

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of August 16, 2017

MEMBERS PRESENT:

Robert Dingman, Chairman
Justin Fehl
David Gauci
Karen LaRose

MEMBERS ABSENT:

Randy Getty (Excused)
Cheryl Hogan – Alternate (Excused)
Tim LaSarso (Excused)
Todd Murphy (Excused)
Randy Weaver (Excused)

Code Enforcement Officer

TOWN ATTORNEY

Jeff Meyer, 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 July 19, 2017.

ON A MOTION BY MRS. LAROSE, seconded by Mr. Fehl, the minutes of the July 19, 2017 meeting were approved.

AYES: 4

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

1. AVIATOR WAY SOLAR, LLC, contract vendee of Tax Map # 127.-1-27 and 127.-1-26.3 commonly known as 40 Aviator Way, Queensbury, NY, located in Zoning District, Residential Agricultural RA-1A District is seeking Site Plan approval to develop a 2 MW Solar Energy Facility 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 Bryan Stumpf, Cypress Creek Renewables, Zoning & Outreach Manager-Development and Thomas Puchner, Phillips Lytle Attorneys at Law to address the Board.

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Mr. Stumpf stated he was at the July 19, 2017 meeting. There are potentially no changes to the site plan. There were questions last month regarding the crossing of the wetlands. They have filed a permit with DEC, and are hoping to get a condition of approval pending on the DEC permit.

Tom Puchner, attorney for this project explained in terms of SEQRA to have a conditional approval so that Cypress Creek Renewables could move forward with this project. Mr. Puchner stated they wanted to make the Planning Board aware the DEC permit has been submitted.

Mr. Stumpf stated at the last meeting they felt things were going along very well and wanted to continue it at this meeting and hopefully have an approval at the September meeting.

Mr. Stumpf stated this location is 2 lots with a total of 56.5 acres area of disturbance will be 29 acres and the actual Solar Arrays will be 7.5 acres of disturbance.

Mr. Stumpf stated after talking with Bryan King, Fire Chief they have revised the emergency plan with concerns he had.

Chairman Dingman questioned if the issue with the lock box had been settled.

Mr. Stumpf stated the fire company will have keys to the lock boxes as well as access to the main power switch. Mr. Stumpf gave a copy of the revised emergency plan to Bryan King Fire Chief and John Aiken, Kingsbury Volunteer Hose Company.

There will be preconstruction training and operation training for the fire company. Mr. Stumpf will be meeting with the fire company personally to answer any questions or concerns they may have.

Mr. Stumpf stated they are working on the stormwater management as well.

Chairman Dingman questioned the merging of the two lots to meet set back requirements.

Mr. Stumpf stated they are working on that as well.

Chairman Dingman opened the Public Hearing.

Dan Colomb, 726 County Line Road spoke with concern of the wetlands.

Chairman Dingman stated the Public Hearing on this project will remain opened.

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2. PRELIMINARY - R2M Holdings LLC, Tax Map # 146.13-2-15, commonly known as 36 Dean Road, Hudson Falls, Town of Kingsbury, located in Zoning District, Low Density Residential / LDR-25 is seeking Site Plan approval to increase the number of dwelling units on the property from 5 to 17. An LDR-25 District allows one dwelling unit for every 25,000 square feet. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Ethan Hall, Principal with Rucinski-Hall Architecture who will be representing Robert Springer, R2M Holdings, LLC to address the Board.

Mr. Hall stated they are here tonight to propose Phase II of Kings Way Town Houses at 36 Dean Road, with Phase I being nearly complete. The sewer line is being installed to the site and Phase II will be included in the proposed construction of 6 additional duplex townhouses.

When Mr. Springer started with Phase I there wasn't any access to sewer. He had proposed 5 units with onsite septic originally. Once this project was started Mr. Springer had discussions with Bill Nikas who owns The Quarry Project LLC. The major pumping station is located on this property and is designed to carry all of the development. They have had several meetings with Washington County Sewer District and Mr. Nikas discussing the volume and how it is underutilized. The Quarry LLC has not been fully developed and therefore the pump station is underutilized.

Mr. Springer and Mr. Nikas have worked out an agreement where Mr. Springer will be able to utilize some of the capacity until the rest of The Quarry LLC can be developed.

They are proposing to build 6 duplex that are smaller in size than the first two they built. They will still be 2 story but they will be building over the top of the garage. The townhouses will all be 3 bedroom apartments. Mr. Hall stated they will be maintaining 50 feet between the last building that is there and the first new one and then 50 feet in between each of the new buildings. On the backside there will be 31 feet between each of the buildings. They intend to continue to utilize the same stormwater management as they used for the first two buildings.

Chairman Dingman questioned the setbacks for this project.

Mr. Hall stated all setbacks requirements are met. They have no problem with the setbacks; the problem is with the density. They do not meet the density requirements and will be going to the Zoning Board of Appeals on Thursday, August 24, 2017.

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Mrs. LaRose questioned if the buildings are rentals or can people buy them.

Mr. Springer stated the townhouses will be rentals. They will be on a higher end of luxury townhouse. He believes there are a lot of professional people that want to come and go and have all the work done for them. Mr. Springer stated he will be maintaining the roads himself into this development. There will be a lot of landscaping with this project.

Mr. LaRose questioned what the rent would be.

Mr. Springer stated the rent would be \$1400 per month.

Chairman Dingman stated the biggest concern is the density. The density rule is there for a reason and not sure what the Zoning Board of Appeals will do.

Mr. Gauci questioned if the buildings would be on a slab or basement.

The first 2 buildings are on slabs. Mr. Hall stated there is talk of crawl space in the new buildings. This will allow the furnaces to be installed in the crawl space and give the townhouse more floor space.

Discussion ensued among the Board with questions address by the Applicant's Representation and the Applicant.

This project was tabled pending the decision of the Zoning Board of Appeals.

ON A MOTION BY MR. GAUCI, seconded by Mrs. LaRose all in favor, the meeting was adjourned at 8:00 P.M.

Michelle Radliff
Secretary