

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of October 21, 2020

MEMBERS PRESENT:

Robert Dingman, Chairman  
Randy Getty  
Tim LaSarso  
Randy Weaver  
Todd Murphy - Alternate

MEMBERS ABSENT:

Justin Fehl  
Dave Gauci  
Karen LaRose

Enforcement Officer

Todd Humiston

TOWN ATTORNEY

The meeting was called to order by Chairman Dingman at 7:05 P.M.

Roll call of all Members and Officials.

Chairman Dingman entertained a Motion to Approve the Minutes of September 16, 2020.

**ON A MOTION BY MR. GETTY**, seconded by Mr. LaSarso the minutes of the September 16, 2020 meeting were approved.

AYES: 5

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

**1. LAURIE BELL**, owner of Tax Map # 121.-1-5.1, commonly known as 61 Baldwin Corners Road, Town of Kingsbury, located in Zoning District, Ind-75, Industrial District is seeking Site Plan Review approval for a Dog Day Care at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Laurie Bell and Ivan Bell to address the Board.

Chairman Dingman stated the Board reviewed the short form SEQRA at the September 16, 2020 meeting and declared lead agency and found no impact.

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Chairman Dingman opened the public hearing.

There being no comments from the public, Chairman Dingman closed the public hearing.

Discussion ensued among the Board with questions addressed by the Applicant.

The Board then reviewed the proposed Resolution.

**Resolution No. 1 of 2 October 21, 2020**

**LAURIE BELL**, owner of Tax Map # 121.-1-5.1, commonly known as 61 Baldwin Corners Road, Town of Kingsbury, located in Zoning District, Ind-75, Industrial District is seeking Site Plan Review approval for a Dog Day Care at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

**ON A MOTION BY** Mr. LaSarso, seconded by Mr. Weaver, based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting, the Application is hereby approved subject to the following conditions:

1. Any exterior lighting for the premises must be downcast.
2. All information and representations contained in the materials submitted by the applicant and discussed at the meeting are incorporated herein as conditions.

Chairman Dingman stated for the record the County review stated this is a matter of Local concern.

**2. DANIEL ROSICK**, owner of Tax Map # 137.-1-17, commonly known as 3377 State Route 4, Town of Kingsbury, located in Zoning District COM-1A – Commercial District is seeking Site Plan Review approval for a Flea Market at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Dan Rosick to address the Board.

Chairman Dingman stated the reviewed Board the short form SEQRA at the September 16, 2020 meeting and declared lead agency and found no impact.

Chairman Dingman opened the public hearing.

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There being no comments from the public, Chairman Dingman closed the public hearing.

Discussion ensued among the Board with questions addressed by the Applicant.

The Board then reviewed the proposed Resolution.

**Resolution No. 2 of 2 October 21, 2020**

**DANIEL ROSICK**, owner of Tax Map # 137.-1-17, commonly known as 3377 State Route 4, Town of Kingsbury, located in Zoning District COM-1A – Commercial District is seeking Site Plan Review approval for a Flea Market at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

**ON A MOTION BY** Mr. Getty, seconded by Mr. LaSarso, based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting, the Application is hereby approved subject to the following conditions:

1. No outside storage of goods.
2. All products, materials and wears by the vendors and operators of the flea market must be removed.
3. All information and representations contained in the materials submitted by the applicant and discussed at the meeting are incorporated herein as conditions.

Chairman Dingman stated for the record the County review stated this is a matter of Local concern.

**3. VERNON GREENE**, True Order Motorcycle contract vendee of Tax Map # 138.-1-68 commonly known as 3503 State Route 4, Town of Kingsbury, located in Zoning District, Com-1A/Commercial District is seeking Site Plan approval for a proposed private motorcycle club. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, NY during regular business hours.

Chairman Dingman introduced Vernon Greene to address the Board.

Mr. Greene, True Order Motorcycle stated they would like to use this property for private recreational place to do benefits.

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Chairman Dingman questioned how the property will be used

Mr. Greene stated they are known for the donations to the community, it will be used to hold benefits. Mr. Greene stated they have 25 members. When they have benefits there are between 75 and 100 people there.

Randy Weaver questioned the hours of a benefit being held with concern for the neighbors.

Mr. Greene stated by 10:00 pm they are shutting everything down.

Chairman Dingman stated one of the issues since this project has been made public there have been neighbors who have some issues with this. One of the questions is do you have a liquor license? Also, there is a note from the Sheriff's department concerning a number of potential offensives and at some point, they will have to be addressed.

Mr. Greene responded no they do not. They do not serve alcohol. The members bring their own alcohol into the club house.

Chairman Dingman responded he is receipt of a letter from the NYS Liquor Authority from 2016 stating "Section 100, Subdivision 1, of the Alcoholic Beverage Control Law states "No person shall manufacture for sale or sell at wholesale or retail any alcoholic beverage within the State without obtaining the appropriate license therefore required by this chapter."

Mr. Greene stated he could not remember what caused the letter, but nothing became of it.

Chairman Dingman responded when we get something like this, we have to due diligence to, somethings we have to find out about before we can do anything further. There are a number of issues from the Sheriff's Department and I would like to give you the opportunity to address the concerns. Chairman Dingman would like the issues answered in writing before the next meeting.

Chairman Dingman stated the Board is looking for answers to what the complaints were and how it was remedy or what became of it.

Chairman Dingman stated for the record if it is an allowed use and you can address the items that were discussed there probably will not be an issue. If the Town wants to change the Code, they have to change the Code. The Planning Board operates within whatever the Code says. The items that were discussed need to be addressed due to health and safety issues.

Discussion ensued among the Board with questions addressed by the Applicant.

Chairman Dingman opened the public hearing.

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This matter was tabled until the November 18, 2020 meeting.

The public hearing will remain opened.

4. Greg Couture, 282 Geer Road, and Lorraine Forcier 318 Geer Road attended the meeting with questions regarding the application and approval of Geer Road Solar.

Motion by Mr. LaSarlo, seconded by Mr. Getty and carried by a vote of 5 ayes to enter into Executive Session at 7:45 p.m. to discuss potential litigation. Motion by Mr. Getty, seconded by Mr. Weaver and carried by a vote of 5 ayes to go out of Executive Session at 8:00 p.m.

**ON A MOTION BY MR. GETTY**, seconded by Mr. Weaver, all in favor, the meeting was adjourned at 8:00 P.M.

Michelle Radliff  
Secretary