

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of June 19, 2019

MEMBERS PRESENT:

Robert Dingman, Chairman
Justin Fehl
David Gauci
Karen LaRose
Tim LaSarso
Todd Murphy
Randy Weaver

MEMBERS ABSENT:

Randy Getty

Code Enforcement Officer

TOWN ATTORNEY

Mary-Ellen Stockwell, ESQ.

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

Roll call of all Members and Officials.

Chairman Dingman entertained a Motion to Approve the Minutes of March 20, 2019.

ON A MOTION BY MR. FEHL, seconded by Mr. Murphy, the minutes of the March 20, 2019 meeting were approved.

AYES: 7

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

1. Dennis Vadnais II, owner of vacant land, Tax Map # 129.-2-10.2 commonly known as 4138 State Route 4, Town of Kingsbury, located in Zoning District, Com-1A/Commercial District is seeking Site Plan approval for a proposed Two Bay 80' x 60' Storage Garage at this location. This action is pursuant to the provisions of Chapter 280, Article VI, Section 280-23 G District Regulations of the Town of Kingsbury Code, New York.

Chairman Dingman introduced Ethan Hall, Principal, Rucinski-Hall Architecture who will be representing Dennis Vadnais II to address the Board.

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Mr. Hall stated he is here tonight representing Mr. Vadnais and has put together drawings for the proposed building that will be located on a vacant 13-acre lot. The required setbacks for this area are a total of 80 feet. (Town Code states structures on a State Highway require 50 feet plus 30 feet). Mr. Hall has designed this project to have a setback of 120 feet. This will allow a tractor trailer sit there and keep the flow in the lot going. The entrance and exit of the driveway will be on the northern end of the site. It will be away from the U shape driveway from Jenks Machine and Tool Shop and the driveway of North-East Machine, Inc. There will be parking spaces in front of the building, the driveway and parking area will be crushed stone.

The building itself is 60' x 80' with the ridgeline running perpendicular with the State Route 4. They have a proposed an area behind the building for sewage disposal and vegetated swales on both sides of the parking that run all the way around. They will have a stone filter strip for stormwater filtration. The total area of disturbance is under and acre so therefor they are not subject to stormwater report

Mr. Hall stated he will answer any questions the Board has.

Mr. Weaver questioned Mr. Vadnais if this was going to be used as a fuel depot.

Mr. Vadnais stated this building is for storage only. There will not be any fuel stored at this location. There will only be trucks in the building. At this time Mr. Vadnais has no plans of adding an office.

Chairman Dingman stated if Mr. Vadnais decides he would like an office at this location he would have to come back before the Planning Board.

Chairman Dingman question what type of a building it would be.

Mr. Vadnais stated it will be a pre-engineered Butler Building.

Chairman Dingman questioned the color of the building and suggested it be in earth tone colors.

Mr. Vadnais stated he would like a white building. His trucks are white and would like to keep with the white color scheme.

Mr. Fehl questioned outside storage.

Mr. Vadnais stated there will not be any outside storage.

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

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Chairman Dingman opened the Public Hearing.

ON A MOTIION BY MR. WEAVER, seconded by Mr. Gauci the Public Hearing was closed.

ON A MOTION BY MRS. LAROSE, and seconded by Mr. Weaver 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 June 19, 2019

Dennis Vadnais II, owner of vacant land, Tax Map # 129.-2-10.2 commonly known as 4138 State Route 4, Town of Kingsbury, located in Zoning District, Com-1A/Commercial District is seeking Site Plan approval for a proposed Two Bay 80' x 60' Storage Garage at this location. This action is pursuant to the provisions of Chapter 280, Article VI, Section 280-23 G District Regulations of the Town of Kingsbury Code, New York.

ON A MOTION BY Mrs. Larose, 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) No outside storage of materials will be permitted on the premises.
- (2) The building shall be an earth tone color or a white color with downcast lighting.
- (3) All information and representations contained in the materials submitted by the applicant and discussed at the meeting are incorporated herein as conditions.

2. David Lebrun, TowAway, LLC contract vendee of Tax Map # 138.-1-72 commonly known as 3571 State Route 4, Town of Kingsbury, located in Zoning District, Com-1A/Commercial District is seeking Site Plan approval for a proposal Car Display Lot Business at this location. This action is pursuant to the provisions of Chapter 280, Article VI, Section 280-23 G District Regulations of the Town of Kingsbury Code, New York.

