Town of New Scotland Zoning Law and local law #2 of 2016, Section 3e(3).

Old Business:

1) Major Subdivision Sketch Plat Application #638: Application submitted by Prime Companies for a 22 lot residential subdivision containing 87.5+/- acres. The proposed subdivision is located on Krumkill Road, identified as New Scotland tax parcel #63.-4-9.2,
and is located within the MDR zoning district. This application is made pursuant to Article III, Section 164-18 of the subdivision law.

Ms. Galvin moved to authorize the Planning Board Chairman to submit a request in writing to the Town Board for authorization to utilize a cluster design alternative and Mr. Richards seconded the motion; all in favor; motion so carried.

Vote: 5-0

New Business:

1) **Special Use Permit Application #610**: Application submitted by NY Capital District Renaissance Festival LLC. To request a Special Use Permit to allow them to hold an event on two parcels owned by Peter Ten Eyck. The parcels are situated within the RA district at 400 Altamont Road, contained 300+/- acres are identified as New Scotland tax parcels #71.-2-20.11 and 71.-2-20.12. This application is Special Use of the Public Assemblage Local Law of the Town of New Scotland.

Mr. Voss moved to schedule a public hearing for May 7, 2019 and Mr. Richards seconded the motion; all in favor; motion so carried.

Vote: 4-0

2) **Variance Application #531**: Application submitted by Tommell Livestock LLC requesting an appeal of determination for a violation given by the Building Inspector. The applicant would like the ZBA to determine if the use of a parcel for storage of commercial equipment is allowed. The parcel is located in the RA Zoning District, at 27 Upper Flat Rock Road, and is identified as New Scotland Tax Parcel #106.-1-29.10.

Ms. Schallop recused herself from this application.

Mr. Voss explained that the Planning Board has no recommendation on this matter. The ZBA should be reviewing this application not the Planning Board.

3) **Variance Application #530**: Application submitted by Tommell Livestock LLC as a two part application. The first part is to request an appeal of determination for a violation given by the Building Inspector that the use of the parcel as a commercial public garage is not a current allowed use for the parcel. The second part of the application is a request to “renew” a use variance previously granted for this parcel to allow for the operation and use as a public garage. The parcel is located in the RA district at 173 North Road, and is identified as tax parcel #105.-3-6.10.

Ms. Schallop recused herself from this application.
Mr. Voss explained that the Planning Board has no recommendation on this matter. Ms. Galvin seconded the motion; all in favor; motion so carried.

Vote: 5-0

Discussion Items:

1) Dunston’s Junkyard License Renewal:
   Mr. Voss moved to grant the 2019 Dunston Junkyard license renewal and Ms. Galvin seconded the motion; all in favor; motion so carried.
   Vote: 4-0

2) Minutes for March 5, 2019: Mr. Voss moved to approve the March 5, 2019 minutes and Ms. Galvin seconded the motion; all in favor; motion so carried.
   Vote: 5-0

3) Minor Subdivision for the month of March 2019
   - Three lot line adjustments that were approved during the month:
     - 3029 New Scotland
     - 652 New Salem Road
     - US Solar lot line adjustment.

Anything else that may come before the board – Open Discussion (2-minute limit per person)

Mr. Rourke, Helderhill Rd., with reference to these subdivisions that you were discussing tonight you are forwarding that decision to the Town Board. What is the Town Board going to be deciding on that?

Mr. Voss: Our ordinance requires that all cluster subdivisions be approved by the Town Board, so the way the process works they come to us first and we work with the applicant to get a layout that we are comfortable with, which they have done for about eight months now. They have even worked with our Town Planner on trying to configure the lots and everything. Then procedurally we have to refer that to the Town Board for their review and approval of the actual layout itself. The Town Board will also work with the applicant on coming up with sewer or septic and municipal water or private water. We don’t regulate that here at the Planning Board level.

Mr. Rourke: Will that be an open hearing on that?

Mr. Voss: I believe they do, that’s a good question. I’m not sure.

Ms. Snyder: It will be on the agenda as a point of discussion.

Mr. Voss: Once the Town Board approves that cluster subdivision it will come back to us for final review and approval.
Motion to Adjourn: At 7:50 p.m. Mr. Voss moved to adjourn and Ms. Galvin seconded the motion; all in favor; motion so carried.

Respectfully submitted,

Lori Saba