

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of February 17, 2016

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Dave Gauci (Excused)  
Karen LaRose (Excused)  
Randy Weaver (Excused)  
Cheryl Hogan (Excused)

Code Enforcement Officer  
Francis Cortese

TOWN ATTORNEY  
Jeff Meyer

The meeting was called to order by Chairman Dingman at 7:00 P.M.

Chairman Dingman entertained a Motion to Approve the Minutes of January 20, 2016.

**ON A MOTION BY MR. GETTY**, seconded by Mr. Murphy, the minutes of the January 20, 2016 meeting were approved.

**AYES: 5**

**NAYES: 0**

**ABSTAIN: 0**

**MOTION CARRIED**

1. Pursuant to the provisions of Chapter 280, Article VI, Section 280-25 (G) District Regulations of the Town of Kingsbury Code, New York, notice is hereby given that a public hearing will be held by the Planning Board of the Town of Kingsbury, County of Washington and State of New York, on the 20<sup>th</sup> day of February 1716 at 7:00 PM in the Town Hall, 210 Main Street, Hudson Falls, New York on the following matter. Request by Dennis J. Vadnais II, Tax Map # 155.-1-11, commonly known as Towpath Road, Kingsbury, located in Zoning District, Industrial IND-75 is seeking Site Plan approval to install two 30,000 gallon propane storage tanks at this location for commercial business. Plans for proposal are available at Kingsbury Town Hall, 210 Main Street, Hudson Falls, New York during regular business hours.

Chairman Dingman opened the Public Hearing.

Chairman Dingman introduced Dennis Vadnais II and Matthew Hiltz, Hiltz Propane Systems to address the Board.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting  
Page 2  
February 17, 2016

Mr. Hiltz stated he owns Hiltz Propane Systems. He designs and installs similar systems to what Mr. Vadnais is hoping to install.

Mr. Vadnais gave a description of where the property is located on Towpath Road.

Mr. Hiltz stated he will be installing two (2) 30,000 gallon Stubby Tanks for residential delivery at this location. These tanks are a little shorter and fatter and take up less area.

Mr. Hiltz stated he has submitted updated plans to Mr. Cortese. They extended the fenced in area and a gate to accommodate the residential tanks. They are going to be using down cast lighting on the storage tanks.

Mr. Getty questioned if electricity was going to be needed to load or off load any propane.

Mr. Hiltz stated there is a pump in the system that requires power. It is very a minimal amount that is required.

Chairman Dingman stated there was a question if this project would look similar to the G.A. Bove tank located on Lower Warren Street in Queensbury. It will be similar.

Chairman Dingman stated Washington County Planning Board did not meet last month; therefore this Board could not make a decision. This Board had to wait 30 days for the County to respond and because they cancelled their meeting there is no response to this project.

The Public Hearing was closed.

**ON A MOTION BY MR. GETTY**, and seconded by Mr. Fehl the Kingsbury Planning Board declares lead agency status and having reviewed the short form SEQRA submission and having taken a hard look at the potential environmental impacts finds that there are no potential negative environmental impacts anticipated from this project and the Board issued a negative declaration on the project.

The Board then reviewed the proposed Resolution.

**Resolution No. 1 of February 17, 2016**

**SITE PLAN REVIEW** – Dennis J. Vadnais, owner of Tax Map # 155.-1-11 commonly known as Towpath Road, Town of Kingsbury, is seeking Site Plan approval to install two 30,000 gallon propane storage tanks at this location. This action is pursuant to Section 280-25 (G) of the Code of the Town of Kingsbury.

**ON A MOTION BY TIMOTHY LASARSO**, seconded by JUSTIN FEHL based on all of the evidence and materials submitted by the Applicant, including but not limited to the fire safety analysis, updated plans, and the representations made at the meeting, the Application is hereby approved subject to the following conditions:

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting  
Page 3  
February 17, 2016

- (1) No storage shall be permitted outside of fenced area.
- (2) Any exterior lighting for the premises must be downcast.
- (3) Receipt of the permit from the NYS Canal Corp, with a copy of same to be provided to the Code Enforcement Officer. Applicant shall comply with all of the terms and conditions therein.