Chairman Dingman introduced William Hafner, TowAway LLC and David Lebrun, TowAway LLC to address the Board.

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Mr. Hafner stated they are seeking approval to add the sale of cars to the mechanical work that is already being done at this location. Mr. Hafner stated they are currently a lease tenant with the intention of buying the building from the current owner. They would like to sell cars along the front of part of the parking lot. The rest of the infrastructure is already in place. Future goals are to come back before the Board to add more building space.

Currently they reside at 437 Dix Avenue, Queensbury, and would like to move this location to 3571 State Route 4, Kingsbury. They will be ceasing all operations at the Queensbury location.

Mr. Weaver questioned the number of vehicles that would be on the lot.

Mr. Hafner stated typically there is only about 14 cars on the lot. There are always six vehicles going through some kind of modification. There could be up to 20 cars at one time, but not more than the twenty.

Chairman Dingman questioned if they were moving their facility from Queensbury to this location.

Mr. Hafner responded they are already doing the heavy-duty repairs at 3571 State Route 4, and will be moving the light duty repairs and light duty car sales to the State Route 4 location. Most of the towing operations are run out of this building currently. They own about 24 trucks at this time. Half of the trucks are located here and the other half are located in Clifton Park, NY. They operate about 60 tows a day from Albany County to Warrensburg, NY.

They are already a registered repair shop for heavy equipment from the previous tenant. They primarily do work on their own trucks and customers they know.

Mrs. LaRose questioned where the cars that are towed in went.

Mr. Hafner stated the cars that are towed from Washington County go to the Hudson Falls location. Towed cars from Warren County go to a 100 x 100 lot they have on Queensbury Avenue that fenced in and secured.

Mr. Hafner stated they are not in the business of repossessing vehicles.

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

Chairman Dingman opened the Public Hearing.

ON A MOTIION BY MR. GAUCCI, seconded by Mr. LaSarso the Public Hearing was closed.

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ON A MOTION BY MR. FEHL, and seconded by Mr. LaSarso 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 June 19, 2019

David Lebrun, TowAway, LLC contract vendee of Tax Map # 138.-1-72 commonly known as 3571 State Route 4, Town of Kingsbury, located in Zoning District, Com-1A/Commercial District is seeking Site Plan approval for a proposal Automobile Display Lot Business at this location. This action is pursuant to the provisions of Chapter 280, Article VI, Section 280-23 G District Regulations of the Town of Kingsbury Code, New York.

ON A MOTION BY Mrs. 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) Update the land scaping with river rock.
- (2) Crushed stone driveway.
- (3) Trucks to enter and exit from Rock City Road.
- (4) All information and representations contained in the materials submitted by the applicant and discussed at the meeting are incorporated herein as conditions.

3. PRELIMINARY Lauren Kobor, owner of Tax Map# 129.-3-26.1, commonly known as 23 Powhida Way, Kingsbury, located in Zoning District, RA-1A is seeking a Subdivision approval of one lot into five lots. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Linda Blackburn, Berkshire Hathway Home Services, who will be representing Lauren Kobor to address the Board.

Mrs. Blackburn, state she is representing her sister in law Lauren Kobor. They are proposing a five-lot subdivision at this location.

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Mrs. Blackburn stated Mrs. Kobor would like to do a five-lot subdivision at this location. Lot A will have 3 acres, Lot B will have 2.92 acres, Lot C will have 3.48 acres, Lot D will have 3.11 acres and Lot E will have 5.21 acres.

The current map that was in the packets for the Board shows a lot line adjustment that will need to be done to Lot 4C.

Chairman Dingman stated the lot line adjustment is a separate action and cannot be approved at this meeting. Ms. Blackburn will have to go to Todd Humiston, Enforcement Officer to have this action completed.

Attorney Stockwell explained the procedure for lot line adjustments to Ms. Blackburn.

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

Chairman Dingman stated Ms. Blackburn will be going in front of the Zoning Board of Appeals on July 25, 2019. If they get the approval for the variances, they will then come back to the Planning Board August 18, 2019 for final approval

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

Michelle Radliff
Secretary