

MINUTES OF THE PLANNING BOARD JUNE 15, 2022 – TOWN OF KINGSBURY

All members were present:

Robert Dingman (Chairman)
Randy Getty
Karen LaRose
Les Macura
David Gauci
Tim LaSarso
Todd Murphy
Randy Weaver

Planning/Zoning Administrator: Todd Humiston
Kingsbury Town Attorney: Jeff Meyer, ESQ.

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

Roll call of all members and officials.

Chairman Dingman entertained a motion to approve the minutes of May 18, 2022.

On a motion by Randy Weaver, seconded by David Gauci, the minutes of the May 18, 2022 Kingsbury Planning Board meeting were approved.

AYES: 8 NAYES: 0 ABSTAIN: 0
MOTION CARRIED

Mark Lebrun, owner of Tax Map 154.8-1-2 commonly known as 72 Harrison Ave, Hudson Falls, located in Zoning District Comm-1A, is seeking site plan approval to open a recreational ax throwing facility. Plans for the proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Mr. Labrun stated that six stalls would be created in his 1,200 square foot existing building for the gaming purpose of throwing hatchets towards a target. He stated that fencing and walls would be installed between each stall for safety and noted that no alcohol would be served. Mr. Labrun also stated that liability insurance would be in place, safety rules and regulations would be visibly posted, and a signed waiver would be required prior to participation. He noted that the intention is for couples/family entertainment but would consider leagues if there was enough interest.

Mr Humiston noted hours of operation would be 4:00 PM - 11:00 PM Monday - Friday, 10:00 AM - 11:00 PM Saturday and 10:00 AM - 6:00 PM Sunday. He also noted that neighbors 500 feet from this location have been notified of this public hearing and confirmed that parking, water, and sewer are within code.

Mr. Dingman noted that any signage would need to meet the Town of Kingsbury's sign ordinance, down-lighting is to be used and no alcoholic beverages to be on the premises.

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There being no other comments or questions, Mr. Dingman closed the public hearing at 7:10 PM.

Having reviewed the short form SEQRA submission and determined that there are no potential negative environmental impacts anticipated, Randy Weaver made a motion to issue a negative declaration on the project and Karen LaRose seconded. All voted in favor by voice vote.

On a motion by Les Macura, seconded by Tim LaSarso, all in favor of site plan approval.

Resolution No. 1 of June 15, 2022

SITE PLAN REVIEW – Mark Lebrun, as owner of Tax Map #: 154.8-1-2 commonly known as 72 Harrison Ave, Town of Kingsbury, located in the COM-1A Commercial Zoning District, is seeking Site Plan approval for a recreational axe throwing facility at this location. This action is pursuant to Section 280-23 (G) of the Code of the Town of Kingsbury.

ON A MOTION BY LES MACURA, seconded by **TIM 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. All exterior lighting shall be downcast so as not to produce glare or spill off-site.
2. No alcoholic beverages will be sold or permitted on site.
3. The hours of operation of the facility shall not exceed Monday through Friday 4:00 p.m. – 11:00 p.m., Saturday 10:00 a.m. – 11:00 p.m., and Sunday 10:00 a.m. – 6:00 p.m.
4. All information and representations contained in the materials submitted by the applicant and discussed at the meeting are incorporated herein as conditions.

AYES: 8 NAYES: 0 ABSTAIN: 0
MOTION CARRIED

Borrego Solar Systems Inc., contract vendee of Tax Map 154.-1-36 commonly known as 67 Hillview Drive, Town of Kingsbury, located in RA-1A Residential Agriculture District is seeking site plan approval for the construction of a 5 MW AC solar array at this location. Plans for this proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

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Terrence Nolan stated that a section of the array plan has been shifted to be further away from residential areas and noted that there will still be fencing around the entire perimeter of the project. He also stated that the 20 acres of solar panels would supply approximately 700-800 homes.

Mr. Nolan stated that an updated decommissioning estimate was submitted, noting the establishment of \$10,000 per acre which includes the prevailing wage requirement and escalation evaluation every three years.

Having reviewed the long form SEQRA submission and determined that there are no potential negative environmental impacts anticipated, Les Macura made a motion to issue a negative declaration on the project and Mr. Gauci seconded. All voted in favor by voice vote.

Mr. Dingman stated that the decommissioning estimate will need to be reviewed by Kingsbury's engineer and attorney prior to project approval.

Wintertime Wonderland, Marilyn Barlett, owner of Tax Map 138-1-63.1 commonly known as 207 Hartman Road in Hudson Falls designates Bryant Luizzi to seek site plan approval for converting the Christmas Tree Farm at this location into commercial space for a seasonal event. Plans for this proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Mr. Dingman stated that two pieces of correspondence have been received regarding this project and will be entered into the record. He noted that a representative for this project is not present; however the public hearing is still open and comments are welcome.

A member of the public stated that their property was deemed residential farming and voiced concern of additional potential businesses being allowed in that area should this project be approved.

Mr. Humiston stated that this corner lot has a 400-foot set back, where town code section 280-2016 allows this to be used as a commercial recreation lot with enough frontage to be in the commercial district.

Mr. Humiston also stated that the submitted application requested an eight-week allowance of commercial use for an indoor Christmas event with a mile and a half lighted display road. It was noted that Mr. Luizzi estimated 10,000 cars during this eight-week period and a traffic study would be performed. Mr. Humiston noted that engineered plans have not been received as of the date of this public hearing.

On a motion by Tim LaSarso and seconded by David Gauci, all in favor, this agenda item was tabled pending further information from Mr. Luizzi and any public concerns or comments are to be submitted to Mr. Humiston to become part of the record.

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Schermerhorn Real Estate Holdings, LLC, owner of Tax Map 154.11-6-7 commonly known as vacant land on the corner of Burgoyne Avenue and Martindale Avenue located in a Commercial Zoning District, is seeking site plan approval for the construction of 15 outdoor self-storage buildings at this location. Plans for this proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Mr. Joe Dannabel spoke on behalf of Schermerhorn Real Estate Holdings. He noted that the plans have been slightly revised since the last presentation of this project and anticipates engineering approval with minor adjustments, which includes stormwater management.

He stated that the revisions include traditional mini-storage buildings with a couple of boat and RV storage buildings in the back. He noted that the number of buildings increased to approximately eighteen, of which a variance would be presented to the Zoning Board of Appeals. He also noted that buffering landscape and 6 foot fencing around the entire facility with asphalt around the main perimeter is proposed.

Mr. Dannabel stated that a letter of support from the Board for the Zoning Board of Appeals would be appreciated and Mr. Dingman stated that he would look into it.

There being no further business to discuss, Randy Getty made a motion to adjourn and Randy Weaver seconded with all voting in favor. The June Kingsbury Planning Board meeting was adjourned at 8:05 PM.

Alie Weaver
Planning Board Secretary