**AYES: 5**  
**NAYES: 0**  
**ABSENT: 2**

2. Pursuant to the provisions of Chapter 280, Article VI, Section 280-23 G District Regulations of the Town of Kingsbury Code, New York, notice is hereby given that a public hearing will be held by the Planning Board of the Town of Kingsbury, County of Washington and State of New York, on the 17th day of February 2016 at 7:00 PM in the Town Hall, 210 Main Street, Hudson Falls, New York on the following matter. Request by Shawn Camara, Tax Map # 146.17-4-3, commonly known as 1132 Dix Avenue, Kingsbury, located in Zoning District, Commercial / Com-1A is seeking Site Plan approval to change the use on property from residential to a commercial automobile sales lot. Plans for proposal are available at Kingsbury Town Hall, 210 Main Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Shawn Camara and Joseph DeBonis, Esq, DeBonis, Wright & Carris, P.C. to address the Board.

The Public Hearing was opened.

Mr. Camara stated at this time he is leasing 1128 Dix Avenue for the next five (5) years with the option to buy. He is currently has operating an automobile sales lot at this location. He is interested in buying 1132 Dix Avenue to work in conjunction with 1128 Dix Avenue. He would like to change the use from single family residence to commercial for the sale of automobiles. At the present time they are going to rent the house to the general manager of the car lot. Down the road they may do something different with the house. They would come back before the Board to get approval if they decide to make any changes. They are looking for more room to be able to move cars around. At the present time there is not enough room at 1128 Dix Avenue.

Mr. Camara questioned changes to the sign that is there now. He would like to have a sign that lights up.

Mr. Camara stated there are a few junk cars in the back of the 1128 property in a fenced in area. He does not want a junk yard atmosphere. This area holds 4 to 5 cars. They have a location in Fair Haven, VT and Hampton, NY where they do more mechanical work and painting at these locations.

Chairman Dingamn and the Board reviewed the comments from the County with the Applicant. The County suggested no new commercial drive to Dix Avenue.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting  
Page 4  
February 17, 2016

Mr. Camara stated the main entrance and exit will remain on 1128 Dix Avenue and 1132 will maintain the current drive. On the 1132 property the person living there will use this driveway to park his car in the back.

The second recommendation was a buffer zone be provided to the east to shield visibility for neighbors.

Mr. Camera stated there is already a fence there.

The third recommendation is that the lighting be down cast and shielded.

The fourth recommendation grounding be stabilized for car storage and no runoff from property onto roadway.

Mr. Camara stated he has family that is involved with excavation that he will be consulting with them.

Mr. Camara had questions regarding if he did demolish the house on the property what would need to be done.

Mr. Cortese stated he would need a building permit for demolition of the house and any excavation for parking may require a catch basin or a dry well. You would have to keep your storm water on your property. Mr. Cortese stated if that is a single family home there is probably a septic there.

Mr. Camara stated at this time he is not taking the house down. If he did that and the business didn't do well then he would be left with an empty lot. A house would not be able to be built on the lot due to the size of the lot.

The Board suggested Mr. Camara locate the septic tank before he places cars on the lot.

The Public Hearing was closed.

**ON A MOTION BY LASARSO**, and seconded by Mr. Getty the Kingsbury Planning Board declares lead agency status and having reviewed the short form SEQRA submission and having taken a hard look at the potential environmental impacts finds that there are no potential negative environmental impacts anticipated from this project and the Board issued a negative declaration on the project.

The Board then reviewed the proposed Resolution.

**Resolution No. 2 of February 17, 2016**

**SITE PLAN REVIEW** – Shawn Camara, owner of Tax Map # 146.17-4-3 commonly known as 1132 Dix Avenue, Town of Kingsbury, is seeking Site Plan approval for a commercial automobile sales lot at this location. This action is pursuant to Section 280-23 (G) of the Code of the Town of Kingsbury.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting

Page 5

February 17, 2016

**ON A MOTION BY RANDY GETTY**, seconded by TIMOTHY 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) Any exterior lighting for the premises must be downcast.
- (2) Access to the business shall be via 1128 Dix Avenue. Use of the existing driveway shall be limited to the existing single family dwelling.
- (3) No junk cars shall be permitted at this location.
- (4) Use of the premises shall be limited to 20 vehicles.
- (5) Applicant may use gravel and impermeable surfaces on the premise upon the review and approval of stormwater control measures by the Code Enforcement Officer.

**AYES: 5**

**NAYES: 0**

**ABSENT: 2**

**ON A MOTION BY MR. MURPHY**, seconded by Mr. LaSarso all in favor, the meeting was adjourned at 7:45 P.M.

Michelle Radliff  
Secretary